

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 (maps etc.). The Department of Water and Environmental Regulation (DWER) or Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) 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 checked="" 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 type="checkbox"/> Application for a purpose permit (section 51E of the EP Act)</p>
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<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 with areas covered by either mineral or petroleum tenure granted under one of the abovementioned Acts, select ‘Department of Energy, Mines, Industry Regulation and Safety’.</p> <p>For all other clearing activities, select ‘Department of Water and Environmental Regulation’.</p>	<p><input type="checkbox"/> Department of Energy, Mines, Industry Regulation and Safety</p> <p><input checked="" type="checkbox"/> Department of Water and Environmental Regulation</p>
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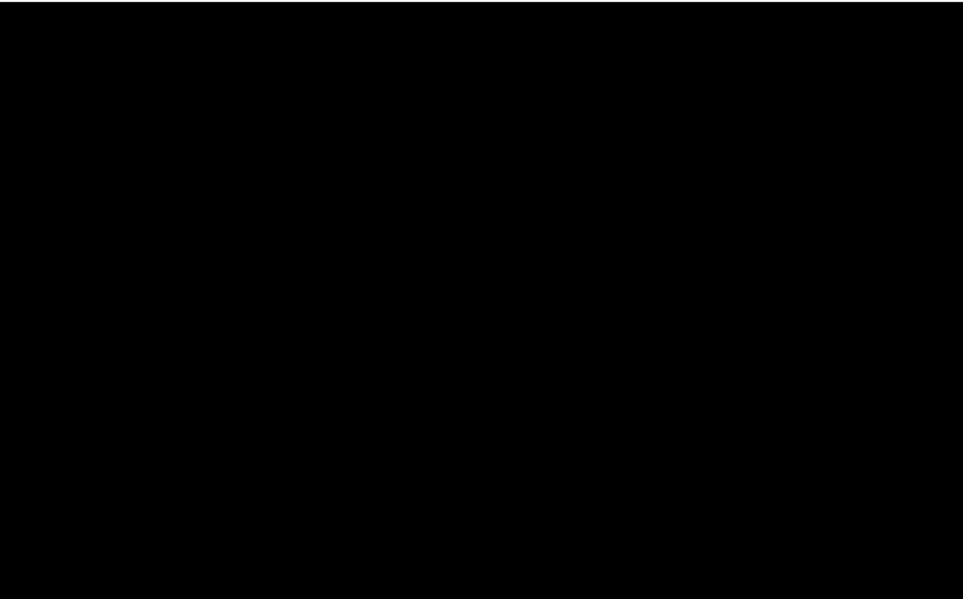
Part 2 – Applicant details

2.1 Applicant name

For area permits: If granted, the name(s) of (all) landowner(s) will be listed as 'permit holders' on the permit. For purpose permits: If granted, the name(s) of (all) applicant(s) will go on the permit.	<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)		
	<input type="checkbox"/> Applying as a body corporate or other entity formed at law – complete the following:		
	Name		
	Australian Company Number (ACN)		
	<input checked="" type="checkbox"/> Applying as a government entity (e.g. government department, local government authority, or other statutory body)		
	Name	City of Albany	

2.2 Applicant contact details

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

Title	
First name	
Last name	
Position	
Company name	
Phone number	
Email address	

2.3 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	

2.4 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	
Phone number	

2.5 Electronic correspondence consent

DWER/DEMIRS 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/DEMIRS (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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2.6 Contact details for enquiries

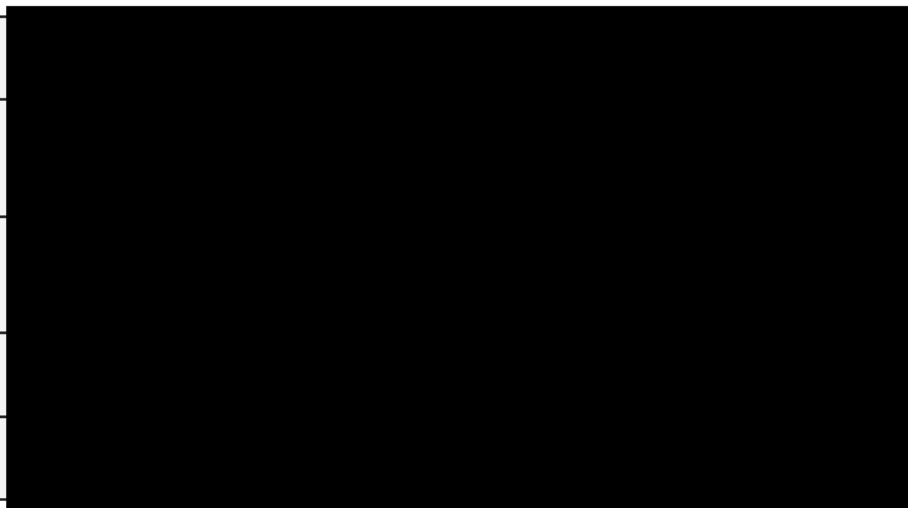
If different from the applicant's contact details, enter the contact details of a person with whom DWER/DEMIRS should liaise with (e.g. a consultant).

