

Part 1: Assessment bilateral agreement

FILE REFERENCE

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 <u>Procedure: Native vegetation clearing permits</u> on DWER's website.

CPS No.
Date stamp

The native vegetation clearing processes under Part V of the	Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?						
Environmental Protection Act 1986 (WA) (EP Act) have been accredited by the Commonwealth of Australia under the		Yes	EPBC Number:				
Environment Protection and Biodiversity Conservation Act	\boxtimes	No	Proceed to Part 2				
1999 (Cth) (EPBC Act) and can be assessed under an assessment bilateral agreement.	List the		olling provisions ider	ntified in the notification of the controlled action			
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.		Form	Annex C7 is comple	te and the required supporting information is attached.			
Part 2: Land details							
The location of the land where clearing is proposed must be	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.						
accurately described.	Ellen E	Brook F	Bay Road - PIN 1147 Road - PIN 11476661 N 11476659	76612, 11476658, 11476657 I			

Reserve No. 47049 'Heritage Trail' - PIN 11144081

Cowaramup Bay Road, Cowaramup

Shire of Augusta Margaret River

Street address

Local government area

Part 3: Applicant details											
Applicant details											
If granted, the applicant will be considered the holder of the	Are yo		olying as an	individu	ıal, a co	mpany	or an ir	ncorpora	ited boo	dy? Enter	details for
permit. Include the Australian Company	An		Title	Mr		Mrs		Ms		Other:	
Number (ACN) if the proposed permit holder is a body corporate	individ	individual Nan									
or other entity formed at law.	OR										
	other	A body corporate or other entity formed at law (include ACN) Shire of Augusta Margaret River									
	"I am.	"I am" (mark applicable box or boxes)									
	\boxtimes	the	owner of the	land.							
		acting on behalf of the owner and have attached an agent's authority, expressly authorising me to act on behalf of the landowner.									
		[Atta	ach a copy o	f the au	thorisati	on (see	e "Autho	ority to a	ccess I	and", belo	ow)]
		likely to become the owner of the land.									
	[Attach evidence of the pending transfer of ownership, contract of sale ('offer and acceptance') or letter from current landowner.]										
	the person doing the clearing.										
	the person on whose behalf the clearing is being done.										
Applicant contact details											
If applying as a company or	Provide contact details for the above individual or body corporate.										
incorporated body, please also supply the registered business office address.	Contact person (and position, if applicable)										
DWER and DMIRS prefer to send											
all correspondence electronically via email. We request that you consent to	Company name (if applicable)										
receiving all correspondence				_							
relating to instruments and notices under Part V of the EP	Postal / business										
Act ("Part V documents") electronically via email by indicating your consent in this	address										
section of the application form.											
Where 'yes' is selected, all correspondence from DWER or DMIRS (as applicable) will be	Phone (fixed line) Phone (mobile)										
sent to you via email, to the email address provided in this section.	Email address										
Where 'no' has been selected, Part V documents will be posted											
to you in hard copy to the postal/business address you have	I consent to all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable), regarding the						Yes	No			
provided in this section. Other general correspondence may still be sent to you via email.	subject of this application, being exclusively via email, using the email address I have provided above.										

Part 3: Applicant details (continued)								
Authority to access land								
To apply for a permit you must be the landowner, or have the authority of the landowner to access the land and undertake		State the nature of the applicant's authority to access the land to be cleared. [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.]						
the clearing. 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. Public authority that has care, control or management of the land.								
Landowner's ownership of land								
A landowner can be:	The la	andowner's form of ownership is:						
a person who holds the certificate of title;	Certificate of title [Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate].							
a person who is the lessee of Crown land; or		Pastoral lease [Attach a copy of the lease and all associated encumbrances].						
a public authority that is responsible for care of the land.	Mining lease.							
		□ Public authority that has care, control or management of the land.						
		Other form of lease, land tenure or specific arrangement.						
		Please state:						
Contact details for enquiries								
If different from the applicant's contact details, enter the contact details of a person with whom DWER or DMIRS should liaise	Conta	e contact details differ to those of the applicant, complete the below section: act person (and on, if applicable)						
with concerning this clearing application.		pany name plicable)						
	Posta addre	al / business ess						
	Phone	e (fixed line) Phone (mobile)						
	Email	laddress						

Part 4: Proposed clearing

An aerial photograph and/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:

- Geometry type: Polygon shape
- Coordinate system: GDA 1994 (Geographic latitude/longitude)
- Datum: GDA 1994 (Geocentric Datum of Australia 1994).

An ESRI shapefile must be provided if the application requires an assessment under an EPBC Act accredited process.

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.

Total **area** of clearing proposed (hectares)

1.5 hectares

number of individual **trees** to be removed

Proposed method of clearing:

Mechanical

Purpose of clearing:

The clearing is required reconstruct and widen a section of Cowaramup Bay Road between Bussell Highway and Caves Road. The road is currently 5-6 metres wide, which is insufficient given the type and volumes of traffic it receives. The project will reconstruct and widen the existing sealed road to 7 metres, with 1 metre unsealed shoulders on either side, and associated drainage works (including culverts). The road reconstruction will improve driver visibility and overall road safety.

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 July 2021 to July 2026

Final land use:

Road

Have alternatives that would avoid or minimise the need for clearing been considered and applied?

⊠ Yes

S

No

If yes, provide details:

Reconstruction of this section of Cowaramup Bay Road is essential in order to improve driver visibility and overall road safety.

