



## 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

|   |  |
|---|--|
| Select your <a href="#">form type</a> .<br><br>NOTE: Where appropriate in this form, and unless stated otherwise, the terms ‘application’ and ‘applicant’ also mean ‘referral’ and ‘referrer’ respectively. | <input checked="" type="checkbox"/> Referral of proposed clearing (s.51DA of the EP Act)<br><br><input type="checkbox"/> Application for an area permit (s.51E of the EP Act)<br><br><input type="checkbox"/> Application for a purpose permit (s.51E of the EP Act) |
|---|--|

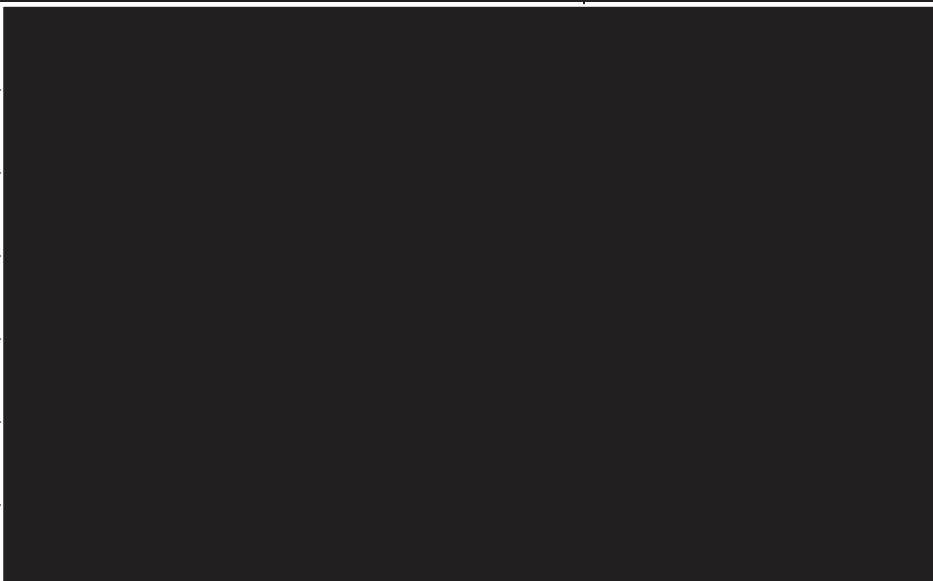
### Part 2 – Applicant details

#### 2.1 Applicant name

|  |  |       |  |  |         |  |  |      |                         |  |                                 |             |  |      |  |
|--|--|-------|--|--|---------|--|--|------|-------------------------|--|---------------------------------|-------------|--|------|--|
| <b>For area permits:</b><br><br>If granted, the name(s) of (all) landowner(s) will be listed as ‘permit holders’ on the permit.<br><br><b>For purpose permits:</b><br><br>If granted, the name(s) of (all) applicant(s) will go on the permit. | <input type="checkbox"/> Applying as an individual – complete the following: <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 20%;">Title</td> <td style="width: 40%;"> <input type="checkbox"/> Mr   <input type="checkbox"/> Mrs   <input type="checkbox"/> Ms   <input type="checkbox"/> Other:         </td> <td style="width: 40%;"></td> </tr> <tr> <td>Name(s)</td> <td colspan="2"></td> </tr> </table><br><input checked="" type="checkbox"/> Applying as a body corporate or other entity formed at law – complete the following: <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 30%;">Name</td> <td colspan="2">Neoen Australia Pty Ltd</td> </tr> <tr> <td>Australian Company Number (ACN)</td> <td colspan="2">160 905 706</td> </tr> </table><br><input type="checkbox"/> Applying as a government entity (e.g. government department, local government authority, or other statutory body) <table border="1" style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 20%;">Name</td> <td></td> </tr> </table> | Title | <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: |  | Name(s) |  |  | Name | Neoen Australia Pty Ltd |  | Australian Company Number (ACN) | 160 905 706 |  | Name |  |
| Title  | <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other:   |       |  |  |         |  |  |      |                         |  |                                 |             |  |      |  |
| Name(s)  |  |       |  |  |         |  |  |      |                         |  |                                 |             |  |      |  |
| Name   | Neoen Australia Pty Ltd  |       |  |  |         |  |  |      |                         |  |                                 |             |  |      |  |
| Australian Company Number (ACN)  | 160 905 706  |       |  |  |         |  |  |      |                         |  |                                 |             |  |      |  |
| Name   |  |       |  |  |         |  |  |      |                         |  |                                 |             |  |      |  |

