



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> |
|--|---|

| | |
|---|---|
| <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> |
|---|---|

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 | Parks Australia, Christmas Island National Park. |

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 |
|--|---|

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 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|-------------------------------------|---|

If 'No' – complete the following:

| | | | | |
|------------------------------|--|--------|--|--|
| Title | <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other: | | | |
| Contact name | | | | |
| Position (if applicable) | | | | |
| Company name (if applicable) | | | | |
| Phone number | | Mobile | | |

| | | | |
|-----------------------------------|--|----------|--|
| 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. | <input type="checkbox"/> Yes – skip to Part 4 <input checked="" type="checkbox"/> No |
|---|--|

If 'No' – complete the following:

| | |
|--|---|
| <p>Land description</p> <p>Provide the following details, as applicable, for all properties:</p> <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 | <p>Two parcels of lands:</p> <p>(1) Within MCI 70/1A, ML 106 East Block 2 (Field 15 North) has not been relinquished yet and is still under mine lease with Phosphate Resources Limited (PRL) Group (Christmas Island Phosphates). Please see attached letter of authority from PRL (Attachment 1).</p> <p>(2) Within MCI 70/1A, FID 62 (Field 15 North Pinnacle Legacy) is Unallocated Crown Land (UCL). The Pinnacle / Fern Field mine legacy area was surrendered pre-Phosphate Resources Limited Group (Christmas Island Phosphates). Control of the land rests with the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (DITRDCA), Commonwealth Government. Please see attached letter of authority from the Assistant Secretary, Indian Ocean Territories Branch, DITRDCA (Attachment 2).</p> <p>Parks Australia/The Director of National Parks (DNP) is required under a Memorandum of Understanding (MoU) with DITRDCA to carry out ecological restoration works of relinquished mine lease land, running the Christmas Island Minesite to Forest Rehabilitation (CIMFR) program.</p> |
| Street address – Line 1 | 1) MCI 70/1A ML 106 East Block 2 (Field 15 North): From Christmas Island International |

| | | | |
|--------------------------|---|----------|------|
| | Airport, follow North-South Baseline Road south for 6,940m, east on Field 15 track for 404m and F15 North is on your left. 2) Field 15 North Pinnacle Legacy: Upon arrival at Field 15 North follow track to the east for 276m and the Pinnacle Legacy is in front of you. | | |
| Street address – Line 2 | | | |
| Suburb | Christmas Island | | |
| State | WA | Postcode | 6798 |
| Local government area(s) | Christmas Island Unallocated Crown Land | | |
| Land zoning | Christmas Island Unallocated Crown Land / Mine Lease MCI 70/1A | | |

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 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 <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 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"/> 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) See Attachments 1, and 2 Clearing Permit Letters of Authority |
| <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. |
|--|---|

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) | MCI 70/1A ML 106 East Block 2 plus adjoining Pinnacle Legacy field and ecotone forest boundaries = 9.1 ha |
| Footprint of clearing (hectares) (purpose permit only) | Total: 9.1 ha |
| 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 purpose of clearing at this site is to remove weedy/degraded vegetation and recover soil to allow redistribution to more useful areas and create habitat corridors connecting forest patches. Once soil is redistributed, it will be replanted with a biodiverse mix of native tree species.</p> <p>Clearing of the ferns in the pinnacle/ legacy fern field area is to assist the establishment of native trees species and allow access to all crab species. About 90% of the pinnacle/ legacy fern field area is covered by clumps of sword fern (<i>Nephrolepis biserrata</i>), this fern forms dense patches which prevent crab movement and the natural re-establishment of native forest species.</p> |
| Specify what the final land use will be after clearing | Rehabilitated Tropical Forest |

5.4 Method

| | |
|--|---|
| <p>Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)</p> | <p>Primarily mechanical removal - Existing vegetation (weeds, ferns and regrowth) will be cleared by excavator, mulched in-situ on site boundary to provide organic matter for establishing native tree plantings. Some weeds such as False Coffee Bush (<i>Leucaena leucocephala</i>) or Jamaican Cherry (<i>Muntingia calabura</i>) may require poisoning (e.g. with herbicide, Glyphosate) in addition to mechanical removal to ensure they do not resprout or lead to further germination in the field. Sub-surface soil to be ripped using a bulldozer and topsoil distributed by dump truck and spread by excavator/loader.</p> |
|--|---|

5.5 Timeframe

| | |
|--|---|
| <p>Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)</p> | <p>Start date: 3 November 2025</p> <p>End date: 30 October 2027</p> |
|--|---|

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.

