



Department of Water and Environmental Regulation (DWER)
Department of Mines, Industry Regulation and Safety (DMIRS)

Application to amend a clearing permit

Environmental Protection Act 1986, section 51KA

FORM C4

The clearing of native vegetation is prohibited in Western Australia unless a clearing permit has been granted for the clearing or where a permit is not required (either due to a referral determination that one is not needed or because an exemption applies). A person who causes or allows unauthorised clearing commits an offence.

For further information on the stages of assessment for clearing permit applications (including amendments to existing permits), see the [Procedure: Native vegetation clearing permits](#) on DWER's website.

CPS No.

Date stamp

Part 1: Assessment bilateral agreement

If the amendment of a clearing permit will or is likely to impact on a matter of national environmental significance identified under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) the original application must have been assessed in accordance with the bilateral assessment, and a variation under the EPBC Act is required prior to submitting this amendment application form.

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.

Further information is located in *Form Annex C7* and *A guide to native vegetation clearing processes under the Assessment bilateral agreement* available at www.der.wa.gov.au/our-work/clearing-permits.

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?

Yes EPBC number:

No Proceed to Part 2

List the controlling provisions identified in the notification of the controlled action decision.

Form Annex C7 is complete and the required supporting information is attached.

Part 2: Clearing permit details

Amendments can only be made to active clearing permits.

Applications must be made more than 90 working days prior to the existing permit expiring to ensure there is adequate time to assess the amendment.

Permit number for existing clearing permit CPS 8101/2

Permit holder's name (as it appears on the existing clearing permit) B & J Catalano

FILE REFERENCE

Permit expiry date: 11 October 2024

Mark this box if there are less than 90 working days until the expiry of the existing permit.

| Part 3: Applicant | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|--|--------------------------|-----|--------------------------|-----|--------------------------|--------|--------------------------|--------|--|--|--------|--|--|--|--|--|--|--|--|--|--|
| Applicant details | | | | | | | | | | | | | | | | | | | | | | | |
| <p>To apply for an amendment to a permit you must be the current holder of the existing permit.</p> <p>Include Australian Company Number (ACN) if the proposed permit holder is a body corporate or other entity formed at law.</p> | <p>Are you applying as an individual, a company or incorporated body? Enter details for one only.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; border: none;">An individual</td> <td style="width: 15%; border: none;">Title</td> <td style="width: 10%; border: none;">Mr</td> <td style="width: 10%; border: none;"><input type="checkbox"/></td> <td style="width: 10%; border: none;">Mrs</td> <td style="width: 10%; border: none;"><input type="checkbox"/></td> <td style="width: 10%; border: none;">Ms</td> <td style="width: 10%; border: none;"><input type="checkbox"/></td> <td style="width: 10%; border: none;">Other:</td> <td style="width: 10%; border: none;"></td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;">Name/s</td> <td colspan="8" style="border: none;"></td> </tr> </table> <p>OR</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border: none;">A body corporate or other entity formed at law (include ACN)</td> <td style="width: 50%; border: none;">B&J Catalano Pty Ltd ACN: 008961975</td> </tr> </table> | An individual | Title | Mr | <input type="checkbox"/> | Mrs | <input type="checkbox"/> | Ms | <input type="checkbox"/> | Other: | | | Name/s | | | | | | | | | A body corporate or other entity formed at law (include ACN) | B&J Catalano Pty Ltd ACN: 008961975 |
| An individual | Title | Mr | <input type="checkbox"/> | Mrs | <input type="checkbox"/> | Ms | <input type="checkbox"/> | Other: | | | | | | | | | | | | | | | |
| | Name/s | | | | | | | | | | | | | | | | | | | | | | |
| A body corporate or other entity formed at law (include ACN) | B&J Catalano Pty Ltd ACN: 008961975 | | | | | | | | | | | | | | | | | | | | | | |
| Applicant contact details | | | | | | | | | | | | | | | | | | | | | | | |
| <p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>DWER and DMIRS prefer to send all correspondence via email.</p> <p>We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act ("Part V documents") via email by indicating your consent in this section of the application form.</p> <p>Where 'yes' is selected, all correspondence from DWER or DMIRS (as applicable) will be sent to you via email, to the email address provided in this section.</p> <p>Where 'no' has been selected, Part V documents will be posted to you in hard copy to the postal/business address you have provided in this section. Other general correspondence may still be sent to you via email.</p> | <p>Provide contact details for the above individual or body corporate.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; border: none;">Contact person (and position, if applicable)</td> <td style="width: 70%; background-color: black;"></td> </tr> </table> | Contact person (and position, if applicable) | | | | | | | | | | | | | | | | | | | | | |
| Contact person (and position, if applicable) | | | | | | | | | | | | | | | | | | | | | | | |
| Contact details for enquiries | | | | | | | | | | | | | | | | | | | | | | | |
| <p>If different from the applicant's contact details, enter the contact details of a person with whom DWER or DMIRS should liaise with concerning this clearing application.</p> | | | | | | | | | | | | | | | | | | | | | | | |

