



CPS No.
Date stamp

Application for a clearing permit (purpose permit)

Environmental Protection Act 1986, section 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.

Part 1: Assessment bilateral agreement

<p>The native vegetation clearing processes under Part V of the <i>Environmental Protection Act 1986 (WA)</i> (EP Act) have been accredited by the Commonwealth of Australia under the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i> (EPBC Act) and can be assessed under an assessment bilateral agreement.</p> <p>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.</p> <p>For further information see <i>Form Annex C7</i> and <i>A guide to native vegetation clearing processes under the assessment bilateral agreement</i> available at www.der.wa.gov.au/our-work/clearing-permits.</p>	<p>Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?</p> <p><input type="checkbox"/> Yes EPBC Number: _____</p> <p><input checked="" type="checkbox"/> No Proceed to Part 2</p> <p>List the controlling provisions identified in the notification of the controlled action decision.</p> <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div> <p><input type="checkbox"/> <i>Form Annex C7</i> is complete and the required supporting information is attached.</p>
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Part 2: Land details

<p>The location of the land where clearing is proposed must be accurately described.</p>	<p>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.</p> <p>The application area comprises various lots and road reserves associated with, and directly adjacent to, Stock Road in the locality of Bullsbrook. The full land description details are provided in Table 1 of the supporting information document and summarised as follows:</p> <ul style="list-style-type: none"> Stock Road reserve; PINs 1268973, 1343303, 11720307 & 11720308 Moolicar Road reserve; PIN 11720299 Almeria Parade reserve; PIN 11720343 Railway Parade reserve; PIN 11727300 Railway reserve; PIN 11523665 Great Northern Highway reserve; PINs 1255799, 1255800, 1268974, 11720279, 11720295 & 11720296. Part Lot 1 on D 61074 Part Lot 2 on D 61074 Part Lot 6 on D 55166 Part Lot 6 on D 58220 Part Lot 7 on D 55166 Part Lot 42 on P 23177 Part Lot 43 on P 23177 Part Lot 44 on P 23177 Part Lot 45 on P 23177
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Part 2: Land details		
	<ul style="list-style-type: none"> • Part Lot 55 on D 69135 • Part Lot 101 on DP 27953 • Part Lot 127 on DP 406021 • Part Lot 128 on DP 406021 • Part Lot 184 on P 4804 • Part Lot 186 on D 6225 • Part Lot 187 on D 6225 • Part Lot 188 on P 4804 • Part Lot 300 on DP 33215 • Part Lot 1000 on DP 25292 • Part Lot 1001 on DP 25292 • Part Lot 1355 on DP 231314 • Part Lot 1361 on DP 248504 • Part Lot 3054 on DP 143778 	
FILE REFERENCE	Street address	Stock Road, Bullsbrook
	Local government area	City of Swan

Part 3: Applicant details				
Applicant details				
<p>If granted, the applicant will be considered the holder of the permit.</p> <p>Include the Australian Company Number (ACN) if the proposed permit holder is a body corporate or other entity formed at law.</p>	Are you applying as an individual, a company or an incorporated body? Enter details for one only.			
	An individual	Title Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:	Name(s)	
	OR			
	A body corporate or other entity formed at law (include ACN)	City of Swan		
	"I am..." (mark applicable box or boxes)			
	<input checked="" type="checkbox"/>	the owner of the land.		
	<input checked="" 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>		
<input checked="" type="checkbox"/>	likely to become the owner of the land. <i>[Attach evidence of the pending transfer of ownership, contract of sale ('offer and acceptance') or letter from current landowner.]</i>			
<input checked="" type="checkbox"/>	the person doing the clearing.			
<input type="checkbox"/>	the person on whose behalf the clearing is being done.			
Applicant contact details				
<p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>DWER and DMIRS prefer to send all correspondence electronically via email.</p> <p>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.</p> <p>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.</p> <p>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.</p>	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			
	<i>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.</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

