



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

## 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](http://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.

The subject area is within Lot 569 on DP 71345. This is within the Port of Ashburton approximately 12km south west of Onslow (Figure 1).

FILE REFERENCE	Street address	Warrirda Road, Onslow
	Local government area	Ashburton
	Land zoning, e.g. rural, residential, industrial	Industrial

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 <input type="checkbox"/> Title <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: _____ Name/s _____</p> <p><b>OR</b></p> <p>A body corporate or other entity formed at law (include ACN) Pilbara Ports Authority ABN: 94 987 448 870</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> <p>Contact person and position (if applicable) _____</p> <p>Company name (if applicable) Pilbara Ports Authority</p> <p>Postal / business address _____ _____</p> <p>Phone (fixed line) _____ Phone (mobile) _____</p> <p>Email address _____</p> <table border="1"> <thead> <tr> <th></th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td><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></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>		Yes	No	<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>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Yes	No					
<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>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
Relationship to landowner							
<p>To apply for an area permit you must either be:</p> <ul style="list-style-type: none"> <li>the landowner;</li> <li>acting on the landowner's behalf;</li> <li>or</li> <li>likely to become the landowner.</li> </ul>	<p>"I am..." (mark the applicable box)</p> <p><input checked="" type="checkbox"/> the owner of the land.</p> <p><input type="checkbox"/> 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"> <li>a person who holds the certificate of title;</li> <li>a person who is the lessee of Crown land;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>a public authority that is responsible for care of the land.</li> </ul>	<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. 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)      As above</p>	
	<p>Company name (if applicable)</p>	
	<p>Postal / business address</p>	
	<table border="1"> <tr> <td>Phone (fixed line)</td> <td>Phone (mobile)</td> </tr> </table>	Phone (fixed line)
Phone (fixed line)	Phone (mobile)	
<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"> <li>Geometry type: Polygon shape</li> <li>Coordinate system: GDA 1994 (Geographic latitude/longitude)</li> <li>Datum: GDA 1994 (Geocentric Datum of Australia 1994).</li> </ul> <p>An ESRI shapefile must be provided if the application requires an assessment under an EPBC Act accredited process.</p>	<p>Total <b>area</b> of clearing proposed (hectares)      13.954 ha (already approved under CPS 6999/1) + 12.276 ha (additional area applying to be cleared under CPS 6999/1) <b>= 26.23 ha</b></p>
	<p>and/or</p>
	<p>number of individual <b>trees</b> to be removed</p>
	<p>Proposed method of clearing</p> <p>Site will be cleared and grubbed and/or fill will be placed directly on top (pending geotechnical advice).</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      November 2020      to      November 2030</p>
<p>Purpose of clearing</p> <p>The Purpose of this request is subject to two requirements:</p> <ul style="list-style-type: none"> <li><b>Extension in time:</b> PPA is requesting an extension in time of the current permit (CPS 6999/1) from 14 November 2020 to 15 November 2030. The purpose of the clearing remains the same.</li> </ul>	

Part 4: Proposed clearing	
	<ul style="list-style-type: none"> <li>• <b>Extension in area:</b> PPA is requesting an extension of the northern boundary of CPS 6999/1 to include an additional area of 12.276 Ha under CPS 6999/1 (refer figures 1 and 2). The purpose of this additional clearing area is summarised below:                             <ul style="list-style-type: none"> <li>○ <b>Rock revetment walls are required to protect the EPP and Port facilities from climate change impacts:</b> A review of more contemporary coastal hazard modelling information for the Port highlighted the need for new rock revetments to be incorporated along the northern boundary of the EPP, to serve as protection from coastal erosion associated with climate change impacts. The rock revetment walls are proposed to be constructed within the coastal dune system. In order to achieve this, PPA will be required to access and clear native vegetation within the coastal dune system, establish the rock wall toe (via deep excavation) and reprofile the coastal dune system accordingly;</li> <li>○ <b>Expansion of the EPP development footprint:</b> PPA has identified the need to expand the footprint of the EPP development, to include an area of undeveloped area associated with the coastal dune system. The general expansion of the EPP development footprint, including the proposed rock revetment walls, has resulted in the need to extend the northern boundary of CPS 6999/1 to include additional clearing of native vegetation of 12.276 hectares (refer Figure 1);</li> <li>○ <b>Ongoing management of coastal dune system:</b> PPA will be required to reprofile the coastal dune system at the northern boundary of the EPP following severe storm events (e.g. tropical cyclones), in order to protect Port infrastructure (including land-based navigation assets) associated with the EPP development footprint. As such, PPA is likely to be required to clear further native vegetation as part of these works.</li> </ul> </li> </ul> <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”]:</p> <p>Development of land to including laydown areas, stormwater drains, services corridor, access roads and suitable protection from climatic events. Once developed, that land will be used for port-related activities, such as laydown to support the adjacent Ashburton Public Berth (MOF).</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>Several options were explored for future development of the Port or Ashburton, supported by a business case and determined by the Port of Ashburton steering committee and finally approved by Pilbara Ports Authorities Board of Executives. This option provided the most suitable, long-term viable option in stabilising the land around existing landform while maximising the ability to service Port operations.</p>
<p>Refer to DWER's <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the Environmental Protection Authority's (EPA) <a href="#">WA Environmental Offsets Policy and Guidelines</a> on the EPA website for further information.</p>	<p>Do you want to submit a clearing permit offset proposal with your application? <input type="checkbox"/> Yes <input checked="" 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>

Part 5: Other DWER approvals	
<b>INSTRUCTIONS:</b>	
<ul style="list-style-type: none"> <li>• If your application is to be submitted to DMIRS, complete Section A and then skip to Part 6 of this form.</li> <li>• If your application is to be submitted to DWER, complete both Sections A and B.</li> </ul>	
Section A: Environmental Impact Assessment	
Environmental Impact Assessment (Part IV of the EP Act)	
<b>Has this clearing application or any related matter been referred to the EPA?</b>	<input type="checkbox"/> Yes – provide details [     ] <input checked="" type="checkbox"/> No
<b>Do you intend to refer the proposal to the EPA?</b> 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	
<b>Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – provide details: [     ]
Works approval / licence / registration (Part V Division 3 of the EP Act)	
<b>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?</b> 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 the <a href="#">Procedure: Prescribed premises works approvals and licences</a> and <a href="#">Guideline: Industry Regulation Guide to Licensing</a> .	<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> )	
<b>Have you applied or do you intend to apply for:</b> 1. a licence or amendment to a licence to take water (surface water or groundwater); or 2. a licence or amendment to a licence to construct wells (including bores and soaks); or 3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse? For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i> , refer to the <a href="#">Procedure: Water licences and permits</a> .	<input type="checkbox"/> Yes – application reference (if known): [     ]
	<input type="checkbox"/> No – a current valid licence applies: [     ]
	<input checked="" type="checkbox"/> N/A
Part 6: Surveys for Assessments (IBSA and IMSA)	
<b>Do you wish to submit marine or biodiversity surveys in support of your application?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – skip to Part 7