| | |
|---|--|
| <p>Do you propose to clear native vegetation within</p> | <p><input type="checkbox"/> Yes – complete section below</p> |
|---|--|

| | | |
|---|---|--|
| the Swan Coastal Plain or Avon Wheatbelt bioregions? | <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 type="checkbox"/> 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) | <p>The purpose of selective clearing at the two sites (F15 North and associated pinnacle legacy area) is to remove weedy/degraded vegetation along the boundary edge and recover soil to allow redistribution to more useful areas and create habitat corridors connecting forest patches. Once soil is redistributed, it will be replanted with a biodiverse mix of native tree species.</p> <p>Both areas have been previously cleared for mining of phosphate. One of them, ML 106 East Block 2 (Field 15 North) was cleared by Christmas Island Phosphate mine between ~2017-2021 under clearing permit CPS3472/6 (valid until 2025) and the</p> |
|--|--|

| | |
|--|---|
| | <p>other is a legacy site cleared many years ago. The legacy pinnacle area has become self-established with sword fern (<i>Nephrolepis biserrata</i>).</p> <p>(1) MCI 70/1A ML 106 East Block 2 (Field 15 North): As illustrated by a series of photographs around the site (Attachment 3), the area is approximately 75% bare ground and the remainder is mostly field boundary covered by weeds such as False Coffee Bush (<i>Leucaena leucocephala</i>), Jamaican Cherry (<i>Muntingia calabura</i>), 'Gotcha' sensitive weed (<i>Mimosa diplotricha</i>), snakeweed (<i>Stachytarpheta cayennensis</i>), Black Sage (<i>Cordia curassavica</i>) and others.</p> <p>A small section of weeds mixed with native trees (0,4ha) is located on the southwestern boundary and consists of an old pit and surrounding trees. At this location mature native trees will remain while weeds and invasive species will be removed, as well as smaller natives where these are intermingled.</p> <p>Field 15 North (4,5ha) will be planted at a density of 1,5m x 1,5m after soil has been spread to a depth of 0,6-0,7m across the site. A total of 20,000 trees prepared in the rehabilitation nursery for the 2026 season will be established here to facilitate the return of the tropical forest by planting approximately thirty-six native species of trees.</p> <p>Less than 15% of the boundary area displays scattered native plants that have come up since previous clearing finished, and these are common species (e.g. <i>Macaranga tanarius</i>, <i>Dysoxylum gaudichaudianum</i>, <i>Pipturus argenteus</i>, <i>Ficus microcarpa</i>). A comprehensive search determined there are no threatened or rare native plants in the area.</p> <p>(2) Field 15 Legacy Pinnacles and Ferns: At this site, a handful of weeds such as False Coffee Bush (<i>Leucaena leucocephala</i>), Jamaican Cherry (<i>Muntingia calabura</i>) and 'Gotcha' sensitive weed (<i>Mimosa diplotricha</i>) were noted along forest ecotone areas with most of the field covered by calcrete pinnacles and swordfern (<i>Nephrolepis biserrata</i>). A few native plants are encroaching into the forest ecotone zone, such as <i>Pandanus elatus</i> and <i>Macaranga tanarius</i>. A comprehensive search determined there are no threatened or rare native plants in this area.</p> <p>Almost 90% of this 2,5ha legacy area is covered by clumps of sword fern (<i>Nephrolepis biserrata</i>), this fern forms dense patches which prevent crab movement and the natural re-establishment of native forest species. Half of the ferns (1,3ha) will be cleared and replaced by soil at 0,5m depth. These 'soiled up' areas of tracks/corridors will be planted at the normal Class 'B' spacing of 1,5m x 1,5m with 5,600 trees of more than thirty species sourced from our rehabilitation nursery.</p> <p>Whilst we seek a permit for the identified areas, we will keep native plants where possible as they can be important sources of seed and therefore improve rehabilitation outcomes. With this in mind, we will aim to selectively maneuver around these to remove introduced weeds and retain native species wherever possible and practical.</p> <p>It should be noted that the handful of common native plants that will be removed to access soil for rehabilitation purposes will be replaced with more than 20,000 (Field 15 North) + 5,600 (Legacy pinnacle and fern field) = 25,600 native trees sourced from the Christmas Island National Park nursery at the three sites.</p> <p>The clearing and rehabilitation work proposed here will provide an overwhelmingly positive improvement to the site and ecosystem function of the area. It will replace bare open ground with a vegetated corridor and facilitate the safe passage of endemic red crabs for their annual breeding migration towards the coast. In the absence of such a corridor, migrating crabs that attempt to cross the open field may die from heat exposure. Crabs can die crossing distances of as little as 20m in the heat of the day. Numerous crab skeletons were noticed during the assessment on the open areas.</p> |
| <p>Provide the mitigation details (e.g. management of weed spread, rehabilitation)</p> | <p>The two fields listed for clearing of weeds and one of half the ferns are all former mine sites where phosphate have been extracted by Phosphate Resources Limited (PRL) or companies owning the mine before them. The mined fields were allowed to revegetate naturally with weeds and ferns over the years after mining was completed. Site 106 East Block 2 (Field 15 North) has not been relinquished from mining to UCL yet but is up for release during the first half of 2026, legacy Pinnacle/FernField was returned/released to UCL before PRL mine commenced.</p> <p>Both identified fields currently have weeds growing along the fields' outer perimeter where it meets with the forest edge. These ecotones consist of woody weed species such as the False Coffee Bush (<i>Leucaena leucocephala</i>), Jamaican Cherry</p> |

