



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.

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.

unsure

☐ 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.

Volume: 1910 Folio: 429, Lot 11 on diagram 63323

FILE REFERENCE

Street address

44 Kempton Cl, Marbelup

Local government area

City of Albany

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

General Agriculture Zone

Department of Water and
Environmental Regulation

File Ref

14 JAN 2019

Doc Ref

Div/Officer

Scanned?

Y

N

Part 3: Applicant details		
Applicant details		
If granted, the permit will be granted in the name(s) of (all) landowner(s). Include the Australian Company Number (ACN) if the proposed permit holder is a body corporate or other entity formed at law.	Are you applying as an individual, a company or incorporated body? Enter details for one only.	
	An individual Title ☒ Mr ☐ Mrs ☒ Ms ☐ Other Name/s <u>Tomas Hudak , Kathleen O'connor</u>	
	OR A body corporate or other entity formed at law (include ACN)	
Applicant contact details		
If applying as a company or incorporated body, please also supply the registered business office address. 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. The postal/business address supplied must be a physical address to which a statutory notice under the EP Act may be delivered.¹	Provide contact details for the above individual or body corporate.	
	Contact person and position (if applicable)	
	Company name (if applicable)	
	Postal / business address	
	Phone (fixed line)	
Email address		
Relationship to landowner		
To apply for a permit you must either be: - the landowner; - acting on the landowner's behalf; - or - likely to become the landowner.	"I am ..." (mark the applicable box) ☒ the owner of the land.	
	☐ 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>	
	☐ 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>	

¹ 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		
Ownership of land		
A landowner can be: • 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: ☒ Certificate of title. <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate]</i>	
	☐ Pastoral lease. <i>[Attach a copy of the lease and all associated encumbrances]</i>	
	☐ Mining lease.	
	☐ Public authority that has care, control, or management of the land.	
	☐ Other form of lease, land tenure, or specific arrangement.	
	Please state: _____	
Contact details for enquiries		
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) _____	Phone (mobile) _____
	Email address _____	

Part 4: Proposed clearing	
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 area of clearing proposed (hectares) <u>2.84 hectares</u>
	and/or
	number of individual trees to be removed _____
	Proposed method of clearing <u>Contract excavator</u>
	Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018 From <u>May 2020</u> to <u>June 2020</u>
	Purpose of clearing <u>Fire retardant</u>
	Final land use: <u>orchid</u>

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? ☐ Yes ☐ No
	If yes, provide details: <i>unknown</i>
Refer to DWER's <u><i>Clearing of native vegetation offsets procedure guideline</i></u> available on the DWER website, and the Environmental Protection Authority's (EPA) <u><i>WA Environmental Offsets Policy and Guidelines</i></u> on the EPA website for further information.	Do you want to submit a clearing permit offset proposal with your application? ☐ Yes ☒ 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	
INSTRUCTIONS: - If your application is to be submitted to DMIRS, complete Section A and then skip to Part 6 of this form. - If your application is to be submitted to DWER, complete Section A and B.	
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?	☐ Yes – provide details [] ☐ 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 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.	☐ Yes – intend to refer (proposal is a 'significant proposal') ☐ Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement): MS [] ☐ No – a current valid Ministerial Statement applies: MS [] ☐ No – not a 'significant proposal'
Section B: Other approvals	
Pre-application scoping	
Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?	☐ No ☐ Yes – provide details: []
Works Approval / Licence / Registration (Part V Division 3 of the EP Act)	
Have you applied or do you intend to apply for a works approval, licence, registration, or an amendment to any of the above, under Part V Division 3 of the EP Act? It is an offence to perform any action that would cause a premises to become a prescribed premises of a type listed in Schedule 1 of the <i>Environmental Protection Regulations 1987</i> , unless that action is done in accordance with a works approval, licence, or registration. For further guidance, refer to <u><i>Guidance Statement: Decision Making</i></u> (February 2017).	☐ Yes – application reference (if known): [] ☐ No – a valid works approval applies: [] ☐ No – a valid licence applies: [] ☐ No – a valid registration applies: [] ☐ No – not required