

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 Mines, Petroleum and Exploration (DMPE) 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.	☐ Referral of proposed clearing (section 51DA of the EP Act) ☐ Application for an area permit (section 51E of the EP Act) ☒ Application for a purpose permit (section 51E of the EP Act)
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Which department are you submitting this form to? 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 Mines, Petroleum and Exploration’. For all other clearing activities, select ‘Department of Water and Environmental Regulation’.	☒ Department of Mines, Petroleum and Exploration ☐ Department of Water and Environmental Regulation
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Part 2 – Applicant details

2.1 Applicant name

For area permits: If granted, the name(s) of (all) landowner(s) will be listed as 'permit holders' on the permit. For purpose permits: If granted, the name(s) of (all) applicant(s) will go on the permit.	☒ Applying as an individual – complete the following:	
	Title	☒ Mr ☐ Mrs ☐ Ms ☐ Other:
	Name(s)	Phillip John Bywaters and Craig Anthony Bywaters
	☐ Applying as a body corporate or other entity formed at law – complete the following:	
	Name	
	Australian Company Number (ACN)	
	☐ Applying as a government entity (e.g. government department, local government authority, or other statutory body)	
	Name	

2.2 Applicant contact details

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

[illegible]

2.3 Applicant contact postal details

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

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.

2.5 Electronic correspondence consent

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

I consent that all written correspondence between myself (the applicant) and DWER/DMPE (as applicable) about the subject of this form will be exclusively via email, using the email address provided above.	☒ Yes ☐ 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/DMPE should liaise with (e.g. a consultant).

Same as applicant's contact details	☒ Yes ☐ No
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If 'No' – complete the following:

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: – volume and folio number – lot or location number(s) – crown lease or reserve number – pastoral lease number – mining tenement number	L70/226 and M70/1403		
Street address – Line 1			
Street address – Line 2			
Suburb			
State		Postcode	
Local government area(s)			
Land zoning			

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	☐ Attach proof of ownership
☒ 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/DMPE 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 ☒ An aerial photograph or map with a north arrow, clearly marking the proposed 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 <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act) accredited process. See Part 8 of this form for more information.
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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 ²	Area of circle = 3.14 x radius ²
1 acre = 0.4 hectares/4,000 m ²	Area of a rectangle = length x width
1 tree = 0.01 hectares/100 m ²	Area of a triangle = ½ length x perpendicular height

Total area of clearing proposed (hectares)	145.68
Footprint of clearing (hectares) (purpose permit only)	145.68
Number of individual trees to be cleared	

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.).	Gypsum mining
Specify what the final land use will be after clearing	Salt lake

5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Excavator, front-end loader
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5.5 Timeframe

Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)	Start date: 01/09/2026 End date: 30/06/2038
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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/DMPE 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?	☐ Yes – complete section below	
	☐ I have had a pre-application meeting with DWER/DMPE	
	Insert date of meeting and officer name(s):	
	☐ I have contacted DWER/DMPE 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):	

	☐ I have not had a pre-application meeting with DWER/DMPE. I understand that this may increase the likelihood of requests for further information and/or delays in assessment. ☐ No – proceed to next question.
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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/DMPE will ask you to do so during the validation of this application. Offsets will only be considered by DWER/DMPE as a last resort, once avoidance and minimisation measures have been clearly demonstrated.

Provide the avoidance details (e.g. retention of vegetation on property)	Clearing is only for the purpose for gypsum extraction. Poor gypsum areas to be avoided.
Provide the mitigation details (e.g. management of weed spread, rehabilitation)	Progressive rehabilitation where feasible.

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 Clearing of native vegetation offsets procedure guideline as a supporting document for your form.	☐ Appendix A attached