



Department of Water and Environmental Regulation (DWER)  
 Department of Mines, Petroleum and Exploration (DMPE)

CPS No. 10922/1
Date stamp

## 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.

#### 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>To be assessed in this manner, the proposed clearing action must be referred to the Commonwealth under the EPBC Act and deemed a '<a href="#">controlled action</a>' prior to submitting this 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 <a href="#">Native vegetation clearing permits   Western Australian Government</a></p>	<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?</p> <p><input type="checkbox"/> Yes EPBC number: _____</p> <p><input checked="" type="checkbox"/> No Proceed to Part 2</p>
	<p>List the controlling provisions identified in the notification of the controlled action decision.</p>          
	<p><input type="checkbox"/> <i>Form Annex C7</i> is complete and the required supporting information is attached.</p>

#### Part 2: Clearing permit details

<p>Amendments can only be made to active clearing permits.</p> <p>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.</p>	<p>Permit number for existing clearing permit</p> <p>CPS 109211/1</p>
	<p>Permit holder's name (as it appears on the existing clearing permit)</p> <p>Evan Rutherford</p>
<p>FILE REFERENCE</p>	<p>Permit expiry date:</p> <p>07.10.2032</p>
	<p>Mark this box if there are less than 90 working days until the expiry of the existing permit.</p> <p><input type="checkbox"/></p>

Part 3: Applicant	
<b>Applicant details</b>	
<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 <input checked="" type="checkbox"/> Title <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: <input type="checkbox"/></p> <p>Name/s: Evan Rutherford</p> <p><b>OR</b></p> <p>A body corporate or other entity formed at law (include ACN)</p>
<b>Applicant contact details</b>	
<p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>DWER and DMPE 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.</p> <p>Where 'yes' is selected, all correspondence from DWER or DMPE (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/DMPE (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 style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<b>Contact details for enquiries</b>	
<p>If different from the applicant's contact details, enter the contact details of a person with whom DWER or DMPE 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) <span style="float: right;">Phone (mobile)</span></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"> <li>• a photocopy of the granted clearing permit, with proposed changes highlighted, <i>and</i></li> <li>• payment of the prescribed fee.</li> </ul> <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"> <li>• the proposed method of the clearing;</li> <li>• the purpose of the clearing;</li> <li>• the period within which the clearing is proposed to be undertaken (taking note of the published minimum assessment timeframes for DWER / DMPE, as applicable); <i>and</i></li> <li>• the final land use.</li> </ul>	<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 checked="" 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(s) for it / them.</p> <p>As discussed with a staff member (Meenu Vitarana) in Early May 2026, I require an amendment to the current clearing permit, reference CPS 10922/1.</p> <p>Condition 8; Justification;</p> <ul style="list-style-type: none"> <li>• A; Due to the needing to pre-order these species in this quantity from wholesale nurseries must be done months prior, I am having issues sourcing all of the required species. I will make all reasonable efforts to achieve this – this year however <u>Can I please amend to 24 months for planting to take place, so I can order the appropriate species for the appropriate locations.</u></li> <li>• (c &amp; d ) the cost to getting a environmental specialist in condition with 8A is extremely cost prohibited, I am proposing to <b>plant 300 native</b> tubestocks that are appropriate to the area from a wholesaler. I have been told to bank on 75-80% survival rate, with this in mind I would like to remove this specific condition relating to having an environmental consultant as the additional trees will excess the 180 survival rate. <u>In regards to condition d, seeking removal due to the increase in tubestock being planted.</u></li> </ul> <p>Condition 9 Justification;</p> <ul style="list-style-type: none"> <li>• (2c) I am seeking removal of condition c for recording through GPS set to Geocentric Datum Australia, <u>I am proposing to just list the species being planted, number of planted &amp; place the area planted on a map for your records.</u></li> <li>• (2f &amp; 2g) I am seeking removal, as per my above request to remove the need for an environmental specialist, therefore these conditions would not be applicable.</li> </ul> <p>Under the current clearing permit, it states 180 native – I propose to plant a few mixed species providing a better environmental outcome such as paperbark and flooded gums. I am currently seeking advice from local nurseries on the best species to plant, what is in stock, what to order now &amp; next year for my location, soil type.</p> <p>All other conditions remain the same, clearing area remains the same.</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</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>

Part 4: Proposed amendments	
landowner to access the land and undertake the clearing.	
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. Lot 16 2on Deposited plan 202726, Hopeland
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 type="checkbox"/> No
	If yes, provide details: Not applicable
Refer to DWER’s <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the EPA’s <a href="#">WA Environmental Offsets Policy and Guidelines</a> 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:**

- If your application is to be submitted to DMPE, 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**