| | |
|--|---|
| | <p>(<i>Muntingia calabura</i>), 'Gotcha' sensitive weed (<i>Mimosa diplotricha</i>), snakeweed (<i>Stachytarpheta cayennensis</i>), Black Sage (<i>Cordia curassavica</i>) and Mikania vine (<i>Mikania micrantha</i>). Native species of forest plants which re-established naturally are retained for the rehabilitation process while weeds and ferns are mulched to provide the much-needed organics in the soil to assist with rehabilitation of the tropical forest on Christmas Island.</p> <p>At Field 15 North, once mulching of weed and other problematic species such as fern cover, is completed the entire field is covered with a layer of 0,6-0,7m deep soil for Class B rehabilitation and then planted by 1,5m x 1,5m spacing with nursery grown native tropical forest species. The other legacy fern field will receive 0,5m of soil cover for Class B rehabilitation along selected cleared section of track and adjacent to forest ecotone for half the area, it will also be established with nursery prepared trees of 34 different species at 1,5 x 1,5m spacing.</p> <p>In summary – the application for clearing is to prepare two fields of disturbed, mined zones to facilitate the rehabilitation of tropical forest on Christmas Island by weeding, fertilizing and watering the thousands of forest species grown in our own Christmas Island nursery and transplanted onto the three sites/fields.</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 |
|---|--|

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 |
|---|--|

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 | <input type="checkbox"/> Yes <table border="1"><tr><td>EPBC number:</td><td></td></tr></table> <input type="checkbox"/> Annex C7 form attached <input type="checkbox"/> No (DWER/DEMIRS cannot assess the application under an EPBC Act Accredited Process) | EPBC number: | |
| EPBC number: | | | |
| 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.

| | | | |
|--|---|-------------------------------------|--|
| <p>Has the proposed clearing or any related matter been referred to the EPA?</p> | <p><input type="checkbox"/> Yes</p> <table border="1" data-bbox="450 421 1407 506"> <tr> <td data-bbox="450 421 667 506">Enter details:</td> <td data-bbox="667 421 1407 506"></td> </tr> </table> <p><input checked="" type="checkbox"/> No – complete question below.</p> | Enter details: | |
| Enter details: | | | |
| <p>If 'No' – do you intend to refer the proposal to the EPA?</p> | <p><input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')</p> <p><input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement)</p> <p><input type="checkbox"/> No – a current valid Ministerial Statement applies</p> <table border="1" data-bbox="450 837 1407 922"> <tr> <td data-bbox="450 837 970 922">Enter Ministerial Statement number:</td> <td data-bbox="970 837 1407 922"></td> </tr> </table> <p><input checked="" type="checkbox"/> No – not a significant proposal</p> | Enter Ministerial Statement number: | |
| Enter Ministerial Statement number: | | | |

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 Guideline: Industry regulation guide to licensing.</p> | <p><input type="checkbox"/> Yes</p> <table border="1" data-bbox="849 1218 1420 1335"> <tr> <td data-bbox="849 1218 1043 1335">Application reference:</td> <td data-bbox="1043 1218 1420 1335"></td> </tr> </table> <p><input type="checkbox"/> No – a valid works approval applies</p> <p><input type="checkbox"/> No – a valid licence applies</p> <p><input type="checkbox"/> No – a valid registration applies</p> <p><input checked="" type="checkbox"/> No – not required</p> | Application reference: | |
| Application reference: | | | |

9.3 Water licences and permits (*Rights in Water and Irrigation Act 1914*)

| | | | |
|---|--|-----------------|--|
| <p>Have you applied or do you intend to apply for:</p> <ul style="list-style-type: none"> • 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 | <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – a current valid licence applies</p> <table border="1" data-bbox="829 1877 1401 1962"> <tr> <td data-bbox="829 1877 1085 1962">Licence number:</td> <td data-bbox="1085 1877 1401 1962"></td> </tr> </table> <p><input checked="" type="checkbox"/> Not applicable</p> | Licence number: | |
| Licence number: | | | |

| | |
|---|--|
| <p>watercourse?</p> <p>For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i>, see DWER's Procedure: Water licences and permits.</p> | |
|---|--|

9.4 Planning and other approvals

| | | |
|--|---|--|
| <p>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.)?</p> | <input type="checkbox"/> Yes | |
| | Enter details: | |
| | <input type="checkbox"/> No – planning approval is not required | |
| | Enter details: | |
| <input checked="" type="checkbox"/> Not applicable | | |