



Department of Water and Environmental Regulation  
Department of Mines, Industry Regulation and Safety

## Application for a clearing permit (area permit)

*Environmental Protection Act 1986*, section 51E

### FORM C1

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

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

To be assessed in this manner, the proposed clearing action must be referred to the Commonwealth under the EPBC Act and deemed a 'controlled action' prior to submitting this application form.

For further information see *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: Land details

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

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 proposed clearing area covers several different lots,  
Please see '*Appendix E: Certificates of Title*' for all relevant land details.

FILE REFERENCE

Street address

Appendix E: Certificates of Title

Local government area

Land zoning, e.g. rural, residential, industrial

Part 3: Applicant details	
<b>Applicant details</b>	
<p>If granted, the permit will be granted in the name(s) of (all) landowner(s).</p> <p>Include the 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>
	<p>An individual</p> <p>Title <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other</p> <p>Name/s</p>
	<p><b>OR</b></p>
	<p>A body corporate or other entity formed at law (include ACN)</p> <p>Southern Ports Authority – Port of Esperance Government Trading Enterprise ABN: 30 044 341 250</p>
<b>Applicant contact details</b>	
<p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>All written correspondence from the Department of Water and Environmental Regulation (DWER) or Department of Mines, Industry Regulation and Safety (DMIRS) regarding your application will be made via email. You must provide a valid email address, through which you agree to accept all electronic correspondence.</p> <p>The postal/business address supplied must be a physical address to which a statutory notice under the EP Act may be delivered.<sup>1</sup></p>	<p>Provide contact details for the above individual or body corporate.</p>
	<p>Contact person and position (if applicable)</p>
	<p>Company name (if applicable)</p>
	<p>Postal / business address</p>
	<p>Phone (fixed line)</p>
	<p>Email address</p>
<b>Relationship to landowner</b>	
<p>To apply for a permit you must either be:</p> <ul style="list-style-type: none"> <li>the landowner;</li> <li>acting on the landowner's behalf;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>likely to become the landowner.</li> </ul>	<p>"I am..." (mark the applicable box)</p>
	<p><input checked="" type="checkbox"/> the owner of the land.</p>
	<p><input type="checkbox"/> acting on behalf of the owner and have attached an agent's authority, expressly authorising me to act on behalf of the landowner. <i>[Attach a copy of the authorisation.]</i></p>
	<p><input type="checkbox"/> likely to become the owner of the land. (If granted, the clearing permit will only be issued once the applicant becomes the land owner). <i>[Attach evidence of the pending transfer of ownership, contract of sale ('offer and acceptance'), or letter from current landowner.]</i></p>

<sup>1</sup> The provision of a postal/business address is required as any statutory notices or directions under the relevant legislation are required to be served by post or personally [sections 75 and 76 *Interpretation Act 1984* (WA)].

Part 3: Applicant details				
<b>Ownership of land</b>				
A landowner can be: <ul style="list-style-type: none"> <li>a person who holds the certificate of title;</li> <li>a person who is the lessee of Crown land;</li> </ul> or <ul style="list-style-type: none"> <li>a public authority that is responsible for care of the land.</li> </ul>	Form of ownership:			
	<input checked="" type="checkbox"/>	Certificate of title. <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate]</i>		
	<input type="checkbox"/>	Pastoral lease. <i>[Attach a copy of the lease and all associated encumbrances]</i>		
	<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: _____		
<b>Contact details for enquiries</b>				
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.	Where contact details differ to those of the applicant, complete the below section:			
	Contact person (and position, if applicable)			
	Company name (if applicable)			
	Postal / business address			
	Phone (fixed line)			
	Email address			
<b>Part 4: Proposed clearing</b>				
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 a suitable portable digital storage device 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).  An ESRI shapefile must be provided if the application requires an assessment under an EPBC Act accredited process.	Total <b>area</b> of clearing proposed (hectares)	3.1172		
	and/or			
	number of individual <b>trees</b> to be removed	Refer to attached Flora Survey.		
	Proposed method of clearing			
	Graders, bulldozer and excavators will be used to remove surface vegetation. The slope area will be re-graded shallower to achieve a safe and stable slope angle.			
	Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018			
	From	February 2019	to	February 2019
	Purpose of clearing			
	To reprofile the existing slope to achieve a stable slope angle. Geotechnical advice has highlighted that the current slope angle as a risk to critical port, transport and power generation infrastructure.			
	Final land use:			
Reprofiled slope will be revegetated to ensure safety and stability of the slope. See attached Report 'Project Description: Proposed Works' for more details.				

Part 4: Proposed clearing			
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 checked="" type="checkbox"/>	Yes <input type="checkbox"/> No
	If yes, provide details:  Construction of a retaining wall was proposed and considered. This is not a feasible option for the follow reason:  The Kambalda to Esperance high pressure gas pipeline runs beneath the length of the slope. Placement of a retaining wall footing and the associated excavation would jeopardise the integrity of the gas pipeline, and hence the electrical power supply to the entire Esperance region and its industries.		
Refer to DWER's <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the Environmental Protection Authority's (EPA) <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>	
<b>Section A: Environmental Impact Assessment</b>	
<b>Environmental Impact Assessment (Part IV of the EP Act)</b>	
Has this clearing application or any related matter been referred to the Environmental Protection Authority?	<input type="checkbox"/> Yes – provide details [      ] <input checked="" type="checkbox"/> No
<b>Do you intend to refer the proposal to the Environmental Protection Authority?</b>  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 under Part IV, if such a referral has not already been made.  If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.	<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 [      ]  <input checked="" type="checkbox"/> No – not a 'significant proposal'
<b>Section B: Other approvals</b>	
<b>Pre-application scoping</b>	
Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?	<input checked="" type="checkbox"/> No Preliminary phone enquiries were made with DWER. DWER personnel advised that a scoping meeting was not required for an application of this size.  <input type="checkbox"/> Yes – provide details: [      ]
<b>Works Approval / Licence / Registration (Part V Division 3 of the EP Act)</b>	
	<input type="checkbox"/> Yes – application reference (if known): [      ]