



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

CPS No. 10219/1

Application to amend a clearing permit

Environmental Protection Act 1986, section 51KA

FORM C4

The clearing of native vegetation is prohibited in Western Australia unless a clearing permit has been granted for the clearing or where a permit is not required (either due to a referral determination that one is not needed or because 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), see the [Procedure: Native vegetation clearing permits](#) on DWER's website.

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 10219/1

Permit holder's name (as it appears on the existing clearing permit) City of Joondalup

FILE REFERENCE

Permit expiry date: 13 July 2039

Mark this box if there are less than 90 working days until the expiry of 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. Include Australian Company Number (ACN) if the proposed permit holder is a body corporate or other entity formed at law.	Are you applying as an individual, a company or incorporated body? Enter details for one only.			
	An individual	Title Mr ☐ Mrs ☐ Ms ☐ Other: Name/s		
	OR A body corporate or other entity formed at law (include ACN) City of Joondalup ABN: 64 245 472 416			
Applicant contact details				
If applying as a company or incorporated body, please also supply the registered business office address. DWER and DMIRS prefer to send all correspondence via email. We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act ("Part V documents") 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.	Provide contact details for the above individual or body corporate.			
	Contact person (and position, if applicable)			
	Company name (if applicable)			
	Postal / business address			
	Phone (fixed line):		Phone (mobile):	
	Email address			
	<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>		Yes ☒	No ☐
Contact details for enquiries				
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			

Part 4: Proposed amendments	
Additional information to support the assessment of your application to amend may be attached. Please ensure you have included the following as part of your application: - a photocopy of the granted clearing permit, with proposed changes highlighted, and - payment of the prescribed fee. When providing details of the proposed change(s), if any additional clearing is proposed, include details of: - 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.	Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es): ☐ Extend the duration of the clearing permit. ☐ Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared. ☐ Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit. ☐ Redescribe the boundary of the area authorised to be cleared [for an area permit only] ☒ Make a correction to the clearing permit. ☐ Other. Provide details of the proposed change(s), and the rationale(s) for it / them. The City wishes to alter the boundary of its revegetation offset, noted as Schedule 2 Figure 1 under CPS 10219/1 (Attachment 1). The Mullaloo offset revegetation site will be altered by approximately 50m², however the total area of the Mullaloo revegetation offset site will remain as 1,076m². Due to an error with the City's revegetation condition data, on which the offset site was based, the offset within the Mullaloo Foreshore Reserve (Lot 10789, Reserve 39497), included approximately 50m² of land outside of the reserve's fence line. This area marked outside of the fence line is unable to be included in the offset planting site. An amended revegetation area boundary is proposed to ensure the long-term viability of the revegetation offset (Attachment 2). The new boundary has been brought within the reserve fence line and extended to the west by approximately 50m to ensure the total revegetation offset area remains the same. No other changes are proposed to the conditions of the clearing permit, completion criteria, or to the clearing area. The City has conducted its baseline vegetation survey of the site including the vegetation within the proposed amended area to ensure compliance with permit conditions.
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.	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> The City is not seeking to amend the clearing area. The City is seeking to amend the boundary of the area at the Mullaloo revegetation offset site located within Mullaloo Foreshore Reserve at Lot 10789 on Deposited Plan 189056 (Attachment 3). The new Mullaloo revegetation offset site boundary reduces the total offset area within Lot 10789 on Deposited Plan 189056, and will now intersect with an additional parcel of land to ensure there remains a total offset area of 1,076m² at this site. There will be no change in the total offset area for clearing permit CPS 10219/1. The new land parcel to be included in the Mullaloo revegetation offset site is the Merrifield Place Road Reserve (Land ID 3177598) located adjacent to Lot 10789. Approximately 50m² of the revegetation offset will now intersect with Land ID 3177598, and there will be 50m² less revegetation offset in Lot 10789 due to site constraints. This parcel of land is classified as being a public road (P Road). According to the <i>Land Administration Act 1997</i> a road in this area falls under the care, control, and

