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

Date stamp

CPS No.

# Part 1: Assessment bilateral agreement

| 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<br>1986 (WA) (EP Act) have been<br>accredited by the Commonwealth   |   | Yes  | EPBC Number       |   |  |  |  |
| of Australia under the<br>Environment Protection and<br>Biodiversity Conservation Act  | $\boxtimes$   | No   | Proceed to Part 2 | 2   |  |  |  |
| 1999 (Cth) (EPBC Act) and can<br>be assessed under an<br>assessment bilateral agreement.   | List the controlling provisions identified in the notification of the controlled action decision.   |      |                   |   |  |  |  |
| To be assessed in this manner,<br>the proposed clearing action must<br>be referred to the Commonwealth<br>under the EPBC Act and deemed<br>a <u>'controlled action</u> ' prior to<br>submitting this application form. |   |      |                   |   |  |  |  |
| For further information see Form<br>Annex C7 and A guide to native<br>vegetation clearing processes  |   |      |                   |   |  |  |  |
| under the assessment bilateral<br>agreement available at<br>www.der.wa.gov.au/our-<br>work/clearing-permits.   |   | Form | Annex C7 is comp  | lete and the required supporting information is attached. |  |  |  |

| Part 2: Land details  |   |  |  |  |  |  |  |
|---|---|--|--|--|--|--|--|
| The location of the land where clearing is proposed must be | d folio number, lot or location number(s), Crown lease or se number, or mining tenement number of all properties. |  |  |  |  |  |  |
| accurately described.                                       | Lot 418 on Deposited Plan 5<br>Volume: 3142 Folio: 139  | Lot 418 on Deposited Plan 52130<br>Volume: 3142 Folio: 139 |  |  |  |  |  |
| FILE REFERENCE  | Street address  | 21 Kahana Parkway, Butler                                  |  |  |  |  |  |
|   | Local government area   | City of Wanneroo   |  |  |  |  |  |
|   | Land zoning, e.g. rural, residential, industrial  | Recreational   |  |  |  |  |  |

| Part 3: Applicant details  |   |  |   |           |         |     |     |             |           |   |       |   |
|--|---|--|---|-----------|---------|-----|-----|-------------|-----------|---|-------|---|
| Applicant details  |   |  |   |           |         |     |     |             |           |   |       |   |
| If granted, the permit will be<br>granted in the name(s) of (all)<br>landowner(s).   | Are yo<br>one or  |  | lying as an individual, a company or incorporated body? Enter details for           |           |         |     |     |             |           |   |       |   |
| Include the Australian Company   | An  |  | Title   | Mr        |         | Mrs | 6   |             | Ms        |   | Other | : |
| Number (ACN) if the proposed permit holder is a body corporate   | individ   | ual  | Name/s  |           |         |     |     |             |           |   |       |   |
| or other entity formed at law.   | OR  |  |   |           |         |     |     |             |           |   |       |   |
|  | other e   | entity fo  | corporate or<br>ntity formed at<br>clude ACN)City of WannerooABN: 64 295 981 165 50 |           |         |     |     |             |           |   |       |   |
| Applicant contact details  |   |  |   |           |         |     |     |             |           |   |       |   |
| If applying as a company or<br>incorporated body, please also<br>supply the registered business<br>office address.   | Provide contact details for the above individual or body corporate.<br>Contact person and position (if applicable)                        |  |   |           |         |     |     |             |           |   |       |   |
| DWER and DMIRS prefer to send  | positio   | nı (n ap   | plicable)   |           |         |     |     |             | ,         |   |       |   |
| all correspondence electronically<br>via email.<br>We request that you consent to  |   | any na<br>licable)   |   |           |         | )   |     |             |           |   |       |   |
| receiving all correspondence   |   |  |   |           |         |     |     |             |           |   |       |   |
| relating to instruments and<br>notices under Part V of the EP<br>Act ("Part V documents")<br>electronically via email by<br>indicating your consent in this<br>section of the application form.<br>Where 'yes' is selected, all<br>correspondence from DWER or | Postal / business<br>address  |  |   | )         |         |     |     |             |           |   |       |   |
|  | Phone (fixed line)  |  |   |           |         | )   | Pho | one (m      | iobile)   | - | )     |   |
| DMIRS (as applicable) will be<br>sent to you via email, to the email<br>address provided in this section.  | Email address   |  |   |           |         |     |     |             |           | ) |       |   |
| Where 'no' has been selected,<br>Part V documents will be posted<br>to you in hard copy to the postal /  | I consent to all written correspondence between myself (the Yes No  |  |   |           |         |     |     |             |           |   |       |   |
| business address you have<br>provided in this section. Other<br>general correspondence may still<br>be sent to you via email.  | subjec  | t of this  | d DWER /<br>s applicatio<br>s I have pro  | n being e | xclusiv |     |     |             |           | ) |       |   |
| Relationship to landowner  | -   |  |   |           |         |     |     |             |           |   |       |   |
| To apply for an area permit you must either be:  | "I am   | " (mai   | k the app <b>l</b> i  | cable bo> | x)      |     |     |             |           |   |       |   |
| • the landowner;   | $\boxtimes$ the owner of the land.  |  |   |           |         |     |     |             |           |   |       |   |
| <ul> <li>acting on the landowner's<br/>behalf;</li> </ul>  | acting on behalf of the owner, and have attached a signed letter of authority, expressly authorising me to act on behalf of the landowned |  |   |           |         |     |     | ent's       |           |   |       |   |
| <ul><li>or</li><li>likely to become the landowner.</li></ul>   | [Attach a copy of the authorisation. Note that a letter of authority must   |  |   |           |         |     |     |             |           |   |       |   |
|  |   | likely to become the owner of the land. (If granted, the clearing permit will only be issued once the applicant becomes the land owner). |   |           |         |     |     |             | will only |   |       |   |
|  | [Attach evidence of the pending transfer of ownership, contract of sale ('of<br>acceptance'), or signed letter from current landowner.]   |  |   |           |         |     |     | ('offer and |           |   |       |   |

