



Department of Water and Environmental Regulation (DWER)
Department of Mines, Industry Regulation and Safety (DMIRS)

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.

CPS No.
Date stamp

Part 1: Assessment bilateral agreement	
<p>The native vegetation clearing processes under Part V of the <i>Environmental Protection Act 1986</i> (WA) (EP Act) have been accredited by the Commonwealth of Australia under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (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>
<p><input type="checkbox"/> <i>Form Annex C7</i> is complete and the required supporting information is attached.</p>	

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>Lot 9976 on Deposited Plan 214702 Lot 10270 on Deposited Plan 185253</p>
FILE REFERENCE	<p>Street address 30 Holleton Terrace, Padbury 6025</p>
	<p>Local government area City of Joondalup</p>

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>	<p>Are you applying as an individual, a company or an incorporated body? Enter details for one only.</p>		
	<p>An individual</p>	<p>Title Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:</p> <p>Name(s)</p>	
	OR		
	<p>A body corporate or other entity formed at law (include ACN)</p>	<p>City of Joondalup</p>	
	<p>"I am..." (mark applicable box or boxes)</p> <p><input type="checkbox"/> the owner of the land.</p> <p><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></p> <p><input 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></p> <p><input type="checkbox"/> the person doing the clearing.</p> <p><input type="checkbox"/> the person on whose behalf the clearing is being done.</p>		
	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>	<p>Provide contact details for the above individual or body corporate.</p>	
<p>Contact person (and position, if applicable)</p>		<p>[Redacted]</p>	
<p>Company name (if applicable)</p>		<p>[Redacted]</p>	
<p>Postal / business address</p>		<p>[Redacted]</p>	
<p>Phone (fixed line)</p>		<p>[Redacted]</p>	<p>Phone (mobile)</p>
<p>Email address</p>		<p>[Redacted]</p>	
<p><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></p>		<p>Yes</p> <p><input checked="" type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>

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>Letter of authority provided by Water Corporation</p>
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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; <p>or</p> <ul style="list-style-type: none"> • 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 type="checkbox"/> Other form of lease, land tenure or specific arrangement.</p> <p>Please state: _____</p>
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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>	
	Contact person (and position, if applicable)	██████████
	Company name (if applicable)	██████████
	Postal / business address	██████████ ██████████ ██████████
	Phone (fixed line)	██████████
		Phone (mobile)
	Email address	m ██████████

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>	<p>Total area of clearing proposed (hectares)</p> <p>Clearing footprint: 1870m² Existing cleared area: 1330m² Nett clearing area: 540m²</p>
	<p>and/or</p> <p>number of individual trees to be removed</p> <p>nil</p>
	<p>Proposed method of clearing:</p> <p>Mechanical clearing. Hand clearing will be undertaken around structural root zones.</p>
	<p>Purpose of clearing:</p> <p>For construction of an asphalt dual use path on top of the existing cleared firebreak linking Holleton Terrace and Walter Padbury Boulevard providing a strategic link to Greenwood train station. The land is owned by the Water Corporation. This project is funded by grants from the Public Transport Authority and being delivered by the City of Joondalup.</p>
	<p>Period within which clearing is proposed to be undertaken, e.g. May 2018 – June 2018</p> <p>from April 2020 to August 2020</p>
	<p>Final land use:</p> <p>Dual use path to increase connectivity for pedestrians and cyclists to the Greenwood train station. In the long term the site is designated for Water Corporation infrastructure.</p>
<p>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.</p>	<p>Have alternatives that would avoid or minimise the need for clearing been considered and applied? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>If yes, provide details:</p>
	<p>While a formal assessment has not been completed, City officers understand the area abutting the proposed works may be representative of EPBC Act listed Tuart and Banksia woodlands threatened ecological communities (TEC). The following measures have been put in place to reduce and where possible eliminate the environmental impact of this project:</p> <ul style="list-style-type: none"> No mature or established trees will be removed. The path alignment is on the existing cleared firebreak and deviates where required to retain mature and established trees, resulting in a reduced amount of vegetation requiring clearing. The path will be constructed above the existing ground level to ensure excavation will not take place. This is expected to eliminate any damage to the structural root zones of mature trees located in close proximity to the path. Furthermore, where clearing is required around tree protection or structural root ones, this will be undertaken by hand to reduce the disturbance within these zones. All required overhead pruning of mature trees will be completed by a Certificate 3 arborist and in accordance with AS 4373 as recommended by the City's arborist. The crossfall of the path will direct rainfall runoff towards the property boundary and adjacent existing cleared firebreak to minimise impacts on the surrounding vegetation. A one metre contingency either side has been included in the clearing application, however only the area required will be cleared. <p>As the clearing is restricted to approximately 540m² with no clearing of mature trees, the path will sit on top of the existing cleared firebreak and measures will be put in place during construction to reduce and where possible eliminate the risk to the environment, the City does not believe this is a significant proposal.</p>

