



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](http://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.

Lot 303 on Deposited Plan 50027. Title details – Volume – LR3139 Folio – 491.  
Land identified a leasehold accommodating the Rest Point Holiday Village

FILE REFERENCE

Street address

Lot 303 Rest Point Road

Local government area

Walpole

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

Tourist Enterprise



Part 3: Applicant details					
<b>Applicant details</b>					
<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><b>OR</b></p> <p>A body corporate or other entity formed at law (include ACN)</p> <p>Summerstar Pty Ltd - DWER revised</p>				
<b>Applicant contact details</b>					
<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>				
	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)		-	Phone (mobile)	<input type="text"/>
	Email address		<input type="text"/>		
	<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><b>Yes</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>No</b></p> <p><input type="checkbox"/></p>	
<b>Relationship to landowner</b>					
<p>To apply for an area permit you must either be:</p> <ul style="list-style-type: none"> <li>the landowner;</li> <li>acting on the landowner's behalf;</li> <li>or</li> <li>likely to become the landowner.</li> </ul>	<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				
<b>Ownership of land</b>				
A landowner can be: <ul style="list-style-type: none"> <li>• a person who holds the certificate of title;</li> <li>• a person who is the lessee of Crown land;</li> </ul> or <ul style="list-style-type: none"> <li>• a public authority that is responsible for care of the land.</li> </ul>	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 type="checkbox"/>	Public authority that has care, control, or management of the land.		
	<input checked="" type="checkbox"/>	Other form of lease, land tenure, or specific arrangement.		
Please state:		Lease of crown land		
<b>Contact details for enquiries</b>				
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]		
<b>Part 4: Proposed clearing</b>				
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"> <li>• Geometry type: Polygon shape</li> <li>• Coordinate system: GDA 1994 (Geographic latitude/longitude)</li> <li>• Datum: GDA 1994 (Geocentric Datum of Australia 1994).</li> </ul> An ESRI shapefile must be provided if the application requires an assessment under an EPBC Act accredited process.	Total area of clearing proposed (hectares)	2.07 ha - DWER revised		
	and/or			
	number of individual trees to be removed			
	Proposed method of clearing			
	Machinery			
	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	January 2022	to	November 2022
	Purpose of clearing			
We have had it confirmed with the department that some clearing does not require approval. This includes the following:				
<ul style="list-style-type: none"> <li>• Clearing to establish buildings</li> <li>• Clearing to establish tracks</li> <li>• Clearing to comply with bushfire, Asset Protection Zones etc</li> </ul>				



Part 4: Proposed clearing			
	<ul style="list-style-type: none"> <li>Clearing to maintain boundaries</li> <li>Clearing to comply with the Shire's firebreak order</li> </ul> <p>A lot of the clearing that is required under the development approval is probably exempt from requiring a permit for all the reasons outlined above. However, this application is lodged in case some trees or vegetation within the area is not expressly exempt given it may not be near a building or within an Asset Protection Zone or where there is a track and perhaps is within an ESA.</p> <p>The development within the subject site is approved under the JDAP decision a substantial amount of trees were shown to be removed as part of this proposal. Further, significant landscaping was proposed which is also indicated on the application plans.</p> <p>A condition of the approval also required a flora and fauna check and this was undertaken and a copy of the report is attached. This report identified some Chemaxeros plants which need to be protected and these have been the subject of protection by an already shire endorsed management plan. This would obviously be not touched as part of the clearing permit application.</p> <p>Removal of any vegetation associated with the proposal may already be exempt from the need for a clearing permit given an approval already exists, further, the management plan has assessed flora/fauna issues, as such the lodgement of this permit application is a precautionary measure so that any vegetation in the area can be cleared if necessary as part of the redevelopment of the park.</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>The area will accommodate accommodation options, access and ancillary structures associated with the extension to the tourist park which was subject of JDAP approval as attached to this application. The site will also be the subject of rehabilitation by way of the attached Landscaping Plan.</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.	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>Detailed analysis of the site was included in the overall design and also assessment and subsequent approval issued by JDAP. Assessment included referral to environmental agencies.</p>		
Refer to DWER's <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the Environmental Protection Authority's (EPA) <a href="#">WA Environmental Offsets Policy and Guidelines</a> on the EPA website for further information.	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>		

#### 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)