

**Application for a clearing permit (purpose permit)**

Environmental Protection Act 1986 s 51E

FORM C2

Clearing of native vegetation is prohibited in Western Australia except where a clearing permit has been granted or an exemption applies. A person who causes or allows unauthorised clearing commits an offence.

CPS No.

Date stamp

Part 1 Assessment under the EPBC bilateral agreement

The native vegetation clearing processes under Part V of the *Environmental Protection Act 1986* (EP Act) have been accredited by the Commonwealth of Australia under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and can be assessed under an assessment bilateral agreement.

To be assessed under the assessment bilateral agreement, the proposed clearing action must be referred to the Commonwealth under the EPBC Act prior to submitting this application form and Annex C7 must also be completed.

For further information see Annex C7 and *A guide to native vegetation clearing processes under the assessment bilateral agreement* available at www.der.wa.gov.au.

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?

☐ Yes ☒ No Proceed to Part 2

Has the proposed clearing action been referred to the Commonwealth of Australia under the EPBC Act?

☐ Yes EPBC Number

☐ No It cannot be assessed under an Accredited Process until it has been referred to the Commonwealth. Proceed to Part 2.

Has a decision been made under the EPBC Act as to whether or not the proposed clearing action is a controlled action?

☐ Yes ☐ No Proceed to Part 2

Is the proposed clearing action a controlled action under the EPBC Act?

☐ No It cannot be assessed under an Accredited Process, proceed to Part 2

☐ Yes Complete and attach the requirements of Annex C7 to this completed form

List the controlling provisions identified in the notification of the controlled action decision

☐ Annex C7 is complete and the required supporting information is attached

Part 2 Land details

The location of the land where clearing is proposed must be accurately described.

Land description: volume and folio number, lot or location number(s), Crown lease or reserve number, pastoral lease number or mining tenement number of all properties.

Lot 11 Chitty Road Hoddy's Well Toodyay

FILE REFERENCE

Local government area

Shire of Toodyay

Part 3 Proposal

An aerial photograph or map with a north arrow must be attached, clearly marking the area proposed to be cleared or if you have the facilities, a digital map on CDROM of the area to clear as an ESRI shapefile with the following properties:

- Geometry type: polygon shape
- Coordinate system: GDA 1994 (Geographic latitude/longitude)
- Datum: GDA 1994 (Geocentric Datum of Australia 1994).

Total area of clearing proposed (hectares)

0.6 ha

Proposed method of clearing or final land use

Push over with earthmoving equipment (dozer or excavator)

Period within which clearing is proposed to be undertaken, e.g. May 2013 – June 2018

August to September 2015

Purpose of clearing

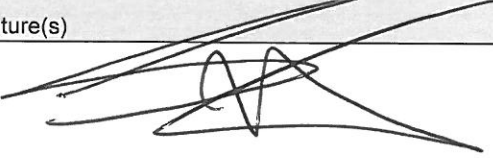
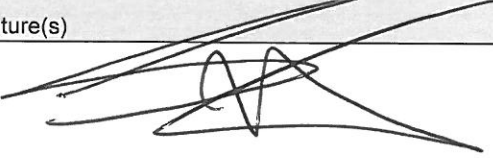
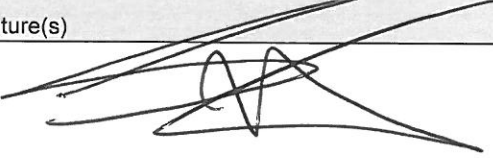
For the development of a landfill facility and associated infrastructure.

Has this clearing application or any related matter been referred to the Environmental Protection Authority (EPA) ☒ Yes ☐ No

