



Department of Water and Environmental Regulation – Department of Mines, Industry Regulation and Safety

Application for a clearing permit (purpose permit)

Environmental Protection Act 1986 section 51E

FORM C2

Clearing of native vegetation is prohibited in Western Australia except where a clearing permit has been granted or an exemption applies. A person who causes or allows unauthorised clearing commits an offence.

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| CPS No. 80687 |
| Department of Mines and Petroleum |
| 16 MAY 2018 |
| Date stamp |
| Native Vegetation |

| Part 1: Assessment bilateral agreement | |
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| <p>The native vegetation clearing processes under Part V of the <i>Environmental Protection Act 1986 (WA) (EP Act)</i> have been accredited by the Commonwealth of Australia under the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)</i> and can be assessed under an assessment bilateral agreement.</p> <p>To be assessed in this manner, the proposed clearing action must be referred to the Commonwealth under the EPBC Act and deemed a 'controlled action' prior to submitting this application form.</p> <p>For further information see <i>Annex C7</i> and <i>A guide to native vegetation clearing processes under the assessment bilateral agreement</i> available at www.der.wa.gov.au/our-work/clearing-permits.</p> | <p>Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?</p> |
| | <p><input type="checkbox"/> Yes EPBC Number: _____</p> |
| | <p><input checked="" type="checkbox"/> No Proceed to Part 2</p> |
| | <p>List the controlling provisions identified in the notification of the controlled action decision.</p> |
| | <p><input type="checkbox"/> Annex C7 is complete and the required supporting information is attached.</p> |

| Part 2: Land details | |
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| <p>The location of the land where clearing is proposed must be accurately described.</p> | <p>Land description: volume and folio number, lot or location number(s), Crown lease or reserve number, pastoral lease number or mining tenement number of all properties.</p> <p>L45/108, L45/58, M45/50, M45/365, M45/381, M45/383, M45/923, M45/924, M45/949, M45/950, M45/1252, G45/321</p> |
| <p>FILE REFERENCE</p> | <p>Street address N/a</p> |
| | <p>Local government area Shire of Port Hedland Town, Shire of East Pilbara</p> |

| Part 3: Applicant details | |
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| Applicant details | |
| <p>Note: if granted, the applicant will be considered the holder of the permit.</p> | <p>Are you applying as an individual, a company or an incorporated body? Enter details for one only.</p> <p>An individual applicant Title <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms</p> <p><input type="checkbox"/> Other</p> <p>Name(s)</p> |
| | <p>OR</p> <p>A body corporate or other entity formed at law (include Australian Company Number)</p> <p>Wodgina Lithium Pty Ltd ACN 611 488 932</p> |
| | <p>"I am..." (mark applicable box or boxes)</p> <p><input checked="" type="checkbox"/> the owner of the land.</p> |
| | <p><input checked="" type="checkbox"/> acting on behalf of the owner and have attached an agent's authority, expressly authorising me to act on behalf of the landowner. <i>[Attach a copy of the authorisation]</i></p> |
| | <p><input checked="" type="checkbox"/> likely to become the owner of the land. <i>[Attach evidence of the pending transfer of ownership, contract of sale ('offer and acceptance') or letter from current landowner.]</i></p> |
| | <p><input checked="" type="checkbox"/> the person doing the clearing.</p> <p><input type="checkbox"/> the person on whose behalf the clearing is being done.</p> |
| Applicant contact details | |
| <p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>All written correspondence from the Department of Water and Environmental Regulation (DWER) regarding your application will be made via email; you must provide a valid email address through which you agree to accept all electronic correspondence.</p> <p>The postal/business address supplied must be a physical address to which a statutory notice under the EP Act may be delivered.¹</p> | <p>Provide the contact details for the above individual or body corporate.</p> |
| | <p>Postal / business address</p> |
| | <p>Phone (fixed line):</p> |
| <p>Email address</p> | |

¹ The provision of a postal/business address is required as any statutory notices or directions under the relevant legislation are required to be served by post or personally [sections 75 and 76 *Interpretation Act 1984* (WA)].