Same as applicant's contact details	
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If 'No' – complete the following:

Title	
Contact name	
Position (if applicable)	
Company name (if applicable)	
Phone number	

Email address
Business or postal address line 1
Business or postal address line 2
Suburb
State



Part 3 – Land details

- You must accurately describe the location of the land where your clearing is proposed.
- Provide copies of associated documents registered against the Certificate of Title (limitations, interests, encumbrances or notifications) where the clearing may impact them (i.e. caveats within freehold Lots).
- If you have a large number of properties, please provide the relevant details for each property in a separately attached supporting document.

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:

Land description 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 	City of Albany Freehold land. Lot 80, 36-42 Campbell Road		
Street address – Line 1	36-42 Campbell Road		
Street address – Line 2			
Suburb	Mira Mar		
State	WA	Postcode	6330
Local government area(s)	City of Albany		
Land zoning	Public Open Space		

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
- 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 (select one of the following options)	Complete the following
<input checked="" type="checkbox"/> I am the landowner	<input checked="" 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 <input type="checkbox"/> Attach a letter, in which the landowner authorises you to act on their behalf and acknowledge they will be jointly responsible for the clearing permit
<input type="checkbox"/> I am likely to become the landowner	<input type="checkbox"/> Attach evidence of the pending transfer of ownership, including details of current proprietor on certificate of title, and/or contract of sale ('offer and acceptance')
<input type="checkbox"/> I will undertake the clearing activities with the landowner's authority and will be the permit holder	<input type="checkbox"/> Attach proof of ownership <input type="checkbox"/> Attach a letter, in which the landowner authorises you to access and clear native vegetation within the property(ies) as detailed in section 3.1 (if the applicant is not the landowner)
<input type="checkbox"/> I am a person with multiple land parcels within which clearing is proposed	<input type="checkbox"/> Attach proof of ownership and/or <input type="checkbox"/> Attach letters, in which the landowner authorises you to access and clear native vegetation within the properties as detailed in section 3.1 (if the applicant is not the landowner)
<input type="checkbox"/> I will undertake the clearing activities through the exercise of power conferred by different legislation (e.g. the <i>Energy Operators (Powers) Act 1979</i>)	<input type="checkbox"/> Provide relevant legislative details:

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: DWER/DEMIRS 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 (preferred)</p> <ul style="list-style-type: none"> • Geometry type: polygon shape • Coordinate system: Geocentric Datum of Australia (GDA) 2020 (geographic latitude/longitude) • Datum: GDA 2020 <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"> • An ESRI shapefile must use one of the following filename extensions: .shp, .shx, .dbf, and/or .prj • 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.
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5.2 Size

- If you propose to clear a patch(es) of vegetation, enter a hectare value for the total size of the area (mark number of trees as zero). For example, “clearing of 5 hectares”.
- If you propose to clear only individual trees (i.e. the shrubs, grasses, groundcover plants will remain intact), provide the number of trees. For example, “clearing of 10 trees”. If any shrubs, grasses, and/or groundcover plants **may** be damaged in the clearing process, enter the total area only.
- If you propose to clear an area of native 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 **only** 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 ²	Area of circle = 3.14 x radius ²
1 acre = 0.4 hectares/4,000 m ²	Area of a rectangle = length x width
1 tree = 0.01 hectares/100 m ²	Area of a triangle = ½ length x perpendicular height

Total area of clearing proposed (hectares)	0.35
Footprint of clearing (hectares) (purpose permit only)	
Number of individual trees to be cleared	0

