



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 8991/1

Permit holder's name (as it appears on the existing clearing permit) Element 25 Limited

FILE REFERENCE

Permit expiry date: 02 October 2025

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 style="width: 50px;" type="text"/></p> | | |
| | <p>Name/s</p> | | | |
| OR | | | | |
| <p>A body corporate or other entity formed at law (include ACN)</p> | | <p>Element 25 Limited 119 711 929</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>Company name (if applicable)</p> | | | |
| | <p>Postal / business address</p> | | | |
| | <p>Phone (fixed line):</p> | | | |
| | <p>Email address</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> | <p>No</p> <p><input 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>Company name (if applicable)</p> | | | |
| | <p>Postal / business address</p> | | | |
| | <p>Phone (fixed line)</p> | | | |
| | <p>Email address</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, <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 for it / them.</p> <p>Additional areas are required to be cleared in miscellaneous licences (L 52/215; 218; 220; 221) to develop the eastern borefield. This will include an access track and infrastructure installation associated with water pumping and conveying (e.g. water pipeline and power).</p> <p>Clearing is to be increased by 15 ha (from 250 ha) to 265 ha, and the Purpose Permit Area increased from 995 ha to 1,145 ha.</p> <p>The clearing will be mechanical and will predominantly keep to existing pastoral tracks and access tracks established during water exploration activities.</p> <p>Clearing is proposed to be conducted in Q4 2020 and early in Q1 2021.</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. <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>Miscellaneous licence holder for L 52/215 and L 52/218 (granted 03 September 2020). Miscellaneous licence holder for L 52/220 and L 52/221 (granted 04 December 2020).</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>L 52/215 = 53.87 L 52/218 = 37.67 L 52/220 = 18.17 L 52/221 = 41.54</p> <p>Bulloo Downs Pastoral Lease – N049943 Kumarina Station Pastoral Lease – N050094</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>Avoidance of clearing has taken into account existing disturbance by pastoral and water exploration activities. The amount of additional clearing has been minimised by using a single corridor for water transfer infrastructure, power infrastructure and vehicle access.</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: | |
| <p>_____</p> <p>Full Name</p> <p>_____</p> <p>Signature _____</p> <p style="margin-left: 200px;">Date</p> | | | |