



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.dwer.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

Permit holder's name as it appears on the permit

Part 3 Contact/Applicant details

A person with whom the Department of Water and Environmental Regulation or Department of Mines, Industry Regulation and Safety 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 (Mr, Mrs, Ms, etc.) (please print)

Position title/Company (director, CEO etc.)

Post

Fixed line number

Fax

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.

Commissioner of Main Roads Western Australia

Signature(s)

(1) [Redacted]

(2) [Redacted]

Pri [Redacted]

(1) [Redacted]

(2) [Redacted]

Pos [Redacted]

(1) [Redacted]

(2) [Redacted]

Cor [Redacted]

oth [Redacted]

ABN [Redacted]

Date

25/01/2018

Common seal (if used)

[Empty box for common seal]

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:

[Empty box for details of proposed changes]

Land Details

Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.

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.

N/A

Part 6 Prescribed fees

Make cheques or money orders payable to:

Department of Water and Environmental Regulation
(for all clearing permits granted by this agency or the former Department of Environment Regulation or Department of Environment and Conservation)
or

Department of Mines, Industry Regulation and Safety (for all clearing permits granted by this agency).

To make payment with a credit card, please complete Form C3 and attach to this form.

Do not send cash in the mail.

Please indicate the clearing permit application fee that is being paid:

AREA PERMIT

- \$50 to alter the requirements of, or increase the area covered by an area permit by less than one hectare or
- \$100 to increase the area covered by an area permit by between one hectare and 10 hectares or
- \$200 to increase the area covered by an area permit by more than 10 hectares

PURPOSE PERMIT

- \$200 to alter any requirement of a purpose permit

Payment method (tick applicable box):

- Cheque Money order Credit card (complete Form C3 and attach)

OFFICE USE ONLY

Part 7 Application checklist and documentation summary

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.

Please ensure you have included the following as part of your application:

REQUIRED

- 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.
- 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.
- Payment.
- I have read and understand the 'Confidential or commercially sensitive information' section at the bottom of this form.

REQUIRED IF APPLICABLE

- 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.
- Evidence of the pending transfer of land ownership, such as the offer and acceptance, or written notice from the current landowner.
- Annex C7 if amendment is to be assessed under an EPBC Act Accredited Process.

Please provide a summary of all attached documentation.

- Cover Letter including justification of amendment to clearing permit conditions
- Communication of proposed amendment request with Department of Biodiversity, Conservation and Attractions
- Form C3 Credit Card Payment

Part 8 Lodgement

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

Department of Water and Environmental Regulation
Locked Bag 33, CLOISTERS SQUARE
PERTH WA 6850
Email: info-der@dwer.wa.gov.au

Telephone: 6364 7000

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

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

Department of Mines, Industry Regulation and Safety
Environment Division
Mineral House
100 Plain St
EAST PERTH WA 6004

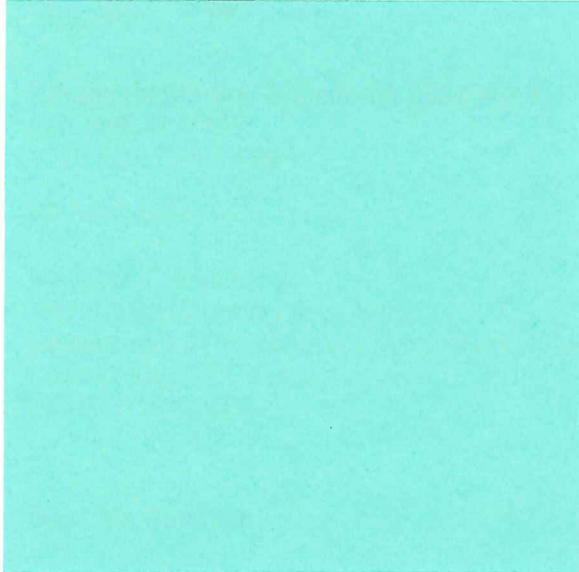
Telephone: 9222 3333

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

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

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 Water and Environmental Regulation or the Department of Mines, Industry Regulation and Safety.

