

Department of Energy, Mines, Industry Regulation and Safety

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

Select your form type.	□ Referral of prediction in the predict	oposed clearing (section 51DA of the EP Act)	
Note: Where appropriate in this form, and unless stated otherwise, the terms 'application' and 'applicant' also mean 'referral' and 'referrer' respectively.	□ Application for an area permit (section 51E of the EP Act) □ Application for a purpose permit (section 51E of the EP Act)		
Which department are you submitti			
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'.		 □ Department of Energy, Mines, Industry Regulation and Safety ⊠ Department of Water and Environmental Regulation 	
For all other clearing activities, select 'Department of Water and Environmental Regulation'.			

Part 2 – Applicant details

2.1 Applicant name
2.2 Applicant contact details
Provide the contact details for the above (primary contact).
2.3 Applicant contact postal details
Provide the postal address for the above individual, body corporate or local government authority (primary contact).

2.4 Applicant contact – reg If applying as a company, inco please also supply the register	rporated body, local gover	nment authori	ity or public a	authority,	
Address line 1					
Address line 2					
Suburb					
State		Postcode			
Phone number		Mobile			
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. □ No 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 ☑ Yes □ No			□ No		
If 'No' – complete the following:					
Title	□ Mr □ Mrs □ Ms □	☐ Other:			
Contact name					
Position (if applicable)					
Company name (if applicable)				

Mobile

Phone number

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

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.	□ Yes – skip to Part 4	□ No
---	------------------------	------

If 'No' – complete the following:

Land description Provide the following details, as applicable, for all properties: - volume and folio number - lot or location number(s) - crown lease or reserve number - pastoral lease number - mining tenement number	Clear small acacia trees running 12m along the boundary of the plot on a land owned by the Shire of York for purposes of electricity connection by Western Power. Please refer to attached design plan. Thew Shire has given approval for this, please refer attached email.		
Street address – Line 1	25 (Lot 69) Osborn Road		
Street address – Line 2			
Suburb	Mount Hardey		
State	WA Postcode 6302		6302
Local government area(s)	Shire of York		
Land zoning	Rural		

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
⊠ I am the landowner	⊠ Attach proof of ownership
☐ I am lodging a form on behalf of the landowner (e.g. a consultant)	☐ Attach proof of ownership
☐ I am acting on the landowner's behalf and will be jointly responsible for the clearing permit (i.e. joint form)	☐ Attach proof of ownership ☐ 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
☐ I am likely to become the landowner	☐ 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')
☐ I will undertake the clearing activities with the landowner's authority and will be the permit holder	☐ Attach proof of ownership ☐ 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)
☐ I am a person with multiple land parcels within which clearing is proposed	☐ Attach proof of ownership and/or ☐ 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)
☐ 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>)	□ Provide relevant legislative details:

Part 5 – Proposed clearing

5.1 Maps and/or spatial data

Select which map type(s) you will attach with your form.

Note: DWER/DEMIRS will decline/return forms (as applicable) if you do not provide sufficient information for this question.

☐ An ESRI shapefile with the following properties (preferred)

- Geometry type: polygon shape
- Coordinate system: Geocentric Datum of Australia (GDA) 2020 (geographic latitude/longitude)
- Datum: GDA 2020

☐ An aerial photograph or map with a north arrow, clearly marking the proposed clearing area

Note:

- 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 Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) accredited process. See Part 8 of this form for more information.

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 m² Area of circle = 3.14 x radius²
1 acre = 0.4 hectares/4,000 m² Area of a rectangle = length x width

1 tree = 0.01 hectares/100 m² Area of a triangle = $\frac{1}{2}$ length x perpendicular height

Total area of clearing proposed (hectares)	0.01
Footprint of clearing (hectares) (purpose permit only)	0.01
Number of individual trees to be cleared	10 small acacia trees

