



Application for new permit or referral to clear native vegetation

This is the form to submit a referral of proposed clearing or apply for a clearing permit under Part V of the *Environmental Protection Act 1986* (EP Act).

Before you submit this form, please check you have completed all the fields for the form type and fully prepared any required supporting documents (including maps etc.). We will return / decline any forms that are not correctly completed.

To find out more about the stages of assessment for clearing permit forms, see the [Procedure: Native vegetation clearing permits](#).

Part 1 – Form type

Select your form type . NOTE: Where appropriate in this form, and unless stated otherwise, the terms 'application' and 'applicant' also mean 'referral' and 'referrer' respectively.	<input checked="" type="checkbox"/> Referral of proposed clearing (s.51DA of the EP Act) <input type="checkbox"/> Application for an area permit (s.51E of the EP Act) <input type="checkbox"/> Application for a purpose permit (s.51E of the EP Act)
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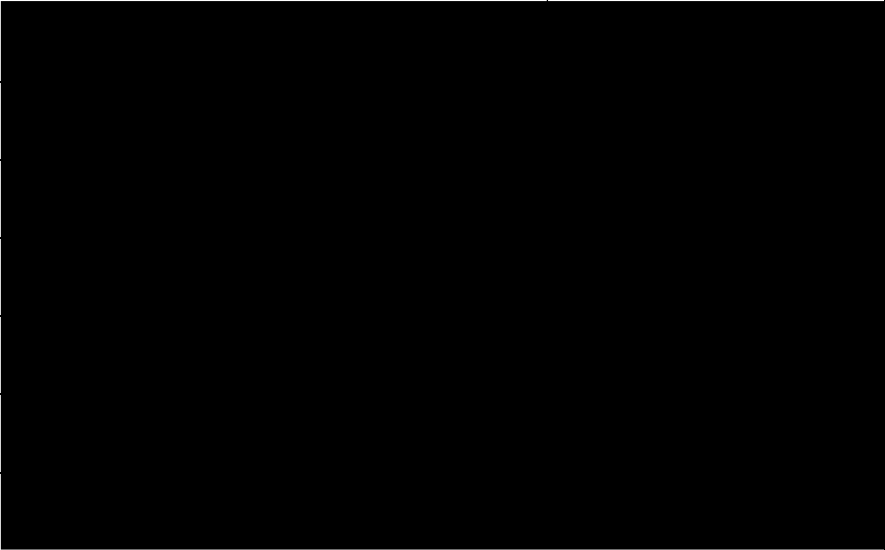
Part 2 – Applicant details

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 checked="" type="checkbox"/> Applying as a body corporate or other entity formed at law – complete the following:	
Name	Almond Lake Pty Ltd	
Australian Company Number (ACN)	655 803 222	
<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	
Contact phone number (1)	
Email address	


2.2 Applicant contact postal details

Provide the postal address for the above individual, body corporate or local government authority (primary contact).

Address line 1			
Address line 2			
Suburb			
State		Postcode	

2.3 Applicant contact – registered business address

If applying as a company, incorporated body, local government authority or public authority, please also supply the registered business office address.

Address line 1	
Address line 2	
Suburb	
State	
Contact phone number (1)	

2.4 Electronic correspondence consent

Both the Department of Water and Environmental Regulation (DWER) and Department of Mines, Industry Regulation and Safety (DMIRS) prefer to send all correspondence via email. We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act via email. Please indicate your consent in this section of the form.

