



Department of **Water and Environmental Regulation**

Department of **Energy, Mines, Industry Regulation and Safety**

## Application for new permit or referral to clear native vegetation

This is the form to submit a referral of proposed clearing or apply for a clearing permit under Part V of the *Environmental Protection Act 1986* (EP Act).

Before you submit this form, please check you have completed all the fields for the form type and fully prepared any required supporting documents (maps etc.). The Department of Water and Environmental Regulation (DWER) or Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) will return/decline any forms that are not correctly completed.

To find out more about the stages of assessment for clearing permit forms, see the [Procedure: Native vegetation clearing permits](#).

### Part 1 – Form type

<p>Select your <a href="#">form type</a>.</p> <p><b>Note:</b> Where appropriate in this form, and unless stated otherwise, the terms ‘application’ and ‘applicant’ also mean ‘referral’ and ‘referrer’ respectively.</p>	<p><input type="checkbox"/> Referral of proposed clearing (section 51DA of the EP Act)</p> <p><input checked="" type="checkbox"/> Application for an area permit (section 51E of the EP Act)</p> <p><input type="checkbox"/> Application for a purpose permit (section 51E of the EP Act)</p>
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<p>Which department are you submitting this form to?</p> <p>If the clearing is for mineral and petroleum activities authorised under the <i>Mining Act 1978</i>, the various petroleum Acts, and/or a State Agreement with areas covered by either mineral or petroleum tenure granted under one of the abovementioned Acts, select ‘Department of Energy, Mines, Industry Regulation and Safety’.</p> <p>For all other clearing activities, select ‘Department of Water and Environmental Regulation’.</p>	<p><input type="checkbox"/> Department of Energy, Mines, Industry Regulation and Safety</p> <p><input checked="" type="checkbox"/> Department of Water and Environmental Regulation</p>
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## Part 2 – Applicant details

### 2.1 Applicant name

<p><b>For area permits:</b> If granted, the name(s) of (all) landowner(s) will be listed as 'permit holders' on the permit.</p> <p><b>For purpose permits:</b> If granted, the name(s) of (all) applicant(s) will go on the permit.</p>	<input type="checkbox"/> Applying as an individual – complete the following:	
	Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:
	Name(s)	
	<input type="checkbox"/> Applying as a body corporate or other entity formed at law – complete the following:	
	Name	
	Australian Company Number (ACN)	
<input checked="" type="checkbox"/> Applying as a government entity (e.g. government department, local government authority, or other statutory body)		
Name	Shire of Augusta-Margaret River	

### 2.2 Applicant contact details

Provide the contact details for the above (primary contact).

Title	
First name	
Last name	
Position	
Company name	
Phone number	
Email address	

### 2.3 Applicant contact postal details

Provide the postal address for the above individual, body corporate or local government authority (primary contact).

Address line 1	
Address line 2	
Suburb	
State	

### 2.4 Applicant contact – registered business address

If applying as a company, incorporated body, local government authority or public authority, please also supply the registered business office address.

Address line 1	
Address line 2	
Suburb	
State	
Phone number	

### 2.5 Electronic correspondence consent

DWER/DEMIRS 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 via email. Please indicate your consent in this section of the form.

I consent that all written correspondence between myself (the applicant) and DWER/DEMIRS (as applicable) about the subject of this form will be exclusively via email, using the email address provided above.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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### 2.6 Contact details for enquiries

If different from the applicant’s contact details, enter the contact details of a person with whom DWER/DEMIRS should liaise with (e.g. a consultant).

Same as applicant’s contact details	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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If ‘No’ – complete the following:

Title	
Contact name	
Position (if applicable)	
Company name (if applicable)	
Phone number	
Email address	
Business or postal address line 1	
Business or postal address line 2	
Suburb	
State	

### Part 3 – Land details

- You must accurately describe the location of the land where your clearing is proposed.
- Provide copies of associated documents registered against the Certificate of Title (limitations, interests, encumbrances or notifications) where the clearing may impact them (i.e. caveats within freehold Lots).
- If you have a large number of properties, please provide the relevant details for each property in a separately attached supporting document.

