

## Application for new permit or referral to clear native vegetation

This is the form to submit a referral of proposed clearing or apply for a clearing permit under Part V of the *Environmental Protection Act 1986* (EP Act).

Before you submit this form, please check you have completed all the fields for the form type and fully prepared any required supporting documents (including maps etc.). We will return / decline any forms that are not correctly completed.

To find out more about the stages of assessment for clearing permit forms, see the [Procedure: Native vegetation clearing permits](#).

### Part 1 – Form type

<p>Select your <a href="#">form type</a>.</p> <p>NOTE: Where appropriate in this form, and unless stated otherwise, the terms 'application' and 'applicant' also mean 'referral' and 'referrer' respectively.</p>	<p><input type="checkbox"/> Referral of proposed clearing (section 51DA of the EP Act)</p> <p><input type="checkbox"/> Application for an area permit (section 51E of the EP Act)</p> <p><input checked="" type="checkbox"/> Application for a purpose permit (section 51E of the EP Act)</p>
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### Part 2 – Applicant details

#### 2.1 Applicant name

<p><b>For area permits:</b></p> <p>If granted, the name(s) of (all) landowner(s) will be listed as 'permit holders' on the permit.</p>	<input type="checkbox"/> Applying as an individual – complete the following:	
	Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:
Name(s)		
<p><b>For purpose permits:</b></p> <p>If granted, the name(s) of (all) applicant(s) will go on the permit.</p>	<input checked="" type="checkbox"/> Applying as a body corporate or other entity formed at law – complete the following:	
	Name	Bunbury Water Corporation T/A Aqwest
	Australian Company Number (ACN)	ABN: 18568918143
	<input type="checkbox"/> Applying as a government entity (e.g. government department, local government authority, or other statutory body)	
Name		

## 2.2 Applicant contact details

Provide the contact details for the above (primary contact).

Title	<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:	
First name		
Last name		
Position		
Company name		
Contact phone number (1)		
Email address		

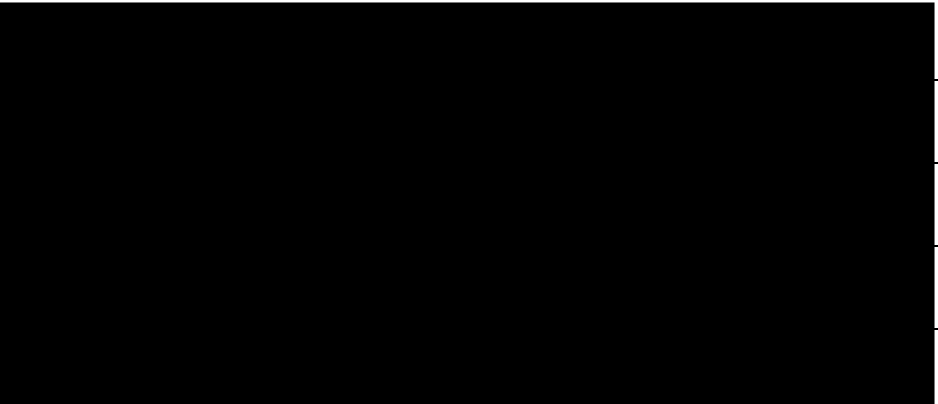
## 2.2 Applicant contact postal details

Provide the postal address for the above individual, body corporate or local government authority (primary contact).

Address line 1		
Address line 2		
Suburb		
State		

## 2.3 Applicant contact – registered business address

If applying as a company, incorporated body, local government authority or public authority, please also supply the registered business office address.

Address line 1		
Address line 2		
Suburb		
State		
Contact phone number (1)		

## 2.4 Electronic correspondence consent

Both the Department of Water and Environmental Regulation (DWER) and Department of Mines, Industry Regulation and Safety (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 via email. Please indicate your consent in this section of the form.

I consent that all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable) about the subject of this form will be exclusively via email, using the email address provided above.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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## 2.5 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 (e.g. a consultant).

