



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	
<p>The native vegetation clearing processes under Part V of the <i>Environmental Protection Act 1986 (WA) (EP Act)</i> have been accredited by the Commonwealth of Australia under the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)</i> 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 '<a href="#">controlled action</a>' 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 <a href="http://www.der.wa.gov.au/our-work/clearing-permits">www.der.wa.gov.au/our-work/clearing-permits</a>.</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>Landgate Land ID 3124503</p>						
FILE REFERENCE	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">Street address</td> <td>North of Ballast Rd Kalgoorlie</td> </tr> <tr> <td>Local government area</td> <td>City of Kalgoorlie Boulder</td> </tr> <tr> <td>Land zoning, e.g. rural, residential, industrial</td> <td>A Railway</td> </tr> </table>	Street address	North of Ballast Rd Kalgoorlie	Local government area	City of Kalgoorlie Boulder	Land zoning, e.g. rural, residential, industrial	A Railway
Street address	North of Ballast Rd Kalgoorlie						
Local government area	City of Kalgoorlie Boulder						
Land zoning, e.g. rural, residential, industrial	A Railway						

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      Title      Mr      <input type="checkbox"/>      Mrs      <input type="checkbox"/>      Ms      <input type="checkbox"/>      Other:      <input type="checkbox"/></p> <p>Name/s</p>			
	<p><b>OR</b></p> <p>A body corporate or other entity formed at law (include ACN)      Arc Infrastructure - 094 721 301</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)      [REDACTED]</p>			
	<p>Company name (if applicable)      [REDACTED]</p>			
	<p>Postal / business address      [REDACTED]</p>			
	<p>Phone (fixed line)      [REDACTED]      Phone (mobile)      [REDACTED]</p>			
	<p>Email address      [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 style="text-align: right;"> <table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </tbody> </table> </p>	Yes	No	<input checked="" type="checkbox"/>
Yes	No			
<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 type="checkbox"/> the owner of the land.</p>			
	<p><input checked="" 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		
<b>Ownership of land</b>		
A landowner can be: <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> or <ul style="list-style-type: none"> <li>• a public authority that is responsible for care of the land.</li> </ul>	Form of ownership: <ul style="list-style-type: none"> <li><input type="checkbox"/> Certificate of title. <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate]</i></li> <li><input type="checkbox"/> Pastoral lease. <i>[Attach a copy of the lease and all associated encumbrances]</i></li> <li><input type="checkbox"/> Mining lease.</li> <li><input type="checkbox"/> Public authority that has care, control, or management of the land.</li> <li><input checked="" type="checkbox"/> Other form of lease, land tenure, or specific arrangement. Please state: PTA &amp; Arc Rail Freight Land Use Agreement</li> </ul>	
	<b>Contact details for enquiries</b>	
	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: <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> An ESRI shapefile must be provided if the application requires an assessment under an EPBC Act accredited process.	Total area of clearing proposed (hectares) Less than 1 hectare
	and/or
	number of individual trees to be removed In excess of 50 trees within the 1 hectare
	Proposed method of clearing
	Front end loader and mechanical mulching
	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)
	From February 2021 to December 2021
Purpose of clearing	
The existing ballast siding has not been in service for more than 10 years and has been identified as an area to be upgraded due to an increase in shunting activities. Existing rail track is to be upgraded to current standards to make it fit for purpose. New rail tracks will be built to tie into existing rail tracks and the level gravel hardstand will be reinstated. A vehicle access track is to be constructed alongside the new rail track to assist in the maintenance of new rail track. Part of the area to be cleared is existing vehicle access track but is very overgrown with re-growth vegetation (50 plus young eucalypts) therefore apprehension to apply the Regulation 5, Item 12 of the	

Part 4: Proposed clearing	
	<p>Environmental Protection (Clearing of Native Vegetation) Regulations 2004, so a Clearing Permit is sought to cover all aspects of the new road access track, existing access track, the new rail track and the existing siding area.</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"]:</p> <p>The land is to be re-instated as a rail siding with a vehicle access track to allow for shunting and run around of services.</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>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>This area was originally built and cleared for this propose of a siding and only regrowth of trees/vegetation is being removed. If another area were to be selected for this purpose an uncleared section would be chosen and many more trees would have to be removed/cleared.</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>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)	
<p><b>Has this clearing application or any related matter been referred to the EPA?</b></p>	<input type="checkbox"/> Yes – provide details [     ]
	<input checked="" type="checkbox"/> No
<p><b>Do you intend to refer the proposal to the EPA?</b></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>	<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	
<p><b>Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?</b></p>	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> Yes – provide details: [     ]
Works approval / licence / registration (Part V Division 3 of the EP Act)	