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

<p>Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.).</p> <p>If applicable, provide any additional project overview or explain in detail the activities on the property (e.g. provide context of work proposed and describe how clearing will contribute to overall work activities onsite etc.).</p>	<p>The artificial lake in Cull Park was constructed sometime between 1988 and 1996.</p> <p>In 2015 the City undertook revegetation works around the lake to help improve water quality, provide fauna habitat and improve the parks aesthetics. The revegetation works were partly paid for with funds from Public Open Space contributions from developers of subdivisions in the area. Refer to the <i>Species List</i> (Figure 2) in the supporting document for detailed vegetation composition.</p> <p>Since it was constructed, the lake has gradually become choked up with weeds and silt, which is affecting the functionality and aesthetics of the lake. Refer to <i>Aerial Imagery</i> (Figure 5) in supporting document for historical changes to Cull Park Lake.</p> <p>The buildup also poses a safety risk to the public with silt and weeds above the water level that people could mistakenly think they can walk across to the island situated in the middle of the lake. Documented in the <i>Photos</i> section (Figures 6.1- 6.6) of supporting document.</p> <p>The lake is also used for stormwater runoff with several inlets draining into the lake.</p> <p>The proposed clearing is required to allow for access into and along part of the edge of the lake to manage the weeds. Vegetation and infrastructure around the lake prevents clear access into the lake with machinery.</p> <p>Two access points have been identified which will provide good vantage points with the long-reach excavator. The track will not only allow access to the lake it also allows clear access for the machine to work along the lake edge. See <i>Machine Access Points and Tracks</i> (Figures 3-3.2) in supporting document for proposed entry locations.</p> <p>After the project has been completed the access track will be maintained as an access track even after the project is completed to allow access for future maintenance works. It is expected that weed management will be ongoing at the site.</p>
<p>Specify what the final land use will be after clearing</p>	<p>The overall land use will continue to be the same once clearing has been completed. However, the area cleared for access will be left clear to allow for ongoing maintenance in the area.</p>

5.4 Method

<p>Proposed method of clearing</p>	<p>To remove the vegetation for access the City will cut out any small trees and shrubs with a</p>
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(i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	<p>chainsaw and smaller vegetation being cleared with the excavator or bobcat. This includes native species such as <i>Melaleuca</i>, <i>Billardiera</i>, <i>Baumea</i> and <i>Taxandria</i> which were planted back in 2015.</p> <p>The lake will be drained by pumping out water to a nearby stormwater outlet drain prior to any work happening onsite. This will allow machinery to work further into the lake where it is safe to do so.</p> <p>The City will engage a contractor to mechanically clear the weed and silt build up within the lake with either a bobcat or a long reach excavator. This will be dependent on how firm the base of the lake is once the water has been drained from the lake.</p> <p>We will attempt to retain as much native vegetation within the lake as possible during these works.</p> <p>Refer to <i>Site Map – Project Area and Key Features</i> (Figure 4) in supporting document.</p>
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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: 01/01/2026 End date: 30/06/26
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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 Pre-application scoping

Historic clearing of native vegetation in the Swan Coastal Plain and Avon Wheatbelt [Interim Biogeographic Regionalisation for Australia](#) (IBRA) bioregions has been extensive.

DWER/DEMIRS strongly recommends a pre-application meeting if you propose to clear native vegetation within these bioregions.

Do you propose to clear native vegetation within the Swan Coastal Plain or Avon Wheatbelt bioregions?	<input type="checkbox"/> Yes – complete section below	
	<input type="checkbox"/> I have had a pre-application meeting with DWER/DEMIRS	
	Insert date of meeting and officer name(s):	
	<input type="checkbox"/> I have contacted DWER/DEMIRS in relation to a pre-application meeting and been advised that a meeting is unnecessary in this case.	
	Insert date of conversation and officer name(s):	

	<input type="checkbox"/> I have not had a pre-application meeting with DWER/DEMIRS. I understand that this may increase the likelihood of requests for further information and/or delays in assessment. <input checked="" type="checkbox"/> No – proceed to next question.
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Part 6 – Mitigation hierarchy

6.1 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? (Attach design drawings where applicable)
- 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, DWER/DEMIRS will ask you to do so during the validation of this application. Offsets will only be considered by DWER/DEMIRS as a last resort, once avoidance and minimisation measures have been clearly demonstrated.

