

DER2016/001751
A1365135

Department of Environment Regulation – Department of Mines and Petroleum



Application for a clearing permit (purpose permit)

Environmental Protection Act 1986 s 51E

FORM C2

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.
DEPARTMENT OF ENVIRONMENT REGULATION
25 JAN 2017
Corporate Information Section
Date stamp

Part 1 Assessment under the EPBC bilateral agreement

The native vegetation clearing processes under Part V of the *Environmental Protection Act 1986* (EP Act) have been accredited by the Commonwealth of Australia under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and can be assessed under an assessment bilateral agreement.

To be assessed under the assessment bilateral agreement, the proposed clearing action must be referred to the Commonwealth under the EPBC Act prior to submitting this application form and Annex C7 must also be completed.

For further information see Annex C7 and *A guide to native vegetation clearing processes under the assessment bilateral agreement* available at www.der.wa.gov.au.

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 ☒ No Proceed to Part 2

Has the proposed clearing action 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 or not the proposed clearing action is a controlled action?

☐ Yes ☐ No Proceed to Part 2

Is the proposed clearing action a controlled action under the EPBC Act?

☐ No It cannot be assessed under an Accredited Process, 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 complete and the required supporting information is attached

Part 2 Land details

The location of the land where clearing is proposed must be accurately described.

FILE REFERENCE

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.

The land on which clearing is to be done:

- Lot 617 on deposited plan 70861, Minyirr.
- Lot 618 on deposited plan 70861, Minyirr.
- Lot 621 on deposited plan 70861, Minyirr.
- Lot 626 on deposited plan 70861, Minyirr.
- Lot 627 on deposited plan 70861, Minyirr.
- Lot 630 on deposited plan 70861, Minyirr.
- Lot 698 on deposited plan 70861, Minyirr.
- Port Drive Road Reserve (PIN 11479514), Minyirr.

Clearing is to be limited to the area shown in Figure 1, which is identical to the "area of clearing" as on expired permit CPS3104/6.

The application area is vested with KPA subject to the provisions of the *Port Authorities Act 1999*.

Local government area

Shire of Broome

Part 3 Proposal An aerial photograph or map with a north arrow must be attached, clearly marking the area proposed to be cleared or if you have the facilities, a digital map on CDROM of the area to clear as an ESRI shapefile with the following properties: <ul style="list-style-type: none"> • Geometry type: polygon shape • Coordinate system: GDA 1994 (Geographic latitude/longitude) • Datum: GDA 1994 (Geocentric Datum of Australia 1994). 	Total area of clearing proposed (hectares) <div style="border: 1px solid black; padding: 2px;">21.726 ha</div> Proposed method of clearing or final land use <div style="border: 1px solid black; padding: 2px;">Mechanical removal</div> Period within which clearing is proposed to be undertaken, e.g. May 2013 – June 2018 <div style="border: 1px solid black; padding: 2px;">March 2017 – March 2027 (for ongoing removal of vegetation regrowth, already cleared under CPS 3104/6).</div> Purpose of clearing <div style="border: 1px solid black; padding: 2px;">KPA requires to remove regrowth of vegetation for the purpose of commercial development, relocation of utilities corridor and relocation of a Telstra line. The vegetation has already been cleared under CPS 3104/6 and this application is for the ongoing removal of regrowth in the area due to the expiry of CPS 3104/6 in December 2016. CPS 3104/4 was referred to the EPA. This new application has not been referred to the EPA.</div> Has this clearing application or any related matter been referred to the Environmental Protection Authority (EPA) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Part 4 Applicant To apply for a permit you must either be: <ul style="list-style-type: none"> • the landowner or • have the authority of the landowner to access the land and undertake the clearing. 	Are you applying as an individual, a company or an incorporated body? Enter details for one only (please print). <div style="border: 1px solid black; padding: 2px;"> An individual— applicant's given names, family name and title (Mr, Mrs, Ms, etc.) or A body corporate or other entity formed at law Kimberley Ports Authority ABN: 56 780 427 150 </div>
Ownership of land A landowner can be: <ul style="list-style-type: none"> • a person who holds the Certificate of Title • a person who is the lessee of Crown land or • a public authority that is responsible for care of the land. 	Form of ownership: <input checked="" type="checkbox"/> Certificate of Title (please attach a copy of the certificate and all associated encumbrances with the application, available from the Western Australian Land Information Authority – Landgate) <input type="checkbox"/> Pastoral lease (please attach a copy of the lease and all associated encumbrances with the application) <input type="checkbox"/> Mining lease <input type="checkbox"/> Public authority that has care, control or management of the land <input type="checkbox"/> Other form of lease, land tenure or specific arrangement. Please state: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
Authority to access land Please specify the applicant's authority to access land to be cleared. For example, a letter from Department of Planning, a statutory power or letter of authority from the landowner. Note: the letter of authority must explicitly state the applicant has authority to clear on the said land.	State nature of authority to access land (please attach copy of authority) <div style="border: 1px solid black; padding: 2px;">The application area is vested with Kimberley Ports Authority subject to the provisions of the <i>Port Authorities Act 1999</i>.</div>