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

5.5 Pulpose			
		Electricity connection per Western Power design plan.	
or explain in detail the provide context of wo	any additional project e activities on the pro ork proposed and des e to overall work activ	perty (e.g. cribe how	
Specify what the fina	l land use will be after	r clearing	Verge land owned by the Shire of York.
5.4 Method			
, , , , , , , , , , , , , , , , , , , ,	clearing draining, flooding, gra bulldozing or other – s	0,	Mechanical as necessary
5.5 Timeframe			
_	ou propose to do the	clearing	Start date:03/02/26
(e.g. 1/7/2022 to 30/8	3/2024)		End date: 03/02/26
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		
Biogeographic Region	alisation for Australia gly recommends a pro	(IBRA) bior	al Plain and Avon Wheatbelt <u>Interim</u> egions has been extensive. In meeting if you propose to clear native
	☐ Yes – complete s	section belov	v
			on meeting with DWER/DEMIRS
Do you propose to clear native	Insert date of meeting and officer name(s):		
vegetation within the Swan Coastal Plain or Avon Wheatbelt bioregions?			DEMIRS in relation to a pre-application at a meeting is unnecessary in this
	Insert date of conversation and officer name(s):		

☐ 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.
☐ X No – proceed to next question.

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)	Western Power has redesigned the project at the request of the Shire so as to have the least impact on the environment.
Provide the mitigation details (e.g. management of weed spread, rehabilitation)	Vegetation will grow back naturally with the local acacia trees expected to grow back in a very short space of time.

6.2 Offsets

Do you want to submit a clearing offset proposal with your form?	□ Yes ⊠ No
If 'Yes' – please complete and attach Appendix A of the <u>Clearing</u> of native vegetation offsets procedure guideline as a supporting document for your form.	☐ 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?	☐ Yes ⊠ 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) <u>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments</u> (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?	☐ Yes ☐ 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 <u>Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments</u> (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</i>	□ Yes
, ,	□ Not applicable

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 <u>quidance on the assessment bilateral agreement</u>.

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?	☐ Yes ☑ 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	☐ Yes EPBC number: ☐ Annex C7 form attached ☐ No (DWER/DEMIRS cannot assess the application under an EPBC Act Accredited Process)
List the controlling provisions identified in the notification of the controlled action decision	

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	□ Yes	
related matter been referred to	Enter details:	
the EPA?	No − complete question below.	
If 'No' – do you intend to refer the proposal to the EPA?	 ☐ 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) ☐ No – a current valid Ministerial Statement applies 	
	Enter Ministerial Statement number:	
	No − not a significant proposal	

9.2 Other approvals – works approval, licence or 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, see DWER's <u>Procedure: Prescribed premises works approvals and licences</u> and <u>Guideline: Industry regulation guide to licensing</u> .		 Yes Application reference: No – a valid works approval applies No – a valid licence applies No – a valid registration applies No – not required
 9.3 Water licences and permits (<i>Rights in Water</i>) Have you applied or do you intend to apply for: a licence or amendment to a licence to take water (surface water or groundwater) a licence or amendment to a licence to construct wells (including bores and soaks), or a permit or amendment to a permit to interfere with the bed and banks of a watercourse? For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i>, see DWER's <i>Procedure: Water licences and permits</i>. 		ater and Irrigation Act 1914) □ Yes □ No – a current valid licence applies Licence number: □ Not applicable
9.4 Planning and other approvals		
Has the proposal obtained all relevant planning approvals and/or have you applied for all relevant planning approvals (e.g. Development Approval, Extractive Industry Licence, etc.)?	□ Yes Enter details: □ No – planning a Enter details: □ Not applicable	approval is not required

Part 10 - Prescribed fee

10.1 Referral or application?

There are no prescribed fees for referrals. Is this form a referral of proposed clearing or an application for a new permit?	☑ Referral – skip to Part 11☐ Application – continue and complete Part 10
10.2 Calculating the application fees	

You must pay the prescribed fee at the time you submit the application form. DWER/DEMIRS will decline to deal with your application if you do not pay the prescribed fee.

Please calculate the prescribed fee using the online <u>clearing permit fee calculator tool</u>.

For further guidance, see DWER's online clearing fees frequently asked questions.

Calculated fee:	\$
-----------------	----

10.3 Payment method

Fees are payable to:

- **DWER** for all clearing purposes other than mineral and petroleum activities
- **DEMIRS** for mineral and petroleum clearing activities under the *Mining Act 1978*, various petroleum Acts, or State Agreements.

