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 Mines, Petroleum and Exploration (DMPE) 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.	☐ Referral of proposed clearing (section 51DA of the EP Act) ☒ 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 submitting this form to? If the clearing is for mineral and petroleum activities authorised under the *Mining Act 1978*, 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 Mines, Petroleum and Exploration'. For all other clearing activities, select 'Department of Water and Environmental Regulation'.	☐ Department of Mines, Petroleum and Exploration ☒ Department of Water and Environmental Regulation

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.

☐ Applying as an individual – complete the following:

Title	☐ Mr ☐ Mrs ☐ Ms ☐ Other:	
Name(s)		

☐ Applying as a body corporate or other entity formed at law – complete the following:

Name	
Australian Company Number (ACN)	

☒ Applying as a government entity (e.g. government department, local government authority, or other statutory body)

Name	City of Swan

2.2 Applicant contact details

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

Title	[redacted]
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	[redacted]
Address line 2	

Suburb	[redacted]
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	[redacted]
Address line 2	
Suburb	
State	
Phone number	

2.5 Electronic correspondence consent

DWER/DMPE 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/DMPE (as applicable) about the subject of this form will be exclusively via email, using the email address provided above.	☒ Yes ☐ 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/DMPE should liaise with (e.g. a consultant).

Same as applicant's contact details	☒ Yes ☐ No

If 'No' – complete the following:

Title	☐ Mr ☐ Mrs ☐ Ms ☐ 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.	☐ 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	Alexander Drive acts as a municipal boundary line, meaning management of the western carriageway falls under the City of Stirling and the eastern carriageway falls under the City of Swan (see Attachment 1 – City of Stirling Letter). The section of the verge to be cleared on Alexander Road adjoins the following: Reid Highway Bushland Reserve Volume 3147 Folio 734 Lot 500 on Dep Plan 56758 Reserve 46410 See Attachment 2 – Reid Highway Bushland
Street address – Line 1	452 Alexander Drive
Street address – Line 2	
Suburb	Malaga

Application amended to remove verge clearing, only applying for clearing in Lot 500

State	WA	Postcode	6090
Local government area(s)	City of Swan		
Land zoning	Regional Reserve – Parks & Recreation Regional Reserve – Primary Regional Road		

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 (see Attachment 3 – Reid Highway Bushland Management Order)
☐ 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 *Energy Operators (Powers) Act 1979*)	☐ 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/DMPE 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 (see Attachment 4 – Reid Highway Bushland Proposed Works) 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 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)	**0.004** Revised to 0.19 ha in validation
Footprint of clearing (hectares) (purpose permit only)	
Number of individual trees to be cleared	**0**

Note: Calculate the area of a tree based on the area encompassed by the tree's drip line; that being the outermost circumference of the tree's canopy.

5.3 Purpose

Provide the reason for proposed clearing (e.g. road construction, grazing and pasture, hazard reduction, horticulture, timber harvesting etc.). 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.). Clearing for verge crossover removed from application, clearing for gates and fencing still valid for application	The City doesn't have an access point at the western end of Reid Highway Bushland, except if travelling through land not owned or managed by the City. Currently there is uncontrolled access occurring via Lots to the north. Unauthorised 4WD and motorcycle access into the reserve has caused erosion issues and damage to native vegetation and risks the spread of Dieback. The City is proposing to install a fence along the property boundary, install gates and construct a crossover. The clearing of vegetation within the road verge is required for the construction of this crossover (**see Attachment 5 – Reid Highway Bushland Crossover Sketch).** The crossover will provide exclusive use for City's natural areas maintenance team and firefighting services and block unauthorised access. The proposed crossover, gates and fencing is being constructed to limit vehicular access to essential services/maintenance. Pedestrians will still have access. These works are aimed at protecting this environment for future generations.
Specify what the final land use will be after clearing	The section cleared will become a compacted crushed limestone crossover into the reserve.

5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Mechanical – skid steer Not applicable to fence works clearing

5.5 Timeframe

Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)	Start date: 1/7/2027 End date: 30/6/2028

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

<table>
<tr>
<td>Do you propose to clear native vegetation within the Swan Coastal Plain or Avon Wheatbelt bioregions?</td>
<td>
x Yes – complete section below

☐ I have had a pre-application meeting with DWER/DMPE
<table>
<tr><td>Insert date of meeting and officer name(s):</td><td></td></tr>
</table>
☐ I have contacted DWER/DMPE in relation to a pre-application meeting and been advised that a meeting is unnecessary in this case.
<table>
<tr><td>Insert date of conversation and officer name(s):</td><td></td></tr>
</table>
x I have not had a pre-application meeting with DWER/DMPE. I understand that this may increase the likelihood of requests for further information and/or delays in assessment.