Part 4 Applicant									
<p>To apply for a permit you must either be:</p> <ul style="list-style-type: none"> the landowner or have the authority of the landowner to access the land and undertake the clearing. 	<p>Are you applying as an individual, a company or an incorporated body? Enter details for one only (please print).</p> <p>A body corporate or other entity formed at law.</p> <p>Opal Vale Pty Ltd of PO Box 419 MORLEY BC WA 6943</p>								
<p>Ownership of land</p> <p>A landowner can be:</p> <ul style="list-style-type: none"> a person who holds the Certificate of Title a person who is the lessee of Crown land or a public authority that is responsible for care of the land. 	<p>Form of ownership:</p> <p><input checked="" type="checkbox"/> Certificate of Title (please attach a copy of the certificate and all associated encumbrances with the application, available from the Western Australian Land Information Authority – Landgate)</p> <p><input type="checkbox"/> Pastoral lease (please attach a copy of the lease and all associated encumbrances with the application)</p> <p><input type="checkbox"/> Mining lease</p> <p><input type="checkbox"/> Public authority that has care, control or management of the land</p> <p><input type="checkbox"/> Other form of lease, land tenure or specific arrangement. Please state:</p> <p></p>								
<p>Authority to access land</p> <p>Please specify the applicant's authority to access land to be cleared. For example, a letter from Department of Planning, a statutory power or letter of authority from the landowner.</p> <p>Note: the letter of authority must explicitly state the applicant has authority to clear on the said land.</p>	<p>State nature of authority to access land (please attach copy of authority)</p> <p>A letter of authority from the landowners.</p> <p></p>								
<p>Proposed permit holder details</p> <p>*If applying as a company or incorporated body, please also supply the registered business office address.</p>	<table border="0"> <tr> <td> <p>Given names, family name and title (Mr, Mrs, Ms, etc.)</p> <p>Mr Sam Mangione</p> </td> <td> <p>Position title/Company</p> <p>Director</p> </td> </tr> <tr> <td colspan="2"> <p>Postal/Business address* (for future correspondence)</p> <p>Opal Vale Pty Ltd PO Box 419 MORLEY BC WA 6943</p> </td> </tr> <tr> <td> <p>Fixed telephone number</p> <p>6270 4114</p> </td> <td> <p>Mobile telephone number</p> <p>0413 628 658</p> </td> </tr> <tr> <td> <p>Fax number</p> <p></p> </td> <td> <p>Email address</p> <p>sam@instantwaste.com.au</p> </td> </tr> </table>	<p>Given names, family name and title (Mr, Mrs, Ms, etc.)</p> <p>Mr Sam Mangione</p>	<p>Position title/Company</p> <p>Director</p>	<p>Postal/Business address* (for future correspondence)</p> <p>Opal Vale Pty Ltd PO Box 419 MORLEY BC WA 6943</p>		<p>Fixed telephone number</p> <p>6270 4114</p>	<p>Mobile telephone number</p> <p>0413 628 658</p>	<p>Fax number</p> <p></p>	<p>Email address</p> <p>sam@instantwaste.com.au</p>
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<p>Fax number</p> <p></p>	<p>Email address</p> <p>sam@instantwaste.com.au</p>								

Contact details	<input type="checkbox"/> Contact details are the same as above or:	
Person with whom the Department of Environment Regulation or Department of Mines and Petroleum should liaise concerning the clearing application. *If applying as a company or incorporated body, please also supply the registered business office address.	Given names, family name and title (Mr, Mrs, Ms, etc.) Mr Ian Watkins	Position title/Company Director Postal/Business address* IW Projects 6 Anembo Close DUNCRAIG WA 6023 Fixed telephone number 9448 3434 Mobile telephone number 0402 909 291 Fax number Email address iwatkins@iwprojects.com.au

Part 5 Declaration and signature

<p>For your application to be accepted, it must be signed either on behalf of the company or as an individual.</p> <p>By signing this form you are declaring that the statements on this form are true and correct.</p> <p>The department in accepting this form accepts you are a person duly authorised to sign for and on behalf of the body corporate in applying for and in holding a permit.</p> <p>Knowingly providing false or misleading information is an offence under section 112 of the <i>Environmental Protection Act 1986</i> and may incur a penalty of up to \$50,000.</p>	<p>Please indicate if you are signing as an individual or a company:</p> <p><input type="checkbox"/> An individual. If an individual landowner is applying, all landowners must sign this form.</p> <p><input checked="" type="checkbox"/> A company. A person duly authorised to sign for and on behalf of the body corporate must sign this form. A company must be a legal entity and provide an Australian Company Number (ACN). Please note Australian Business Number (ABN) is not sufficient.</p> <p><input type="checkbox"/> Other entity formed at law. Provide details:</p> <table border="1"> <tr> <td data-bbox="520 936 1158 1104"> Signature(s) (1)  (2) </td> <td data-bbox="1158 936 1493 1104"> Date 29 April 2015 </td> </tr> <tr> <td data-bbox="520 1104 1158 1283"> Print name(s) (1) Mr Sam Mangione (2) </td> <td data-bbox="1158 1104 1493 1574" rowspan="3"> Common seal (if used) </td> </tr> <tr> <td data-bbox="520 1283 1158 1462"> Position (e.g. director, CEO etc.) (1) Director (2) </td> </tr> <tr> <td data-bbox="520 1462 1158 1574"> Company name/ACN or other entity (incorporation etc.) Opal Vale Pty Ltd 45 493 908 667 </td> </tr> </table>		Signature(s) (1)  (2)	Date 29 April 2015	Print name(s) (1) Mr Sam Mangione (2)	Common seal (if used)	Position (e.g. director, CEO etc.) (1) Director (2)	Company name/ACN or other entity (incorporation etc.) Opal Vale Pty Ltd 45 493 908 667
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Part 6 Prescribed fee

