



Department of Water and Environmental Regulation (DWER)  
Department of Mines, Industry Regulation and Safety (DMIRS)

## Application to amend a clearing permit

*Environmental Protection Act 1986, section 51KA*

### FORM C4

The clearing of native vegetation is prohibited in Western Australia unless a clearing permit has been granted for the clearing or where a permit is not required (either due to a referral determination that one is not needed or because 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 (including amendments to existing permits), see the [Procedure: Native vegetation clearing permits](#) on DWER's website.

CPS No.

Date stamp

Part 1: Assessment bilateral agreement	
<p>If the amendment of a clearing permit will or is likely to impact on a matter of national environmental significance identified under the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i> (EPBC Act) the original application must have been assessed in accordance with the bilateral assessment, and a variation under the EPBC Act is required prior to submitting this amendment application form.</p> <p>To be assessed in this manner, the proposed clearing action must be referred to the Commonwealth under the EPBC Act and deemed a '<a href="#">controlled action</a>' prior to submitting this application form.</p> <p>Further information is located in <i>Form Annex C7</i> and <i>A guide to native vegetation clearing processes under the Assessment bilateral agreement</i> available at <a href="http://www.der.wa.gov.au/our-work/clearing-permits">www.der.wa.gov.au/our-work/clearing-permits</a>.</p>	<p>Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?</p> <p><input type="checkbox"/> Yes EPBC number: _____</p> <p><input checked="" type="checkbox"/> No Proceed to Part 2</p>
	<p>List the controlling provisions identified in the notification of the controlled action decision.</p>          
	<p><input type="checkbox"/> <i>Form Annex C7</i> is complete and the required supporting information is attached.</p>

Part 2: Clearing permit details		
<p>Amendments can only be made to active clearing permits.</p> <p>Applications must be made more than 90 working days prior to the existing permit expiring to ensure there is adequate time to assess the amendment.</p>	<p>Permit number for existing clearing permit</p>	CPS 9542/1
	<p>Permit holder's name (as it appears on the existing clearing permit)</p>	Shire of Broome
<p>FILE REFERENCE</p>	<p>Permit expiry date:</p>	26 August 2025
<p>Mark this box if there are less than 90 working days until the expiry of the existing permit.</p>		<input type="checkbox"/>

Part 3: Applicant				
<b>Applicant details</b>				
<p>To apply for an amendment to a permit you must be the current holder of the existing permit.</p> <p>Include 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="checkbox"/></p> <p>Name/s</p>		
	<p><b>OR</b></p> <p>A body corporate or other entity formed at law (include ACN)</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 via email. We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act ("Part V documents") 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>Company name (if applicable)</p> <p>Shire of Broome</p>			
	<p>Postal / business address</p>			
	<p>Phone (fixed line):</p>			
	<p>Email address</p>			
	<p><i>I consent to all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable), regarding the premises which is 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>Contact details for enquiries</b>				
<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>	<p>Where contact details differ to those of the applicant, complete the below section:</p>			
	<p>Contact person (and position, if applicable)</p>			
	<p>Company name (if applicable)</p>			
	<p>Postal / business address</p>			
	<p>Phone (fixed line)</p>			
	<p>Email address</p>			



Part 4: Proposed amendments			
<p>Additional information to support the assessment of your application to amend may be attached.</p> <p>Please ensure you have included the following as part of your application:</p> <ul style="list-style-type: none"> <li>a photocopy of the granted clearing permit, with proposed changes highlighted, and</li> <li>payment of the prescribed fee.</li> </ul> <p>When providing details of the proposed change(s), if any additional clearing is proposed, include details of:</p> <ul style="list-style-type: none"> <li>the proposed method of the clearing;</li> <li>the purpose of the clearing;</li> <li>the period within which the clearing is proposed to be undertaken (taking note of the published minimum assessment timeframes for DWER / DMIRS, as applicable); and</li> <li>the final land use.</li> </ul>	<p>Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):</p>		
	<input checked="" type="checkbox"/>	Extend the duration of the clearing permit.	
	<input type="checkbox"/>	Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.	
	<input type="checkbox"/>	Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.	
	<input type="checkbox"/>	Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i>	
	<input type="checkbox"/>	Make a correction to the clearing permit.	
	<input type="checkbox"/>	Other.	
<p>Provide details of the proposed change(s), and the rationale(s) for it / them.</p> <p>The clearing permit was granted on the 3<sup>rd</sup> August 2023 with works planned to commence in early 2024. However an appeal was lodge on the 19<sup>th</sup> August 2023 during the appeals period. Despite the Shires best efforts for a swift resolution the appeal was not resolved until 6 May 2024.</p> <p>The outcome of the appeal was uncertain for a significant period of time even though the clearing was for a new waste facility to allow essential municipal waste disposal services to continue. The Shire had to make interim arrangements and construction of the new facility has been rescheduled to FY26/27.</p> <p>A time extension to the duration of the permit is requested for 5 years to allow for the newly scheduled start date and clearing to occur over the two phases of the project.</p>			
<p>For an application to amend the size of the area permitted to be cleared, or add a land parcel to the clearing permit, you must have the authority of the landowner to access the land and undertake the clearing.</p>	<p>State the nature of the applicant's authority to access the land to be cleared. Evidence of authority can include e.g. a copy of the certificate of title or a letter of authority signed by the landowner or other person with authority to give legal land access permission.</p> <p><i>[Attach evidence of authority. Note that a letter of authority must explicitly state the applicant has authority to clear on the land.]</i></p> <p>The Shire holds a reserve over this land, Reserve 53878, Appendix A, at the end of this application.</p>		
<p>Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.</p>	<p>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.</p> <p>Crown Reserve 53878 vested with the Shire of Broome Lot 550 on Deposited Plan 421448</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 type="checkbox"/> No
	<p>If yes, provide details:</p> <p>The clearing is required to allow the construction of a new waste and recycling facility to allow essential municipal services to continue when the currently operated waste facility is exhausted.</p>		
<p>Refer to DWER's <a href="#">Clearing of native vegetation offsets procedure guideline</a> available on the DWER website, and the EPA's <a href="#">WA Environmental</a></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>		