| Authority to access land | | | | | | | | | | | | | | | | | | | | | |
|---|---|--------------------------|--|--------------------------|--|-------------------------------------|---------------|--------------------------|--|--|---|---|----------------------------|--|--|---------------------|--|--|----------------|--|--|
| <p>To apply for a permit you must be the landowner, or have the authority of the landowner to access the land and undertake the clearing.</p> <p>Evidence of authority can include, for example, a copy of the certificate of title or a letter of authority from the landowner.</p> <p>Note: the letter of authority must explicitly state the applicant has authority to clear on the land.</p> | <p>State the nature of the applicant's authority to access the land to be cleared. <i>[Attach evidence of authority]</i></p> <p>M45/923 - refer Appendix 4 (authority to act on leaseholder's behalf dated 22/9/16.</p> <p>M45/1252 – refer Appendix 4 (authority to act on leaseholder's behalf dated 14/11/17 as per sub-section (b)).</p> | | | | | | | | | | | | | | | | | | | | |
| Landowner's ownership of land | | | | | | | | | | | | | | | | | | | | | |
| <p>A landowner can be:</p> <ul style="list-style-type: none"> • a person who holds the certificate of title; • a person who is the lessee of Crown land; <i>or</i> • a public authority that is responsible for care of the land. | <p>The landowner's form of ownership is:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 30px;"><input type="checkbox"/></td> <td>Certificate of title <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate].</i></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Pastoral lease <i>[Attach a copy of the lease and all associated encumbrances].</i></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Mining lease.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Public authority that has care, control or management of the land.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other form of lease, land tenure or specific arrangement.</td> </tr> <tr> <td colspan="2">Please state: </td> </tr> </table> | <input type="checkbox"/> | Certificate of title <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate].</i> | <input type="checkbox"/> | Pastoral lease <i>[Attach a copy of the lease and all associated encumbrances].</i> | <input checked="" type="checkbox"/> | Mining lease. | <input type="checkbox"/> | Public authority that has care, control or management of the land. | <input type="checkbox"/> | Other form of lease, land tenure or specific arrangement. | Please state: | | | | | | | | | |
| <input type="checkbox"/> | Certificate of title <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate].</i> | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Pastoral lease <i>[Attach a copy of the lease and all associated encumbrances].</i> | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | Mining lease. | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Public authority that has care, control or management of the land. | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Other form of lease, land tenure or specific arrangement. | | | | | | | | | | | | | | | | | | | | |
| Please state: | | | | | | | | | | | | | | | | | | | | | |
| Contact details for enquiries | | | | | | | | | | | | | | | | | | | | | |
| <p>If different from the Applicant's contact details, enter the contact details of a person with whom DWER or the Department of Mines, Industry Regulation and Safety (DMIRS) should liaise with concerning this clearing application.</p> | <p>Where contact details differ to those of the applicant, complete the below section:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 30px;">An individual applicant</td> <td style="width: 100px;">Title</td> <td rowspan="2" style="width: 50px; vertical-align: middle;">_____</td> </tr> <tr> <td></td> <td>Name(s)</td> </tr> <tr> <td colspan="3">OR</td> </tr> <tr> <td colspan="3">A body corporate or other entity formed at law</td> </tr> <tr> <td colspan="3">Postal / business address:</td> </tr> <tr> <td colspan="3">Phone (fixed line):</td> </tr> <tr> <td colspan="3">Email address:</td> </tr> </table> | An individual applicant | Title | _____ | | Name(s) | OR | | | A body corporate or other entity formed at law | | | Postal / business address: | | | Phone (fixed line): | | | Email address: | | |
| An individual applicant | Title | _____ | | | | | | | | | | | | | | | | | | | |
| | Name(s) | | | | | | | | | | | | | | | | | | | | |
| OR | | | | | | | | | | | | | | | | | | | | | |
| A body corporate or other entity formed at law | | | | | | | | | | | | | | | | | | | | | |
| Postal / business address: | | | | | | | | | | | | | | | | | | | | | |
| Phone (fixed line): | | | | | | | | | | | | | | | | | | | | | |
| Email address: | | | | | | | | | | | | | | | | | | | | | |