## 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            |  |

## 2.2 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 |
|---|---|

## 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 |
|-------------------------------------|---|

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 |
|---|--|

If 'No' – complete the following:

|   |   |          |      |
|---|---|----------|------|
| <u>Land description</u><br>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> | Lot 13334 on Plan 244066 (Volume LR3115/Folio 119) and Lot 13112 on Plan 215560 (Volume LR3104/Folio 841).<br><br>Both lots are overlaid by the road reserve encompassing Byrne Road. |          |      |
| Street address – Line 1   | Byrne Road  |          |      |
| Street address – Line 2   |   |          |      |
| Suburb  | Muchea  |          |      |
| State   | WA  | Postcode | 6501 |
| Local government area(s)  | Chittering  |          |      |
| Land zoning   | None – neither lot nor the entirety of the Byrne Road road reserve has a zone applied under the Shire of Chittering Local Planning Scheme No. 6.                                      |          |      |

## 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.

| Relationship to landowner<br>(select one of the following options)  | Complete the following   |
|---|--|
| <input type="checkbox"/> I am the landowner   | <input type="checkbox"/> Attach proof of ownership   |
| <input type="checkbox"/> I am lodging a form on behalf of the landowner (e.g. a consultant)   | <input type="checkbox"/> Attach proof of ownership   |
| <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 proof of ownership<br><input type="checkbox"/> Complete and attach an 'Acting on behalf and jointly responsible' letter  |
| <input type="checkbox"/> I am likely to become the landowner  | <input type="checkbox"/> Attach the Certificate of Title<br><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 checked="" type="checkbox"/> Attach proof of ownership<br><input checked="" type="checkbox"/> Complete and attach an 'Authority to access and clear native vegetation' letter (if the applicant is not the landowner) |
| <input type="checkbox"/> A person with multiple land parcels  | <input type="checkbox"/> Attach proof of ownership<br><input type="checkbox"/> Complete and attach '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

|   |   |
|---|---|
| <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 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) 2020 (geographic latitude / longitude)</li> <li>• Datum: GDA 2020</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> |
|---|---|

### 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>0.06 ha</b>  |
| Footprint of clearing (hectares) (purpose permit only) |   |
| Number of individual trees to be removed               | <b>Six (6) (including one <i>Xanthorrhoea</i> grass tree)</b> <span style="color: red;">Note: changed to 5 during assessment as one tree was planted</span> |

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.) | Road upgrade and site access for the purposes of supporting the construction of the Muchea Battery Project and ensuring DFES site access lateral clearance requirements are met.<br><br>Please note, whilst the attached maps illustrate trees that require trimming, these are not subject to this referral as DWER has already confirmed that no clearing permit is required for this activity. |
| Specify what the final land use will be after clearing   | The final land use will remain as road  |

### 5.4 Method

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

### 5.5 Timeframe

|   |  |
|---|--|
| Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024) | Start date: 01/02/2024<br>End date: 31/10/2025 |
|---|--|

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 | <b>Avoidance</b><br>The Byrne Road upgrade project has undergone numerous design reviews with technical input from suppliers, and traffic and transport consultants to avoid the clearing of native vegetation while allowing the safe delivery of materials to site. |
|--|---|

|  |   |
|--|---|
|  | <p>Neoen has reduced the proposed road width and designed traffic management controls to wholly avoid much of the vegetation on either side of Byrne Road.</p> <p><b>Minimisation</b></p> <p>All remaining trees and vegetation that produce obstructions for site access and to delivery vehicles and/or equipment have been further assessed for potential pruning as opposed to being completely cleared. A number of trees were identified which will be retained but trimmed to allow the necessary clearance for vehicles and/or equipment.</p> <p><b>Rehabilitation</b></p> <p>Whilst not proposed as specific rehabilitation relating to the clearing being referred within this document, landscaping using native vegetation of local provenance is required as a condition of Development Approval granted by the Shire of Chittering (the Shire). A total area of up to 0.58 ha will be planted consisting of <i>Corymbia calophylla</i>, <i>Melaleuca preissiana</i>, and <i>Kunzea glaberscens</i>. The landscaped area will be located on the southern side of Lot 2364 on Plan 124489, approximately 400 m south of the lots subject to the proposed clearing. A landscaping plan has been designed for these purposes and was approved by the Shire on 24 October 2023. A monitoring and management program will be implemented to ensure the planted native vegetation achieves the associated completion criteria within a period of 10 years.</p> |
|--|---|

## Part 6 – Offset

|   |   |
|---|---|
| <p>Do you want to submit a clearing offset proposal with your form? For more information on environmental offsets, refer to <a href="#">DWER's website</a> and <a href="#">Fact Sheet 11: Environmental offsets for native vegetation clearing permits</a>.</p> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <p>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.</p>  | <input type="checkbox"/> Appendix A attached                        |

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

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

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