



Department of Water and Environmental Regulation
 Department of Mines, Industry Regulation and Safety

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.

CPS No.
Date stamp

Part 1: Assessment bilateral agreement	
<p>If the amendment of a clearing permit will or is likely to impact on a matter of national environmental significance identified under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (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.</p> <p>Further information is located in <i>Form Annex C7</i> and <i>A guide to native vegetation clearing processes under the Assessment bilateral agreement</i> available at www.der.wa.gov.au/our-work/clearing-permits.</p>	Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?
	<input type="checkbox"/> Yes EPBC number: <input style="width: 100px;" type="text"/>
	<input checked="" type="checkbox"/> No Proceed to Part 2
	List the controlling provisions identified in the notification of the controlled action decision.
	<input type="checkbox"/> <i>Form Annex C7</i> 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	2701/4	
	Permit holder's name (as it appears on the existing clearing permit)	Hanson Construction Materials Pty Ltd	
FILE REFERENCE	Permit expiry date:	31 December 2018	
	Mark this box if there are less than 90 working days until the expiry of the existing permit.	<input checked="" type="checkbox"/>	

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>Indicate the proposed change/s to your clearing permit by selecting the relevant box/es:</p> <p><input checked="" 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 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>Hanson is requesting that the time limit of authorised clearing is extended from 31 December 2018 to 7 February 2033 (i.e. an approximate 14 year extension) to allow for the continued staged clearing of native vegetation to meet market demand for sand resources; and align future clearing activities with the duration of Clearing Permit (CPS 2701/4).</p> <p>Due to diminished market conditions in the land development and infrastructure sectors, demand for sand resources has not been as strong as previously anticipated. As demand for sand resources is not anticipated to increase in the immediate to short term timeframes there is little value in clearing the approximate 13.67 ha of native vegetation remaining within the approved clearing area prior to 31 December 2018.</p> <p>The extension of time allows Hanson to continue to utilise the existing 13.67 ha of native vegetation within the approved clearing area for the following beneficial interim uses, prior to the sand resource beneath the native vegetation being required to be provided to the market:</p> <ul style="list-style-type: none"> • as a buffer for noise, dust and visual amenity • as local provenance for seed collection – this allows Hanson to effectively restore the post-mining landscape. <p>Additionally, reducing the extent of the cleared area significantly decreases the potential for weed species, from outside sources, to germinate within / colonise the approved clearing area. The direct transfer of topsoil from newly cleared areas to areas where sand mining has ceased maximises the opportunity for spontaneous seed germination from the topsoil to occur.</p> <p>The extension of time limit of authorised clearing:</p> <ul style="list-style-type: none"> • is expected to significantly improve the likelihood of Hanson meeting the requirements of the site specific restoration plan • has been successfully adopted at other Hanson sand quarry operations • reduces the administrative burden upon Hanson, from the preparation of ongoing amendments to the clearing permit, and Department of Water and Environment Regulation from assessing the ongoing amendments to the clearing permit.
<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>Evidence of authority can include, for example, a copy of the certificate of title or a letter of</p>	<p>State the nature of the applicant’s authority to access the land to be cleared. <i>[Attach evidence of authority]</i></p> <p>Lot M1899 on Diagram 10521, Lennard Brook, WA 6503 is held by Hanson.</p>

Part 4: Proposed amendments	
authority from the land owner. Note: the letter of authority must explicitly state the applicant has authority to clear on the land.	
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. N/A
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If yes, provide details:
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 Section 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 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	<input type="checkbox"/> Yes – application reference (if known): []

Part 8: Application checklist	
Additional information to assist in the assessment of your proposal may be attached to this application – e.g. reports on salinity, fauna, or flora studies, or other environmental reports conducted for the site could be included in electronic format and submitted on a suitable portable digital storage device.	Please ensure you have included the following as part of your application:
	REQUIRED
	<input checked="" type="checkbox"/> Payment.
	<input checked="" type="checkbox"/> An aerial photograph or map with a north arrow clearly identifying the areas of vegetation proposed to be cleared or ESRI shapefile.
	<input checked="" type="checkbox"/> An index of all documentation attached to this application.
	AS REQUIRED
	<input type="checkbox"/> A copy of the written authorisation permitting the applicant to act on behalf of the current clearing permit holder.
	<input type="checkbox"/> Written authority from the landowner to access the land and conduct the clearing.
	<input type="checkbox"/> <i>Form C3 – Credit card payment for DMIRS clearing applications</i> , if the fee is to be paid to DMIRS by credit card.
	<input type="checkbox"/> <i>Form Annex C7 – Assessment bilateral agreement</i> if the clearing is also to be assessed under an EPBC Act accredited process.
	<input type="checkbox"/> Appendix A of the <i>Clearing of native vegetation offsets procedure</i> guideline if the application includes a proposal for clearing permit offsets.
	ADDITIONAL SUPPORTING INFORMATION
<input type="checkbox"/> Photos of application area	
<input type="checkbox"/> Biodiversity surveys, submitted in accordance with the requirements of the EPA's <i>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)</i> .	

Part 9: Submission of application	
Confidential or commercially sensitive information	
Information submitted as part of this application will be made publicly available. If you wish to submit information that you believe to be commercially sensitive or otherwise confidential, then you should submit that information in an appendix to this application (Attachment 1), with a written statement of reasons why you request that each item of information be kept confidential.	
DWER and DMIRS will take reasonable steps to protect confidential or commercially sensitive information. Please note in particular that all submitted information may be the subject of an application for release under the <i>Freedom of Information Act 1992 (WA)</i> .	
If you have any enquiries regarding the provision of relevant information as part of this application contact either DWER or DMIRS, on the details below.	
Files that are greater than 10MB in size cannot be received via email by DWER. Files larger than 45MB cannot be received via email by DMIRS. These large files can be sent via File Transfer. Alternatively, email DWER or DMIRS (as applicable) and you will be provided with a link to submit these files.	
All information which you would propose to be exempt from public disclosure has been separately placed in Attachment 1 (located at the end of this form). Grounds for claiming exemption in accordance with Schedule 1 to the <i>Freedom of Information Act 1992</i> must be specified.	<input checked="" type="checkbox"/>
A signed, electronic copy of the application form, including all attachments, has been submitted via the appropriate email address specified below.	<input type="checkbox"/>
A signed, electronic copy of the application form has been submitted via the appropriate email address specified below, and attachments have been submitted via File Transfer, or via the link supplied by the relevant Department.	<input checked="" type="checkbox"/>
A full, signed hard copy has been sent to the appropriate postal address specified below.	<input type="checkbox"/>
Email or post applications to amend clearing permits granted by the Department of Water and Environmental Regulation, or the former Department of Environment Regulation or former Department of Environment and Conservation to:	Email or post applications to amend clearing permits granted by the Department of Mines, Industry Regulation and Safety, or the former Department of Mines and Petroleum (under delegation) to: