



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.

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 2020/8827

No Proceed to Part 2

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

Listed threatened species and communities (sections 18 & 18A)

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.

Freehold Lots 6 and Lot 8 Old Coast Road, Myalup, WA

FILE REFERENCE

Street address

Lots 6 and Lot 8 Old Coast Road

Local government area

Shire of Harvey

Land zoning, e.g. rural, residential, industrial

Lots 6 and 8 are zoned 'General Farming' within the Shire of Harvey's *District Planning Scheme No. 1*. Lots 6 and 8 are also zoned Rural under the Greater Bunbury Region Scheme.

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: _____</p> <p>Name/s _____</p> <p>OR</p> <p>A body corporate or other entity formed at law (include ACN) Patane Farms Pty Ltd ACN 153 183 727</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> <table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </tbody> </table>	Yes	No	<input checked="" type="checkbox"/>	<input 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"> the landowner; acting on the landowner's behalf; or likely to become the landowner. 	<p>"I am..." (mark the applicable box)</p> <p><input checked="" 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	
Ownership of land	
A landowner can be: <ul style="list-style-type: none"> • a person who holds the certificate of title; • a person who is the lessee of Crown land; or <ul style="list-style-type: none"> • a public authority that is responsible for care of the land. 	Form of ownership: <input checked="" 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 type="checkbox"/> Public authority that has care, control, or management of the land.
	<input type="checkbox"/> 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 with concerning this clearing application.	Where contact details differ to those of the applicant, complete the below section:
	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]	

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"> • 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.	Total area of clearing proposed (hectares) Approximately 6.5 ha of native vegetation. Additional 0.5 ha of non-native vegetation has been included in the shapefile to align with EPBC referred area.
	and/or
	number of individual trees to be removed
	Proposed method of clearing Excavator and manual clearing (chainsaw)
	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 1/4/2021 or once approved to 1/4/2026
	Purpose of clearing For the purpose of establishing a production horticulture area.

Part 4: Proposed clearing	
	<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 being cleared will become production horticulture, other areas will be revegetated.</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>The clearing area is necessarily located over soils suitable for the purpose of horticulture. The following avoidance and mitigation measures have been adopted through the project design to minimize impacts:</p> <ul style="list-style-type: none"> • The project footprint has been selected to minimize impacts on soils/land that are not critical to the project. • Most of the wetland area in Lot 6 has been avoided, including a circa 0.5 ha patch with Peppermints and hollow trees. • Trees along the northern boundary of Lot 6, including several with hollows, will be retained to provide a partially vegetated corridor (circa 1.4 ha). • Additional planting will be carried out along the eastern boundary of Lot 6 however the exact nature and extent of this is still to be confirmed. • Vegetation in the east of Lot 8 will be retained to provide a substantial vegetated corridor. • Vegetation along the western boundary of Lot 8 (where the WRP) was observed will be retained. • Proposed buffer planting will be carried out along the northern and north eastern boundaries of Lot 8 with local native provenance species. • The artificial dams (3) will be retained, providing watering points for fauna. Many of the large trees along the edge of the development footprint will need to be cleared due to the unacceptable risk to human life (farm workers) if they were to be retained as individual isolated trees.
<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>

Part 5: Other DWER approvals	
<p>INSTRUCTIONS:</p> <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. 	
<p>Section A: Environmental Impact Assessment</p>	
<p>Environmental Impact Assessment (Part IV of the EP Act)</p>	
<p>Has this clearing application or any related matter been referred to the EPA?</p>	<p><input type="checkbox"/> Yes – provide details []</p> <p><input checked="" type="checkbox"/> No</p>
<p>Do you intend to refer the proposal to the EPA?</p>	<p><input type="checkbox"/> Yes – intend to refer (proposal is a ‘significant proposal’)</p>