

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

Select your form type.  Note: Where appropriate in this form, and unless stated otherwise, the terms 'application' and 'applicant' also mean 'referral' and 'referrer' respectively.	<ul> <li>□ Referral of proposed clearing (section 51DA of the EP Act)</li> <li>☑ Application for an area permit (section 51E of the EP Act)</li> <li>□ Application for a purpose permit (section 51E of the EP Act)</li> </ul>	
		<ul> <li>□ Department of Energy, Mines, Industry Regulation and Safety</li> <li>☑ Department of Water and Environmental Regulation</li> </ul>

## Part 2 – Applicant details

## 2.1 Applicant name

For area permits:	□ Applying as an individual – complete the following:			
If granted, the name(s) of (all)	Title	☐ Mr ☐ Mrs ☐ Ms	□ Other:	
landowner(s) will be listed as	Name(s)			
'permit holders' on the permit.	☐ Applying as a following:	☐ Applying as a body corporate or other entity formed at law – complete the following:		
For purpose permits:	Name	Name		
If granted, the name(s) of (all) applicant(s) will	Australian Con	Australian Company Number (ACN)		
go on the permit.	<ul> <li>         □ Applying as a government entity (e.g. government department, local government authority, or other statutory body)     </li> </ul>			
	Name City of Joondalup ABN: 64 245 472 416			

## 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					
If applying as a company, inc	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					
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.					
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			⊠ No		
If 'No' – complete the following:					
Title					
Contact name					
Position (if applicable)					
Company name (if applicable	e)				

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.	□ Yes – skip to Part 4	⊠ No
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## If 'No' – complete the following:

Land description  Provide the following details, as applicable, for all properties:	The Clearing Area intersects City of Joondalup's local gove listed as Crown land administ Planning, Lands and Heritage	ernment area. ered by the De e (DPLH):	The tenement is epartment of
<ul> <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>	Lot 11485 on Deposite     LR 3109-412), Reserv Recreation.  The City of Joondalup is the F 11485 and is responsible for i under management order H3- Environmentally Sensitive Are	re 42219 for th Primary Interes its management 46227. Lot 114	e Purpose of st Holder for Lot nt and control 485 is not within an
Street address – Line 1	40 Ocean Parade		
Street address – Line 2			
Suburb	Burns Beach		
State	WA	Postcode	6028
Local government area(s)	City of Joondalup		

Land zoning	MRS - Parks and Recreation
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## 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
⊠ I am the landowner	<ul><li></li></ul>
☐ I am lodging a form on behalf of the landowner (e.g. a consultant)	☐ Attach proof of ownership
☐ I am acting on the landowner's behalf and will be jointly responsible for the clearing permit (i.e. joint form)	☐ Attach proof of ownership ☐ 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
☐ I am likely to become the landowner	☐ 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')
☐ I will undertake the clearing activities with the landowner's authority and will be the permit holder	☐ Attach proof of ownership ☐ 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)
☐ I am a person with multiple land parcels within which clearing is proposed	☐ Attach proof of ownership and/or ☐ 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)
☐ 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> )	□ Provide relevant legislative details:

## Part 5 – Proposed clearing

#### 5.1 Maps and/or spatial data

Select which map type(s) you will attach with your form.

Note: DWER/DEMIRS will decline/return forms (as applicable) if you do not provide sufficient information for this question.

☑ An ESRI shapefile with the following properties (preferred)

- Geometry type: polygon shape
- Coordinate system: Geocentric Datum of Australia (GDA) 2020 (geographic latitude/longitude)
- Datum: GDA 2020

See Attachment 2 - Burns Beach Clearing Area Shapefile

⊠ An aerial photograph or map with a north arrow, clearly marking the proposed clearing area

See Attachment 3 - Burns Beach Clearing Area

#### Note:

- An ESRI shapefile must use one of the following filename extensions: .shp, .shx, .dbf, and/or .prj
- You must provide an ESRI shapefile if the form requires an assessment under an Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) accredited process. See Part 8 of this form for more information.

#### 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 =  $10,000 \text{ m}^2$  Area of circle =  $3.14 \text{ x radius}^2$ 1 acre =  $0.4 \text{ hectares/}4,000 \text{ m}^2$  Area of a rectangle = length x width 1 tree =  $0.01 \text{ hectares/}100 \text{ m}^2$  Area of a triangle =  $\frac{1}{2}$  length x perpendicular height

Total area of clearing proposed (hectares)	0.34 ha
Footprint of clearing (hectares) (purpose permit only)	
Number of individual trees to be cleared	Two native trees.