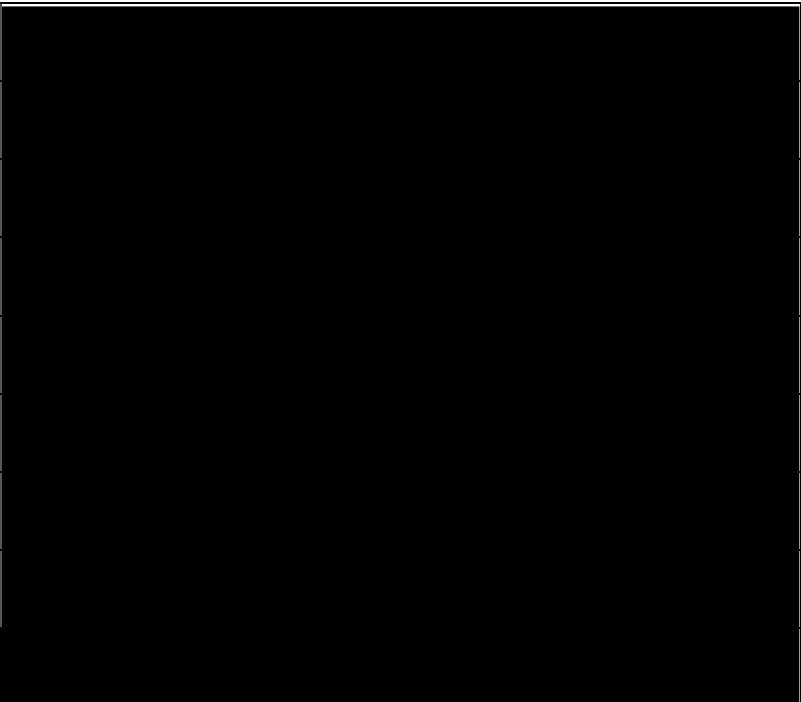
I consent that all written correspondence between myself (the applicant) and DWER/DMIRS (as applicable) about the subject of this form will be exclusively via email, using the email address provided above.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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2.5 Contact details for enquiries

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

Same as applicant's contact details	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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If 'No' – complete the following:

Contact name	
Position (if applicable)	
Company name (if applicable)	
Contact phone number (1)	
Business or postal address line 1	
Business or postal address line 2	
Suburb	
State	
Email address	

Part 3 – Land details

- You must accurately describe the location of the land where your clearing is proposed.
- If you have a large number of properties, please provide the relevant details for each property in a separately attached supporting document.

3.1 Property details

I have a large number of properties and have given the relevant details in an attached supporting document.	<input type="checkbox"/> Yes – skip to Part 4 <input checked="" type="checkbox"/> No
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If 'No' – complete the following:

<u>Land description</u> 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 	Lot 2 on Diagram 28764 within the Certificate of Title Volume 1791 / Folio 729.		
Street address – Line 1			
Street address – Line 2			
Suburb			
State		Postcode	
Local government area(s)	City of Busselton		
Land zoning	Zoned as 'Urban Development' in the City of Busselton Local Planning Scheme (LPS) No. 21		

Part 4 – Relationship to landowner

Tell us which of the following options best describes you as the person completing and submitting this form. If you are filling out this form on behalf of the applicant, answer this question as though you are the applicant.

Proof of ownership may include:

- a certificate of title (that is less than 6 months old)
- a pastoral or mining lease
- public authority that has care, control or management of the land
- other form of lease, land tenure or specific arrangement.

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

Part 5 – Proposed clearing

5.1 Maps and/or spatial data

<p>Select which map type(s) you will attach with your form.</p> <p>Note: We will decline / return forms (as applicable) if you do not provide sufficient information for this question.</p>	<p><input type="checkbox"/> An ESRI shapefile with the following properties (<i>preferred</i>)</p> <ul style="list-style-type: none"> • Geometry type: polygon shape • Coordinate system: Geocentric Datum of Australia (GDA) 1994/2020 (geographic latitude / longitude) • Datum: GDA 1994 / GDA 2020 (please specify which was provided) <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(s) of vegetation, enter a hectare value for the total size of the area (mark number of trees as zero).
- If you propose to remove only individual trees from the area(s) (i.e. the shrubs, grasses, groundcover plants will remain intact), provide the number of trees (and mark total area as estimated hectares).
Note: If any shrubs, grasses, and/or groundcover plants MAY be damaged in the clearing process, add this to the total area.
- If you propose to clear an area of vegetation within a larger footprint, enter the hectare value for the total size of the area to be cleared (mark number of trees as zero) and the size of the footprint. For example, 5 hectares of clearing within a 10 hectare footprint. This option is only available for purpose permit applications.
- Enter values for BOTH number of trees and the size of the area if you are clearing individual trees in one area AND a patch of vegetation in a different area.
- Please note the following area conversions/calculations:

1 hectare = 10,000 m 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)	0.038 hectares
Footprint of clearing (hectares) (purpose permit only)	
Number of individual trees to be removed	2 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

Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.)	Asbestos containing material removal and validation work in line with an approved Remediation Action Plan.
Specify what the final land use will be after clearing	Residential development

5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Mechanical clearing
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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: 1/11/2022 End date: 1/05/2023
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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 Avoidance and mitigation

Explain how you have, or will, put avoidance and mitigation measures in place to eliminate, reduce, or otherwise mitigate the need for and scale of the proposed clearing of native vegetation.