☐ No – proceed to next question.
</td>
</tr>
</table>

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/DMPE will ask you to do so during the validation of this application. Offsets will only be considered by

DWER/DMPE as a last resort, once avoidance and minimisation measures have been clearly demonstrated.

Provide the avoidance details (e.g. retention of vegetation on property) Verge clearing no longer relavent	The crossover and gate's location was selected due to its proximity to the property boundary. Further south along Alexander Drive there is an existing retaining wall, and the site is steeper than the proposed location. To the north is property not owned or managed by the City. This section of the road verge selected for the crossover location does not contain remnant native vegetation, rather it is made up of ornamental native shrubs and introduced grass and other weeds as an understory. This verge was landscaped as part of the upgrade to the Alexander Drive/Reid Highway intersection works in the past. The species to be cleared include; include *Adenanthos sericeus*, *Beaufortia squarrosa*, *Calothamnus spp, Chamelaucium uncinatum, Hakea trifurcata, Hakea varia* and *Melaleuca nesophylla* (see Attachment 6 – Reid Highway Bushland Photos of vegetation to be Cleared) The City considered a limestone-based turn around point at this location, however this would result in the clearing of healthy native vegetation within the reserve. A "T" turn around point would require an area of 148m^2 and a circular turn around point 27.5m^2. This was rejected due to the site being a Bush Forever site (385), it's important to avoid any damage to the native vegetation. One recommendation was to clear the bush for the installation of the fencing to produce another firebreak. This was rejected and fencing contractors will be instructed to ensure minimum damage to the vegetation when installing the fence (star pickets and ring-lock) and not to remove any trees that may be in the way. This represents an area of approximately 430m^2 that will be conserved. An existing track will be closed and the area left to regenerate This represents an area of approximately 280m^2 (see Attachment 4).
Provide the mitigation details (e.g. management of weed spread, rehabilitation)	Over the last several years the City has been undertaking and will continue to undertake works to enhance and protect Reid Highway Bushland which is a Threatened Ecological Community. Works follows a Management Plan and includes rubbish removal, fencing installation, weed control and revegetation activities. This financial year the third stage of limestone treatment to the firebreaks will be undertaken to protect vegetation from dieback, minimize the spread of weeds and allow easier movement through the reserve for maintenance vehicles, fire fighting vehicles and pedestrians (see Attachment 7 – Reid Highway Bushland Limestone Treatment of Firebreaks). To minimize the potential spread of dieback during the proposed works contractors will be required to follow dieback hygiene guidelines and: • Schedule the work in low rainfall months • Inspect and clean vehicles, equipment and footwear before entering the reserve • Stay on established tracks and not enter any part of the natural bush • Ensure the crushed limestone is sourced from dieback free certified

	pits The purpose of the proposed works and previous activities undertaken at Reid Highway Bushland is aimed at controlling access to protect the reserve and allowing for access to maintenance vehicles and contractors to undertake ongoing ecological rehabilitation efforts. It will also provide safer infrastructure for firefighting within the bushland.

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 *Clearing of native vegetation offsets procedure* guideline as a supporting document for your form.	☐ Appendix A attached

Part 7 – Surveys for assessments (ISA)

Do you want to submit marine or biodiversity surveys in support of your form?	☐ Yes ☒ No – skip to Part 8

7.1 Biodiversity and Marine surveys

If you want to submit any biodiversity or marine surveys to support this form, you must submit them via Environment Online and follow the **Procedure - – Preparing Data Packages for the Index of Surveys for Assessments (ISA)** at https://environmentonline.dwer.wa.gov.au/article/?code=KA-00081#/ and https://environmentonline.dwer.wa.gov.au/article/?code=KA-00098.

If you do not meet the ISA requirements, DWER/DMPE will decline/return your form.

Please provide the ISA number(s) in the space provided. Please note DWER/DMPE will suspend the assessment timeframes for your application until the biodiversity or marine surveys are accepted by ISA.

Have you submitted all the biodiversity surveys that support this form to the Index of Surveys for Assessment via Environment Online?	☐ Yes ☐ Not applicable
If 'Yes' – please provide the ISA number(s)and/or any relevant existing IBSA/IMSA numbers	

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/DMPE 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?	☐ 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/DMPE 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/DMPE) considers the proposal in this form is likely to constitute a 'significant proposal', under section 38(5) of the EP Act they must refer the proposal to the EPA under Part IV, if such a referral has not already been made.

Has the proposed clearing or any related matter been referred to the EPA?	☐ Yes Enter details: ☒ 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 *Procedure: Prescribed premises works approvals and licences* and *Guideline: Industry regulation guide to licensing*.	☐ 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 (*Rights in Water and Irrigation Act 1914*)

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 *Rights in Water and Irrigation Act 1914*, see DWER's *Procedure: Water licences and permits*.	☐ 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: DA approval will be applied for with the WAPC due to Reid Highway Bushland being a Bush Forever site. ☐ No – planning approval is not required