**Environmental Impact Assessment (Part IV of the EP Act)**

<b>Has this clearing application or any related matter been referred to the Environmental Protection Authority?</b>	<input type="checkbox"/> Yes – provide details [     ]
	<input checked="" type="checkbox"/> No
<b>Do you intend to refer the proposal to the Environmental Protection Authority?</b>  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 DMPE) 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**

<b>Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?</b>	<input type="checkbox"/> No
	<input checked="" type="checkbox"/> Yes – provide details: [Amendment to existing CP]

**Works approval / Licence / Registration (Part V Division 3 of the EP Act)**

<b>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?</b>	<input type="checkbox"/> Yes – application reference (if known): [     ]
	<input type="checkbox"/> No – a valid works approval applies: [     ]

**Part 5: Other DWER approvals**

<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 <i>Environmental Protection Regulations 1987</i>, unless that action is done in accordance with a works approval, licence, or registration.</p> <p>For further guidance, refer to <a href="#">Guideline: Decision making</a> and <a href="#">Guideline: Industry Regulation Guide to Licensing</a>.</p>	<input checked="" type="checkbox"/> No – a valid licence applies: [CPS 10922/1]
	<input type="checkbox"/> No – a valid registration applies: [     ]
	<input checked="" type="checkbox"/> No – not required

**Water licences and permits (*Rights in Water and Irrigation Act 1914*)**

<p><b>Have you applied or do you intend to apply for:</b></p> <ol style="list-style-type: none"> <li>a licence or amendment to a licence to take water (surface water or groundwater); or</li> <li>a licence or amendment to a licence to construct wells (including bores and soaks); or</li> <li>a permit or amendment to a permit to interfere with the bed and banks of a watercourse?</li> </ol> <p>For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i>, refer to the <a href="#">Procedure: Water licences and permits</a>.</p>	<input type="checkbox"/> Yes –application reference (if known): [     ]
	<input type="checkbox"/> No – a current valid licence applies: [     ]
	<input checked="" type="checkbox"/> N/A

**Part 6: Surveys for Assessments (ISA)**

<p><b>Do you wish to submit marine or biodiversity surveys in support of your application?</b></p>	<input type="checkbox"/> Yes	
	<input checked="" type="checkbox"/> No – skip to Part 7	
<p>Biodiversity and marine surveys submitted to support this application must be submitted via Environment Online and follow the Procedure – Preparing Data Packages for the - Index of Surveys for Assessments (ISA) at <a href="https://environmentonline.dwer.wa.gov.au/article/?code=KA-00081#/">https://environmentonline.dwer.wa.gov.au/article/?code=KA-00081#/</a> and <a href="https://environmentonline.dwer.wa.gov.au/article/?code=KA-00098">https://environmentonline.dwer.wa.gov.au/article/?code=KA-00098</a></p> <p>If these requirements are not met, DWER / DMPE (as applicable) may decline to deal with the application.</p> <p>Please provide the ISA number(s) and/or any relevant existing IBSA/IMSA numbers in the space provided. Please note DWER/DMPE will suspend the assessment timeframes for your application until the biodiversity surveys are accepted by ISA.</p>	<p>All biodiversity and marine surveys that support this application have been submitted to ISA via Environment Online</p>	<p><b>Yes</b></p> <input type="checkbox"/>
	<p><b>ISA number(s)</b> (e.g. <i>ISA-0001234</i>)</p> <p><b>IBSA/IMSA number(s)</b> (e.g. <i>IBSA-2020-0123</i> or <i>IMSA-2020-0123</i>)</p> <p>Please list all numbers. If space is inadequate, list on a separate sheet.</p>	

**Part 7: Records kept under the existing clearing permit's conditions**

<p>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.</p> <p>DWER / DMPE (as applicable) requires that these records are</p>	<p>The required records are attached.</p>	<p><b>Yes</b></p> <input type="checkbox"/>
	<p>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.</p> <p><input type="checkbox"/> The total amount, location(s), and date(s) of clearing done under the permit (or within the past five years).</p>	

Part 7: Records kept under the existing clearing permit's conditions	
<p>provided to support the assessment of this application. Records provided should cover:</p> <ul style="list-style-type: none"> <li>the full period of the permit;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>the past five years (if the existing permit's duration is greater than five years and it was amended within the past five years).</li> </ul>	<input type="checkbox"/> Actions taken to avoid or minimise the impact and extent of clearing.
	<input type="checkbox"/> Actions taken in relation to flora and/or fauna management.
	<input type="checkbox"/> Actions taken to revegetate or rehabilitate the areas cleared under the permit.
	<input type="checkbox"/> Records pertaining to any onsite or offsite environmental offsets.
	Any other relevant records required to be kept by the conditions of the permit.
<input checked="" type="checkbox"/> Summarise other records:	Have not submitted records yet (TBD).











