



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.

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: EPBC 2019/8480 DWER ref: CPS 8904/1

No Proceed to Part 2

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

Listed threatened species and communities (Section 18 and 18A):

Western Ringtail Possum (*Pseudocheirus occidentalis*) – critically endangered

Harrington's Spider Orchid (*Caledenia harringtoniae*) - vulnerable

Dwarf Hammer Orchid (*Drakaea micrantha*) - vulnerable

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 proposed clearing will occur within five Crown land reserves, one parcel of freehold land and four road reserves.

FILE REFERENCE

Street address

Please see full **Land Vestings Table** attached (refer Attachment 30)

Local government area

City of Albany

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</p> <p>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 Albany ABN:94 717 875 167 No ACN</p>		
	<p>"I am..." (mark applicable box or boxes)</p>			
	<input checked="" type="checkbox"/>	the owner of the land.		
	<input 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 (see "Authority to access land", below)]</i>		
	<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>		
<input checked="" type="checkbox"/>	the person doing the clearing.			
<input checked="" 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>	<p>Provide contact details for the above individual or body corporate.</p>			
	<p>Contact person (and position, if applicable)</p>	<p>_____</p>		
	<p>Company name (if applicable)</p>	<p>_____</p>		
	<p>Postal / business address</p>	<p>_____</p>		
	<p>Phone (fixed line)</p>	<p>_____</p>	<p>Phone (mobile)</p>	<p>_____</p>
	<p>Email address</p>	<p>_____</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>

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 signed by the landowner or other person with authority to give land access permission.</p>	<p>State the nature of the applicant's authority to access the land to be cleared. <i>[Attach evidence of authority. 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>All parcels of land are managed by the City of Albany, except unvested reserve R16692. Please see permit from Landgate to construct "a section of mountain bike trail through R16692 managed by Landgate", and to clear native vegetation on R16692" and R29075 managed by the Water Corporation. Please see executed Water Corp Authority Agreement_R29075_200525 to access and clear vegetation for mountain bike trail crossing and walking trails.</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; or • a public authority that is responsible for care of the land. 	<p>The landowner's form of ownership is:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 20px;"><input type="checkbox"/></td> <td>Certificate of title <i>[Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate].</i></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Pastoral lease <i>[Attach a copy of the lease and all associated encumbrances].</i></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Mining lease.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Public authority that has care, control or management of the land.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Other form of lease, land tenure or specific arrangement.</td> </tr> </table> <p>Please state: Please see Landgate Permit and Consent (refer Attachment 31) and Water Corp Authority Agreement_R29075_200525 (attachment 16)</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>	<input type="checkbox"/>	Pastoral lease <i>[Attach a copy of the lease and all associated encumbrances].</i>	<input type="checkbox"/>	Mining lease.	<input checked="" type="checkbox"/>	Public authority that has care, control or management of the land.	<input checked="" type="checkbox"/>	Other form of lease, land tenure or specific arrangement.		
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<input checked="" type="checkbox"/>	Other form of lease, land tenure or specific arrangement.												
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: 40%;">Contact person (and position, if applicable)</td> <td style="background-color: black; color: black;">[REDACTED]</td> </tr> <tr> <td>Company name (if applicable)</td> <td style="background-color: black; color: black;">[REDACTED]</td> </tr> <tr> <td>Postal / business address</td> <td style="background-color: black; color: black;">[REDACTED]</td> </tr> <tr> <td>Phone (fixed line)</td> <td style="background-color: black; color: black;">[REDACTED]</td> </tr> <tr> <td>Phone (mobile)</td> <td style="background-color: black; color: black;">[REDACTED]</td> </tr> <tr> <td>Email address</td> <td style="background-color: black; color: black;">[REDACTED]</td> </tr> </table>	Contact person (and position, if applicable)	[REDACTED]	Company name (if applicable)	[REDACTED]	Postal / business address	[REDACTED]	Phone (fixed line)	[REDACTED]	Phone (mobile)	[REDACTED]	Email address	[REDACTED]
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Company name (if applicable)	[REDACTED]												
Postal / business address	[REDACTED]												
Phone (fixed line)	[REDACTED]												
Phone (mobile)	[REDACTED]												
Email address	[REDACTED]												