#### Part 4: Proposed amendments

[Offsets Policy and Guidelines](#) on the EPA website for further information.

#### 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 Environmental Protection Authority?

- ☒ Yes – provide details  
Construction of the Landfill development which falls within the clearing permit area was referred to the EPA (APP-0024974) who chose not to proceed to a formal assessment.

☐ 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.

☐ Yes – intend to refer (proposal is a 'significant proposal')

☐ Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement)  
MS [ ]

☐ No – a current valid Ministerial Statement applies:  
MS [ ]

☒ 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?

☒ No

☐ 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 *Environmental Protection Regulations 1987*, unless that action is done in accordance with a works approval, licence, or registration.

For further guidance, refer to [Guideline: Decision making](#) and [Guideline: Industry Regulation Guide to Licensing](#).

☐ Yes – application reference (if known):

☐ No – a valid works approval applies: [ ]

☒ No – a valid licence applies: [W6738/2022/1 and W6895/2024/1]

☐ 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

☐ Yes – application reference (if known):

☒ No – a current valid licence applies: [GWL167287(4)]



Part 5: Other DWER approvals	
<p>2. a licence or amendment to a licence to construct wells (including bores and soaks); or</p> <p>3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse?</p> <p>For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i>, refer to the <a href="#">Procedure: Water licences and permits</a>.</p>	<input type="checkbox"/> N/A

Part 6: Surveys for Assessments (IBSA and IMSA)			
Do you wish to submit marine or biodiversity surveys in support of your application?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – skip to Part 7	
<p>Biodiversity surveys submitted to support this application must meet the requirements of the EPA's <a href="#">Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA)</a>. If these requirements are not met, DWER / DMIRS (as applicable) may decline to deal with the application.</p> <p>Please provide the IBSA number(s) (or submission number(s) if IBSA number has not yet been issued) in the space provided.</p> <p>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).</p> <p>Please note the assessment timeframes for your application will be suspended until the IBSA number(s) is provided to DWER / DMIRS (as applicable).</p>	<p>All biodiversity surveys that support this application have been submitted to the <i>Index of Biodiversity Surveys for Assessment</i> available at: <a href="https://ibsasubmissions.dwer.wa.gov.au">ibsasubmissions.dwer.wa.gov.au</a></p>	<b>Yes</b> <input type="checkbox"/>	
	<p><b>Submission number(s)</b> (e.g. IBSASUB-20200101-12345A6D)</p> <p>Please list all numbers. If space is inadequate, list on a separate sheet.</p>		
	<p><b>IBSA number(s)</b> (e.g. IBSA-2020-0123)</p> <p>Please list all numbers. If space is inadequate, list on a separate sheet.</p>		
<p>Marine surveys submitted to support this application must meet the requirements of the EPA's <a href="#">Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</a>. If these requirements are not met, DWER will decline to deal with the application.</p>	<p>All marine surveys submitted with this application meet the requirements of the EPA's <a href="#">Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA)</a>.</p>	<b>Yes</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>

Part 7: Records kept under the existing clearing permit's conditions		
<p>Most clearing permits include one or more conditions requiring that the permit holder keep certain records relating to the actions undertaken in accordance with the clearing permit.</p> <p>DWER / DMIRS (as applicable) requires that these records are provided to support the assessment of this application.</p> <p>Records provided should cover:</p> <ul style="list-style-type: none"> <li>the full period of the permit;</li> </ul>	<p>The required records are attached.</p> <p><a href="#">No clearing has been undertaken to date – Appendix C</a></p>	<b>Yes</b> <input checked="" type="checkbox"/>
	<p>Please select the relevant records included with the report. Only records required to be kept by the conditions of the existing clearing permit need to be provided.</p>	
	<p><input type="checkbox"/> The total amount, location(s), and date(s) of clearing done under the permit (or within the past five years).</p> <p><input type="checkbox"/> Actions taken to avoid or minimise the impact and extent of clearing.</p> <p><input type="checkbox"/> Actions taken in relation to flora and/or fauna management.</p>	

**Part 7: Records kept under the existing clearing permit's conditions**

or

- the past five years (if the existing permit's duration is greater than five years and it was amended within the past five years).

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | Actions taken to revegetate or rehabilitate the areas cleared under the permit. |
| <input type="checkbox"/> | Records pertaining to any onsite or offsite environmental offsets.              |
|                          | Any other relevant records required to be kept by the conditions of the permit. |
| <input type="checkbox"/> | Summarise other records:  |