Part 3: Applicant details (continued)																					
Authority to access land																					
<p>To apply for a permit you must be the landowner, or have the authority of the landowner to access the land and undertake the clearing.</p> <p>Evidence of authority can include, for example, a copy of the certificate of title or a letter of authority from the landowner.</p> <p>Note: the letter of authority must explicitly state the applicant has authority to clear on the land.</p>	<p>State the nature of the applicant's authority to access the land to be cleared. <i>[Attach evidence of authority]</i></p> <p>The applicant (City of Swan) does not currently own all land within the application area and is currently implementing a land acquisition program to resolve this. Notwithstanding, at the time of this application, the applicant has legal authority to access all land within the application area under Section 3.27 (1) of the Local Government Act 1995, which states:</p> <p><i>A local government may, in performing its general function, do any of the things prescribed in Schedule 3.2 even though the land on which it is done is not local government property and the local government does not have consent to do it.</i></p> <p>Item 3 of Schedule 3.2 of the Local Government Act 1995 outlines that a local government authority can;</p> <p><i>Take from land any native growing or dead timber, earth, stone, sand, or gravel that, in its opinion, the local government requires for making or repairing a thoroughfare [road], bridge, culvert, fence, or gate.</i></p> <p>As such, the applicant can legally access all land within the application area for the purpose of undertaking native vegetation clearing as part of the road construction project.</p>																				
Landowner's ownership of land																					
<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; <i>or</i> • a public authority that is responsible for care of the land. 	<p>The landowner's form of ownership is:</p> <p><input type="checkbox"/> Certificate of title <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate].</i></p> <p><input type="checkbox"/> Pastoral lease <i>[Attach a copy of the lease and all associated encumbrances].</i></p> <p><input type="checkbox"/> Mining lease.</p> <p><input checked="" type="checkbox"/> Public authority that has care, control or management of the land.</p> <p><input checked="" type="checkbox"/> Other form of lease, land tenure or specific arrangement.</p> <p>Please state: All other land within application area (i.e. all land not publically owned/controlled) is to be acquired by the applicant prior to the commencement of the project and clearing works.</p>																				
Contact details for enquiries																					
<p>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.</p>	<p>Where contact details differ to those of the applicant, complete the below section:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Contact person (and position, if applicable)</td> <td colspan="3"></td> </tr> <tr> <td>Company name (if applicable)</td> <td colspan="3"></td> </tr> <tr> <td>Postal / business address</td> <td colspan="3"></td> </tr> <tr> <td>Phone (fixed line)</td> <td style="width: 20%;"></td> <td>Phone (mobile)</td> <td style="width: 20%;"></td> </tr> <tr> <td>Email address</td> <td colspan="3"></td> </tr> </table>	Contact person (and position, if applicable)				Company name (if applicable)				Postal / business address				Phone (fixed line)		Phone (mobile)		Email address			
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Email address																					

Part 4: Proposed clearing		
<p>An aerial photograph and/or map with a north arrow must be attached, clearly marking the area proposed to be cleared</p> <p>or</p> <p>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:</p> <p>Geometry type: Polygon shape Coordinate system: GDA 1994 (Geographic latitude/longitude) Datum: GDA 1994 (Geocentric Datum of Australia 1994).</p> <p>An ESRI shapefile must be provided if the application requires an assessment under an EPBC Act accredited process.</p>	Total area of clearing proposed (hectares)	4.07 ha of native vegetation
	<i>and/or</i>	
	number of individual trees to be removed	
	Proposed method of clearing:	
	Mechanical clearing.	
	Purpose of clearing:	
	Upgrade and extension of Stock Road, Bullsbrook.	
Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018		
from	March 2020	to June 2021
Final land use:		
Public road		
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:	
The alignment of the proposed road upgrade project is dictated by the location of the existing road reserve, thus alternative alignments are not viable. Impact avoidance and mitigation measures within the alignment have been considered throughout the road design process, as discussed in the supporting information package. This has included a reduction in the clearing footprint where practical to reduce the magnitude of clearing, in addition to the use of a full-span bridge design over Ellen Brook to minimise environmental impacts.		
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?	<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	
Instructions: <ul style="list-style-type: none"> 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?	<input type="checkbox"/> Yes – provide details [] <input checked="" type="checkbox"/> 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.	<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’
Section B: Other approvals	
Pre-application scoping	
Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes – provide details: Pre-application phone and email communication with Caron Robertson - A/ Senior Environmental Officer, DWER.
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, please refer to the Guidance Statement: Decision Making .	<input type="checkbox"/> Yes – application reference (if known): []
	<input type="checkbox"/> No – a valid works approval applies: []
	<input type="checkbox"/> No – a valid licence applies: []
	<input type="checkbox"/> No – a valid registration applies: []
	<input checked="" type="checkbox"/> No – not required
Water Licences and Permits (<i>Rights in Water and Irrigation Act 1914</i>)	
Have you applied or do you intend to apply for: <ol style="list-style-type: none"> a licence or amendment to a licence to take water (surface water or groundwater); or a licence or amendment to a licence to construct wells (including bores and soaks); or a permit or amendment to a permit to interfere with the bed and banks of a watercourse? 	Yes –application reference (if known): <input checked="" type="checkbox"/> A permit to ‘interfere with the beds and banks of a watercourse’ is intended to be lodged in the near future, given the proposed road upgrade project will involve construction of a bridge across the Ellen Brook watercourse.
	<input type="checkbox"/> No – a current valid licence applies: []
	<input type="checkbox"/> N/A