



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

## Application for a clearing permit (area permit)

Environmental Protection Act 1986, section 51E

### FORM C1

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.

CPS No. 8779/1
Date stamp

#### Part 1: Assessment bilateral agreement

The native vegetation clearing processes under Part V of the *Environmental Protection Act 1986 (WA)* (EP Act) have been accredited by the Commonwealth of Australia under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act) and can be assessed under an assessment bilateral agreement.

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.

For further information see *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](http://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.

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

#### Part 2: Land details

The location of the land where clearing is proposed must be accurately described.

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.

Mining Leases M77/990-I and M77/611-I granted to Cliffs Asia Pacific Iron Ore Pty Ltd under the Mining Act 1978 (WA)

FILE REFERENCE	Street address	N/A
	Local government area	Shire Of Yilgarn
	Land zoning, e.g. rural, residential, industrial	'Rural/Mining' as defined by the Shire of Yilgarn Town Planning Scheme No.2

Part 3: Applicant details																																					
<b>Applicant details</b>																																					
<p>If granted, the permit will be granted in the name(s) of (all) landowner(s).</p> <p>Include the 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: 10%; border: none;">An individual</td> <td style="width: 15%; border: none;">Title</td> <td style="width: 15%; border: none;">Mr</td> <td style="width: 10%; border: none;"><input type="checkbox"/></td> <td style="width: 15%; 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: 15%; border: none;">Other:</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;">Name/s</td> <td colspan="7" style="border: none;"></td> </tr> <tr> <td colspan="9" style="text-align: center; background-color: #cccccc;"><b>OR</b></td> </tr> <tr> <td style="border: none;">A body corporate or other entity formed at law (include ACN)</td> <td colspan="8" style="border: none;">                     Yilgarn Iron Pty Ltd  <del>(ACN 149 056 842)</del> 626 035 078                      (Subsidiary of Mineral Resources Limited)                 </td> </tr> </table>	An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:		Name/s								<b>OR</b>									A body corporate or other entity formed at law (include ACN)	Yilgarn Iron Pty Ltd <del>(ACN 149 056 842)</del> 626 035 078 (Subsidiary of Mineral Resources Limited)							
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<b>Applicant contact details</b>																																					
<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>																																					
<b>Relationship to landowner</b>																																					
<p>To apply for an area permit you must either be:</p> <ul style="list-style-type: none"> <li>• the landowner;</li> <li>• acting on the landowner's behalf;</li> <li style="text-align: center;">or</li> <li>• likely to become the landowner.</li> </ul>	<p>"I am..." (mark the applicable box)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px;"><input type="checkbox"/></td> <td>the owner of the land.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>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></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>likely to become the owner of the land. (If granted, the clearing permit will only be issued once the applicant becomes the land owner). <i>[Attach evidence of the pending transfer of ownership, contract of sale ('offer and acceptance'), or letter from current landowner.]</i></td> </tr> </table>	<input type="checkbox"/>	the owner of the land.	<input 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>	<input checked="" type="checkbox"/>	likely to become the owner of the land. (If granted, the clearing permit will only be issued once the applicant becomes the land owner). <i>[Attach evidence of the pending transfer of ownership, contract of sale ('offer and acceptance'), or letter from current landowner.]</i>																														
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Part 3: Applicant details					
<b>Ownership of land</b>					
A landowner can be: <ul style="list-style-type: none"> <li>• a person who holds the certificate of title;</li> <li>• a person who is the lessee of Crown land;</li> <li>or</li> <li>• a public authority that is responsible for care of the land.</li> </ul>	Form of ownership: <ul style="list-style-type: none"> <li><input type="checkbox"/> Certificate of title. [Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate]</li> <li><input type="checkbox"/> Pastoral lease. [Attach a copy of the lease and all associated encumbrances]</li> <li><input checked="" type="checkbox"/> Mining lease.</li> <li><input type="checkbox"/> Public authority that has care, control, or management of the land.</li> <li><input checked="" type="checkbox"/> Other form of lease, land tenure, or specific arrangement. Please state: Asset Sale Agreement Cliffs to MRL (Confidential and Commercially Sensitive)</li> </ul>				
	<b>Contact details for enquiries</b>				
	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.	Where contact details differ to those of the applicant, complete the below section:			
		Contact person (and position, if applicable)	-		
		Company name (if applicable)	-		
Postal / business address		-			
Phone (fixed line)		-	Phone (mobile)	-	
Email address	-				
<b>Part 4: Proposed clearing</b>					
An aerial photograph or map with a north arrow must be attached, clearly marking the area proposed to be cleared or 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: Geometry type: Polygon shape Coordinate system: GDA 1994 (Geographic latitude/longitude) Datum: GDA 1994 (Geocentric Datum of Australia 1994).  An ESRI shapefile must be provided if the application requires an assessment under an EPBC Act accredited process.	Total area of clearing proposed (hectares)	7.3ha	7.082 ha (see Email rec'd 30/1/2020)		
	and/or				
	number of individual trees to be removed				
	Proposed method of clearing	Dozer			
	Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018	From	January 2020	to	October 2032
	Purpose of clearing	Expansion of mining operations and associated infrastructure – new crushing equipment			
	Final land use:	Mining and associated infrastructure			
	You must provide evidence that avoidance and mitigation options have been pursued to eliminate, reduce, or otherwise mitigate the need for, and scale	Have alternatives that would avoid or minimise the need for clearing been considered and applied?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>
If yes, provide details:		The location for the installation of the crushing equipment was selected based on the proximity to the existing ROM, Ore Stockpiles and Rail Loading Facility. The 7.3 ha area			

Part 4: Proposed clearing	
of, the proposed clearing of native vegetation.	designated for clearing is degraded and represents limited environmental value when compared to vegetation in the broader area. The proposed clearing area abuts operational areas and provides for the efficient use of the existing disturbed areas and minimises the total area of clearing to facilitate the project.
Refer to DWER's <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the Environmental Protection Authority's (EPA) <a href="#">WA Environmental Offsets Policy and Guidelines</a> 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</i> guideline.

Part 5: Other DWER approvals	
<b>INSTRUCTIONS:</b>	
<ul style="list-style-type: none"> <li>If your application is to be submitted to DMIRS, complete Section A and then skip to Part 6 of this form.</li> <li>If your application is to be submitted to DWER, complete Section A and B.</li> </ul>	
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 EPA?	<input type="checkbox"/> Yes – provide details [     ] <input checked="" type="checkbox"/> No
Do you intend to refer the proposal to the EPA? 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 checked="" type="checkbox"/> No <input type="checkbox"/> Yes – provide details: [     ]
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? 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, refer to <a href="#">Guidance Statement: Decision Making</a> .	<input checked="" 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