<p>Make cheques or money orders payable to:</p> <p>Department of Environment Regulation (for all clearing purposes other than mining and petroleum activities) or Department of Mines and Petroleum (for mining and petroleum clearing activities under the Mining Act, various Petroleum Acts or State Agreement Acts).</p> <p>To make payment with a credit card, please complete Form C3 and attach to this form.</p>	<p>A \$200 fee is required for all purpose permit applications.</p> <div data-bbox="1209 1664 1485 1742" style="border: 1px solid black; padding: 5px; text-align: center;">OFFICE USE ONLY</div> <p>Payment method (tick applicable box):</p> <p><input checked="" type="checkbox"/> Cheque <input type="checkbox"/> Money order <input type="checkbox"/> Credit card (please complete Form C3 and attach)</p>	
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Do not send cash in the mail.

Part 7 Application checklist and documentation summary

Additional information to assist in the assessment of your proposal may be attached to this application—e.g. reports on salinity, fauna or flora studies or other environmental reports conducted for the site could be included in electronic format and submitted on CDROM.

Please ensure you have included the following as part of your application:

REQUIRED

- ☐ A completed application form that is signed and dated by all landowners, or the applicant acting on behalf of or likely to become the landowner.
- ☐ Payment.
- ☐ An aerial photograph or map with a north arrow clearly identifying the areas of vegetation proposed to be cleared or ESRI shapefile. An ERSI shapefile must be provided if the application requires an assessment under an EPBC Act Accredited process.
- ☐ Written authority from the landowner to access the land and undertake the clearing.
- ☐ I have read and understood the 'Confidential or commercially sensitive information' section at the bottom of this form.

REQUIRED IF APPLICABLE

- ☐ Copy of the Certificate of Title or pastoral lease.
- ☐ Form C3 if fee is to be paid by credit card.
- ☐ Annex C7 if the clearing applied for is also to be assessed under an EPBC Act Accredited Process.

Please provide a summary of all attached documentation.

Attached are copies of the following:

- Landowner Letter of Consent
- Certificate of Title
- Overall Site Plan showing the Landfill Area and Water Storage Dam area, as well as the full proposed landfill development;
- Landfill Area showing the detail of the tree cluster locations;
- Landfill Area showing images of the individual tree clusters;
- Water Storage Dam Area showing the detail of the single tree to be cleared; and,
- Water Storage Dam Area showing images of the single tree to be cleared.

Part 8 Lodgement

Send by email or post original applications for all clearing purposes (other than mining and petroleum activities) to:

Department of Environment Regulation
Locked Bag 33, CLOISTERS SQUARE
PERTH WA 6850
Email: nvp@der.wa.gov.au

Telephone: 6467 5020

For more information: www.der.wa.gov.au/nvp

Send original applications related to mining and petroleum clearing activities (under delegation) to:

Department of Mines and Petroleum
Environment Division
Mineral House
100 Plain St
EAST PERTH WA 6004

Telephone: 9222 3333

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

Please retain a copy of this form for your records.

Incomplete applications will be declined in accordance with section 51E (3) of the *Environmental Protection Act 1986*.