Same as applicant's contact details	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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If 'No' – complete the following:

Contact name	
Position (if applicable)	
Company name (if applicable)	
Contact phone number (1)	
Business or postal address line 1	
Business or postal address line 2	
Suburb	
State	
Email address	

## Part 3 – Land details

- You must accurately describe the location of the land where your clearing is proposed.
- If you have a large number of properties, please provide the relevant details for each property in a separately attached supporting document.

### 3.1 Property details

I have a large number of properties and have given the relevant details in an attached supporting document.	<input type="checkbox"/> Yes – skip to Part 4 <input checked="" type="checkbox"/> No
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If 'No' – complete the following:

<u>Land description</u> Provide the following details, as applicable, for all properties: <ul style="list-style-type: none"> <li>– volume and folio number</li> <li>– lot or location number(s)</li> <li>– crown lease or reserve number</li> <li>– pastoral lease number</li> <li>– mining tenement number</li> </ul>	Parade Road, Centenary Road and Bussell Highway road reserves  Lot 937 on Plan 220462  Lot 9000 on Plan 61603		
Street address – Line 1			
Street address – Line 2			
Suburb	Usher and College Grove		
State	WA	Postcode	6320
Local government area(s)	City of Bunbury		
Land zoning	Under the Greater Bunbury Regional Scheme zoning includes 'Primary Regional Roads', 'Regional Open Space', 'Rural' and 'Urban'.		

## Part 4 – Relationship to landowner

Tell us which of the following options best describes you as the person completing and submitting this form. If you are filling out this form on behalf of the applicant, answer this question as though you are the applicant.

[Proof of ownership](#) may include:

- a certificate of title (that is less than 6 months old)
- a pastoral or mining lease
- public authority that has care, control or management of the land
- other form of lease, land tenure or specific arrangement.

<b>Relationship to landowner</b> <i>(select one of the following options)</i>	<b>Complete the following</b>
<input type="checkbox"/> I am the landowner	<input type="checkbox"/> Attach <u><a href="#">proof of ownership</a></u>
<input type="checkbox"/> I am lodging a form on behalf of the landowner (e.g. a consultant)	<input type="checkbox"/> Attach <u><a href="#">proof of ownership</a></u>
<input type="checkbox"/> I am acting on the landowner's behalf and will be jointly responsible for the clearing permit (i.e. joint form)	<input type="checkbox"/> Attach <u><a href="#">proof of ownership</a></u> <input type="checkbox"/> Complete and attach an ' <u><a href="#">Acting on behalf and jointly responsible</a></u> ' letter
<input type="checkbox"/> I am likely to become the landowner	<input type="checkbox"/> Attach the Certificate of Title <input type="checkbox"/> Attach evidence of the pending transfer of ownership and/or contract of sale ('offer and acceptance')
<input checked="" type="checkbox"/> I will undertake the clearing activities with the landowner's authority and will be the permit holder	<input type="checkbox"/> Attach <u><a href="#">proof of ownership</a></u> <input checked="" type="checkbox"/> Complete and attach an ' <u><a href="#">Authority to access and clear native vegetation</a></u> ' letter (if the applicant is not the landowner)
<input type="checkbox"/> A person with multiple land parcels	<input type="checkbox"/> Attach <u><a href="#">proof of ownership</a></u> <input type="checkbox"/> Complete and attach ' <u><a href="#">Authority to access and clear native vegetation</a></u> ' letter (if the applicant is not the landowner)

## Part 5 – Proposed clearing

### 5.1 Maps and/or spatial data

<p>Select which map type(s) you will attach with your form.</p> <p>Note: We will decline / return forms (as applicable) if you do not provide sufficient information for this question.</p>	<p><input checked="" type="checkbox"/> An ESRI shapefile with the following properties (<i>preferred</i>)</p> <ul style="list-style-type: none"> <li>• Geometry type: polygon shape</li> <li>• Coordinate system: Geocentric Datum of Australia (GDA) 1994/2020 (geographic latitude / longitude)</li> <li>• Datum: GDA 1994 / GDA 2020 (please specify which was provided)</li> </ul> <p><input checked="" type="checkbox"/> An aerial photograph or map with a north arrow, clearly marking the proposed clearing area</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• An ESRI shapefile must use one of the following filename extensions: .shp, .shx, .dbf, and/or .prj</li> <li>• You must provide an ESRI shapefile if the form requires an assessment under an <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act) accredited process. See Part 8 of this form for more information.</li> </ul>
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### 5.2 Size