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



gulation

Coongan Gorge Realignment CPS 7549/1 – Northern Quoll Management Plan – Request for an administrative amendment to condition 9(a)

Main Roads Western Australia (Main Roads) was advised on 26 March 2018 that the Minister for Environment had dismissed the appeals that were lodged against CPS7549/1 for the Marble Bar Road Realignment at Coongan Gorge. A recent review of the permit has identified that the clearing period specified within the conditions is likely to have a critical impact on the delivery of this realignment.

Condition 9(a) of CPS 7549/1, currently states “*The permit holder shall undertake clearing authorised under the permit between 1 April and 1 August of any given year*”, which is significantly earlier than the clearing completion date contained within the project’s Northern Quoll Management Plan (NQMP).

The NQMP, prepared by Astron Environmental Services (Dr Jess Oates), recommended that the clearing should be timed between 1 April and 30 September to avoid impacts to Northern Quolls and their large pouch or denned young, subject to the clearing commencing by the beginning of August. This recommendation was developed in consultation with Department of Water and Environmental Regulation (DWER) and the Commonwealth Department of the Environment and Energy (DotEE), and was also supported by Department of Biodiversity, Conservation and Attraction (DBCA).

Reducing the clearing period by more than eight weeks from that stated within the project’s NQMP will either result in this road safety improvement project not commencing in 2018 or the project being cleared to the maximum limit as the requirement to undertake urgent clearing will reduce opportunities to reduce the clearing footprint.

A review of the Appeals Convenor’s report (C018 of 2017) for CPS 7549/1 identified DBCA reviewed the *management plan*. (not the proposed CPS conditions) and concluded that DBCA “generally supported the proposed management actions with the exception of the time interval between the relocation of the quoll and the clearing being too long”. DBCA had no concerns regarding the clearing dates specified within the management plan. As per the email that was forwarded to you on 5 April 2018, Dr Manda Page (Principal Zoologist – DBCA) advised that clearing for the project would be acceptable to “extend into September if already commenced”. The management measures contained within the NQMP are consistent with this advice. No concern was identified within the Appeals Convenor’s report regarding clearing continuing until 30 September.

Accordingly, Main Roads requests that the timeframe stipulated in condition 9(a) be amended to “between 1 April and 30 September, as long as clearing has commenced prior to 1

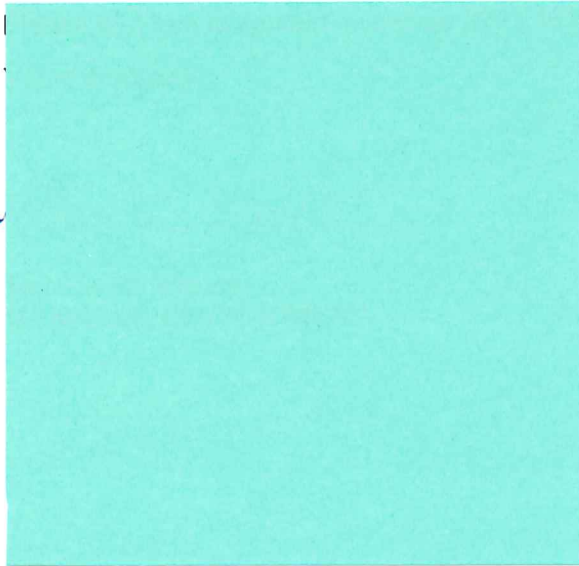


mainroads
WESTERN AUSTRALIA

September", which will be consistent with the project's NQMP and DBCA advice regarding clearing periods.

Given the proposed impacts and management measures within the NQMP, including clearing until 30 September, have been assessed by DWER, DotEE and DBCA, and that the clearing impacts of the project have already progressed through the Appeals Convenor's process, Main Roads requests that the amendment of condition 9(a) be undertaken expeditiously as an administrative amendment. This will provide the greatest opportunity for delivering this important safety initiative in 2018.

Please find attached a C4 Application for an Amendment Form to CPS 7549/1 and the C3 Credit Card Payment Form.



4, if further clarification is required.