



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.

For further information on the stages of assessment for clearing permit applications, refer to the [Procedure: Native vegetation clearing permits](#) on DWER's website.

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 2008/4638

No Proceed to Part 2

List the controlling provisions identified in the notification of the controlled action decision.

Conditions attached to the approval

On-site measures to mitigate the impacts of the action

- The person taking the action must retain and protect 1.151 ha of Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*) foraging habitat, consisting of the following areas in public open space (POS):
 - 0.929 ha within POS areas 35 and 36 (retained habitat on map at Attachment A);
 - 0.222 ha within POS area 37 (retained habitat on map at Attachment B);
- The person taking the action must rehabilitate 0.6292 ha to provide foraging habitat for Carnaby's Black Cockatoo, of the following areas in public open space:
 - 0.0935 ha within POS area 37 (habitat rehabilitation area on map at Attachment B);
 - 0.5357 ha within POS area 28 (habitat rehabilitation area on map at Attachment C);
- Prior to the sale of any lots within the development, the person taking the action must provide documentary evidence to the satisfaction of the Department showing that the areas of Carnaby's Black Cockatoo foraging habitat to be retained and rehabilitated in accordance with Conditions 1 and 2 (as identified as retained habitat and habitat rehabilitation areas in maps at Attachments A B and C) have been included in the areas required to be ceded as public open space for the purpose of conservation within the statutory component of Structure Plan No. 73.
- The person taking the action must plant a total of 2800 native yard plants⁹ within residential lots across the development, in the first spring season after each dwelling is complete.
- The person taking the action must ensure that street tree plantings within the development has the following composition:

Area of site	Percentage of native s

Part 1: Assessment bilateral agreement					
	<table border="1"> <tr> <td>Western area (west of Marmion Avenue)</td> <td>50%</td> </tr> <tr> <td>Eastern area (east of Marmion Avenue)</td> <td>100%</td> </tr> </table>	Western area (west of Marmion Avenue)	50%	Eastern area (east of Marmion Avenue)	100%
Western area (west of Marmion Avenue)	50%				
Eastern area (east of Marmion Avenue)	100%				
	<p>Maps showing these areas are at Attachment D.</p> <p>6. If after three years from the date of the planting, a survival rate of 90% of the habitat rehabilitation areas (as required under Condition 2) and the planted street trees (as required under Condition 5) is not achieved, all dead trees must be replaced within 12 months and maintained for a minimum of two years.</p> <p>7. Prior to the sale of any lots within the development the person taking the action must provide documentary evidence to the satisfaction of the Department showing that the component of Bush Forever site 130 that is located in the far south-eastern corner of the proposal area (as identified in the map at Attachment E) has been included in the areas required to be ceded as public open space for the purpose of conservation within the statutory component of Structure Plan No. 73.</p> <p>8. The component of Bush Forever site 130 located adjacent to the northern boundary of the proposal area (as identified in the map at Attachment E) must be retained by the person taking the action, stock-fenced and managed for conservation in perpetuity or until such time as it is ceded to the Crown as conservation reserve.</p> <p><i>Off-site measures to offset the impact of the action</i></p> <p>9. Prior to construction commencing, the person taking the action must provide documentary evidence to the Department showing that \$350,000 has been provided to WA DEC to acquire the offset property.</p> <p>10. The person taking the action must, in liaison with WA DEC, ensure that the seed harvested and the topsoil removed as part of the clearance of the site is relocated and distributed at locations and in a method determined by WA DEC, for the purpose of rehabilitating cleared and degraded parts of nearby reserves with a conservation purpose.</p> <p><i>General</i></p> <p>11. If, at any time after 5 years from the date of this approval, the Minister notifies, in writing, the person taking the action that the Minister is not satisfied that there has been substantial commencement of the action, the action must not thereafter be commenced without the written agreement of the Minister.</p> <p>12. The person taking the action must maintain accurate records of all activities associated with or relevant to the above conditions of the approval, and make them available on request by the Department. Such documents may be subject to audit by the Department and used to verify compliance with the conditions of approval.</p>				
	<input type="checkbox"/> 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. LOT 608 on Deposited Plan 406083 Registered Number 608/DP406083 Volume 2901 Folio 412
FILE REFERENCE	Street address 91 Shorehaven Boulevard, ALKIMOS

Part 2: Land details		
	Local government area	City of Wanneroo
	Land zoning, e.g. rural, residential, industrial	Primary School

Part 3: Applicant details			
Applicant details			
<p>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.</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</p> <p>Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:</p> <p>Name/s</p>	<p>Department of Education 69 769 481 770</p>
Applicant contact details			
<p>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.</p>	<p>Provide contact details for the above individual or body corporate.</p>		
	Contact person and position (if applicable)	<div style="border: 2px solid red; height: 200px;"></div>	
	Company name (if applicable)		
	Postal / business address		
	Phone (fixed line)		
	Email address		
<p>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.</p>		<p>Yes</p> <p><input checked="" type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
Relationship to landowner			
<p>To apply for an area permit you must either be:</p> <ul style="list-style-type: none"> the landowner; acting on the landowner's behalf; <p>or</p> <ul style="list-style-type: none"> likely to become the landowner. 	<p>"I am..." (mark the applicable box)</p>		
	<p><input type="checkbox"/> the owner of the land.</p>	<p>acting on behalf of the owner, and have attached a signed letter of agent's authority, expressly authorising me to act on behalf of the landowner. <i>[Attach a copy of the authorisation. Note that a letter of authority must explicitly state that the applicant has authority to clear on the land and must be signed by a person with authority to give land access permission.]</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 signed letter from current landowner.]</i></p>		

Part 3: Applicant details	
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>Form of ownership:</p> <p><input checked="" type="checkbox"/> Certificate of title. [Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate]</p>
	<p><input type="checkbox"/> Pastoral lease. [Attach a copy of the lease and all associated encumbrances]</p>
	<p><input type="checkbox"/> Mining lease.</p>
	<p><input 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><input type="checkbox"/> Please state: _____</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>
	<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>

Part 4: Proposed clearing	
<p>An aerial photograph 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> <ul style="list-style-type: none"> Geometry type: Polygon shape Coordinate system: GDA 1994 (Geographic latitude/longitude) Datum: GDA 1994 (Geocentric Datum of Australia 1994). <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) 3.5 hectares</p>
	<p>and/or</p>
	<p>number of individual trees to be removed</p>
	<p>Proposed method of clearing</p> <p>Bulk clearing by balanced cut and fill across the site including existing rock and spoil.</p>
	<p>Period within which clearing is proposed to be undertaken, e.g. May 2020 to June 2020 (taking note of the published assessment timeframes for DWER / DMIRS, as applicable)</p> <p>From May 2020 to July 2020</p>
	<p>Purpose of clearing</p> <p>For the construction of a new State Government Primary School as a permitted use of the site under the Alkimos – Eglington Structure Plan</p>
	<p>Final land use [e.g. "the area will be revegetated to reflect pre-clearing conditions after extraction is complete", or "the area will be a public road"]; The site will be fully landscaped after construction of facilities in accordance with DoE policy.</p>

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: Extensive site masterplanning and civil engineering review has been undertaken, however, due to the slope of the land and the ground conditions (substantial quantities of rock), the site requires full clearing.
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 both Sections 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?	<input checked="" type="checkbox"/> Yes – provide details [see Ministerial statement 000722; Alkimos-Eglinton Metropolitan Region Scheme Amendment 1029/33] <input type="checkbox"/> 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.	<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 checked="" type="checkbox"/> No <input type="checkbox"/> 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> ,	<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: []	