



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.

☐ *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.

Surrendered section of mine lease MCI70-1A formerly known as "ML 116 Block 3" now called "Field 22A (116B3)".

Centroid Latitude and longitude of this field is:
-10.4865° S; 105.6098° E (decimal degrees)

FILE REFERENCE

Street address

From the intersection of Murray Road and East West Baseline, go westwards along East West Baseline 2.1 km and the field entrance is on the southern side of the road. There is also a second entrance ~200m WNW.

Local government area

Christmas Island Unallocated Crown Land (UCL) / Vacant Crown Land (VCL)

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:	
		Name(s)								
	OR									
	A body corporate or other entity formed at law (include ACN)		Parks Australia, Christmas Island National Park. Parks Australia is managed by the Director of National Parks (DNP) – and is a Statutory Body. It is a Division of the Commonwealth Department of Agriculture, Water and Environment (DAWE)							
	“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)									
	Company name (if applicable)									
	Postal / business address									
	Phone (fixed line)		Phone (mobile)							
	Email address									
	<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			
<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.</p> <p><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>The parcel of land requested at site '22A (116B3)' is Unallocated Crown Land (UCL)/Vacant Crown Land (VCL). Control of the land rests with the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC), Commonwealth Government. Please see attached letter of authority from the General Manager, Indian Ocean Territories Branch, DITCRD (Attachment 1).</p> <p>Parks Australia/The Director of National Parks (DNP) is required under a Memorandum of Understanding (MoU) with DITRDC to carry out ecological restoration works of relinquished mine lease land, running the Christmas Island Minesite to Forest Rehabilitation (CIMFR) program.</p> <p>The entirety of the UCL parcel is 4.50 Hectares. However, we have excluded good quality regrowth and propose to clear only weedy regrowth and bare ground with a total area of not more than 3.31 ha.</p> <p>The polygon shape of this parcel of land abuts National Park across ~50% of its boundary (to the east and west). The Christmas Island National Park Management Plan 2014-2024, section 4.2.1, it states that the DNP/Parks Australia may take actions to clear vegetation including plants listed under Part 13 of the EPBC Act (if necessary), for (b) protecting, conserving, restoring and managing biodiversity and heritage, including implementing the CIMFR program. With this provision, and a DNP assessment, we may also remove degraded vegetation, ferns and weeds in this area on the National Park side of the boundary, all of which will ultimately be rehabilitated</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>		
	<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 type="checkbox"/>	Other form of lease, land tenure or specific arrangement.	
	Please state: <input type="text"/>		
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>	Where contact details differ to those of the applicant, complete the below section:		
	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)
Email address	<input type="text"/>		

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)	3.31 Hectares of Unallocated Crown Land (UCL)
	and/or	
	number of individual trees to be removed	
	Proposed method of clearing:	
	Primarily mechanical removal. Existing vegetation (weeds, ferns and regrowth) will be cleared and mulched in-situ to provide organic matter for establishing native tree plantings. Some weeds (e.g. <i>Leucaena leucocephala</i>) may require poisoning (e.g. with herbicide) in addition to mechanical removal to ensure they do not resprout or lead to further germination in the field. Sub-surface soil to be ripped using a bulldozer and topsoil distributed by dump truck and excavator/loader.	
	Purpose of clearing:	
	<p>The purpose of clearing at this site is to remove weedy, degraded vegetation or low-value secondary regrowth, recover soil to allow redistribution and rehabilitation. The aim of this is to create habitat corridors through what is currently largely bare ground. Once soil is redistributed, it will be replanted with a biodiverse mix of native tree species.</p> <p>100% of this area has been previously cleared for mining. It was most recently recleared by Christmas Island Phosphate mine in 2018/19 under clearing permit CPS3472 (valid until 2025) under the site name "116-MCP-STP22A".</p> <p>As illustrated by a series of photographs around the site (Attachment 3), the area is ~74% bare ground with low weeds (such as mile-a-minute vine <i>Mikania micrantha</i>) and the remainder is weed-dominated secondary regrowth. Common weeds in this area include False Coffee Bush (<i>Leucaena leucocephala</i>), Black Sage (<i>Cordia curassavica</i>), <i>Psidium guajava</i> (yellow guava), Jamaican Cherry (<i>Muntingia calabura</i>), 'Gotcha' sensitive weed (<i>Mimosa diplotricha</i>), snakeweed (<i>Stachytarpheta cayennensis</i>), and others. Swordfern (<i>Nephrolepis biserrata</i>) is extensive through the site.</p> <p>Native species identified at the site include: <i>Macaranga tanarius</i>, <i>Pittosporum ferrugineum</i>, <i>Dysoxylum gaudichaudianum</i>, <i>Pandanus elatus</i>, <i>Maclura cochinchinensis</i>, <i>Melochia umbellata</i>, <i>Pipturus argenteus</i>, <i>Claoxylon indicum</i>, <i>Arenga listeri</i>, <i>Syzygium nervosum</i>. These are all in low numbers and most are relatively small given that the area has been disturbed multiple times over recent decades. There are no large trees in the site so none will be cleared. A comprehensive search determined there are no threatened or rare native plants in area.</p> <p>Our surveys also looked for bird nests of forest birds and Abbott's boobies; none were found. That said, Abbott's boobies are nesting nearby in adjacent primary forest. No red crabs were witnessed within the proposed clearing zone in three visits of the site between April and June 2021. However, several skeletons were found in the open area presumably from crabs that had expired trying to cross the site ground during the last migration. This is a key reason why we intend to rehabilitate the site.</p> <p>Whilst we seek a permit for the area identified, in reality we will keep any native trees we can (especially where they are standing on less than 1m soil) as they can be important sources of seed. Where possible, we will aim to selectively manoeuvre around these to remove introduced weeds and recover soil.</p> <p>The total parcel size of UCL is actually 4.50 Ha, but there are two patches of native vegetation adjacent to the road which we intend to keep so have been excluded from the permit area. As a result, the total area of VCL we wish to clear and revegetate is 3.31 Ha.</p> <p>It should be noted that the small number of common native plants that will be removed to access soil for rehabilitation purposes will be replaced with approximately 10,000 native trees sourced from the Christmas Island National Park nursery.</p> <p>The clearing and rehabilitation works proposed here will provide an overwhelmingly positive improvement on the site and ecosystem function of the area. It will replace bare open ground with native vegetated and facilitate the safe passage of endemic red crabs during their annual breeding migration towards the coast. Crabs can die crossing distances of as little as 20m in the heat of the day if they are caught in open ground when the sun comes out from behind the clouds; the bare ground of this field is over 120m wide in all directions.</p>	

Part 4: Proposed clearing					
	<p>Given the reasons outlined above, there is an environmental imperative to carry out earthworks as soon as possible (in the 2021 dry season) so completion may be achieved prior to the next crab migration (likely to start in October or November 2021). Given the degraded and weedy nature of the vegetation outlined here, we hope this will be an easy assessment to approve and it may be possible to enact a permit allowing commencement of works as soon as the permit is granted. Respecting the published assessment timeframes, if at all possible, we kindly request this permit to allow works to start in September 2021.</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>				
	From	September 2021	to	December 2022 (sooner if possible)	
	<p>Final land use:</p> <p>Rehabilitation forest</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?</p>		<input checked="" type="checkbox"/>	Yes ?	<input checked="" type="checkbox"/> No ?
	<p>If yes, provide details:</p> <p>As described above, any native trees that can be retained and included in our rehabilitation will be.</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>	<p>Do you want to submit a clearing permit offset proposal with your application?</p>		<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>NA</p>				