CONFIDENTIAL OR COMMERCIAL SENSITIVE INFORMATION

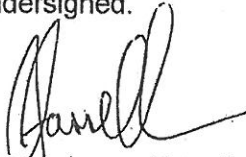
Simon James Farrell
10 Princess Road
CLAREMONT, WA 6010
Tel: +61 417 985 383
Email: sjfarrell@bigpond.com

29 April 2015

To Whom it may Concern,

As the landowners of Lot 11 Chitty Road, we consent to Opal Vale Pty Ltd developing of a Class II putrescible landfill on the site. In accordance with this proposed development, we authorise access to the property and the clearing of up to 1 ha of native vegetation on site.

Should you have any further queries, please do not hesitate to contact the undersigned.



Simon James Farrell
Landowner
+61 417 985 383
sjfarrell@bigpond.com



Michele Louise Farrell
Landowner
+61 427 985 982
michele@jovita.com.au

WESTERN



AUSTRALIA

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

REGISTER NUMBER	
11/DP34937	
Duplicate Edition	Date Duplicate Issued
1	12/5/2003

VOLUME
2535FOLIO
391

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 11 ON DEPOSITED PLAN 34937

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

SIMON JAMES FARRELL OF 171-173 MOUNTS BAY ROAD, PERTH
MICHELE LOUISE FARRELL OF 7 BIRD STREET, MOSMAN PARK
AS TENANTS IN COMMON IN EQUAL SHARES

(T M852332) REGISTERED 9 DECEMBER 2014

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. EXCEPT AND RESERVING METALS, MINERALS, GEMS AND MINERAL OIL SPECIFIED IN TRANSFER 10360/1951 AND 11837/1959. SEE DEPOSITED PLAN 34937
2. *K213696 CAVEAT BY PRESTIGE BRICK PTY LTD AS TO PORTION ONLY LODGED 1.6.2007.
3. *M852333 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 9.12.2014.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

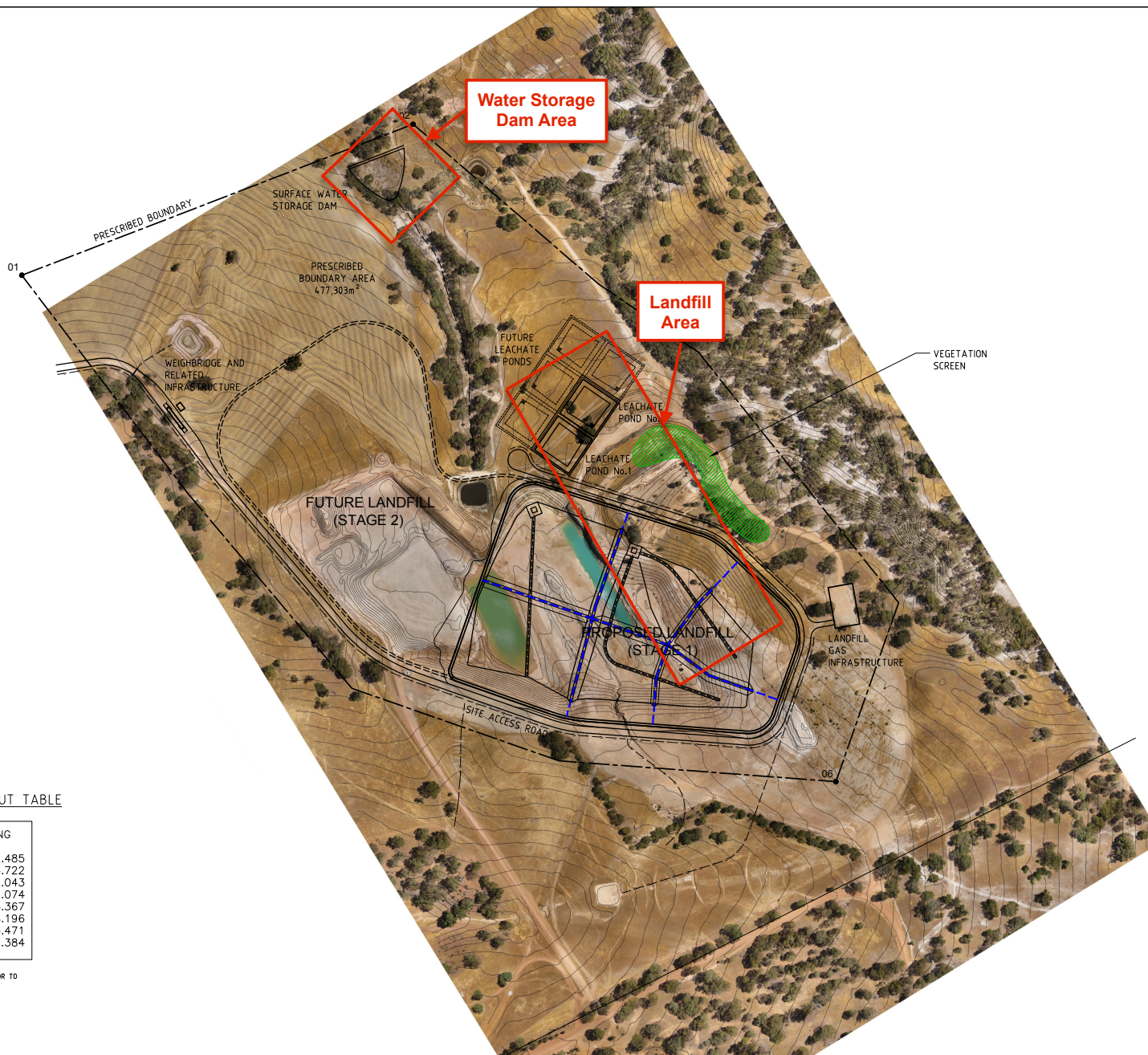
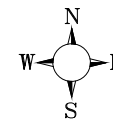
-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP34937.
PREVIOUS TITLE: 1996-945, 1136-878.
PROPERTY STREET ADDRESS: 768 CHITTY RD, HODDYS WELL.
LOCAL GOVERNMENT AREA: SHIRE OF TOODYAY.