Provide the avoidance details (e.g. retention of vegetation on property)	<p>The City has identified two access points into the lake to undertake the removal of weeds and silt. The access point to the south of the lake was selected due to it mostly being clear of vegetation already. The lake will be partly drained prior to works commencing to allow for as much access into the lake as possible to avoid impacting on the fringing native vegetation.</p> <p>It is currently unknown how firm the bottom of the lake is and whether machinery will be able to work inside the lake to remove the weed and silt. Vegetation clearing and pruning will initially only be done at access point 1 where there is already mostly clear access to the lake. Machinery will then be used to clear the weed and silt from that section of the lake working in as far as possible. If it is safe to do so the machine will use this access point to cover the entire project area of the lake to remove the weed and silt. This will eliminate the need to clear access point 2 which will require additional native vegetation clearing.</p> <p>Using the two identified entry points eliminates the need for additional clearing of fringing vegetation.</p> <p>Most of the lake is covered by weeds, with a few pockets of rushes and sedges that are mixed in with the weeds. In areas where there are denser patches of native rushes and sedges the weeds will not be removed to protect that vegetation and maintain habitat for fauna. However, where smaller individual sedges or rushes are mixed in with weeds these may be removed as part of the weed control works. The intention is to maintain as much native vegetation as possible and only remove the native vegetation within the machinery access track/s (approximately 322.5m²)</p>
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	combined for both access tracks).
Provide the mitigation details (e.g. management of weed spread, rehabilitation)	<p>The intention is to maintain all native vegetation where possible except for the proposed access tracks. Prior to clearing the access tracks staff will mark the area to be cleared to ensure no additional clearing outside the proposed access tracks occurs. Staff will also flag any native vegetation within the lake that is to be retained. City staff presence onsite during the works will provide guidance to the machine operator on what vegetation is to be retained.</p> <p>Staff onsite during the project will also assist with managing any fauna that may be within the work area. Fauna such as turtles will also be trapped and relocated to the section of lake that isn't a part of the project prior to work commencing. Please see attached the turtle management plan.</p> <p>Weed management works are anticipated to occur during a dry period such as late summer when water levels are naturally at their lowest.</p> <p>The water level will be lowered in the southern portion by pumping water out of the lake into an outlet drain prior to work commencing onsite. Lowering the water level will maximise access for the machinery to be able to remove as much weed as possible across the lake.</p> <p>To maintain water levels in the smaller portion of the lake on the other side of the pedestrian bridge, the lake will be dammed with sandbags at the pedestrian bridge. The northern portion can then be used as a refuge for fauna being relocated from the focus area.</p> <p>All material removed from the lake will be removed from the site and taken to the Albany Golf Club overflow parking area (bitumen hardstand) where it will remain until the material has dried out. Once dry the material will be disposed of at the Hanrahan Road Waste Facility.</p>

6.2 Offsets

Do you want to submit a clearing offset proposal with your form?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If 'Yes' – please complete and attach Appendix A of the Clearing of native vegetation offsets procedure guideline as a supporting document for your form.	<input type="checkbox"/> Appendix A attached

Part 7 – Surveys for assessments (IBSA and IMSA)

Do you want to submit marine or biodiversity surveys in support of your form?	<input type="checkbox"/> Yes <input checked="" 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/DEMIRS will 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/DEMIRS. Please note DWER/DEMIRS will suspend the assessment timeframes for your application 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 ?	<input type="checkbox"/> Yes <input type="checkbox"/> Not applicable
Provide an IBSA number (preferred) or a submission number(s)	

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/DEMIRS will 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. DWER/DEMIRS will decline to deal with your application without the proposed clearing first being deemed a controlled action.

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

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process, such as the assessment bilateral agreement or accredited assessment?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – skip to Part 9
Is your proposed clearing a controlled action? If 'Yes', please make sure you have entered all the mandatory details in the Annex C7 form	<div> <input type="checkbox"/> Yes </div> <div> EPBC number: <input type="text"/> </div> <div> <input type="checkbox"/> Annex C7 form attached <input type="checkbox"/> No (DWER/DEMIRS cannot assess the application under an EPBC Act Accredited Process) </div>

List the controlling provisions identified in the notification of the controlled action decision	
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Part 9 – Other approvals

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/DEMIRS) 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 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 type="checkbox"/> Yes <div>Enter details: <input type="text"/></div> <input checked="" type="checkbox"/> No – complete question below.
If 'No' – do you intend to refer the proposal to the EPA?	<input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal') <input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) <input type="checkbox"/> No – a current valid Ministerial Statement applies <div>Enter Ministerial Statement number: <input type="text"/></div> <input checked="" type="checkbox"/> No – not a significant proposal

9.2 Other approvals – works approval, licence or registration (Part V Division 3 of the EP Act)

<p>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?</p> <p>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, see DWER's Procedure: Prescribed premises works approvals and licences and</p>	<input type="checkbox"/> Yes <div>Application reference: <input type="text"/></div> <input type="checkbox"/> No – a valid works approval applies <input type="checkbox"/> No – a valid licence applies <input type="checkbox"/> No – a valid registration applies <input checked="" type="checkbox"/> No – not required
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