Attach supporting documents to substantiate your explanation.

Your explanation should demonstrate you have planned the project so that the least clearing possible is to be undertaken. The following questions may help you frame your explanation:

- Why did you select this location and amount of clearing?
- What alternatives to clearing – e.g. engineering solutions – did you consider?
- What changes, if any, did you make to the location or amount of clearing to reduce the impacts of the clearing?

Note: If you do not demonstrate adequate efforts to avoid and mitigate clearing, we will ask you to do so during the validation of this form.

Provide the avoidance and mitigation details	Lot 2 Bussell Highway, Yalyalup (“the site”), has been subject to historical disturbance, including clearing most of its original native vegetation, pastoral land uses and the construction and demolition of an abattoir from 2007 to 2008. The site was classified as “ <i>Possibly contaminated – investigation required</i> ” (No. 8430) on 19 September 2008 under the <i>Contaminated Sites Act 2003</i> . Almond Lake Pty Ltd are proposing to advance the Embark Estate residential development (Lots 2, 9032 and 9034). To do so, remediation of the contamination detected at the site is required to remove the risks to human health and to reclassify the site to “ <i>Decontaminated</i> ”. A Remediation Action Plan (RAP) was prepared by environmental consultant (RPS) and endorsed by a DWER accredited contaminated sites auditor in April 2022. During an inspection of the RAP’s onsite remediation works on 12 September 2022, the auditor found
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	<p>further asbestos containing material (ACM) at various locations, particularly in areas directly underneath two native trees and in areas around the hardstand pads. The regenerated or planted trees have grown over areas impacted by material from the demolished abattoir. Clearing of the two native trees is required to excavate and remove the ACM-impacted material across the tree footprints.</p> <p>RPS undertook a site visit on 27 September 2022 to identify the species of the two native trees proposed to be cleared. The two trees are <i>Agonis flexuosa</i> (Peppermint) situated over bare ground (see Figure A and Plates 1 to 3). RPS visually inspected the two trees for evidence of <i>Pseudocheirus occidentalis</i> (Western Ringtail Possum [WRP]). WRPs can forage on peppermint trees and have previously been identified in remnant vegetation patches located approximately 130 m to the southwest, 150 m to the east and 630 m to the southeast of the two peppermint trees by fauna surveys conducted in 2014 to 2016 and 2018. RPS did not observe any dreys or evidence of use by WRPs (e.g., scats) at the two peppermint trees to be removed during the 2022 site visit.</p> <p>Excavation works will be restricted to areas where ACM-impacted material has been identified within the site, therefore the remaining trees surrounding the demolished abattoir are not required to be cleared for these works.</p> <p>An alternative approach to clearing the two trees (e.g., engineering solution) is not possible as remedial works will need to access ACM-impacted material beneath the trees' roots system to depths of 0.6 m to 1 m. Remediation is a necessary action to ensure that human health risks from asbestos are mitigated for the residential development.</p> <p>A Western Ringtail Possum (<i>Pseudocheirus occidentalis</i>) Management Plan (WRPMP) (Coffey 2009) was prepared for the Provence Estate Development (Lots 2, 202 and 9003) to meet a condition of the existing EPBC approval (EPBC 2004/1878). As the Embark Estate residential development is part of the wider Provence/Embark development precinct, Almond Lake Pty Ltd will implement the monitoring and management conditions required within the site to ensure compliance with the existing approvals and documents.</p>
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Part 6 – Offset

<p>Do you want to submit a clearing offset proposal with your form? For more information on environmental offsets, refer to DWER's website and Fact Sheet 11: Environmental offsets for native vegetation clearing permits.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>If 'Yes' – please complete and attach Appendix A of the Clearing of native vegetation offsets procedure guideline as a supporting document for your form.</p>	<p><input type="checkbox"/> Appendix A attached</p>

Part 7 – Surveys for assessments (IBSA and IMSA)

<p>Do you want to submit marine or biodiversity surveys in support of your form?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – skip to Part 8</p>
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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/DMIRS (as applicable) may 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 / DMIRS (as applicable). Please note DWER / DMIRS will suspend the assessment timeframes for your form until you provide the IBSA number(s).

Have you submitted all the biodiversity surveys that support this form to the IBSA portal, via ibsubmissions.dwer.wa.gov.au ?	<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 may decline / return your form. For more information on IMSA, refer to [DWER's website](#).

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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