



Application for an amendment to a clearing permit

Environmental Protection Act 1986 s 51M

FORM C4

Clearing of native vegetation is prohibited in Western Australia except where a clearing permit has been granted or an exemption applies. A person who causes or allows unauthorised clearing commits an offence.

Date stamp

Part 1 Assessment under the assessment bilateral agreement

If the amendment to a clearing permit will or is likely to impact on a matter of national environmental significance identified under the Commonwealth of Australia's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) it must initially be referred to the Commonwealth of Australia prior to submitting this amendment application form.

Further information is located in Annex C7 and *A guide to native vegetation clearing processes under the Assessment bilateral agreement* available at www.der.wa.gov.au.

Was your clearing permit application previously assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?

Yes No Proceed to Part 2

Has the amendment been referred to the Commonwealth of Australia under the EPBC Act?

Yes EPBC Number

No It cannot be assessed under an Accredited Process until it has been referred to the Commonwealth. Proceed to Part 2.

Has a decision been made under the EPBC Act as to whether the proposed amendment is a controlled action?

Yes No Proceed to Part 2

Is the amendment a controlled action under the EPBC Act?

No Proceed to Part 2

Yes Complete and attach the requirements of Annex C7 to this completed form

List the controlling provisions identified in the notification of the controlled action decision

Annex C7 is completed and the required supporting documentation is attached.

Part 2 Clearing permit details

Amendments can only be made to active clearing permits.

FILE REFERENCE

Permit number

CPS 5216/1

Permit holder's name as it appears on the permit

Shire of Esperance

Part 3 Contact/Applicant details

A person with whom the Department of Environment Regulation or Department of Mines and Petroleum should liaise concerning the amendment application.

*If applying as a company or incorporated body, please supply the registered business office address.

Given name, family name and title

Part 4 Declaration and signature

For your application to be accepted, it must be signed either on behalf of the company or as an individual.

By signing this form you are declaring that the statements on this form are true and correct.

The department in accepting this form accepts you are a person duly authorised to sign for and on behalf of the body corporate in applying for and in holding a permit.

Knowingly providing false or misleading information is an offence under section 112 of the *Environmental Protection Act 1986* and may incur a penalty of up to \$50,000.

Please indicate if you are signing as an individual or a company:

An individual. If an individual landowner is applying, **all landowners** must sign this form.

A company. A person duly authorised to sign for and on behalf of the body corporate must sign this form. A company must be a legal entity and provide an Australian Company Number (ACN). Please note Australian Business Number (ABN) is not sufficient.

Other entity formed at law. Provide details.

Part 5 Proposed changes

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.

If you are applying on behalf of the permit holder, please attach your agent's authority duly authorising you to act on behalf of the permit holder.

Please tick below the proposed change(s) to your clearing permit:

extend the duration of the permit

vary a permit condition, such as a due date

amend the size of the area permitted to be cleared, or remove a land parcel listed on the permit

or

other.

Provide details of proposed changes:

Vary condition 11 to exclude rehabilitation on private property.

The Shire of Esperance wrote to DER in March 2016 advising them that whilst the Shire has attempted to abide by the permit condition 11, relating to rehabilitation of the area by ripping the site and laying topsoil during March 2014, the farmer on whose land was cleared (Lot: 421 Pln: 212355) has since used the area to grow a crop. This area is now unable to be rehabilitated and revegetated. The Shire in 2016 rehabilitated 3 historic gravel pits totalling 1.47ha as an alternate rehab area.

<p>Land Details</p> <p>Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.</p>	<p>Land description to include: volume and folio number, lot or location number(s), Crown lease or reserve number, pastoral lease number or mining tenement number of all properties.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Howick Road reserve, Mount Ney (PIN: 11644422) Lot 421 on Deposited Plan 212355, Mount Ney Lot 420 on Deposited Plan 212355, Mount Ney</p> </div>
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Part 6 Prescribed fees

