



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

☒ 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.

Crown land reserve 35754 – management order with the City of Albany.
Lot 7383 Marine Terrace, Little Grove, WA, 6330.

FILE REFERENCE	Street address	Marine Terrace, Little Grove
	Local government area	City of Albany
	Land zoning, e.g. rural, residential, industrial	Parks and Recreation

Part 3: Applicant details				
Applicant details				
<p>If granted, the permit will be granted in the name(s) of (all) landowner(s).</p> <p>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</p>	<p>Title</p> <p>Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: <input type="text"/></p> <p>Name/s</p>		
	<p>OR</p> <p>A body corporate or other entity formed at law (include ACN)</p> <p>City of Albany (94 717 875 167)</p>			
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>	<p>Provide contact details for the above individual or body corporate.</p>			
	<p>Contact person and position (if applicable)</p> <p>[Redacted]</p>			
	<p>Company name (if applicable)</p> <p>City of Albany</p>			
	<p>Postal / business address</p> <p>[Redacted]</p>			
	<p>Phone (fixed line)</p> <p>[Redacted]</p>		<p>Phone (mobile)</p> <p>[Redacted]</p>	
	<p>Email address</p> <p>[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>		<p>Yes</p> <p><input checked="" type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
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 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.</p> <p><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).</p> <p><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 type="checkbox"/>	Certificate of title. [Attach a copy of the certificate and all associated encumbrances with the application – available from Landgate]
	<input type="checkbox"/>	Pastoral lease. [Attach a copy of the lease and all associated encumbrances]
	<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:		Management Order

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)	City of Albany		
	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)	Maximum 0.001 hectares	
	and/or		
	number of individual trees to be removed	No trees will be removed. This area is mapped as a Coastal Saltmarsh community (Sandiford & Barrett, 2010 – please find exert attached). Photos of the site are also provided.	
	Proposed method of clearing		
	The only deliberate clearing will be when digging 12 holes for the posts; 500 mm deep and about 250 mm round (the width of a shovel); the dirt from each hole will be placed on a tarp and will go back in around the posts and packed. It is expected that the vegetation will continue to grow under the structure, which is the case under the existing bird hide. Please see photos attached.		
	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	September 2021	to	June 2022
Purpose of clearing			

Part 4: Proposed clearing	
	<p>To build a platform around the outside of an existing bird hide to allow for tripods to be set up outside of the bird hide and off the ground. This extension will also block off an existing unsanctioned trail off the side of the existing bird hide to discourage people from stepping off the existing boardwalk and walking on the Saltmarsh and disturbing shorebirds. This request came from the community and the Albany Bird Group.</p> <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>There will be no change of land use. The Reserve purpose will remain for recreation, and the bushland will be managed by the City.</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>Impacts have already been considered and minimised. The only clearing will be for the holes for the posts. Dirt will be placed on tarps so it will not cover the vegetation to be retained. Workers will also be instructed to minimise the trampling of vegetation.</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? <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>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".</p> <p>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.</p> <p>If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.</p>	<p><input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')</p> <p><input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement): MS []</p> <p><input type="checkbox"/> No – a current valid Ministerial Statement applies: MS []</p> <p><input checked="" type="checkbox"/> No – not a 'significant proposal'</p>
<p>Section B: Other approvals</p>	
<p>Pre-application scoping</p>	
	<p><input type="checkbox"/> No</p>

Part 5: Other DWER approvals

Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?

- ☒ Yes – provide details: The City has liaised with the Albany DWER Office (see correspondence attached). The City also liaised with Mike Wood at Perth DWER Office regarding the need for a clearing permit.

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 *Environmental Protection Regulations 1987*, 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](#).

- ☐ Yes – application reference (if known): []
- ☐ No – a valid works approval applies: []
- ☐ No – a valid licence applies: []
- ☐ No – a valid registration applies: []
- ☒ No – not required

Water licences and permits (Rights in Water and Irrigation Act 1914)

Have you applied or do you intend to apply for:

1. a licence or amendment to a licence to take water (surface water or groundwater); or
2. a licence or amendment to a licence to construct wells (including bores and soaks); or
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 *Rights in Water and Irrigation Act 1914*, refer to the [Procedure: Water licences and permits](#).

- ☐ Yes – application reference (if known): []
- ☐ No – a current valid licence applies: []
- ☒ N/A

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 must meet the requirements of the EPA's [Instructions for 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 *Index of Biodiversity Surveys for Assessment* available at ibsubmissions.dwer.wa.gov.au

Yes

☐

Submission number(s)

(e.g. IBSASUB-20200101-12345A6D)

Please list all numbers. If space is inadequate, list on a separate sheet.

IBSA number(s)

(e.g. IBSA-2020-0123)

Please list all numbers. If space is inadequate, list on a separate sheet.

Yes

N/A

Part 6: Surveys for Assessments (IBSA and IMSA)			
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 <u>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</u> .	<input type="checkbox"/>	<input type="checkbox"/>