



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>	<ul style="list-style-type: none"><input type="checkbox"/> Referral of proposed clearing (section 51DA of the EP Act)<input type="checkbox"/> Application for an area permit (section 51E of the EP Act)<input type="checkbox"/> Application for a purpose permit (section 51E of the EP Act)
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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>	<ul style="list-style-type: none"><input type="checkbox"/> Department of Energy, Mines, Industry Regulation and Safety<input type="checkbox"/> Department of Water and Environmental Regulation
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Part 2 – Applicant details

2.1 Applicant name

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

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	
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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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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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: – volume and folio number – lot or location number(s) – crown lease or reserve number – pastoral lease number – mining tenement number	Crown Reserve number 23077		
Street address – Line 1	Middlesex Road		
Street address – Line 2			
Suburb	Middlesex		
State	Western Australia	Postcode	6258
Local government area(s)	Shire of Manjimup		
Land zoning	Crown Reserve (unmanaged)		

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 checked="" 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 checked="" type="checkbox"/> Provide relevant legislative details: Section 34(1), (1AB) and (1AC) of the Bush Fires Act 1954 (WA) authorises the owner or occupier of land abutting an unmanaged Crown reserve to enter upon that reserve and clear firebreaks not more than 3 metres in width and situated not more than 200 metres from the boundary of their land. Harvey Giblett is the owner/occupier of Lot 21 Middlesex Road, Middlesex WA 6258, which directly adjoins Reserve 23077. Written notice of the intended works has been provided to

	<p>the Department of Fire and Emergency Services (DFES) and to the Department of Planning, Lands and Heritage (DPLH) as land custodian, in accordance with Section 34(1a) and (1b) of the Bush Fires Act 1954 (WA) and Regulation 44 of the Bush Fires Regulations 1954 (WA). Copies of both notices are attached as supporting documents.</p> <p>Additional understory clearing beyond the 3-metre statutory firebreak strip is proposed with the consent of DPLH as land custodian. That consent is being sought concurrently through the written notice process described above.</p> <p>Attach: <input checked="" type="checkbox"/> Letter 1 — Written notice to DFES (Nathan Hall) Attach: <input checked="" type="checkbox"/> Letter 2 — Written notice to DPLH (Carmen Watts)</p>
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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 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>Attached: aerial photograph of Lot 21 Middlesex Road and Reserve 23077 with the 50-metre x 130-metre clearing zone marked along the shared boundary, with north arrow.</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 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 = ½ length x perpendicular height

Total area of clearing proposed (hectares)	0.65 Footprint of clearing (hectares)
Footprint of clearing (hectares) (purpose permit only)	0
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>Establishment of a firebreak and understory fuel reduction buffer on unmanaged Crown Reserve 23077, adjoining Lot 21 Middlesex Road, Middlesex WA 6258, for the purpose of protecting adjoining private agricultural land (a horticultural orchard property), its structures, and its occupants from bushfire.</p> <p>Reserve 23077 is unmanaged Crown reserve land that has accumulated a heavy fuel load over time and is not subject to any active fire management program. The reserve directly adjoins Lot 21 and presents a significant and immediate bushfire hazard to the property and its improvements. Two activities are proposed:</p> <p>Activity 1 — Statutory firebreak: A cleared firebreak strip not more than 3 metres in width, extending up to 180 metres from the shared boundary with Lot 21, along the full 130-metre shared boundary length, pursuant to Section 34(1) of the Bush Fires Act 1954 (WA). Written notice of this activity has been provided to DFES and DPLH in accordance with the Act.</p> <p>Activity 2 — Understory fuel reduction: Mechanical clearing of the understory within Reserve 23077 to a depth of 50 metres from the shared boundary with Lot 21, across the full 130-metre boundary length. Total clearing area is approximately 0.65 hectares inclusive of the Activity 1 firebreak strip. This</p>
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	<p>activity is being undertaken with the consent of the Department of Planning, Lands and Heritage as land custodian, which is being sought concurrently via formal written notice.</p> <p>Burning is not proposed for either activity. The property adjoins a major highway. Smoke and fire risk to highway traffic make burning unsafe and impractical. Mechanical clearing is the only viable method.</p> <p>The need for fuel reduction works on Reserve 23077 is independently corroborated by a formal Bushfire Attack Level (BAL) assessment prepared for Lot 21 Middlesex Road in accordance with AS 3959-2018, which identifies fuel reduction in the adjacent reserve as beneficial for long-term hazard reduction. A copy of the relevant extract of that report is attached as supporting documentation.</p>
Specify what the final land use will be after clearing	Managed firebreak and ongoing fuel reduction buffer zone for bushfire protection of adjoining private agricultural land.

5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Mechanical clearing only. No burning.
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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: 1 April 2026 End date: 31 March 2027
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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.	

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 proposed clearing is strictly limited to the minimum area necessary to establish a defensible firebreak and fuel reduction buffer. Clearing is confined to a 50-metre depth across the 130-metre shared boundary between Lot 21 Middlesex Road and Reserve 23077, a total area of approximately 0.65 hectares. All remaining vegetation on Reserve 23077 beyond this zone is retained in full. No clearing is proposed on Lot 21 itself, which is already actively managed as horticultural land.</p> <p>The firebreak strip component (Activity 1) is limited to 3 metres width as prescribed by Section 34(1) of the Bush Fires Act 1954 (WA). The 50-metre understory clearing depth (Activity 2) represents the minimum necessary to create a genuinely defensible buffer – a 3-metre firebreak strip alone is insufficient protection against a running bushfire carrying through the heavy unmanaged fuel load present on Reserve 23077. No alternative location is available as the clearing must occur on the reserve</p>
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	<p>side of the boundary to be effective.</p> <p>The need for fuel reduction works is independently corroborated by a formal Bushfire Attack Level (BAL) assessment prepared for Lot 21 in accordance with AS 3959-2018, which identifies fuel reduction in the adjacent reserve as beneficial for long-term hazard reduction. This assessment provides independent professional support for the scope and necessity of the proposed works.</p>
Provide the mitigation details (e.g. management of weed spread, rehabilitation)	All machinery will be inspected and cleaned for weed contamination prior to entering the site and upon departure. Mechanical clearing will be undertaken in a manner that minimises disturbance to soil structure and retains root systems where practicable to reduce erosion risk and limit weed germination. No burning will be undertaken at any stage. The cleared area will be monitored for weed incursion following works and any weed growth will be managed promptly. The cleared zone will be maintained as an ongoing fire management buffer to retain its protective function.

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 checked="" 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	<input type="checkbox"/> Yes <table border="1" data-bbox="753 1062 1360 1136"> <tr> <td data-bbox="753 1062 967 1136">EPBC number:</td> <td data-bbox="967 1062 1360 1136"></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.

Has the proposed	<input type="checkbox"/> Yes
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clearing or any related matter been referred to the EPA?	Enter details:	
	<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	
	Enter Ministerial Statement number:	
	<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 Guideline: Industry regulation guide to licensing.</p>	<input type="checkbox"/> Yes <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Application reference:</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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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 watercourse? <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>	<input type="checkbox"/> Yes <input type="checkbox"/> No – a current valid licence applies <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Licence number:</div> <input checked="" type="checkbox"/> Not applicable
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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	<input type="checkbox"/> Yes <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">Enter details:</div>	
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