- If you propose to clear a patch(s) of vegetation, enter a hectare value for the total size of the area (mark number of trees as zero).
- If you propose to remove only individual trees from the area(s) (i.e. the shrubs, grasses, groundcover plants will remain intact), provide the number of trees (and mark total area as estimated hectares).  
 Note: If any shrubs, grasses, and/or groundcover plants MAY be damaged in the clearing process, add this to the total area.
- If you propose to clear an area of vegetation within a larger footprint, enter the hectare value for the total size of the area to be cleared (mark number of trees as zero) and the size of the footprint. For example, 5 hectares of clearing within a 10 hectare footprint. This option is only available for [purpose permit](#) applications.
- Enter values for BOTH number of trees and the size of the area if you are clearing individual trees in one area AND a patch of vegetation in a different area.
- Please note the following area conversions/calculations:
 

1 hectare = 10,000 m <sup>2</sup>	Area of circle = 3.14 x radius <sup>2</sup>
1 acre = 0.4 hectares / 4,000 m <sup>2</sup>	Area of a rectangle = length x width
1 tree = 0.01 hectares / 100 m <sup>2</sup>	Area of a triangle = ½ length x perpendicular height

Total area of clearing proposed (hectares)	<b>1.44 ha</b>
Footprint of clearing (hectares) (purpose permit only)	7.14 ha <b>DWER Revised to 7.07 ha</b>
Number of individual trees to be removed	<b>Not applicable</b>

Note: Calculate the area of a tree based on the area encompassed by the tree's drip line; that being the outermost circumference of the tree's canopy.

### 5.3 Purpose

Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.)	Pipeline installation
Specify what the final land use will be after clearing	As per existing – Road reserve and Regional Open Space

### 5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Mechanical
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### 5.5 Timeframe

Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)	Start date: 16/06/2022 End date: 31/12/2022
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Note: The clearing referral process is not suitable for any clearing that is expected to take longer than two years.

### 5.6 Avoidance and mitigation

Explain how you have, or will, put avoidance and mitigation measures in place to eliminate, reduce, or otherwise mitigate the need for and scale of the proposed clearing of native vegetation.

Attach supporting documents to substantiate your explanation.

Your explanation should demonstrate you have planned the project so that the least clearing possible is to be undertaken. The following questions may help you frame your explanation:

- Why did you select this location and amount of clearing?
- What alternatives to clearing – e.g. engineering solutions – did you consider?
- What changes, if any, did you make to the location or amount of clearing to reduce the impacts of the clearing?

Note: If you do not demonstrate adequate efforts to avoid and mitigate clearing, we will ask you to do so during the validation of this form.

Provide the avoidance and mitigation details	<p><b>Mitigation hierarchy</b></p> <p><b>Avoid</b></p> <p>Aqwest completed a route selection process to avoid environmental impacts of the Proposed Action during the design phase.</p> <p>The steps in this process involved:</p> <ul style="list-style-type: none"> <li>• Development of route options: initially at a desktop level and then further</li> </ul>
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refined through site visits and liaison with external stakeholders (City of Bunbury, DBCA, Main Roads)

- Constraints studies, including data collection, field inspections and stakeholder consultation
- Rating and comparison of route options
- Ecological surveys to map the environmental values as they occur along the routes
- Identify the preferred pipeline route.

The Stage 2 alignment assessed several route options at the overall alignment scale and then options within the preferred alignment to further avoid / reduce impacts. Avoidance of the Clay Pans TEC considered several potential alignments with the preferred being ground-truthed with DBCA on site.

Further avoidance of impacts has been achieved through working closely with the environmental, engineering and construction teams to identify significant environmental areas and reduce the construction impacts as far practicable. This has included minor alignment deviations to place the alignment within a previously cleared track along Centenary Road, reducing the construction footprint to the minimum extent in vegetated areas, use of trenchless techniques to avoid disturbance to the root zone of trees and minor deviations to avoid individual trees.

#### **Minimise**

Impacts of construction of the Stage 2 pipeline will be minimised via implementation of a Construction Environmental Management Plan (CEMP) and all dewatering will be managed in accordance with an approved Dewatering Management Plan. The CEMP will include management strategies for the following aspects:

- Clearing General
- Excavations
- Dewatering
- Fauna Management
- Hydrocarbons and hazardous materials
- Dust and Noise
- Erosion and Sedimentation
- ASS risk
- Dieback and weeds

#### **Rehabilitate**

The Stage 2 pipeline will be buried, and a nominal 4 m wide access single vehicle access track retained for future operational maintenance. This access track will consist of the natural soil (i.e. not gravelled or bitumen) and contoured / stabilised to prevent erosion. Ground layer species will be permitted to grow along the track. This will be similar to the existing old track that the proposed alignment follows. Areas outside of the access track will have the topsoil and mulched vegetation replaced at the surface to promote natural regeneration.

#### **Offset**

Aqwest has developed a Draft Offset Strategy for the NVCP application area to counterbalance significant residual impacts on two threatened ecological communities, Banksia Woodlands TEC and Tuart Woodlands TEC, and habitat for conservation significant species, black cockatoo's and Western Ringtail Possum.

Aqwest has applied Commonwealth and State offset policies, recovery plans



and approved conservation advice in the development of this strategy. Two offset sites have been identified, an existing Aqwest managed reserve in Manea Park (Lot 935 on Plan 220463/ Lot 935 Somerville Drive, College Grove) and an Aqwest managed reserve in College Grove (Lot 933 on Plan 220464/ Lot 933 St John Mews, College Grove). Both lots are Crown land under Reserve 36316. The offsets involve transferring Lot 935 to DBCA managed estate as part of Manea Park and a conservation covenant and on-ground rehabilitation of Lot 933.

Offset extents have been determined using the Commonwealth Offset Assessment Guide and/or State-based policies and are considered sufficient to meet offset requirements.

Community or Species	Impact	Quantum of Impact	Proposed Offset	% of impact offset
Banksia Woodlands	0.89 ha	0.62	Lot 935 – Manea Park	100.52
Tuart Woodlands	0.23 ha	0.16	Lot 933	119.13 to 327.3
Black Cockatoo species	1.31	1.05	Lot 935 – Manea Park	180.72
			Lot 933	35.45 – 102.82
Western Ringtail Possum	1.31	1.05	Lot 935 – Manea Park	151.78
			Lot 933	17.34 – 50.29

**Outcome:**

The Proposal has applied avoidance measures throughout the design phase to reduce impacts to the minimum necessary to safely construct. Any areas temporarily cleared will be regenerated and suitable environmental offsets have been identified that counterbalance the residual impacts.

Through the application of the mitigation hierarchy (avoidance, minimisation, rehabilitate and offset strategies) the Proposal will achieve the following environmental outcomes:

- No direct or significant indirect impacts to Clay Pans TEC
- Minimisation of final habitat and vegetation clearing footprint
- Minimisation of impacts to or mortality of terrestrial fauna during clearing and construction.

Overall, the Bunbury WRRS is expected to contribute positively to environmental outcomes for the region. Through the implementation of a progressive scheme of recovering wastewater and reducing use of and reliance on groundwater from the Yarragadee Aquifer, the Bunbury WRRS assists the region in addressing the impact that climate change is having on water sources. The Bunbury WRRS will assist in protecting the sustainability of the Yarragadee Aquifer and influence future water management schemes in the region.