| Part 4: Proposed clearing | |
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| <p>An aerial photograph and/or map with a north arrow must be attached, clearly marking the area proposed to be cleared</p> <p>or</p> <p>if you have the facilities, a digital map on a suitable portable digital storage device of the area to clear as an ESRI shapefile with the following properties:</p> <p>Geometry type: Polygon shape Coordinate system: GDA 1994 (Geographic latitude/longitude) Datum: GDA 1994 (Geocentric Datum of Australia 1994).</p> <p>An ERSI shapefile must be provided if the application requires an assessment under an EPBC Act Accredited process.</p> | <p>Total area of clearing proposed (hectares) 560 ha (mine site – 320 ha; gas pipeline – 240 ha)</p> |
| | <p><i>and/or</i></p> <p>number of individual trees to be removed</p> |
| | <p>Proposed method of clearing:</p> <p>Dozer</p> |
| | <p>Purpose of clearing:</p> <p>Mine pit, waste dump, pipelines, tailings storage, access roads/tracks</p> |
| | <p>Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018</p> <p>from June 2018 to July 2019</p> |
| | <p>Final land use:</p> <p>Mine pit, waste dump, pipelines, tailings storage, access road/tracks</p> |
| <p>You must provide evidence that avoidance and mitigation options have been pursued to eliminate, reduce or otherwise mitigate the need for, and scale of, the proposed clearing of native vegetation.</p> | <p>Have alternatives that would avoid or minimise the need for clearing been considered and applied? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> |
| | <p>If yes, provide details:</p> <p>The ability to avoid and mitigate native vegetation clearing is heavily constrained with respect to mining activities e.g. pit and waste dump expansions, tailings storage. The gas pipeline is co-located with the existing gas Wodgina gas pipeline and therefore some of the clearing required for the new pipeline overlaps the area previously cleared for the existing pipeline and has subsequently regrown.</p> |
| <p>Refer to DWER's Clearing of native vegetation offsets procedure guideline available on the DWER website, and the Environmental Protection Authority's (EPA) <i>WA Environmental Offsets Guidelines</i> on the EPA website for further information.</p> | <p>Do you want to submit a clearing permit offset proposal with your application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> |
| | <p>If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native vegetation offsets procedure guideline</i>.</p> |

| Part 5: Other DWER approvals | |
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| Instructions: <ul style="list-style-type: none"> • If your application is to be submitted to DMIRS skip to Part 6 of this form. • If you have applied, or intend to apply, for other approvals within DWER that may be relevant to this application, you must provide the details. • If you have referred, or intend to refer, your proposal to the EPA, you must provide the details. | |
| Pre-application scoping | |
| Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications? | <input type="checkbox"/> No <input type="checkbox"/> Yes – provide details: [] |
| Environmental Impact Assessment (Part IV of the EP Act) | |
| Have you referred or do you intend to refer the proposal to the Environmental Protection Authority? | <input type="checkbox"/> Yes (referred) – reference (if known): [] <input type="checkbox"/> Yes – (intend to refer) proposal is a 'strategic proposal' under section 37B(2) <input type="checkbox"/> Yes – (intend to refer) proposal will require a section 45C amendment to the current Ministerial Statement: [] <input type="checkbox"/> No – a current valid Ministerial Statement applies: [] <input type="checkbox"/> No – not a 'significant proposal' |
| Section 37B(1) of the EP Act defines a 'significant proposal' as "a proposal likely, if implemented, to have a significant effect on the environment". If DWER considers that the proposal in this application is likely to constitute a 'significant proposal', DWER is required under section 38(5) of the EP Act to refer the proposal to the EPA for assessment under Part IV, if such a referral has not already been made. | |
| Works Approval / Licence / Registration (Part V Division 3 of the EP Act) | |
| Have you applied or do you intend to apply for a works approval, licence, registration, or an amendment to any of the above, under Part V Division 3 of the EP Act? | <input type="checkbox"/> Yes – application reference (if known): [] <input type="checkbox"/> No – a valid works approval applies: [] <input type="checkbox"/> No – a valid licence applies: [] <input type="checkbox"/> No – a valid registration applies: [] <input type="checkbox"/> No – not required |
| It is an offence to perform any action that would cause a premises to become a prescribed premises of a type listed in Schedule 1 of the <i>Environmental Protection Regulations 1987</i> , unless that action is done in accordance with a works approval, licence, or registration. For further guidance, please refer to the Guidance Statement: Decision Making (February 2017). | |
| Water Licences and Permits (<i>Rights in Water and Irrigation Act 1914</i>) | |
| Have you applied or do you intend to apply for: | <input type="checkbox"/> Yes – application reference (if known): [] <input type="checkbox"/> No – a current valid licence applies: [] <input type="checkbox"/> N/A |
| 1. a licence or amendment to a licence to take water (surface water or groundwater); or 2. a licence or amendment to a licence to construct wells (including bores and soaks); or 3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse? | |

