



Department of Water and Environmental Regulation (DWER)  
Department of Mines, Industry Regulation and Safety (DMIRS)

## Application for an amendment to a clearing permit

*Environmental Protection Act 1986, section 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.

CPS No.

Date stamp

#### Part 1: Assessment bilateral agreement

If the amendment of a clearing permit will or is likely to impact on a matter of national environmental significance identified under the *Environment Protection and Biodiversity Conservation Act 1999* (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.

Further information is located in *Form Annex C7* and *A guide to native vegetation clearing processes under the Assessment bilateral agreement* available at [www.der.wa.gov.au/our-work/clearing-permits](http://www.der.wa.gov.au/our-work/clearing-permits).

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?

☐ Yes EPBC number:

☒ No Proceed to Part 2

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

☐ *Form Annex C7* is complete and the required supporting information is attached.

#### Part 2: Clearing permit details

Amendments can only be made to active clearing permits.

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.

Permit number for existing clearing permit CPS 5394/4

Permit holder's name (as it appears on the existing clearing permit) Bunbury Harvey Regional Council

FILE REFERENCE

Permit expiry date: 16 November 2023

Mark this box if there are less than 90 working days until the expiry of the existing permit.

☐

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> <table border="1"> <tr> <td>An individual</td> <td>Title</td> <td>Mr</td> <td><input type="checkbox"/></td> <td>Mrs</td> <td><input type="checkbox"/></td> <td>Ms</td> <td><input type="checkbox"/></td> <td>Other:</td> </tr> <tr> <td></td> <td>Name/s</td> <td colspan="7"></td> </tr> </table> <p><b>OR</b></p> <p>A body corporate or other entity formed at law (include ACN)</p> <p>Bunbury Harvey Regional Council</p>	An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:		Name/s							
An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:											
	Name/s																		
<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 DMIRS prefer to send all correspondence electronically via email.</p> <p>We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act ("Part V documents") electronically via email by indicating your consent in this section of the application form.</p> <p>Where 'yes' is selected, all correspondence from DWER or DMIRS (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>																			
<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 DMIRS should liaise with concerning this clearing application.</p>																			

**Part 3: Applicant**

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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, and</li> <li>• payment of the prescribed fee.</li> </ul>	<p>Indicate the 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 checked="" type="checkbox"/> Other.</p>
	<p>Provide details of the proposed change(s), and the rationale for it / them.</p> <p>Amend the purpose of area being cleared to add the building of a compost facility. As the following;</p> <p>Part I</p> <p>1 – Clearing for the purpose of daily cover for a rubbish disposal site, rehabilitation, and compost facility</p> <p>Rationale: as the cleared area has a works approval application in relation to it</p> <p>Amend the conditions on the Clearing Permit as follows;</p> <p>Part II</p> <p>6 – Native Vegetation Conservation – remove the red cross hatched area references, amend the condition to reflect the WA Environmental Offsets Policy</p> <p>Rationale: the BHRC are looking into alternative options for offsetting the clearing offsite</p> <p>7 – Dieback and weed control – remove condition</p> <p>Not relevant to this site, as it is a waste facility and the area will be becoming a compost facility. Restrictions on truck movements are not possible.</p> <p>8 – Retain vegetative material and topsoil, revegetation and rehabilitation</p> <p>Rationale: Not relevant to this site, the area will be becoming a compost facility.</p> <p>Part III</p> <p>9 – Records being kept – remove</p> <p>Rationale: not relevant as the area is becoming a compost facility</p> <p>10 – Reporting – consider whether necessary</p> <p>Definitions</p> <p>Reassess which terms are still relevant after above amendments</p>



Part 4: Proposed amendments	
	Plan 5394/4 - remove the red hatched area – clearing instruments conditions
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 landowner to access the land and undertake the clearing.  Evidence of authority can include, for example, a copy of the certificate of title or a letter of authority from the land owner.  Note: the letter of authority must explicitly state the applicant has authority to clear on the land.	State the nature of the applicant's authority to access the land to be cleared. <i>[Attach evidence of authority]</i>  N/A
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.  N/A
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 checked="" type="checkbox"/> No  If yes, provide details:
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	
<b>Instructions:</b> <ul style="list-style-type: none"> <li>If your application is to be submitted to DMIRS, complete Section A and then skip to Part 6 of this form.</li> <li>If your application is to be submitted to DWER, complete Section A and B.</li> </ul>	
Section A: Environmental Impact Assessment	
Environmental Impact Assessment (Part IV of the EP Act)	
Has this clearing application or any related matter been referred to the Environmental Protection Authority?	<input checked="" type="checkbox"/> Yes – provide details [EPBC 2014/7131] <input type="checkbox"/> No
Do you intend to refer the proposal to the Environmental Protection Authority?  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 DMIRS) 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	<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 [            ]