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| Part 3: Applicant details   |   |
|---|---|
| Ownership of land   |   |
| <ul> <li>A landowner can be:</li> <li>a person who holds the certificate of title;</li> <li>a person who is the lessee of Crown land;<br/>or</li> <li>a public authority that is responsible for care of the land.</li> </ul> | Form of ownership:         Certificate of title.         [Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate]         Pastoral lease.         [Attach a copy of the lease and all associated encumbrances]         Mining lease. |
|   | <ul> <li>Public authority that has care, control, or management of the land.</li> <li>Other form of lease, land tenure, or specific arrangement.</li> </ul>   |
|   | Please state:   |
| Contact details for enquiries   |   |
| If different from the applicant's<br>contact details, enter the contact<br>details of a person with whom<br>DWER or DMIRS should liaise<br>with concerning this clearing  | Where contact details differ to those of the applicant, complete the below section:<br>Contact person (and<br>position, if applicable)  |
| application.  | Company name (if applicable)  |
|   | Postal / business<br>address  |
|   | Phone (fixed line) Phone (mobile)   |
|   | Email address   |

| Part 4: Proposed clearing   |  |  |                 |    |          |  |  |  |
|---|--|--|-----------------|----|----------|--|--|--|
| An aerial photograph or map with a north arrow must be attached,  | Total <b>area</b> of clearing proposed (hectares)  |  | 0.1165 hectares |    |          |  |  |  |
| clearly marking the area proposed to be cleared   | and/or   |  |                 |    |          |  |  |  |
| or<br>if you have the facilities, a digital   |  | number of individual <b>trees</b><br>to be removed |                 |    |          |  |  |  |
| map on a suitable portable digital storage device of the area to clear  | Proposed method of clearing  |  |                 |    |          |  |  |  |
| as an ESRI shapefile with the following properties:   | Mechanical – use of excavators and other machinery   |  |                 |    |          |  |  |  |
| <ul> <li>Geometry type: Polygon<br/>shape</li> <li>Coordinate system: GDA<br/>1994 (Geographic<br/>latitude/longitude)</li> </ul> | 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   | March 2022   |                 | to | May 2022 |  |  |  |
| • Datum: GDA 1994   | Purpose of clearing  |  |                 |    |          |  |  |  |
| (Geocentric Datum of<br>Australia 1994).  | To construct an access track through the larger portion of the park.   |  |                 |    |          |  |  |  |
| An ESRI shapefile must be<br>provided if the application  |  |  |                 |    |          |  |  |  |
| requires an assessment under an EPBC Act accredited process.  | 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"]:                 |  |                 |    |          |  |  |  |
|   | The area will be used as an access track for maintenance and fire mitigation activities.   |  |                 |    |          |  |  |  |

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| Part 4: Proposed clearing   |  |  |          |             |    |  |  |  |  |
|---|--|--|----------|-------------|----|--|--|--|--|
| You must provide evidence that<br>avoidance and mitigation<br>options have been pursued to<br>eliminate, reduce, or otherwise   | Have alternatives that would avoid or minimise the need for clearing been considered and applied?  |  |          |             |    |  |  |  |  |
|   | If yes, provide details:   |  |          |             |    |  |  |  |  |
| mitigate the need for, and scale<br>of, the proposed clearing of<br>native vegetation.  | The proposed clearing area is within an area which is in a de<br>impacts of fire and the use of the area as a walking track. Ut<br>will reduce the amount of virgin bushland that is cleared. The<br>also taken into consideration the presence of significant <i>Xan</i><br>alignment, these will be avoided during clearing and constru- | the area as a walking track. Utilising this area of the park<br>in bushland that is cleared. The design of the track has<br>the presence of significant <i>Xanthorrhoea preissii</i> along the |          |             |    |  |  |  |  |
| Refer to DWER's <u>Clearing of</u><br><u>native vegetation offsets</u>  | Do you want to submit a clearing permit offset proposal with your application?   |  | Yes      | $\boxtimes$ | No |  |  |  |  |
| procedure guideline available<br>on the DWER website, and the<br>Environmental Protection<br>Authority's (EPA) <u>WA</u><br>Environmental Offsets Policy<br>and Guidelines on the EPA<br>website for further information. | If yes, provide details, and complete and attach Appendix A <i>vegetation offsets procedure</i> guideline.   | of the C   | Clearing | of nati     | ve |  |  |  |  |