| Part 6: Prescribed fee | | |
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| <p>Make cheques or money orders payable to: Department of Water and Environmental Regulation for all clearing purposes other than mining and petroleum activities or Department of Mines, Industry Regulation and Safety for mineral and petroleum clearing activities under the Mining Act, various Petroleum Acts or State Agreement Acts.</p> <p>For credit card payments to:</p> <ul style="list-style-type: none"> DWER, pay via BPoint, accessible online at: https://dwer.wa.gov.au/mak-e-a-payment DMIRS, complete <i>Form C3</i> and attach it to this form. <p>Do not send cash in the mail.</p> | <p>Please indicate the clearing permit application fee that you are paying:</p> <p><input checked="" type="checkbox"/> \$200 for a purpose permit</p> | OFFICE USE ONLY |
| | <p>Payment method (tick applicable box):</p> <p><input type="checkbox"/> Cheque / Money Order</p> <p><input type="checkbox"/> (DWER) Secure credit card or EFT payment through BPoint</p> <p>Receipt number: <input type="text"/></p> <p>Date of payment: <input type="text"/></p> <p><input checked="" type="checkbox"/> (DMIRS) Credit card –complete and attach <i>Form C3</i></p> | |

| Part 7: Application checklist | | |
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| <p>Additional information to assist in the assessment of your proposal may be attached to this application – e.g. reports on salinity, fauna or flora studies or other environmental reports conducted for the site could be included in electronic format and submitted on suitable portable digital storage device.</p> | <p>Please ensure you have included the following as part of your application:</p> | |
| | REQUIRED | <input type="checkbox"/> A completed application form that is signed and dated. |
| | | <input type="checkbox"/> Payment |
| | | <input type="checkbox"/> An aerial photograph or map with a north arrow clearly identifying the areas of vegetation proposed to be cleared or ESRI shapefile. |
| | | <input type="checkbox"/> Copy of the certificate of title or pastoral lease |
| | | <input type="checkbox"/> An index of all documentation attached to this application |
| | AS REQUIRED | <input type="checkbox"/> Copy of written authority to act on behalf of the landowner |
| | | <input type="checkbox"/> Written authority from the landowner to access the land and conduct the clearing |
| | | <input type="checkbox"/> Evidence of the pending transfer of land ownership, such as the offer and acceptance letter, or written notice from the current landowner |
| | | <input type="checkbox"/> Attachment 1: Confidential or commercially sensitive information |
| | | <input type="checkbox"/> Form C3 – Credit card payment for clearing applications, if the fee is to be paid to DMIRS by credit card |
| | | <input type="checkbox"/> Form Annex C7 - Assessment bilateral agreement if the clearing is also to be assessed under an EPBC Act Accredited Process |
| | | <input type="checkbox"/> Appendix A of the <i>Clearing of native vegetation offsets procedure</i> guideline if the application includes a proposal for clearing permit offsets. |
| ADDITIONAL SUPPORTING INFORMATION | <input type="checkbox"/> Photos of application area | |
| | <input checked="" type="checkbox"/> Environmental surveys | |

Part 8: Submission of application

Confidential or commercially sensitive information

Information submitted as part of this application will be made publicly available. If you wish to submit information that you believe to be commercially sensitive or otherwise confidential, then you should submit that information in an appendix to this application (Attachment 1), with a written statement of reasons why you request that each item of information be kept confidential.