The condition of roadside vegetation between Caves Road and Bussell Highway is predominantly degraded or completely degraded as a result of adjoining agricultural land use and historical disturbance contributing to the introduction of weeds to this area.

The road has been designed to minimise clearing of native roadside vegetation, particularly in the smaller pockets where vegetation is in 'good' or 'very good' condition. There are no known Threatened or Priority species or ecological communities located within or adjacent to the clearing area.

A clearing assessment report is provided at Attachment 1, which provides further information on the proposed clearing, biodiversity values, potential impacts, and mitigation strategies. It also provides information on the flora, fauna, and targeted fauna surveys that have been undertaken to support this application (also attached).

In summary, the Shire of Augusta Margaret River will implement the following mitigation measures as part of this clearing permit:

- The road reconstruction will be designed to minimise disturbance to native vegetation
 where possible, by avoiding removal of native habitat trees, and undertaking
 retrenchment pruning as an alternative to tree removal where branches pose a safety
 hazard.
- Clearing through the Shire-managed Wadandi Trail Reserve (R47049) will be minimised where possible.
- Existing surface drainage patterns will be maintained during road reconstruction, with no changes to surface hydrology or movement of sediment into the surrounding environment.
- Best practice weed and dieback hygiene measures will be implemented during clearing and construction (clean vehicles and machinery prior to entering the site).
- Clearing will be implemented in strict accordance with DBCA's Procedures to Minimise the Risk to Western Ringtail Possums during Vegetation Clearing and Building Demolition (DBCA, 2015), including the presence of a fauna spotter and

Part 4: Proposed clearing								
	handler on site prior to and during construction in order to inspect trees and manage any disturbed animals.							
Refer to DWER's <u>Clearing of</u> <u>native vegetation offsets</u> <u>procedure guideline available</u>	Do you want to submit a clearing permit offset proposal with your application?		Yes	\boxtimes	No			
on the DWER website, and the Environmental Protection	If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native</i> vegetation offsets procedure guideline.							
Authority's (EPA) <u>WA</u> <u>Environmental Offsets Policy</u> <u>and Guidelines</u> on the EPA website for further information.								

Part 5: Other DWER approvals								
Instructions: If your application is to be submitted to DMIRS, complete	a Section A and then skin to Part 6 of this form							
If your application is to be submitted to DWER, complete	•							
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 Environmental Protection	☐ Yes – provide details []							
Authority?	⊠ No							
Do you intend to refer the proposal to the Environmental Protection Authority?	☐ Yes – intend to refer (proposal is a 'significant proposal')							
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".	Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement)							
If a decision-making authority (e.g. DWER or DMIRS) considers that the proposal in this application is likely to constitute a	MS[]							
'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.	□ No – a current valid Ministerial Statement applies: MS []							
If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.	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	⊠ No							
applications?	☐ Yes – provide details: []							
Works Approval / Licence / Registration (Part V Divisio	n 3 of the EP Act)							
Have you applied or do you intend to apply for a works approval, licence, registration, or an	☐ Yes – application reference (if known): []							
amendment to any of the above, under Part V Division 3 of the EP Act?	☐ No – a valid works approval applies: []							
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</i> 1987, unless that action is done in accordance with a works approval,	☐ No – a valid licence applies: []							
licence, or registration. For further guidance, refer to the <i>Procedure: Prescribed</i>	☐ No – a valid registration applies: []							
premises works approvals and licences and Guideline: Industry Regulation Guide to Licensing.	No − not required							
Water Licences and Permits (Rights in Water and Irriga	ation Act 1914)							
Have you applied or do you intend to apply for:	Yes –application reference (if known): [
a licence or amendment to a licence to take water (surface water or groundwater); or	Yes –application reference (if known): []							
a licence or amendment to a licence to construct wells (including bores and soaks); or	☐ No – a current valid licence applies: []							
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 <i>Procedure: Water licences and permits.</i>	⊠ N/A							

Part 6: Surveys for Assessments (IBSA and IMSA)							
Do you wish to submit marine or biodiversity surveys in support of your application?							
	☐ No – skip to Part 7						
the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA). If these requirements are not met, DWER / DMIRS (as applicable) may decline to deal with the application. Please provide the IBSA number(s) (or submission number(s) if IBSA number has not yet been issued) in the space provided. Note that a submission number is not confirmation of acceptance of a biodiversity survey and is not the same as an IBSA number. IBSA numbers are only issued once a survey has been accepted. Once an IBSA number is issued, please notify DWER / DMIRS (as applicable). Please note the assessment timeframes for your application will be suspended until the IBSA number(s) is provided to DWER / DMIRS (as applicable).	All biodiversity surveys that support this application have been submitted to the <i>Index of Biodiversity</i> Surveys for Assessment available at ibsasubmissions.dwer.wa.gov.au						
	Submission number(s) (e.g. IBSASUB- 20200101- 12345A6D) Please list all numbers. If space is inadequate, list on a separate sheet.	IBSASUB-20210315-66					
	IBSA number(s) (e.g. IBSA-2020- 0123) Please list all numbers. If space is inadequate, list on a separate sheet.	IBSA-2020-0)185				
Marine surveys submitted to support this application must meet the requirements of the EPA's <u>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</u> . If these requirements are not met, DWER will decline to deal with the application.	All marine surveys submitted with this application meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA).			N/A			