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.

GOVERNMENT OF WESTERN AUSTRALIA

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.

☐ *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.

Mindijup Road, Palmdale, road reserve (managed by City of Albany).

FILE REFERENCE		
	Street address	Millbrook Road, King River between Chester Pass Road and Warren Road (see attached plan).
	Local government area	City of Albany
	Land zoning, e.g. rural, residential, industrial	Road reserve

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						
	OR							
	A body corporate or other entity formed at law (include ACN)	City of Albany (ACN 717 875 167)						

Applicant contact details

If applying as a company or incorporated body, please also supply the registered business office address. DWER and DMIRS prefer to send all correspondence electronically via email. We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act ("Part V documents") electronically via email by indicating your consent in this section of the application form. Where 'yes' is selected, all correspondence from DWER or DMIRS (as applicable) will be sent to you via email, to the email address provided in this section. Where 'no' has been selected, Part V documents will be posted to you in hard copy to the postal / business address you have provided in this section. Other general correspondence may still be sent to you via email.	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)	██████	Phone (mobile)	-
	Email address	████████		
			Yes	No
	I consent to all written correspondence between myself (the applicant) and DWER / DMIRS (as applicable) regarding the subject of this application being exclusively via email, using the email address I have provided above.		☒	☐

Relationship to landowner

To apply for an area permit you must either be:	"I am…" (mark the applicable box)	
• the landowner; • acting on the landowner's behalf; *or* • likely to become the landowner.	☒	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. *[Attach a copy of the authorisation.]*
	☐	likely to become the owner of the land. (If granted, the clearing permit will only be issued once the applicant becomes the land owner). *[Attach evidence of the pending transfer of ownership, contract of sale ('offer and acceptance'), or letter from current landowner.]*

Part 3: Applicant details

Ownership of land

A landowner can be:	Form of ownership:
• 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.	☐ Certificate of title. *[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate]* ☐ Pastoral lease. *[Attach a copy of the lease and all associated encumbrances]* ☐ 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)	0.93 ha	
	and/or		
	number of individual **trees** to be removed		
	Proposed method of clearing		
	Large trees are to be cut down or pushed over by an excavator. Trees are then to be cut up and chipped/mulched. Out hanging branches are too be removed using a side arm mulcher.		
	Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018		
	From	October 2019	to	May 2021
	Purpose of clearing		
	To accommodate road widening and realignment, roadside open swale drain and earthworks.		
	Final land use:		
	Road reserve		
You must provide evidence that avoidance and mitigation options have been pursued to eliminate, reduce, or otherwise	Have alternatives that would avoid or minimise the need for clearing been considered and applied?	☒ Yes ☐ No	
	If yes, provide details:		

Part 4: Proposed clearing

mitigate the need for, and scale of, the proposed clearing of native vegetation.	Alternative alignments investigated. Back slope of roadside swales steepened to reduce overall road cross section width.
Refer to DWER's *Clearing of native vegetation offsets procedure* guideline available on the DWER website, and the Environmental Protection Authority's (EPA) *WA Environmental Offsets Policy and Guidelines* 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 *Clearing of native vegetation offsets procedure* guideline.

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 EPA?	☐ Yes – provide details [ ]
	☒ No
Do you intend to refer the proposal to the EPA? 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 *Environmental Protection Regulations 1987*, unless that action is done in accordance with a works approval, licence, or registration. For further guidance, refer to *Guidance Statement: Decision Making*.	☐ Yes – application reference (if known): [ ]
	☐ No – a valid works approval applies: [ ]
	☐ No – a valid licence applies: [ ]
	☐ No – a valid registration applies: [ ]
	☒ No – not required