## Part 5: Other DWER approvals

### **INSTRUCTIONS:**

- 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 EPA?  | Yes – provide details [ ]  |  |  |  |  |  |
|  | □ No   |  |  |  |  |  |
| <b>Do you intend to refer the proposal to the EPA?</b><br>Section 37B(1) of the EP Act defines a 'significant proposal' as   | Yes – intend to refer (proposal is a 'significant proposal')   |  |  |  |  |  |
| "a proposal likely, if implemented, to have a significant effect on<br>the environment".<br>If a decision-making authority (e.g. DWER or DMIRS) considers<br>that the proposal in this application is likely to constitute a   | Yes – intend to refer (proposal will require a section 45C<br>amendment to the current Ministerial Statement):<br>MS [ ] |  |  |  |  |  |
| 'significant proposal', they are required under section 38(5) of<br>the EP Act to refer the proposal to the EPA for assessment<br>under Part IV, if such a referral has not already been made.<br>If a relevant Ministerial Statement already exists, please provide | No – a current valid Ministerial Statement applies:<br>MS [ ]  |  |  |  |  |  |
| 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 Division   | 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<br>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,   | No – a valid licence applies: [ ]  |  |  |  |  |  |

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| Part 5: Other DWER approvals  |   |                   |   |  |  |  |  |  |
|---|---|-------------------|---|--|--|--|--|--|
| unless that action is done in accordance with a works approval, licence, or registration.   | No – a valid registration   | applies: [ ]      |   |  |  |  |  |  |
| For further guidance, refer to the <u>Procedure: Prescribed</u><br><u>premises works approvals and licences</u> and <u>Guideline: Industry</u><br>Regulation Guide to Licensing.  | No – not required   |                   |   |  |  |  |  |  |
| Water licences and permits (Rights in Water and Irrigat   | on Act 1914)  |                   |   |  |  |  |  |  |
| Have you applied or do you intend to apply for:   | Yes – application refere  | nce (if known): [ | 1 |  |  |  |  |  |
| 1. a licence or amendment to a licence to take water (surface water or groundwater); or   | No – a current valid licer  | . , , -           | 1 |  |  |  |  |  |
| 2. a licence or amendment to a licence to construct wells (including bores and soaks); or   | ☑ N/A   |                   | 1 |  |  |  |  |  |
| 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> .   |   |                   |   |  |  |  |  |  |
|   |   |                   |   |  |  |  |  |  |
| Part 6: Surveys for Assessments (IBSA and IMSA)   |   |                   |   |  |  |  |  |  |
| Do you wish to submit marine or biodiversity surveys in support of your application?  | Yes   |                   |   |  |  |  |  |  |
|   | No – skip to Part 7   |                   |   |  |  |  |  |  |
| Biodiversity surveys submitted to support this application  | All biodiversity surveys that support this application  |                   |   |  |  |  |  |  |
| must meet the requirements of the EPA's <u>Instructions for</u><br>the preparation of data packages for the Index of<br><u>Biodiversity Surveys for Assessments (IBSA)</u> . If these<br>requirements are not met, DWER / DMIRS (as                               | have been submitted to the <i>Index of Biodiversity</i><br><i>Surveys for Assessment</i> available at<br><u>ibsasubmissions.dwer.wa.gov.au</u>  |                   |   |  |  |  |  |  |
| applicable) may decline to deal with the application.<br>Please provide the IBSA number(s) (or submission   | Submission  |                   |   |  |  |  |  |  |
| number(s) if IBSA number has not yet been issued) in the space provided.  | number(s)<br>(e.g. IBSASUB-   |                   |   |  |  |  |  |  |
| Note that a submission number is not confirmation of  | 20200101-<br>12345A6D)  |                   |   |  |  |  |  |  |
| acceptance of a biodiversity survey and is not the same<br>as an IBSA number. IBSA numbers are only issued once<br>a survey has been accepted. Once an IBSA number is<br>issued, please notify DWER / DMIRS (as applicable).                                      | Please list all<br>numbers. If space is<br>inadequate, list on a<br>separate sheet.   |                   |   |  |  |  |  |  |
| Please note the assessment timeframes for your  | IBSA number(s)  |                   |   |  |  |  |  |  |
| application will be suspended until the IBSA number(s) is provided to DWER / DMIRS (as applicable).   | (e.g. <i>IBSA-2020-</i><br><i>0123</i> )  |                   |   |  |  |  |  |  |
|   | Please list all<br>numbers. If space is<br>inadequate, list on a<br>separate sheet.   |                   |   |  |  |  |  |  |
| Marine surveys submitted to support this application must   | 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). |                   |   |  |  |  |  |  |
| meet the requirements of the EPA's <u>Instructions for the</u><br><u>preparation of data packages for the Index of Marine</u><br><u>Surveys for Assessments (IMSA)</u> . If these requirements<br>are not met, DWER will decline to deal with the<br>application. |   |                   |   |  |  |  |  |  |