Please indicate how you would like to pay your application fee. Select one option only.	☐ (DWER) Secure credit card payment through BPoint See www.dwer.wa.gov.au/make-a-payment.	
DWER will only accept fees paid via either:	Receipt number	
DWER's <u>BPoint system</u>	Date of payment	
secure EFT payment, or	□ (DWER) Secure EFT payment	
cheque/money order.	See <u>www.dwer.wa.gov.au/make-a-payment</u> for payment details.	
DMIRS will only accept fees paid via secure credit card payment at	State the name of the intended permit holder clearly in the EFT payment subject.	
the <u>DMIRS</u> online payment and application lodgement portal.	Date of payment	
	□ (DWER) Cheque/money order	
Do not send cash in the mail.	Please make cheques or money orders payable to the Department of Water and Environmental Regulation.	
	□ (DEMIRS) Secure credit card payment online at the	

	DMIRS online payment and application lodgement portal.
	Please note: All DEMIRS applications will be paid online and submitted simultaneously. Please save this application form, along with any supporting documents, and have them ready for the submission portal. Use the link above to pay for and submit your application.
	A receipt will be issued upon submission only. Please ensure this receipt is saved for your records.
For further information on fees, go to t	the clearing permit fees frequently asked questions page

on DWER's website.

Part 11 – Form checklist

Please ensure you have included the following as part of your form. You may also attach additional information to support the assessment of your proposal; for example, reports on salinity, fauna or flora studies or other environmental reports for the site. You should submit these in electronic format on a suitable nortable digital storage device

Part 12 – Request for exemption from publication

The information you submit as part of this form will be made publicly available. If you wish to submit commercially or otherwise sensitive or confidential information, please identify the information in this section, and include a written statement of the reasons why you request each item of information be kept confidential.

DWER/DEMIRS will take reasonable steps under Part 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations) to protect confidential material and/or otherwise sensitive information (such as information of a kind listed under regulation 13 of the Clearing Regulations).

However, please note that DWER/DEMIRS cannot commit to redacting all personal information from all supporting documents. We advise you to remove all personal information, including signatures, from any supporting documents before you submit them to us. Please note that all the information you submit may become the subject of an application for release under the *Freedom of Information Act 1992* (WA) (FOI Act).

You must identify all information in this form or attached supporting documents that you propose to be exempt from public disclosure in the table below. You must then attach a separate redacted version of this form and its supporting documents. This is in addition to the unredacted version(s) you submit to DWER/DEMIRS (as applicable) for assessment. You must specify the grounds for claiming an exemption in accordance with Part 3 of the Clearing Regulations.

Is any information in	☐ Yes
this form or in any attached supporting documents	Specify what part of this form or relevant attachment
confidential or commercially sensitive?	Specify grounds for claiming exemption from publication
	⊠ No
Attach file(s) with the relevant	☐ File name:
confidential	☐ File name:
information redacted	☐ File name:

Part 13 – Declaration

General

I / We declare and acknowledge that:

- the information I / we have provided in this form is true and correct
- I / we have legal authority to sign on behalf of the applicant (where authorisation provided)
- I / we have been authorised to make this form by the owner of the land (as applicable)
- I / we have not altered the requirements and instructions set out in this form
- I / we have provided a valid email address in Part 2 for receipt of correspondence via email from DWER/DEMIRS in relation to this form
- successful delivery to my / our server constitutes receipt of correspondence and service
 of any statutory notices or instruments, and
- giving or causing to be given information that to my knowledge is false or misleading is an offence under section 112 of the EP Act and may incur a penalty of up to \$50,000.