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

Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.).

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.).

The Burns Beach foreshore node is a well-used community area with a significant number of daily visitors from City of Joondalup residents, members of the broader Perth community, and tourists from further reaches. As there are few parks along this stretch of coastline, the Burns Beach foreshore node provides several valuable services to the community including recreational open space and commercial opportunities.

Given the lack of additional recreational areas within the foreshore node and the limited connections between the Burns Beach foreshore park and the beach, the existing space is proposed for redevelopment to provide greater accessible spaces, promote commercial activity within the area, and form essential connections between the park and beach. Currently, the connections in the node are significantly hindered by an existing car park of insufficient size and dunal vegetation, restricting movement and reducing the park's usability.

The clearing of 0.34 ha (3447 m²) is essential to establish a strong connection between Burns Beach Foreshore Park and the beach, provide suitable facilities and recreational open space for the community, and provide additional commercial opportunities for economic development in the area (Attachment 4). The upgrades will ensure the space functions as an integrated regional recreation destination. The local community have been highly supportive of upgrades to the facilities, as demonstrated in the project's community consultation results.

#### Social and Economic Benefits

The project will deliver long-term community and economic benefits, including:

- A new playground, turfed areas, landscaped native garden beds, and upgraded public amenities, enhancing recreational opportunities.
- Demolition of outdated facilities and construction of modern infrastructure, improving safety and usability.
- Relocation of the car park, reducing congestion and improving pedestrian safety.
- A café/restaurant, which will be leased to a commercial operator to offset ongoing maintenance costs and contribute to the local economy.

This proposal has undergone community consultation, with strong public support for improved accessibility and upgraded facilities.

Photos of the proposed clearing area are available in Attachment 5. Further details, including environmental impact assessments, mitigation strategies, and alignment with regulatory requirements, are provided in the Native Vegetation Clearing Permit Supporting Document as part of Attachment 6.

Specify what the final land use will be after clearing	Recreation			
5.4 Method				
Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing,		Mechanical vegetation clearing using heavy excavation machinery, including		

bulldozers and front-end loaders.

#### 5.5 Timeframe

Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)	Start date: 1/7/2026
	End date: 31/12/2027

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

mechanical clearing/bulldozing or other - specify)

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.

	<ul> <li>✓ Yes – complete section below</li> <li>☐ I have had a pre-application meeting with DWER/DEMIRS</li> </ul>		
Do you propose to clear native vegetation within the Swan Coastal Plain or Avon Wheatbelt bioregions?	Insert date of meeting and officer name(s):		
	☐ 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):		
	<ul> <li>☑ 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.</li> <li>☐ No – proceed to next question.</li> </ul>		

## 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.

Provide the avoidance details (e.g. retention of vegetation on property)	Potential impacts resulting from the clearing of native vegetation have primarily been avoided through consolidation of the proposed carpark and turf area, reduction of the proposed ablution block size and removal of low recreation value infrastructure such as retaining walls.	
Provide the mitigation details (e.g. management of weed spread, rehabilitation)	The Proposal has been designed to avoid environmental impacts, including clearing native vegetation, where possible, or minimise impacts to As Low as Reasonably Practicable (ALARP) where unavoidable. Potential impacts have primarily been avoided or minimised through the design and layout of the café development and supporting facilities. Additional measures proposed to avoid and mitigate clearing and associated impacts include the following:	
	<ul> <li>Portions of the Clearing Area that have been temporarily cleared and are not required for infrastructure will be revegetated with local provenance species or seed. This will limit the potential for edge effects to flora and fauna.</li> </ul>	
	<ul> <li>Implementation of erosion controls following clearing, including soil stabilisation measures to reduce the potential for wind or water erosion. A soft nature-based approach with either coir/jute mesh and/or a brush mattress will be employed, along with revegetation efforts to control erosion.</li> </ul>	
	<ul> <li>Construction will commence within two months following clearing to minimise the risk of soil erosion occurring.</li> </ul>	
	<ul> <li>Concrete paths will be installed between any turf and native vegetation to limit the potential for weed intrusion.</li> </ul>	
	<ul> <li>Implementation of appropriate weed and pathogen controls, such as clean on entry and exit procedures, in accordance with the City's Weed Management Plan, to manage the occurrence of weeds and/or disease with the objective of minimising indirect impacts to surrounding vegetation. The City's Weed Management Plan is shown in Attachment 6.</li> </ul>	

- Clearing will occur in the direction of adjacent retained vegetation to allow fauna to move away from clearing activities to the surrounding remnant vegetation.
- Utilisation of existing tracks as much as possible to minimise the area required to be cleared. Vehicles and personnel access will be restricted to the direct works areas, and not allowed to have uncontrolled access into other areas of the foreshore reserve. There will not be any clearing outside the works areas to facilitate vehicle stand-by or equipment lay down areas.
- Where possible all vehicles and construction materials will be stored within the development area and not within the foreshore reserve.
- Areas will be surveyed and verified before any ground disturbing activities commence, to ensure that construction will be limited to those areas to which they are required and intended.

