

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

Part 1: Assessment bilateral agreement

If the amendment of a clearing

permit will or is likely to impact on

a matter of national environmental

FILE REFERENCE

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 <u>Procedure: Native vegetation clearing permits</u> on DWER's website.

Do you want your proposed clearing action assessed in accordance with, or under, an

EPBC Act Accredited Process such as the assessment bilateral agreement?

30 September 2035

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

CPS No.
CPS 8877/1
Date stamp

significance identified under the		Yes EPB	C number:						
Environment Protection and Biodiversity Conservation Act	\boxtimes	No Proc	eed to Part	art 2					
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.	List the decis		provisions	identified in the notification of the controlled action					
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 .	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	Permit number for existing clearing permit			CPS 8877/1					
	Permit holder's name (as it appears on the existing clearing permit)			BHP Nickel West Pty Ltd					

Permit expiry date:

the existing permit.

Part 3: Applicant										
Applicant details										
To apply for an amendment to a permit you must be the current holder of the existing permit.	Are you applying as an individual, a company or incorporated body? Enter det one only.								ails for	
Include Australian Company Number (ACN) if the proposed permit holder is a body corporate	An	Title	Mr		Mrs		Ms		Other:	
	individual	Name/s								
or other entity formed at law.	OR									
	A body corporate or other entity formed at law (include ACN) BHP Nickel West Pty Ltd ACN 004 184 598									
Applicant contact details										
If applying as a company or incorporated body, please also	Provide cor	ntact details	for the a	above ii	ndividua	al or bo	dy corp	orate.		
supply the registered business office address. DWER and DMIRS prefer to send	Contact person (and position, if applicable)									
all correspondence electronically via email. We request that you consent to	Company name (if applicable)									
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. 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. 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.	Postal / business address									
	Phone (fixed line): Phone (mobile):									
	Email address									
	I consent to all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable), regarding the								No	
	premises which is the subject of this application, being exclusively							\boxtimes		
Contact details for enquiries										
If different from the applicant's	Where contact details differ to those of the applicant, complete the below section:									
contact details, enter the contact details of a person with whom DWER or DMIRS should liaise	Contact person (and position, if applicable)									
with concerning this clearing application.	Company name (if applicable)									
	Postal / business address									
	Phone (fixed line) Phone (mobile)									

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Part 3: Applicant										
	Email address									
Part 4: Proposed amendments										
Additional information to support the assessment of your application to amend may be	Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):									
attached.		Extend the duration of the clearing permit.								
Please ensure you have included the following as part of your application:		Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.								
 a photocopy of the granted clearing permit, with proposed changes highlighted, 	\boxtimes	Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.								
andpayment of the prescribed fee.	Redescribe the boundary of the area authorised to be cleared [for an area permit only]									
When providing details of the proposed change(s), if any additional clearing is proposed,	\boxtimes	Make a correction to the clearing permit.								
include details of: the proposed method of the		Other.								
clearing;	Provide details of the proposed change(s), and the rationale for it / them.									
 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); 	Add Miscellaneous Licence L36/249 to the permit, with the support of the a Desert Pty Ltd and TEC Desert No. 2. Change of company name from 'BHP Billiton Nickel West Pty Ltd' to 'BHP I Pty Ltd' as per ASIC Certificate of Registration on Change of Name.									
and										
the final land use.										
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	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. [Attach evidence of authority. Note that a letter of authority must explicitly state the applicant has authority to clear on the land.]									
and undertake the clearing.	Signed Letter of Authority from TEC Desert Pty Ltd and TEC Desert No.2 attached.									
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.									
	L36/249 is a 32.0 HA Miscellaneous Licence application which lies wholly within the boundaries of ML255SA and the existing boundaries of CPS 8877/1.									
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?									
	If yes, provide details:									
	All clearing areas with be assessed according to the mitigation hierarchy of avoid, reduce and minimise clearing and areas of elevated conservation value will be avoided in preference for lower value areas (for placement of stockpiles, tracks, etc).									

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Part 4: Proposed amendments											
	The purpose of L36/249 is to support a power connecting a proposed PV Solar Farm to existing electrical infrastructure, this was decided upon as the most direct route when cultural, tenure and operational considerations are taken into account.										
Refer to DWER's <u>Clearing of</u> <u>native vegetation offsets</u> procedure guideline available	Do you want to submit a clearing permit offset proposal with your application?						No				
on the DWER website, and the EPA's WA Environmental	If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native</i> vegetation offsets procedure guideline.										
Offsets Policy and Guidelines on the EPA website for further information.											
Part 5: Other DWER approvals											
Instructions:											
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											
Section A: Environmental Impact Assessment Environmental Impact Assessment (Part IV of the EP Act)											
Has this clearing application or any related matter			Yes – provide details []								
been referred to the Environmental Protection Authority?			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.			Yes – intend to refer (proposal is a 'significant proposal')								
			Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) MS []								
			□ No – a current valid Ministerial Statement applies: MS []								
If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.			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?		\boxtimes	No								
			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 offense to perform any action that would cause a premises to become a prescribed premises of a type listed in Schedule 1 of the Environmental Protection Regulations 1987,			Yes – application reference (if	known):[]					
			No – a valid works approval applies: [
			No – a valid licence applies: []								
unless that action is done in accordance with a works approval, licence, or registration. For further guidance, refer to <u>Guideline: Decision making</u> and <u>Guideline: Industry Regulation Guide to Licensing</u> .			☐ No – a valid registration applies: []								
			No – not required								
Water licences and permits (Rights in Water and Irrigation Act 1914)											
Have you applied or do you intend to apply for:			Yes –application reference (if known): []								