I have a large number of properties and have given the relevant details in an attached supporting document.	<input type="checkbox"/> Yes – skip to Part 4 <input checked="" type="checkbox"/> No
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If 'No' – complete the following:

<p><b>Land description</b></p> <p>Provide the following details, as applicable, for all properties:</p> <ul style="list-style-type: none"> <li>– volume and folio number</li> <li>– lot or location number(s)</li> <li>– crown lease or reserve number</li> <li>– pastoral lease number</li> <li>– mining tenement number</li> </ul>	<p>The clearing is proposed within portions of Lot 5011 Davis Road, in Sussex.</p> <p>The land details are as follows:</p> <p>Volume: LR3093; Folio: 152</p> <p>Lot 5011 on Deposited Plan 192309</p> <p>Reserve number: 43808</p> <p>Current purpose: Recycling and waste management facility, with management orders with the Shire of Augusta Margaret River.</p>		
<p>Street address – Line 1</p>	<p>Lot 5011 Davis Road</p>		
<p>Street address – Line 2</p>			
<p>Suburb</p>	<p>Forest Grove</p>		
<p>State</p>	<p>WA</p>	<p>Postcode</p>	<p>6286</p>
<p>Local government area(s)</p>	<p>Shire of Augusta-Margaret River</p>		
<p>Land zoning</p>	<p>‘Public Purposes’ under the Shire of Augusta-Margaret River Local Planning Scheme No. 1.</p>		

## Part 4 – Relationship to landowner

Tell us which of the following options best describes you as the person completing and submitting this form. If you are filling out this form on behalf of the applicant, answer this question as though you are the applicant.

Proof of ownership may include:

- a certificate of title
- a pastoral or mining lease
- public authority that has care, control or management of the land
- other form of lease, land tenure or specific arrangement.

Relationship to landowner (select one of the following options)	Complete the following
<input type="checkbox"/> I am the landowner	<input type="checkbox"/> Attach proof of ownership
<input checked="" type="checkbox"/> I am lodging a form on behalf of the landowner (e.g. a consultant)	<input checked="" type="checkbox"/> Attach proof of ownership
<input type="checkbox"/> I am acting on the landowner's behalf and will be jointly responsible for the clearing permit (i.e. joint form)	<input type="checkbox"/> Attach proof of ownership <input type="checkbox"/> Attach a letter, in which the landowner authorises you to act on their behalf and acknowledge they will be jointly responsible for the clearing permit
<input type="checkbox"/> I am likely to become the landowner	<input type="checkbox"/> Attach evidence of the pending transfer of ownership, including details of current proprietor on certificate of title, and/or contract of sale ('offer and acceptance')
<input type="checkbox"/> I will undertake the clearing activities with the landowner's authority and will be the permit holder	<input type="checkbox"/> Attach proof of ownership <input type="checkbox"/> Attach a letter, in which the landowner authorises you to access and clear native vegetation within the property(ies) as detailed in section 3.1 (if the applicant is not the landowner)
<input type="checkbox"/> I am a person with multiple land parcels within which clearing is proposed	<input type="checkbox"/> Attach proof of ownership and/or <input type="checkbox"/> Attach letters, in which the landowner authorises you to access and clear native vegetation within the properties as detailed in section 3.1 (if the applicant is not the landowner)
<input type="checkbox"/> I will undertake the clearing activities through the exercise of power conferred by different legislation (e.g. the <i>Energy Operators (Powers) Act 1979</i> )	<input type="checkbox"/> Provide relevant legislative details:

## Part 5 – Proposed clearing

### 5.1 Maps and/or spatial data

<p>Select which map type(s) you will attach with your form.</p> <p>Note: DWER/DEMIRS will decline/return forms (as applicable) if you do not provide sufficient information for this question.</p>	<p><input checked="" type="checkbox"/> An ESRI shapefile with the following properties (preferred)</p> <ul style="list-style-type: none"> <li>• Geometry type: polygon shape</li> <li>• Coordinate system: Geocentric Datum of Australia (GDA) 2020 (geographic latitude/longitude)</li> <li>• Datum: GDA 2020</li> </ul> <p><input type="checkbox"/> An aerial photograph or map with a north arrow, clearly marking the proposed clearing area</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• An ESRI shapefile must use one of the following filename extensions: .shp, .shx, .dbf, and/or .prj</li> <li>• You must provide an ESRI shapefile if the form requires an assessment under an <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act) accredited process. See Part 8 of this form for more information.</li> </ul>
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### 5.2 Size