DWER provided the City with advice regarding revegetation for this project including the use of the DWER WA environmental offsets calculator. It is noted that the City must improve at least 0.7 ha of Good condition Priority 3 Coastal shrublands to shallow sands to Very Good or Excellent condition to offset the loss of 0.34 ha of Good condition Priority 3 coastal shrublands.

Revegetation is proposed within Lot 11485 on Deposited Plan 217974, the same lot as the proposed clearing, to offset the significant residual impact of the project. A total of 0.7ha of Good condition Priority 3 Coastal Shrublands on coastal sands Priority Ecological Community has been identified for rehabilitation as an offset. Details of the proposed revegetation have been provided in the City's Revegetation Plan prepared by Eco Logical Australia (Attachment 7) with a shapefile of the proposed revegetation area in Attachment 8. Revegetation will be conducted by a suitably qualified environmental specialist in accordance with the schedule and methods outlined in the Revegetation Plan, and with any permit conditions.

#### 6.2 Offsets

Do you want to submit a clearing offset proposal with your form?	□ Yes ⊠ No
If 'Yes' – please complete and attach Appendix A of the <u>Clearing</u> of native vegetation offsets procedure guideline as a supporting document for your form.	☐ 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?	⊠ Yes □ 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) <u>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments</u> (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 Index of Biodiversity Surveys for Assessment?	<ul><li>☑ Yes</li><li>☐ Not applicable</li></ul>
Provide an IBSA number (preferred) or a submission number(s)	IBSA-2025-0256 IBSA-2025-0042

#### 7.2 Marine surveys

If you want to submit any marine surveys to support this form, you must follow the EPA's <a href="Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments">Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments</a> (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	□ Yes
accordance with the EPA's Instructions for the preparation of data	
packages for the Index of Marine Surveys for Assessments?	

## 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?	☐ Yes ☑ No – skip to Part 9
Is your proposed clearing a controlled action?	□Yes
If 'Yes', please make sure you have entered all the mandatory details in the	EPBC number:
Annex C7 form	☐ Annex C7 form attached

	☐ No (DWER/DEMIRS cannot assess the application under an EPBC Act Accredited Process)
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.

Has the proposed clearing or any related matter been referred to	□ Yes Enter details:	
the EPA?	No − complete question below.	
If 'No' – do you intend to refer the proposal to the EPA?	<ul> <li>☐ Yes – intend to refer (proposal is a 'significant proposal')</li> <li>☐ Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement)</li> <li>☐ No – a current valid Ministerial Statement applies</li> </ul>	
	Enter Ministerial Statement number:	
	No − not a significant proposal	

## 9.2 Other approvals – works approval, licence or 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	□ Yes	
amendment to any of the above, under Part V Division 3 of the EP Act?	Application reference:	
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	□ No – a valid works approval applies	
Environmental Protection Regulations 1987, unless that action is done in accordance with a	☐ No – a valid licence applies	
works approval, licence or registration. For further		

guidance, see DWER's <u>Procedure: Prescribed</u> premises works approvals and licences and <u>Guideline: Industry regulation guide to licensing</u> .		<ul><li>□ No – a valid registration applies</li><li>☑ No – not required</li></ul>
9.3 Water licences and pern	nits ( <i>Rights in V</i>	Water and Irrigation Act 1914)
<ul> <li>Have you applied or do you intend to apply for:</li> <li>a licence or amendment to a licence to take water (surface water or groundwater)</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> <li>For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i>, see DWER's <i>Procedure: Water licences and permits</i>.</li> </ul>		<ul> <li>□ Yes</li> <li>□ No – a current valid licence applies</li> <li>Licence number:</li> <li>☑ Not applicable</li> </ul>
9.4 Planning and other app	rovals	
Has the proposal obtained all relevant planning approvals	□ Yes	
and/or have you applied for all relevant planning approvals (e.g. Development	Enter details:	
Approvals (c.g. Development Approval, Extractive Industry Licence, etc.)?	⊠ No	
	Enter details:	Planning approval will be obtained prior to construction
	□ Not applicabl	е