DWER will take reasonable steps to protect confidential or commercially sensitive information. Please note in particular that all submitted information may be the subject of an application for release under the *Freedom of Information Act 1992*.

If you have any enquiries regarding the provision of relevant information as part of this application contact either the Department of Water and Environmental Regulation or the Department of Mines, Industry Regulation and Safety.

Email or post applications for all clearing purposes (other than mining and petroleum activities) to:

Email: info@dwer.wa.gov.au

Department of Water and Environmental Regulation

Locked Bag 33
CLOISTERS SQUARE
PERTH WA 6850

Telephone: 6364 7000

For more information: www.dwer.wa.gov.au

Post applications related to mining and petroleum clearing activities (under delegation) to:

Department of Mines, Industry Regulation and Safety

Environment Division
Mineral House
100 Plain St EAST PERTH WA 6004

Telephone: 9222 3333

For more information: www.dmirs.wa.gov.au

Please retain a copy of this form for your records.

Incomplete applications will be declined in accordance with section 51E(3) of the *Environmental Protection Act 1986*.

If there is insufficient space on any part of this form, please continue on a separate sheet of paper and attach to this form

Part 9: Declaration and signature

General

I/We confirm and acknowledge that:

- the information contained in this application is true and correct and I/we acknowledge that knowingly providing information which is false or misleading in a material particular constitutes an offence under section 112 of the *Environmental Protection Act 1986 (WA)* and may incur a penalty of up to \$50,000;
- I/We have legal authority to sign on behalf of the applicant (where authorisation provided);
- I/We have not altered the requirements and instructions set out in this application form;
- I/We have provided a valid email address in Part 3 for receipt of all written correspondence from DWER in relation to this application. I/We acknowledge that successful delivery to my/our server constitutes receipt of correspondence for the purposes of the *Environmental Protection Act 1986 (WA)*; and
- I/We have provided a valid postal and /or business address in Part 3 for the service of all statutory notices under the relevant legislation.

Publication

I/We confirm and acknowledge:

- this application (including all attachments, apart from the sections identified in Attachment 1) is a public document and may be published;
- all necessary consents for the publication of information have been obtained from third parties;
- information considered exempt from public disclosure has been placed in Attachment 1 with reasons as to why the information should be exempt in accordance with the grounds specified in Schedule 1 to the *Freedom of Information Act 1992 (WA)*;
- subsequent information provided in relation to this application will be a public document and may be published unless written notice has been given to the Department by the applicant, at the time the information is provided, claiming that the information is considered exempt from public disclosure; and
- the decision to not publish information will be at the discretion of the CEO of the Department and will be made consistently with the provisions of the *Freedom of Information Act 1992 (WA)*.

Please indicate if you are signing as an individual or a company:

An individual.
If an individual landowner is applying, **all landowners** must sign this form.

A company. **ACN:** 611 488 932
A person expressly authorised or authorised to execute on behalf of a body corporate must sign this form. A company must be a legal entity and provide an Australian Company Number (ACN). Please note Australian Business Number (ABN) is not sufficient.

Other entity formed at law. Provide details:

| | |
|-----------|---------------|
| | 30 April 2018 |
| Signature | Date |
| Name | |
| Position | |
| Signature | Date |
| Name | |
| Position | |

ATTACHMENT 1 – Confidential or Commercially Sensitive Information

| Request for exemption from publication | |
|--|--------------------------------|
| Information which you consider should not be published, on the grounds of a relevant exemption found in Schedule 1 to the <i>Freedom of Information Act 1992</i> (WA), must be specified in this Attachment. | |
| NOT FOR PUBLICATION IF GROUNDS FOR EXEMPTION ARE DETERMINED | |
| Specify section: | Ground for claiming exemption: |
| | |
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| Specify section: | Ground for claiming exemption: |
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