Part 4: Proposed amendments	
	management of the City of Joondalup. No Certificate of Title is available for this section of land. The section of vegetation in the new land parcel is located within the fenced reserve managed by the City of Joondalup, as part of the Mullaloo Foreshore Reserve. Due to its proximity, it's likely to contain the same vegetation condition and community as the original Mullaloo revegetation offset site. As specified in the 'Coastal Shared Path Revegetation Plan for Hillarys to Mullaloo' (Attachment 7), the Mullaloo revegetation offset site was identified to be in 'degraded' condition. This is due to a range of factors, including: • Revegetation site was found to be planted rather than a native vegetation community. • A site inspection found evidence of rabbits • Large areas devoid of vegetation, contributing to wind erosion • Weeds dominating large portions of the area Some native species already occur within the revegetation site, such as <i>Spyridium globulosum</i> and <i>Templetonia retusa</i>. Directly adjacent to the Mullaloo revegetation site is the Northern Spearwood shrublands and woodlands Priority Ecological Community (Priority 3), aligning with FCT 24. Due to its proximity to the coast, the Mullaloo revegetation offset site experiences wind erosion and sand drift, which can result in ground distance and removal of vegetation cover. See Attachment 3 – Land Parcel Details
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 – No amendment to proposed clearing area
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? ☐ Yes ☒ No If yes, provide details: Not Applicable: The Mullaloo revegetation offset site boundary for CPS 10219/1 is being amended due to an error in the City's vegetation condition data. No clearing will be conducted within the Mullaloo revegetation offset site and no changes will be made to the approved clearing area.
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? ☐ Yes ☒ 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: • 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	

Part 5: Other DWER approvals	
Environmental Impact Assessment (Part IV of the EP Act)	
Has this clearing application or any related matter been referred to the Environmental Protection Authority?	☐ Yes – provide details [] ☒ No
Do you intend to refer the proposal to the Environmental Protection Authority?	☐ 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 [] ☒ No – not a 'significant proposal'
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.	
Section B: Other approvals	
Pre-application scoping	
Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?	☒ 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?	☐ Yes – application reference (if known): [] ☐ No – a valid works approval applies: [] ☐ No – a valid licence applies: [] ☐ No – a valid registration applies: [] ☒ No – not required
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 Guideline: Decision making and Guideline: Industry Regulation Guide to Licensing.	
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): [] ☐ No – a current valid licence applies: [] ☒ N/A
1. a licence or amendment to a licence to take water (surface water or groundwater); or 2. a licence or amendment to a licence to construct wells (including bores and soaks); or 3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse?	
For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i>, refer to the Procedure: Water licences and permits.	

Part 6: Surveys for Assessments (IBSA and IMSA)	
Do you wish to submit marine or biodiversity surveys in support of your application?	☒ Yes ☐ No – skip to Part 7
	Yes

Part 6: Surveys for Assessments (IBSA and IMSA)			
Biodiversity surveys submitted to support this application must meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA). If these requirements are not met, DWER / DMIRS (as applicable) may decline to deal with the application. Please provide the IBSA number(s) (or submission number(s) if IBSA number has not yet been issued) in the space provided. Note that a submission number is not confirmation of acceptance of a biodiversity survey and is not the same as an IBSA number. IBSA numbers are only issued once a survey has been accepted. Once an IBSA number is issued, please notify DWER / DMIRS (as applicable). Please note the assessment timeframes for your application will be suspended until the IBSA number(s) is provided to DWER / DMIRS (as applicable).	All biodiversity surveys that support this application have been submitted to the <i>Index of Biodiversity Surveys for Assessment</i> available at: ibsasubmissions.dwer.wa.gov.au	☒	
	Submission number(s) (e.g. IBSASUB-20200101-12345A6D) Please list all numbers. If space is inadequate, list on a separate sheet.		
	IBSA number(s) (e.g. IBSA-2020-0123) Please list all numbers. If space is inadequate, list on a separate sheet.	• IBSA-2023-0216 • IBSA-2023-0217	
Marine surveys submitted to support this application must meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA). If these requirements are not met, DWER will decline to deal with the application.	All marine surveys submitted with this application meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA).	Yes	N/A
		☐	☒

Part 7: Records kept under the existing clearing permit's conditions			
Most clearing permits include one or more conditions requiring that the permit holder keep certain records relating to the actions undertaken in accordance with the clearing permit. DWER / DMIRS (as applicable) requires that these records are provided to support the assessment of this application. Records provided should cover: • the full period of the permit; - or • the past five years (if the existing permit's duration is greater than five years and it was amended within the past five years).	The required records are attached.		Yes
			☒
	Please select the relevant records included with the report. Only records required to be kept by the conditions of the existing clearing permit need to be provided.		
	☒	The total amount, location(s), and date(s) of clearing done under the permit (or within the past five years).	
	☒	Actions taken to avoid or minimise the impact and extent of clearing.	
	☒	Actions taken in relation to flora and/or fauna management.	
	☒	Actions taken to revegetate or rehabilitate the areas cleared under the permit.	
☒	Records pertaining to any onsite or offsite environmental offsets.		
	Any other relevant records required to be kept by the conditions of the permit.		
☒	Summarise other records:	The following documents can be found in Attachment 4: • Actions taken to minimise the risk of the introduction of weeds and pathogens • Direction that clearing occurred • Wind erosion management • Threatened ecological community management	