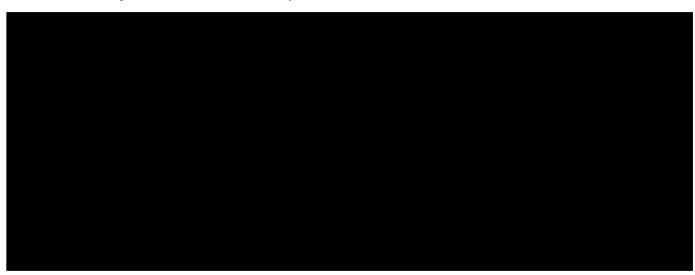
Publication

I / We declare and/or acknowledge that:

- this form (including all attachments) will be a public document and may be published, except for personal information including personal signatures, email and home addresses and any documents verifying my / our identity
- the marine surveys provided in accordance with Part 7 will be published and used for the purposes of the IMSA project, in accordance with your declaration made in the Metadata and Licensing Statement
- all necessary consents for the publication of information have been obtained from the relevant third parties
- the specification of the information identified in Part 12 constitutes a written request under regulation 11(2) of the Clearing Regulations not to publish that information due to its confidential or otherwise sensitive nature
- subsequent information provided to DWER/DEMIRS in relation to this form will be a public document and will be published under regulation 8A of the Clearing Regulations, unless accompanied by a further written request under regulation 11(2) by the referrer or applicant that that information be treated as confidential
- in accordance with the requirements of regulations 11, 12 and 13 of the Clearing Regulations, DWER/DEMIRS must refrain from publishing bank account details or confidential material (as defined under regulation 11(1) of the Clearing Regulations)
- DWER/DEMIRS may refrain from publishing:
 - o certain otherwise sensitive information identified in Part 12, if satisfied it is desirable to not publish due to the confidential nature of the information
 - personal information or certain otherwise sensitive information listed under regulation 13 of the Clearing Regulations.

Are you signing as an individual or a company?	
Note 1: If an individual landowner is applying, all landowners as listed on Certificate of Title must sign this form.	□ A company
Note 2: If a company or other entity is applying, a person expressly authorised or authorised to execute on behalf of a body corporate must sign this form.	□ Other entity formed at law

☑ I / We hereby declare, the information provided is correct.



Note that all persons who will be listed on any clearing permit granted for this application as holders of the permit must sign the application form. If more than one signature is required, attach all signatures together in a separate attachment.

Part 14 – Submission

14.1 Method of submission

Confirm how you will submit your □ A signed, electronic copy of the form, including all form (mark one option only). attachments, has been submitted via the applicable email address specified below (if submitting form to DWER). To submit to DWER: Files larger than 50MB cannot be ☐ A signed, electronic copy of the form has been submitted received via email. You can email via the applicable email address specified below, and DWER to make other attachments have been submitted via File Transfer, or arrangements for electronic electronically by other means as arranged with the relevant transfer. department (if submitting form to DWER). To submit to DEMIRS: ☐ A full, signed hard copy has been sent to the applicable The DEMIRS online portal can postal address specified below (if submitting form to DWER). accept 1024MB for each attachment. Files larger than 45MB cannot be received via ☐ A signed electronic copy of the form, fee payment, and any email. You can email DEMIRS to supporting documentation has been saved and uploaded to the make other arrangements for DMIRS online payment and application lodgement portal (if electronic transfer. submitting form to DEMIRS).

14.2 Submission details

- Please retain a copy of this form for your records.
- DWER/DEMIRS will decline or return incomplete forms that do not meet the requirements for a valid referral or permit application (as applicable).
- If you do not have enough space on any part of this form, please continue on a separate sheet of paper and attach it to this form.

Department of Water and Environmental Regulation

Forms for all clearing purposes (other than mining and petroleum activities) may be submitted via:

Email: info@dwer.wa.gov.au

or

Post:

Department of Water and Environmental Regulation Locked Bag 10 Joondalup DC WA 6919

If you have any questions about lodging your form, please contact DWER via:

Email: info@dwer.wa.gov.au

Phone: (08) 6364 7000

For more information: www.dwer.wa.gov.au

Department of Energy, Mines, Industry Regulation and Safety

Forms related to mining and petroleum clearing activities (under delegation) can be lodged online via the <u>DMIRS online payment and application</u> lodgement portal.

If you have any questions about lodging your form, please contact DEMIRS via:

Email: nvab@dmirs.wa.gov.au

Phone: (08) 9222 3535

For more information: www.dmirs.wa.gov.au