- If you propose to clear a patch(es) of vegetation, enter a hectare value for the total size of the area (mark number of trees as zero). For example, “clearing of 5 hectares”.
- If you propose to clear only individual trees (i.e. the shrubs, grasses, groundcover plants will remain intact), provide the number of trees. For example, “clearing of 10 trees”. If any shrubs, grasses, and/or groundcover plants **may** be damaged in the clearing process, enter the total area only.
- If you propose to clear an area of native vegetation within a larger footprint, enter the hectare value for the total size of the area to be cleared (mark number of trees as zero) and the size of the footprint. For example, 5 hectares of clearing within a 10-hectare footprint. This option is only available for purpose permit applications.
- Enter values for **both** number of trees and the size of the area **only if** you are clearing individual trees in one area **and** a patch of vegetation in a different area.
- Please note the following area conversions/calculations:
 

1 hectare = 10,000 m <sup>2</sup>	Area of circle = 3.14 x radius <sup>2</sup>
1 acre = 0.4 hectares/4,000 m <sup>2</sup>	Area of a rectangle = length x width
1 tree = 0.01 hectares/100 m <sup>2</sup>	Area of a triangle = ½ length x perpendicular height

Total area of clearing proposed (hectares)	<b>2.75 hectares of native vegetation</b>
Footprint of clearing (hectares) (purpose permit only)	
Number of individual trees to be cleared	<b>0</b>

Note: Calculate the area of a tree based on the area encompassed by the tree’s drip line; that being the outermost circumference of the tree’s canopy.

### 5.3 Purpose

<p>Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.).</p> <p>If applicable, provide any additional project overview or explain in detail the activities on the property (e.g. provide context of work proposed and describe how clearing will contribute to overall work activities onsite etc.).</p>	<p>The applicant is undertaking a closure program for existing landfill cells within the Davis Road Recycling and Waste Management Facility, and requires structurally appropriate restorative soil material to cap the landfill cells. A licence amendment application has been submitted to support the closure activities, and identified a 3.02 ha area in the site required to be disturbed to support these works (noting only 2.75 ha contains native vegetation). The restorative soil material has been identified within a portion of Lot 5011 and will require the removal of native vegetation (with soils being sourced from this area as well as existing cleared areas). The clearing of native vegetation is also required to assist with reprofiling the landfill cells to make them suitable for capping, to install realigned vehicle access and stormwater management infrastructure including, pipes, swales and a stormwater detention pond. Following the completion of the capping, the landfill cells will be revegetated with shallow rooted native species. Further detail is provided in Attachment 2, the supporting information addressing the clearing principles.</p>
<p>Specify what the final land use will be after clearing</p>	<p>Capped landfill cells and supporting vehicle access and stormwater management infrastructure.</p>

### 5.4 Method

<p>Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)</p>	<p>Mechanical clearing/bulldozing</p>
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### 5.5 Timeframe

<p>Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)</p>	<p>Start date: December 2025 End date: December 2027</p>
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Note: The clearing referral process is not suitable for any clearing that is expected to take longer than two years.



## 5.6 Pre-application scoping

Historic clearing of native vegetation in the Swan Coastal Plain and Avon Wheatbelt [Interim Biogeographic Regionalisation for Australia](#) (IBRA) bioregions has been extensive.

DWER/DEMIRS strongly recommends a pre-application meeting if you propose to clear native vegetation within these bioregions.

Do you propose to clear native vegetation within the Swan Coastal Plain or Avon Wheatbelt bioregions?	<input type="checkbox"/> Yes – complete section below	
	<input type="checkbox"/> I have had a pre-application meeting with DWER/DEMIRS	
	Insert date of meeting and officer name(s):	
	<input type="checkbox"/> I have contacted DWER/DEMIRS in relation to a pre-application meeting and been advised that a meeting is unnecessary in this case.	
Insert date of conversation and officer name(s):		
<input type="checkbox"/> I have not had a pre-application meeting with DWER/DEMIRS. I understand that this may increase the likelihood of requests for further information and/or delays in assessment.		
<input checked="" type="checkbox"/> No – proceed to next question.		

## Part 6 – Mitigation hierarchy

### 6.1 Avoidance and mitigation

Explain how you have, or will, put avoidance and mitigation measures in place to eliminate, reduce, or otherwise mitigate the need for and scale of the proposed clearing of native vegetation.

Attach supporting documents to substantiate your explanation.

Your explanation should demonstrate you have planned the project so that the least clearing possible is to be undertaken. The following questions may help you frame your explanation:

- Why did you select this location and amount of clearing?
- What alternatives to clearing – e.g. engineering solutions – did you consider? (Attach design drawings where applicable)
- What changes, if any, did you make to the location or amount of clearing to reduce the impacts of the clearing?