Part 4: Proposed clearing	
<p>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.</p>	<p>Do you want to submit a clearing permit offset proposal with your application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native vegetation offsets procedure guideline</i>.</p> <p>A monetary contribution of \$1,581 is proposed for the purpose of establishing or maintaining native vegetation. It is understood the fixed hectare rate of \$14,638 as obtained by the Valuer General has been applied to past clearing within Bush Forever sites. The contribution of \$1,581 would cover 0.108 hectares (double the 0.054 hectares being applied for) of offsets which provides an environmental gain at a ratio of 2:1. This is in line with State Planning Policy 2.8.</p>

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)

<p>Has this clearing application or any related matter been referred to the Environmental Protection Authority?</p>	<p><input type="checkbox"/> Yes – provide details []</p> <p><input checked="" type="checkbox"/> No</p>
<p>Do you intend to refer the proposal to the Environmental Protection Authority?</p> <p>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".</p> <p>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.</p> <p>If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.</p>	<p><input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')</p>
	<p><input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) MS []</p>
	<p><input type="checkbox"/> No – a current valid Ministerial Statement applies: MS []</p>
	<p><input checked="" type="checkbox"/> No – not a 'significant proposal'</p>

Section B: Other approvals

Pre-application scoping

<p>Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?</p>	<p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes – provide details: The City's Natural Areas Team Leader Keith Armstrong liaised with Carly Bishop from DWER on 8th November 2019 regarding this proposal.</p>
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Works Approval / Licence / Registration (Part V Division 3 of the EP Act)

<p>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?</p> <p>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.</p> <p>For further guidance, please refer to the Guidance Statement: Decision Making.</p>	<p><input type="checkbox"/> Yes – application reference (if known): []</p>
	<p><input type="checkbox"/> No – a valid works approval applies: []</p>
	<p><input type="checkbox"/> No – a valid licence applies: []</p>
	<p><input type="checkbox"/> No – a valid registration applies: []</p>
	<p><input checked="" type="checkbox"/> No – not required</p>

Water Licences and Permits (*Rights in Water and Irrigation Act 1914*)

Part 8: Application checklist	
	<input type="checkbox"/> Evidence of the pending transfer of land ownership, such as the offer and acceptance letter, or written notice from the current landowner.
	<input type="checkbox"/> <i>Form C3 – Credit card payment for DMIRS clearing applications</i> , if the fee is to be paid to DMIRS by credit card.
	<input type="checkbox"/> <i>Form Annex C7 – Assessment bilateral agreement</i> , if the clearing is also to be assessed under an EPBC Act accredited process.
	<input type="checkbox"/> Appendix A of the <i>Clearing of native vegetation offsets procedure</i> guideline if the application includes a proposal for clearing permit offsets.
	ADDITIONAL SUPPORTING INFORMATION
<input type="checkbox"/> Photos of application area.	
<input type="checkbox"/> Biodiversity surveys, submitted in accordance with the requirements of the EPA's <i>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)</i> .	

Part 9: Commercially sensitive or confidential information		
<p>Information submitted as part of this application will be made publicly available. If you wish to submit commercially sensitive or confidential information, please identify the information in Attachment 1, and include a written statement of reasons why you request each item of information be kept confidential.</p> <p>Information submitted later in the application process may also be made publicly available at the discretion of the relevant Department. For any commercially sensitive or confidential information, please follow the same process as described above.</p> <p>DWER and DMIRS will take reasonable steps to protect confidential or commercially sensitive information. Please note in particular that all submitted information may be the subject of an application for release under the <i>Freedom of Information Act 1992 (WA)</i>.</p>		
All information which you would propose to be exempt from public disclosure has been separately placed in Attachment 1 (located at the end of this form). Grounds for claiming exemption in accordance with Schedule 1 to the <i>Freedom of Information Act 1992</i> must be specified.	Attached <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