| Part 4: Proposed amendments | | |
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| <p>Additional information to support the assessment of your application to amend may be attached.</p> <p>Please ensure you have included the following as part of your application:</p> <ul style="list-style-type: none"> a photocopy of the granted clearing permit, with proposed changes highlighted, <i>and</i> payment of the prescribed fee. <p>When providing details of the proposed change(s), if any additional clearing is proposed, include details of:</p> <ul style="list-style-type: none"> the proposed method of the clearing; the purpose of the clearing; the period within which the clearing is proposed to be undertaken (taking note of the published minimum assessment timeframes for DWER / DMIRS, as applicable); <i>and</i> the final land use. | <p>Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):</p> <p><input type="checkbox"/> Extend the duration of the clearing permit.</p> <p><input type="checkbox"/> Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.</p> <p><input checked="" type="checkbox"/> Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.</p> <p><input type="checkbox"/> Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i></p> <p><input type="checkbox"/> Make a correction to the clearing permit.</p> <p><input type="checkbox"/> Other.</p> | |
| | <p>Provide details of the proposed change(s), and the rationale(s) for it / them.</p> <p>An additional 1ha of remnant vegetation is being sought for clearing under this amendment. The area is along the southern extend of the existing clearing permit area (Figure 1), and it is required for an extension of the existing gravel extraction area. A Basic Vertebrate Fauna Survey and Targeted Black-Cockatoo Habitat Survey has been undertaken, and the clearing footprint has been determined to avoid habitat trees containing hollow/s potentially suitable for cockatoos, with a 25m radius buffer applied to further protect these trees (Figure 1).</p> <p>A targeted and reconnaissance flora and vegetation survey of the proposed clearing area found no TEC, PEC or flora of conservation significance.</p> <p>Clearing will be undertaken using mechanical means.</p> <p>Clearing is proposed to be undertaken between February 2022 and July 2023.</p> <p>The land will be rehabilitated back to native species, in accordance with the mine closure plan, utilising species suitable to promote Black Cockatoo habitat.</p> | |
| | <p>For an application to amend the size of the area permitted to be cleared, or add a land parcel to the clearing permit, you must have the authority of the landowner to access the land and undertake the clearing.</p> | <p>State the nature of the applicant's authority to access the land to be cleared. Evidence of authority can include e.g. a copy of the certificate of title or a letter of authority signed by the landowner or other person with authority to give legal land access permission.</p> <p><i>[Attach evidence of authority. Note that a letter of authority must explicitly state the applicant has authority to clear on the land.]</i></p> <p>Letter of Authority from Mining Lessee</p> |
| | <p>Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.</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>Mining tenement M70/733</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 initial additional area sought for clearing was 2.6ha (the southern extend of NOI approvals, which coincide with the extend of the M70/406 dead tenement boundary), however the proposed clearing footprint has been determined to avoid habitat trees containing hollow/s potentially suitable for cockatoos, with a 25m radius buffer applied to further protect these trees (Figure 1). In line with the avoidance principle, this has resulted in a decrease in the proposed additional clearing area of 1.6ha (from 2.6ha to 1ha).</p> |
| | <p>Refer to DWER's Clearing of native vegetation offsets</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> |

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 (WA)</i> , available here , must be specified in this Attachment. Add additional rows as required. | | | |
| NOT FOR PUBLICATION IF GROUNDS FOR EXEMPTION ARE DETERMINED TO BE ACCEPTABLE | | | |
| Section of this form: | | Grounds for claiming exemption: | |
| Section of this form: | | Grounds for claiming exemption: | |
| Section of this form: | | Grounds for claiming exemption: | |
| <div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Full Name | | | |
| | | | |
| Signature | | Date | |