Note: If you do not demonstrate adequate efforts to avoid and mitigate clearing, DWER/DEMIRS will ask you to do so during the validation of this application. Offsets will only be considered by DWER/DEMIRS as a last resort, once avoidance and minimisation measures have been clearly demonstrated.

<p>Provide the avoidance details (e.g. retention of vegetation on property)</p>	<p>The supporting information (Attachment 2) should be referred to for more detail.</p> <p>In order to meet the requirements set out under Part V licence (L6989/1997/14) and safety considerations in the Capping Stability Risk Assessment document, the clearing of native vegetation is necessary to provide a safe landform for the landfill cells as well as meeting the necessary material stockpiling, vehicle access and drainage infrastructure requirements regardless of if the application area is used to obtain the necessary capping restorative soils.</p> <p>The clearing is located in an area that:</p> <ul style="list-style-type: none"> <li>- Avoids the removal of vegetation identified through the previous clearing permit and licence (L6989/1997/14) for retention/protection, including where artificial hollows have been installed.</li> <li>- Utilises existing cleared areas for the borrow pit to minimise the extent of clearing of new areas of native vegetation.</li> <li>- Locates the borrow pit and stormwater infrastructure to maximise the use of existing internal vehicle access, avoiding additional clearing (e.g. soils in the central portion of the site could also be suitable for restorative soils and capping, but have been avoided to reduce the extent of additional infrastructure that would be required to service this area which would result in more clearing).</li> </ul>
<p>Provide the mitigation details (e.g. management of weed spread, rehabilitation)</p>	<p>Measures that will be implemented during the landfill capping works with the intent to minimise the duration, intensity and extent of impacts from the clearing of native vegetation include:</p> <ul style="list-style-type: none"> <li>- Use of existing cleared areas within the site as much as possible for the borrow pit, and to stockpile materials and machinery.</li> <li>- Clear demarcation of the extent of native vegetation clearing permitted, using flagging tape and/or fencing, in addition to being clearly detailed on the works drawings.</li> <li>- Managing clearing and capping works to prevent the potential spread of weeds and dieback into areas of retained vegetation, including ensuring all machinery, vehicles, tools and footwear is cleaned down of soil material before entering the works area and minimising activities (where possible) during wet conditions.</li> <li>- Conducting clearing in a progressive manner towards surrounding remnant vegetation to the south, to allow fauna to escape the clearing area.</li> <li>- Ensuring a suitably qualified fauna specialist undertakes an inspection of the vegetation ahead of clearing, and to be present during clearing activities to assist with fauna management/relocation to adjacent areas where fauna is identified.</li> <li>- Limiting vehicle speeds within the works area to reduce the chance of fauna vehicle strike.</li> <li>- Maintaining works in a clean and tidy manner, to prevent fauna from entering the works area.</li> <li>- Drainage management infrastructure to be designed to proactively manage surface water, to manage the 1 in 20 year Average Recurrence Interval (ARI) rainfall event (5% Annual Exceedance Probability), with controlled discharge points to be installed.</li> </ul>

	<ul style="list-style-type: none"> <li>- Where applicable during works, temporary control measures such as the installation of silt traps/sediment control measures to slow surface run off and minimise erosion and subsequent sedimentation during rain events will occur, along with dust management including suppression during dry/windy weather periods and/or halting work during adverse weather.</li> <li>- Rehabilitation of the capped landfill cells, equating to approximately 5.3 ha. It will not be possible to plant deep rooted vegetation on the capped cell, due to the need to maintain the structural integrity of the capping and liner, however shallow rooted local native species will be planted to stabilise the soil and to support re-introduction of biodiversity to the existing cleared landfill areas.</li> </ul> <p>Although the residual impact associated with the proposed clearance is not considered significant, a further four (4) additional artificial black cockatoo hollows are proposed to be installed in the uncleared areas immediately to the north and south of the landfill cell, in line with the similar ratio for artificial hollow installation, previously specified as part of the approved clearing (CPS 8228/1).</p>
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## 6.2 Offsets

Do you want to submit a clearing offset proposal with your form?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If 'Yes' – please complete and attach Appendix A of the <a href="#">Clearing of native vegetation offsets procedure</a> guideline as a supporting document for your form.	<input type="checkbox"/> Appendix A attached

## Part 7 – Surveys for assessments (IBSA and IMSA)

Do you want to submit marine or biodiversity surveys in support of your form?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – skip to Part 8
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### 7.1 Biodiversity surveys

If you want to submit any biodiversity surveys to support this form, you must follow the Environmental Protection Authority's (EPA) [Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments](#) (IBSA). If you do not meet the IBSA requirements, DWER/DEMIRS will decline/return your form.