Part 10: Submission of application	
<p>Check one of the boxes below to nominate how you will submit your application.</p> <p>Files larger than 50MB cannot be received via email by DWER. Files larger than 45MB cannot be received via email by DMIRS. Larger files can be sent via File Transfer. Alternatively, email DWER or DMIRS (as applicable) to make other arrangements.</p> <p>If you have any enquiries regarding the provision of relevant information as part of this application, contact either DWER or DMIRS (as applicable), on the details below.</p>	
A signed, electronic copy of the application form, including all attachments, has been submitted via the applicable email address specified below; OR	<input checked="" type="checkbox"/>
A signed, electronic copy of the application form has been submitted via the applicable email address specified below, and attachments have been submitted via File Transfer, or electronically by other means as arranged with the relevant Department; OR	<input type="checkbox"/>
A full, signed hard copy has been sent to the applicable postal address specified below.	<input type="checkbox"/>
<p>Email or post applications for all clearing purposes (other than mining and petroleum activities) to:</p> <p>Email: info@dwer.wa.gov.au</p> <p>Department of Water and Environmental Regulation Locked Bag 10</p>	<p>Email or post applications related to mining and petroleum clearing activities (under delegation) to:</p> <p>Email: nvab@dmirs.wa.gov.au</p> <p>Department of Mines, Industry Regulation and Safety Resource and Environmental Compliance Division</p>

Joondalup DC WA 6919 Telephone: 6364 7000 For more information: www.dwer.wa.gov.au	Mineral House 100 Plain St EAST PERTH WA 6004 Telephone: 9222 3333 For more information: www.dmirs.wa.gov.au
Please retain a copy of this form for your records. Incomplete applications will be declined in accordance with section 51E(3) of the <i>Environmental Protection Act 1986</i> .	
If there is insufficient space on any part of this form, please continue on a separate sheet of paper and attach to this form	

Part 11: Declaration and signature

General

I/We confirm and acknowledge that:

- the information contained in this application is true and correct and I/we acknowledge that knowingly providing information which is false or misleading in a material particular constitutes an offence under section 112 of the *Environmental Protection Act 1986 (WA)* and may incur a penalty of up to \$50,000;
- I/We have legal authority to sign on behalf of the applicant (where authorisation provided);
- I/We have not altered the requirements and instructions set out in this application form;
- I/We have provided a valid email address in Part 3 for receipt of correspondence electronically via email from DWER or DMIRS (as applicable) in relation to this application;
- I/We acknowledge that successful delivery to my/our server constitutes receipt of correspondence sent electronically via email from DWER or DMIRS (as applicable) in relation to this application; and
- I/We have provided a valid postal and/or business address in Part 3 for the service of all Part V documents.


Publication

I/We confirm and acknowledge:

- this application (including all attachments, apart from the sections identified in Attachment 1) is a public document and may be published;
- biodiversity surveys provided in accordance with Part 6 will be published and used, for the purposes of the IBSA project, in accordance with your declaration made in the *Metadata and Licensing Statement*;
- all necessary consents for the publication of information have been obtained from third parties;
- information considered exempt from public disclosure has been placed in Attachment 1 with reasons as to why the information should be exempt in accordance with the grounds specified in Schedule 1 to the *Freedom of Information Act 1992 (WA)*;
- subsequent information provided in relation to this application will be a public document and may be published unless written notice has been given to DWER or DMIRS (as applicable) by the applicant, at the time the information is provided, claiming that the information is considered exempt from public disclosure; and
- the decision to not publish information will be at the discretion of the CEO of DWER or DMIRS (as applicable) and will be made consistently with the provisions of the *Freedom of Information Act 1992 (WA)*.

Please indicate if you are signing as an individual or a company:

- An individual.** If an individual landowner is applying, all landowners must sign this form.
- A company.** **Company name:** _____ **ACN:** _____
 A person expressly authorised or authorised to execute on behalf of a body corporate must sign this form. A company must be a legal entity and provide an ACN. Please note an Australian Business Number is not sufficient.
- Other entity formed at law.** Provide details: Local Government Authority



 Signature
 Garry Hunt

_____ **5.7.20** _____
 Date

 Name
 Chief Executive Officer

 Position



 Signature
 Nico Claassen

 Name
 Director Infrastructure Services

 Position

_____ **03/02/2020** _____
 Date

ATTACHMENT 1 – Confidential or Commercially Sensitive Information

Request for exemption from publication	
Information which you consider should not be published, on the grounds of a relevant exemption found in Schedule 1 to the <i>Freedom of Information Act 1992 (WA)</i> , must be specified in this Attachment.	
NOT FOR PUBLICATION IF GROUNDS FOR EXEMPTION ARE DETERMINED	
Specify section:	Ground for claiming exemption:
Specify section:	Ground for claiming exemption: