

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 form type.</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 (s.51DA of the EP Act)</p> <p><input checked="" type="checkbox"/> Application for an area permit (s.51E of the EP Act)</p> <p><input type="checkbox"/> Application for a purpose permit (s.51E of the EP Act)</p> <p style="border: 2px solid red; padding: 5px;">NOTE: The form type has been changed to an application for a Purpose permit to reflect legal requirements (section 51E of the EP Act)</p>
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Part 2 – Applicant details

2.1 Applicant name

<p>For area permits:</p> <p>If granted, the name(s) of (all) landowner(s) will be listed as 'permit holders' on the permit.</p> <p>For purpose permits:</p> <p>If granted, the name(s) of (all) applicant(s) will go on the permit.</p>	<p><input checked="" type="checkbox"/> Applying as a government entity (e.g. government department, local government authority, or other statutory body)</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Name</td> <td> <div style="background-color: black; height: 20px; width: 100%;"></div> <p>DevelopmentWA (DWA)</p> <p>ABN 34 868 192 835</p> </td> </tr> </table>	Name	<div style="background-color: black; height: 20px; width: 100%;"></div> <p>DevelopmentWA (DWA)</p> <p>ABN 34 868 192 835</p>
Name	<div style="background-color: black; height: 20px; width: 100%;"></div> <p>DevelopmentWA (DWA)</p> <p>ABN 34 868 192 835</p>		

2.2 Applicant contact details

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

Title	
First name	

Last name	
Position	
Company name	
Contact phone number (1)	
Email address	

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
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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 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">– volume and folio number– lot or location number(s)– crown lease or reserve number– pastoral lease number– mining tenement number	Title LR3159/50 Survey P065452 / 512 Lot 512 / Reserve 49257		
Street address – Line 1	Lot 512 White Avenue		
Suburb	Shire of Morawa		
State	WA	Postcode	6623
Local government area(s)	Mid West		
Land zoning	Area within Public open space (20,075sqm)		

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:

- Letters stating specific arrangement from owner (DPLH) and Land Manager over the management order - (Shire of Morawa)

Relationship to landowner <i>(select one of the following options)</i>	Complete the following
<input checked="" type="checkbox"/> I will undertake the clearing activities with the landowner's authority and will be the permit holder	<input checked="" type="checkbox"/> Attach proof of ownership <input checked="" type="checkbox"/> Complete and attach an 'Authority to access and clear native vegetation' letter (if the applicant is not the landowner)

Part 5 – Proposed clearing

5.1 Maps and/or spatial data

Select which map type(s) you will attach with your form. Note: We will decline / return forms (as applicable) if you do not provide sufficient information for this question.	<input checked="" type="checkbox"/> An aerial photograph or map with a north arrow, clearly marking the proposed clearing area And photo graphs with tree identification commentary.
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5.2 Size

- It is proposed that a total area of 0.0746 hectare of shrubs, grasses, and groundcover plants are completely cleared on the south eastern boundary of lot 512 where the boundary abuts Lot 10 White Avenue.
- The 0.0746 hectare clearing sits within a 2.0075 hectare lot zoned for recreation.
- Of the 0.0746 hectare site, 0.0163 hectares falls within the native vegetation clearing exemption for bushfire regulations to meet firebreaks around approved subdivision developments.
- Within this clearing it is proposed that six, *Acacia Aneura* and *Acacia acuminata* and ***Acacia ligulata*** trees will be removed in the process. There are two other trees within the north western area that will not be cleared, however the surrounding ground cover will be removed. There are no substantial trees within the proposed area.
- While *Eucalyptus Loxophleba* (York Gums) is the only protected species to potentially exist within the greater footprint, there are none within the area proposed for clearing.
- There are no threatened or endangered species known in the greater area.

Total area of clearing proposed (hectares)	0.0746 hectare
Footprint of clearing (hectares) (purpose permit only)	0.0746 hectare
Number of individual trees to be removed	6 Acacia, 2 trees at the out most northwestern area (highlighted green) will be left, however scrub around will be removed. Mapped and photographed - attached

5.3 Purpose

Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.)	To input a non-standard fire break (15m) to allow a BAL rating of 19 for Lot 10 – this is necessary to achieve a feasible build cost
Specify what the final land use will be after clearing	Lot 512 is zoned for recreation; this portion of the lot will remain a firebreak maintained annually by the Shire of Morawa

5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Mechanical clearing and cutting around trees nominated to remain.
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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: ASAP End date: Feb 2023
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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?**
 - The location is abutting an existing 'affordable' subdivision (White Ave Subdivision) which is owned by DevelopmentWA and for sale by private treaty.
 - When developed in 2013 the White Ave Subdivision preceded the need for a BAL assessment as a condition of development
 - Recent assessments have declared these lots now part of a Flame Zone prohibiting any development

- Native vegetation exemptions permit a 3m firebreak to be installed around the perimeter of an existing subdivision to meet bushfire regulations, this will allow for a BAL40
- Affordable development in regional areas such as White Ave is subsidised by Central Government to keep construction costs low and encourage the growth of regional towns. The lots are selling for \$25,000 to offset the high cost of construction (without BAL consideration).
- What alternatives to clearing – e.g. engineering solutions – did you consider? Building in regional areas is very cost prohibitive compared to metropolitan areas due to labour and freight costs, as such a resale value is often not achieved.
 - A minimum BAL rating of 19 is required to meet affordable delivery costs; BAL 29 often costs \$100,000 more in just building materials; BAL 40 is financially unviable.
 - It is often necessary for country residents to seek out modular solutions to resolve the consistent construction labour shortage. Currently Modular Solutions are only produced at a specification of BAL 19.
 - If these approved lots are to meet their function and remain on the market, built form will need to be feasibly delivered at a cost a lower income salary can afford (under \$400), this can be only achieved for white avenue lots if 15m of clearing around the perimeter of lot 10 is permitted.
- What changes, if any, did you make to the location or amount of clearing to reduce the impacts of the clearing?
 - N/A Aged assets with new constraints arising from grandfathered bushfire regulations and assessments.
 - Following a review of the clearing area and location of the lot within the site, two trees can be left within the north western area of the lot to be cleared.
 - There are only 15 lots available on the market. If these lots are removed due to the inability to find appropriate fire breaks, the town's growth will be constrained. Development and more larger clearing will be proposed in other areas earlier then it otherwise would have.

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>The parent lot had a environmental assessment undertaken which found a protected species – the York Gums – Eucalyptus Loxophleba could be found within the greater area. This is the only protected, threatened or endangered species known in the area.</p> <p>It is proposed that outside of the maximum, 3m immediate firebreak that is permitted under the native vegetation clearing exemptions, that if found the York Gum is left in place and scrub and groundcover vegetation is cleared around it.</p>
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Part 6 – Offset

Do you want to submit a clearing offset proposal with your form? For more information on environmental offsets, refer to DWER's website and Fact Sheet 11: Environmental offsets for native vegetation clearing permits .	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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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 IBSA portal, via ibsasubmissions.dwer.wa.gov.au ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Provide an IBSA number (preferred) or a submission number(s)	<div style="border: 1px solid red; padding: 5px; color: red;">NOTE: IBSA package submitted after application - IBSA-2022-0462</div>

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. For more information on IMSA, refer to [DWER's website](#).

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 checked="" type="checkbox"/> No – skip to Part 9
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Part 9 – Other approvals

Which department are you submitting this form to? 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'. For all other clearing activities, select 'Department of Water and Environmental Regulation'.	<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 s.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 s.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.

Has the proposed clearing or any related matter been referred to the EPA?	<input checked="" type="checkbox"/> No – complete question below.
If 'No' – do you intend to refer the proposal to the EPA?	<input checked="" type="checkbox"/> No – not a significant proposal

9.2 Other approvals – pre-application scoping (DWER forms only)

Have you had any pre-application/ pre-referral/ scoping meetings with DWER about any planned applications?	<input checked="" type="checkbox"/> Emails with [REDACTED]
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