Please provide the IBSA number(s) – or submission number(s) if the IBSA number has not yet been issued – in the space provided. Note that a submission number is not confirmation that a biodiversity survey has been accepted 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/DEMIRS. Please note DWER/DEMIRS will suspend the assessment timeframes for your application until you provide the IBSA number(s).

Have you submitted all the biodiversity surveys that support this form to the <a href="#">Index of Biodiversity Surveys for Assessment?</a>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable
Provide an IBSA number (preferred) or a submission number(s)	<b>IBSA-2024-0338</b>

	<b>IBSA-2024-0337</b>
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**7.2 Marine surveys**

If you want to submit any marine surveys to support this form, you must follow the EPA’s [Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments](#) (IMSA). If you do not meet the IMSA requirements, DWER/DEMIRS will decline/return your form.

Have you prepared all the marine surveys that support this form in accordance with the EPA’s <i>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments</i> ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
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**Part 8 – Assessment bilateral agreement**

The native vegetation clearing processes under Part V of the EP Act have been accredited by the Commonwealth of Australia under the EPBC Act and so can be assessed under an assessment bilateral agreement.

To be assessed this way, the proposed clearing action must have been referred to the Commonwealth under the EPBC Act and deemed a ‘**controlled action**’ before you submit this form. DWER/DEMIRS will decline to deal with your application without the proposed clearing first being deemed a controlled action.

For further information, see DWER’s [guidance on the assessment bilateral agreement](#).

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process, such as the assessment bilateral agreement or accredited assessment?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – skip to Part 9		
Is your proposed clearing a controlled action?  If ‘Yes’, please make sure you have entered all the mandatory details in the <a href="#">Annex C7 form</a>	<input type="checkbox"/> Yes  <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">EPBC number:</td> <td style="width: 80%;"></td> </tr> </table> <input type="checkbox"/> Annex C7 form attached <input type="checkbox"/> No (DWER/DEMIRS cannot assess the application under an EPBC Act Accredited Process)	EPBC number:	
EPBC number:			
List the controlling provisions identified in the notification of the controlled action decision			

## Part 9 – Other approvals

### 9.1 Environmental impact assessment (Part IV of the EP Act)

Clearing may be referred to the EPA if it is considered to be part of a 'significant proposal', as defined by section 37B(1) of the EP Act, or will likely to be part of a larger development. An example is when the clearing is for a road to a future mine.

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/DEMIRS) considers the proposal in this form is likely to constitute a 'significant proposal', under section 38(5) of the EP Act they must refer the proposal to the EPA under Part IV, if such a referral has not already been made.

<p>Has the proposed clearing or any related matter been referred to the EPA?</p>	<p><input type="checkbox"/> Yes</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 25%;">Enter details:</td> <td></td> </tr> </table> <p><input checked="" type="checkbox"/> No – complete question below.</p>	Enter details:	
Enter details:			
<p>If 'No' – do you intend to refer the proposal to the EPA?</p>	<p><input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')</p> <p><input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement)</p> <p><input type="checkbox"/> No – a current valid Ministerial Statement applies</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 25%;">Enter Ministerial Statement number:</td> <td></td> </tr> </table> <p><input checked="" type="checkbox"/> No – not a significant proposal</p>	Enter Ministerial Statement number:	
Enter Ministerial Statement number:			

### 9.2 Other approvals – works approval, licence or registration (Part V Division 3 of the EP Act)

<p>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?</p> <p>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 Environmental Protection Regulations 1987, unless that action is done in accordance with a works approval, licence or registration. For further guidance, see DWER's <a href="#">Procedure: Prescribed premises works approvals and licences</a> and <a href="#">Guideline: Industry regulation guide to licensing</a>.</p>	<p><input checked="" type="checkbox"/> Yes</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 25%;">Application reference:</td> <td>Licence amendment (for L6989/1997/14)</td> </tr> </table> <p><input type="checkbox"/> No – a valid works approval applies</p> <p><input type="checkbox"/> No – a valid licence applies</p> <p><input type="checkbox"/> No – a valid registration applies</p> <p><input type="checkbox"/> No – not required</p>	Application reference:	Licence amendment (for L6989/1997/14)
Application reference:	Licence amendment (for L6989/1997/14)		