



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:

☒ No Proceed to Part 2

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

SE Campbell Development Pty Ltd (South Energy) referred the project to the Department of Agriculture, Water and the Environment (DAWE) on 17 August 2020 under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). DAWE issued their Referral Decision on the referral (EPBC 2020/8763) on 19 October 2020, which was deemed to be "Not a Controlled Action".

☐ *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.

- Lot 0 on Diagram 685
- Lot 94 on Plan 21621 / Bernbrooke Place, Wellesley
- P Road / Wellesley Road North
- P Road / Bernbrooke Place Wellesley
- Lot 255 on Plan 416516 / 868 Wellesley Road
- Lot 254 on Plan 416516 / 67 Devlin Road
- Lot 41 on Plan 17392 / Marriott Road /
- P Road / Devlin Road
- Lot 2 on Diagram 73742
- Lot 5409 on Plan 13831
- Lot 5531 on Plan 216969.

FILE REFERENCE

Street address

n/a

Local government area

Shire of Harvey

| 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> | Are you applying as an individual, a company or an incorporated body? Enter details for one only. | | | |
| | An individual | Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: <input type="text"/> | |
| | | Name(s) | <input type="text"/> | |
| | OR | | | |
| | A body corporate or other entity formed at law (include ACN) | SE Campbell Development Pty Ltd ABN – 30 627 427 169 ACN – 627 427 169 | | |
| | “I am...” (mark applicable box or boxes) | | | |
| | <input type="checkbox"/> | the owner of the land. | | |
| | <input checked="" 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 type="checkbox"/> | the person doing the clearing. | | | |
| <input 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> | Provide contact details for the above individual or body corporate. | | | |
| | Contact person (and position, if applicable) | <input type="text"/> | | |
| | Company name (if applicable) | <input type="text"/> | | |
| | Postal / business address | <input type="text"/> | | |
| | Phone (fixed line) | <input type="text"/> | Phone (mobile) | <input type="text"/> |
| | Email address | <input type="text"/> | | |
| | <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> | | Yes | No |
| | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |

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 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.

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.]

Six (6) Certificates of Titles (CoTs) are attached in the NVCP Supporting Document and are listed in the table below.

| Lot | Certificate of Title | Letter of Authority |
|--|----------------------|---------------------|
| Lot 0 on Diagram 685 | 2075/513 | Yes |
| Lot 94 on Plan 21621 / Bernbrooke Place, Wellesley | 2093/508 | Yes |
| P Road / Wellesley Road North | n/a | Yes |
| P Road / Bernbrooke Place Wellesley | n/a | Yes |
| Lot 255 on Plan 416516 / 868 Wellesley Road | 2983/131 | Yes |
| Lot 254 on Plan 416516 / 67 Devlin Road | 2983/130 | Yes |
| Lot 41 on Plan 17392 / Marriott Road | 1903/49 | Yes |
| P Road / Devlin Road | n/a | Yes |
| Lot 2 on Diagram 73742 | 1802/345 | Yes |
| Lot 5409 on Plan 13831 | 3080/533 | Yes |
| Lot 5531 on Plan 216969 | 3143/649 | Yes |

A signed letter of authority has been obtained from the land holders / land managers of all lots listed above. These letters permit South Energy to access these lots for the purpose of undertaking clearing as specified in this application. All letters are attached to the NVCP Supporting Document (Appendix D).

Landowner's ownership of land

A landowner can be:

- 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.

The landowner's form of ownership is:

| | |
|-------------------------------------|--|
| <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 checked="" 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: n/a | |

Contact details for enquiries

If different from the applicant's

Where contact details differ to those of the applicant, complete the below section:

| Part 3: Applicant details (continued) | | | |
|---|--|--------------------------------|--------------------|
| contact details, enter the contact details of a person with whom DWER or DMIRS should liaise with concerning this clearing application. | Contact person (and position, if applicable) | See applicant contact details. | |
| | Company name (if applicable) | n/a | |
| | Postal / business address | n/a | |
| | Phone (fixed line) | n/a | Phone (mobile) n/a |
| | Email address | n/a | |

| 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>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"> 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> | Total area of clearing proposed (hectares) | | 4.36 ha of native vegetation within a 10.38 ha development footprint (the remainder of the development footprint comprising Completely Degraded land and plantation) | | | |
| | and/or | | | | | |
| | number of individual trees to be removed | | n/a | | | |
| | Proposed method of clearing: | | | | | |
| | It is anticipated the clearing of native vegetation will be undertaken using traditional earth moving machinery such as bulldozers. Where possible, topsoil will be stripped and stockpiled for later reuse in rehabilitation. | | | | | |
| | Purpose of clearing: | | | | | |
| | To construct a transmission line between the proposed Bengier Solar Farm and the Western Power substation located within the Kemerton Strategic Industrial Area (KSIA). Clearing is required to establish permanent infrastructure, temporary construction areas (e.g. pole / tower pads, laydown areas), and access/maintenance tracks. | | | | | |
| 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 December 2021 to May 2023 | | | | | | |
| Final land use: | | | | | | |
| Combination of: | | | | | | |
| <ul style="list-style-type: none"> - Rural land use (intensive agriculture) - Industrial (Kemerton Industrial Zone Buffer) - Public purposes (Public Utilities) | | | | | | |
| <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>If yes, provide details:</p> <p>The current Project alignment takes into account the location of environmental values and risks and minimises impacts as far as is practicable (please refer to the NVCP Supporting Document – Section 4.1).</p> <p>The selected alignment optimises use of cleared and degraded land. Where possible, access tracks and laydown areas / break winch pads / helicopter landing pads have been located within cleared or otherwise degraded land.</p> | | | | | |
| <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> | Do you want to submit a clearing permit offset proposal with your application? | | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| | <p>If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native vegetation offsets procedure guideline</i>.</p> <p>n/a</p> | | | | | |

| Part 5: Other DWER approvals | |
|--|---|
| Instructions: <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. | |
| 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 Authority? | <input type="checkbox"/> Yes – provide details [] <input checked="" type="checkbox"/> No |
| Do you intend to refer the proposal to the Environmental Protection Authority? 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 | |
| Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – provide details: [] |
| Works Approval / Licence / Registration (Part V Division 3 of the EP Act) | |
| 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? 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 Procedure: Prescribed premises works approvals and licences and Guideline: Industry Regulation Guide to Licensing . | <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>) | |
| Have you applied or do you intend to apply for: <ol style="list-style-type: none"> a licence or amendment to a licence to take water (surface water or groundwater); or a licence or amendment to a licence to construct wells (including bores and soaks); or 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 Procedure: Water licences and permits . | <input type="checkbox"/> Yes – application reference (if known): [] <input type="checkbox"/> No – a current valid licence applies: [] <input checked="" type="checkbox"/> N/A |