



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

Application for an amendment to a clearing permit

Environmental Protection Act 1986, section 51M

FORM C4

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.

For further information on the stages of assessment for clearing permit applications (including amendments to existing permits), refer to 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 8409/2

Permit holder's name (as it appears on the existing clearing permit) Atlas Iron Limited

FILE REFERENCE

Permit expiry date: 31 January 2021

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>			
	<p>An individual</p>	<p>Title</p> <p>Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: <input type="text"/></p>	<p>Name/s</p>	
	<p>OR</p> <p>A body corporate or other entity formed at law (include ACN)</p> <p>Atlas Iron Pty Ltd (ACN 63 110 396 168)</p>			
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 electronically 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") electronically 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>			
	<p>Contact person (and position, if applicable)</p> <p>██████████</p>			
	<p>Company name (if applicable)</p> <p>██████████</p>			
	<p>Postal / business address</p> <p>██</p> <p>██</p>			
	<p>Phone (fixed line):</p> <p>██████████</p>		<p>Phone (mobile):</p> <p>██████████</p>	
	<p>Email address</p> <p>██</p>			
	<p><i>I consent to all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable), regarding the premises which is the subject of this application, being exclusively via email, using the email address I have provided above.</i></p>			<p>Yes</p> <p><input checked="" type="checkbox"/></p>
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>	<p>Where contact details differ to those of the applicant, complete the below section:</p>			
	<p>Contact person (and position, if applicable)</p> <p>N/A</p>			
	<p>Company name (if applicable)</p> <p></p>			
	<p>Postal / business address</p> <p></p>			
	<p>Phone (fixed line)</p> <p></p>		<p>Phone (mobile)</p> <p></p>	
<p>Email address</p> <p></p>				

Part 4: Proposed amendments													
<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, and 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); and the final land use. 	<p>Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):</p> <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td>Extend the duration of the clearing permit.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Make a correction to the clearing permit.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other.</td> </tr> </table> <p>Provide details of the proposed change(s), and the rationale for it / them.</p> <p>Atlas is seeking three changes to CPS 8409/2.</p> <p>Addition of 'maintenance' as one of the clearing purposes under condition 1</p> <p>The current purpose as per condition 1 is "...road upgrades, geotechnical and water investigations, and water infrastructure." After the road upgrades are completed, Atlas will be responsible for ongoing maintenance of the road subject to this permit during the life of its associated Corunna Downs iron ore mine. Atlas is therefore seeking this condition to be changed to "...road upgrades and maintenance, geotechnical and water investigations, and water infrastructure."</p> <p>Extension of duration of permit by 5 years</p> <p>The road upgrade works are in progress however may not be complete by the current expiry of this permit (31 January 2021). Atlas requires the permit to be extended to enable road upgrade works to be completed. Additionally, road maintenance will be required on an ongoing basis as described above. Atlas is therefore seeking the permit's expiry to be extended by 5 years to 31 January 2026.</p> <p>Amend revegetation and rehabilitation completion date</p> <p>Condition 10(b) currently requires areas no longer required for the purpose for which they were cleared to be revegetated and rehabilitated by 31 January 2021, i.e. the current expiry date of the permit. As upgrade works are not yet completed, Atlas is therefore seeking this date be extended. Atlas proposes extending this date by 1 year to 31 January 2022.</p> <p><u>Note regarding Atlas's authority to access Crown land:</u></p> <p>The area covered by the clearing permit is accessed by Atlas under a licence to occupy Crown land in accordance with section 91 of the <i>Land Administration Act 1997</i>. As the section 91 licence currently expires on 31 January 2021, Atlas applied to the Department of Planning, Lands and Heritage (DPLH) to extend the section 91 licence by a further 5 years to 31 January 2026, in April 2020. DPLH has not yet consented to the section 91 licence extension, however has indicated it is currently assessing the application. Correspondence from DPLH is attached accordingly (Attachment A). Atlas is seeking DWER assessment of this application ahead of the section 91 Licence extension to ensure approval can be granted promptly after Section 91 extension is granted and prior to expiry of current clearing permit (31 January 2020).</p>	<input checked="" type="checkbox"/>	Extend the duration of the clearing permit.	<input checked="" type="checkbox"/>	Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.	<input type="checkbox"/>	Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.	<input type="checkbox"/>	Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i>	<input type="checkbox"/>	Make a correction to the clearing permit.	<input type="checkbox"/>	Other.
<input checked="" type="checkbox"/>	Extend the duration of the clearing permit.												
<input checked="" type="checkbox"/>	Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.												
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<input type="checkbox"/>	Make a correction to the clearing permit.												
<input type="checkbox"/>	Other.												
<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>Section 91 licence Lic 00869/2016_A10394337 dated 30/1/2019 (as supports current permit) – Attachment A.</p>												

Part 4: Proposed amendments			
	Correspondence from DPLH regarding assessment of Atlas's application to extend this licence is attached (Attachment A).		
Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.	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. (not applicable)		
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.	Have alternatives that would avoid or minimise the need for clearing been considered and applied?	<input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No
	If yes, provide details: Considered as part of original application – no amendments or further information required.		
Refer to DWER's Clearing of native vegetation offsets procedure guideline available on the DWER website, and the EPA's WA Environmental Offsets Policy and Guidelines on the EPA website for further information.	Do you want to submit a clearing permit offset proposal with your application?	<input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No
	If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native vegetation offsets procedure guideline</i> .		
Part 5: Other DWER approvals			
Instructions: <ul style="list-style-type: none"> If your application is to be submitted to DMIRS, complete Section A and then skip to Part 6 of this form. If your application is to be submitted to DWER, complete both Sections A and B. 			
Section A: Environmental Impact Assessment			
Environmental Impact Assessment (Part IV of the EP Act)			
Has this clearing application or any related matter been referred to the Environmental Protection Authority?	<input type="checkbox"/> Yes – provide details []		
	<input checked="" type="checkbox"/> No		
Do you intend to refer the proposal to the Environmental Protection Authority? 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 a decision-making authority (e.g. DWER or DMIRS) considers that the proposal in this application is likely to constitute a 'significant proposal', they are 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. If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.	<input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')		
	<input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) MS []		
	<input type="checkbox"/> No – a current valid Ministerial Statement applies: MS []		
	<input checked="" type="checkbox"/> No – not a 'significant proposal'		
Section B: Other approvals			
Pre-application scoping			
Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?	<input type="checkbox"/> No		
	<input checked="" type="checkbox"/> Yes – provide details: [Enquiry phone call with [REDACTED] on 9 November 2020]		
Works approval / Licence / Registration (Part V Division 3 of the EP Act)			
	<input type="checkbox"/> Yes – application reference (if known): []		