

CEO 1638/17 2011/006919
A1527918

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 Water and Environmental Regulation
20 SEP 2017
Date stamp

RECEIVED
22 SEP 2017
DER

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.

All proposed vegetation disturbance addressed in this NVCP application will occur within Crown Reserves:

- **Crossing Falls Road:** Crown Reserve R 47333 / Land Act Lot Number 796;
- **Gravel Reserve/Mulligans Lagoon Rd:** Crown Reserve R 31491 / Land Act Lot Numbers 500, 331;
- **Carlton Hill:** Crown Reserve R 31124 / Land Act Lot Number 366; and
- **Afghan Cemetery 2:** Crown Reserve R 33896 / Land Act Lot Number 1792.

Local government area

Shire of Wyndham East Kimberley.

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:

- 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)

236 hectares

Proposed method of clearing or final land use

Clearing and grubbing with the use of a dozer.

Period within which clearing is proposed to be undertaken, e.g. May 2013 – June 2018

September 2017 – September 2027.

Purpose of clearing

The purpose of the clearing is to enable continued use of four existing borrow pits located in Wyndham and Kununurra. The borrow areas will need to be expanded as material is required to support the necessary upgrade and maintenance works within the Shire of Wyndham East Kimberley over the next 10 years or so.

Has this clearing application or any related matter been referred to the Environmental Protection Authority (EPA) Yes No

<p>Part 4 Applicant</p> <p>To apply for a permit you must either be:</p> <ul style="list-style-type: none"> • the landowner or • have the authority of the landowner to access the land and undertake the clearing. 	<p>Are you applying as an individual, a company or an incorporated body? Enter details for one only (please print).</p> <div style="border: 1px solid black; padding: 5px; min-height: 100px;"> <p>Shire of Wyndham East Kimberley</p> </div>
<p>Ownership of land</p> <p>A landowner can be:</p> <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. 	<p>Form of ownership:</p> <ul style="list-style-type: none"> <input 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 checked="" 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: 30px; width: 100%;"></div>
<p>Authority to access land</p> <p>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.</p> <p>Note: the letter of authority must explicitly state the applicant has authority to clear on the said land.</p>	<p>State nature of authority to access land (please attach copy of authority)</p> <div style="border: 1px solid black; padding: 5px; min-height: 150px;"> <p>The Shire of Wyndham East Kimberley has management of the borrow pits under Section 3.27(1) Schedule 3.2 of the <i>Local Government Act 1995</i>.</p> </div>