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><i>or</i></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>The total area impact is as follows:</p> <p>Proposed MTB, new trail: 10,410 Lin.m Proposed MTB, upgrade existing trail: 1,188 Lin.m Proposed dual use, dual direction, new trail: 1,116Lin.m Proposed dual use, dual direction, upgrade existing trail: 949 Lin.m Proposed walk, new trail: 2,579 Lin.m Proposed walk, upgrade existing trail: 3,877 Lin.m Total new trail: 14,105 Lin.m Total Upgraded Trail: 6,014 Lin.m</p> <p>Total area to be cleared for proposed trails within the 30m buffer will be up to 3.42 Hectares.</p> <p>For further details refer:</p> <p>Attachment 01: MAPS of AHP Link Trails V2</p> <p>Attachment 41: Footprint of Proposed Action</p> <p>Attachment 2: AHP Link Trails V2 Alignment and Buffer, ESRI shapefile.</p> <p>Attachment 42: Project Overview</p> <p>Attachment 46 & 47: EPBC 2019840 Act Referral Signed Submission and Variation Notice</p>
<p><i>and/or</i></p> <p>number of individual trees to be removed</p>	<p>Unable to be quantified</p>
<p>Proposed method of clearing:</p>	<p>Vegetation clearing will be minimized, through careful trail design and construction works. Wherever possible, existing trails and cleared areas will be incorporated into the new trail. Access to the new trail sections will be from along the trail alignment, not through adjacent vegetation.</p> <p>Vegetation will be cleared and the trails will be constructed using hand tools and small trail construction equipment to minimize disturbance and to allow any animals present to move away safely.</p> <p>Impact of construction works on surrounding vegetation will also be minimized. Cleared material will be removed from work sites and placed on nearby illegally constructed or eroded trails that will be permanently closed once the new trail is open. Clearing using hand tools and small trail construction machinery (bobcat). Clearing will carefully completed to ensure the trail experience retains an "in nature" feel.</p> <p>Wherever possible, clearing will avoid removal of trees over 100 mm in diameter.</p> <p>Granite boulders/outcrops will, where possible, be left in-situ and incorporated into the trail creating interesting features and control run-off. In areas where crossing granite is unavoidable (this must be minimised at all costs), access is planned to be bridged over to reduce/minimise the need to clear vegetation in these areas. Where necessary, small granite boulders will be mechanically relocated to allow for trail construction. These boulders will remain on site and used to define the trail alignment by creating anchor points or to discourage trail users from deviating from the constructed trail.</p> <p>An Environmental Code of Conduct, such as that developed for the existing Pilot MTB Trail (Refer to Attachment 33 & 40), will be prepared for this project based on the</p>

Part 4: Proposed clearing	
	<p>mitigation measures indicated in this referral. Construction crews will be trained on the Code of Conduct at a start-up meeting, and will be closely monitored by the City's Reserves Officers.</p> <p>Impact mitigation measures for the 'AHP Link Trails V2' have been detailed in a separate attachment.</p> <p>Refer Attachment 42 - Project Overview and Maps Page 5: Minimise Impact Footprint</p> <p>Measures include:</p> <ul style="list-style-type: none"> ○ minimising impact footprint; ○ offsets and rehabilitation ○ environmental and cultural surveys - since the adoption of the AHP Trails Concept Plan in December 2016 the following surveys have been completed: <ul style="list-style-type: none"> ▪ Aboriginal heritage survey; ▪ ongoing monitoring of trail impacts on Western Ringtail Possums; ▪ Rare Flora surveys; ▪ broad scale and targeted dieback surveys. ○ Mitigating impacts on the Western Ringtail Possum ○ Mitigating impacts on the three threatened black cockatoos ○ Mitigating impacts on species on conservation significance ○ Mitigating impacts on dieback, weeds and erosion, through: <ul style="list-style-type: none"> ▪ Best Practice Trail Design ▪ Experienced Trail Builder ▪ Community Education ▪ Managing dieback and weeds during construction ○ Protecting Aboriginal heritage values ○ Protecting European heritage values ○ Monitoring and maintenance, strong governance and engagement
	<p>Purpose of clearing:</p> <p>Construction of an integrated and well planned network of trail links within the Albany Heritage Park</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 <input type="text" value="February 2021"/> to <input type="text" value="February 2022"/></p>
	<p>Final land use:</p> <p>Recreation - Trails</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>Where possible the trails will utilise current trail alignments. It is intended that current trails that are not environmentally sustainable due to their poor location, steep grades and historically poor or illegal construction will be closed once the new sustainable trail network is implemented.</p> <p>Refer Attachment 42 - Project Overview and Maps V2</p> <p>The included plans highlight how the proposed trail network has carefully considered the underlying landscape character areas and typologies to minimise impact on the natural bushland reserve and also to minimise potential user conflict.</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 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>
	<p>Refer Attachment 42 - Project Overview and Maps</p> <p>Page 5: Minimise Impact Footprint</p> <p>Page 10: Trails Closures and Rehabilitation Plan</p>