Refer to the following attachments within the supporting document:

Attachment 4 – DRAFT-12537061-00000-EN-RPT-008-B (Stage 2 Pipeline - Draft Offset Strategy)

Attachment 8 – DRAFT-12537061-00000-SU-RPT-001 (Pipeline Route Selection – Stages 1 and 2)

## Part 6 – Offset

Do you want to submit a clearing offset proposal with your form?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If 'Yes' – please complete and attach Appendix A of the <a href="#">Clearing of native vegetation offsets procedure</a> guideline as a supporting document for your form.	<input type="checkbox"/> Appendix A attached As the offset proposal is draft refer Attachment 4 –DRAFT-12537061-00000-EN-RPT-008-B (Stage 2 Pipeline - Draft Offset Strategy) within the supporting document

## Part 7 – Surveys for assessments (IBSA and IMSA)

Do you want to submit marine or biodiversity surveys in support of your form?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – skip to Part 8
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### 7.1 Biodiversity surveys

If you want to submit any biodiversity surveys to support this form, you must follow the Environmental Protection Authority's (EPA) [Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments](#) (IBSA). If you do not meet the IBSA requirements, DWER/DMIRS (as applicable) may decline/return your form.

Please provide the IBSA number(s) – or submission number(s) if the IBSA number has not yet been issued – in the space provided. Note that a submission number is not confirmation that a biodiversity survey has been accepted 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 DWER / DMIRS will suspend the assessment timeframes for your form until you provide the IBSA number(s).

Have you submitted all the biodiversity surveys that support this form to the Index of Biodiversity Surveys for Assessment, available at <a href="https://ibsubmissions.dwer.wa.gov.au">ibsubmissions.dwer.wa.gov.au</a> ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable
Provide an IBSA number (preferred) or a submission number(s)	IBSASUB-20210625-0F0DD202 IBSA-2021-0275

### 7.2 Marine surveys

If you want to submit any marine surveys to support this form, you must follow the EPA's [Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments](#) (IMSA). If you do not meet the IMSA requirements, DWER may decline/return your form.

Have you prepared all the marine surveys that support this form in accordance with the EPA's <i>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments</i> ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
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## Part 8 – Assessment Bilateral Agreement

The native vegetation clearing processes under Part V of the EP Act have been accredited by the Commonwealth of Australia under the EPBC Act and so can be assessed under an assessment bilateral agreement.

To be assessed this way, the proposed clearing action must have been referred to the Commonwealth under the EPBC Act and deemed a **‘controlled action’** before you submit this form.

For further information, see [DWER’s website guidance on the assessment bilateral agreement](#).

Is your proposed clearing a controlled action?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – skip to Part 9
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If ‘Yes’ – complete the following:

Please make sure you have entered all the mandatory details in the <a href="#">Annex C7 form</a>	<input type="checkbox"/> <i>Annex C7 form attached</i>
List the controlling provisions identified in the notification of the controlled action decision	

## Part 9 – Other approvals

<p>Which department are you submitting this form to?</p> <p>If the clearing is for mineral and petroleum activities authorised under the <i>Mining Act 1978</i>, the various Petroleum Acts, and/or a State Agreement Act, select ‘Department of Mines, Industry Regulation and Safety’.</p> <p>For all other clearing activities, select ‘Department of Water and Environmental Regulation’.</p>	<input type="checkbox"/> Department of Mines, Industry Regulation and Safety  <input checked="" type="checkbox"/> Department of Water and Environmental Regulation
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### 9.1 Environmental impact assessment (Part IV of the EP Act)

Clearing may be referred to the EPA if it is considered to be part of a ‘significant proposal’, as defined by section 37B(1) of the EP Act, or will likely to be part of a larger development. An example is when the clearing is for a road to a future mine.

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 the proposal in this form is likely to constitute a ‘significant proposal’, under section 38(5) of the EP Act they must refer the proposal to the EPA or for assessment under Part IV, if such a referral has not already been made.