<p>Make cheques or money orders payable to:</p> <p>Department of Environment Regulation (for all clearing permits granted by this agency or the former Department of Environment and Conservation) <i>or</i> Department of Mines and Petroleum (for all clearing permits granted by this agency).</p> <p>To make payment with a credit card, please complete Form C3 and attach to this form.</p> <p>Do not send cash in the mail.</p>	<p>Please indicate the clearing permit application fee that is being paid:</p> <p>AREA PERMIT</p> <p><input type="checkbox"/> \$50 to alter the requirements of, or increase the area covered by an area permit by less than one hectare <i>or</i></p> <p><input type="checkbox"/> \$100 to increase the area covered by an area permit by between one hectare and 10 hectares <i>or</i></p> <p><input type="checkbox"/> \$200 to increase the area covered by an area permit by more than 10 hectares</p> <p>PURPOSE PERMIT</p> <p><input checked="" type="checkbox"/> \$200 to alter any requirement of a purpose permit</p> <p>Payment method (tick applicable box):</p> <p><input type="checkbox"/> Cheque <input type="checkbox"/> Money order <input checked="" type="checkbox"/> Credit card (complete Form C3 and attach)</p> <div style="border: 1px solid black; width: 150px; height: 100px; margin-left: auto; margin-right: auto; text-align: center; vertical-align: middle;"> <p>OFFICE USE ONLY</p> </div>
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Part 7 Application checklist and documentation summary

<p>Additional information to assist in the assessment of your proposal may be attached to this application — e.g. reports on salinity, fauna or flora studies or other environmental reports conducted for the site could be included in electronic format and submitted on CDROM.</p>	<p>Please ensure you have included the following as part of your application:</p> <p>REQUIRED</p> <p><input checked="" type="checkbox"/> A completed application form that is signed and dated by all landowners, or the applicant acting on behalf of or likely to become the landowner.</p> <p><input type="checkbox"/> An aerial photograph or map with a north arrow clearly identifying the areas of vegetation proposed to be cleared. An ERSI shapefile must be provided if the application requires an assessment under an EPBC Act Accredited process.</p> <p><input checked="" type="checkbox"/> Payment.</p> <p><input checked="" type="checkbox"/> I have read and understand the 'Confidential or commercially sensitive information' section at the bottom of this form.</p> <p>REQUIRED IF APPLICABLE</p> <p><input type="checkbox"/> If you are applying on behalf of the permit holder, please attach your agent's authority duly authorising you to act on behalf of the permit holder.</p> <p><input type="checkbox"/> Evidence of the pending transfer of land ownership, such as the offer and acceptance, or written notice from the current landowner.</p> <p><input type="checkbox"/> Annex C7 if amendment is to be assessed under an EPBC Act Accredited Process.</p> <p>Please provide a summary of all attached documentation.</p> <div style="border: 1px solid black; width: 100%; height: 50px; margin-top: 5px;"></div>
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Part 8 Lodgement

Send by email or post original applications to amend clearing permits granted by the Department of Environment Regulation or the former Department of Environment and Conservation to:

Department of Environment Regulation

Locked Bag 33, CLOISTERS SQUARE

PERTH WA 6850

Email: nvp@der.wa.gov.au

Telephone: 6467 5020

For more information: www.der.wa.gov.au/nvp

Send original applications to amend clearing permits granted by the Department of Mines and Petroleum to:

Department of Mines and Petroleum

Environment Division

Mineral House

100 Plain St

EAST PERTH WA 6004

Telephone: 9222 3333

For more information: www.dmp.wa.gov.au

Please retain a copy of this form for your records. Incomplete applications will be returned.

CONFIDENTIAL OR COMMERCIALY SENSITIVE INFORMATION

Information submitted as part of this application may be made publicly available. If you wish to submit information that you believe to be commercially sensitive or otherwise confidential, then you should submit that information in an appendix to this application, with a written statement of reasons why you request that each item of information be kept confidential. The department will take reasonable steps to protect confidential or commercially sensitive information. Please note in particular that all submitted information may be the subject of an application for release under the *Freedom of Information Act 1992*. If you have any enquiries regarding the provision of relevant information as part of this application contact either the Department of Environment Regulation or the Department of Mines and Petroleum.

If there is insufficient space on any part of this form, please continue on a separate sheet of paper and attach to this form.