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING J080063.
NOTE 2: K185165 SECTION 138D TLA APPLIES TO CAVEAT D566898
NOTE 3: M743829 DEPOSITED PLAN (INTEREST ONLY) 77396 LODGED.



PRESCRIBED BOUNDARY SETOUT TABLE

PT	EASTING	NORTHING
01	449175.810	6496412.485
02	449650.350	6496595.722
03	449875.060	6496402.043
04	449996.452	6496319.074
05	450239.200	6496015.367
06	450163.157	6495798.196
07	449827.189	6495823.471
08	449576.119	6495911.384

NOTES:
1. ALL SETOUT IS TO BE CONFIRMED ON SITE PRIOR TO COMMENCING CONSTRUCTION.

FOR APPROVAL

10 DECEMBER 2014

SCALE 25 0 50 125 (metres)
1 : 2,500 (A1), 1 : 5,000 (A3)

REVISIONS	No.	BY	DATE	DESCRIPTION	DWG. CHK.	I.W.
B	S.B.Y.	18/12/14	ISSUE FOR APPROVAL	DESIGN	I.W. / S.B.Y.	11/14
	DRAWN	S.B.Y.	11/14			
A	S.B.Y.	28/11/14	PRELIMINARY ISSUE FOR REVIEW	DES. CHK.	I.W.	

TECHNICALLY APPROVED:

iw Projects

Email - iwatkins@iwprojects.com.au
Mobile - 0402 909 291
Address - 6 Anembo Close Duncraig 6023

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OPAL VALE PTY LTD

PROPOSED CLASS II LANDFILL (STAGE 1)
LOT 11 CHITTY ROAD, TOODYAY
OVERALL LAYOUT PLAN

SCALE AS SHOWN

SHEET 02 of

REVISION B

DRG No. OV-WA-22

Clearing Permit Application - Landfill Area

Tree Cluster Locations



Landfill Area

Ten clusters of trees to be removed

Cluster 1 – Three trees (small and medium sized trees).

View looking north



View looking west



Cluster 2 – Five trees (small and medium sized trees).

View looking north



View looking west



Cluster 3 – Fourteen trees (small and medium sized trees).

View looking north



View looking east



Cluster 4 – Five trees (small and medium sized trees)

View looking north



View looking west



Cluster 5 – Three trees (small and medium sized trees).

View looking north



View looking east



Cluster 6 – Ten trees (small and medium sized trees).

View looking north



View looking south



Cluster 7 – Single tree (medium sized tree).

View looking north



View looking south



Cluster 8 – Twelve trees (small and medium sized trees).

View looking north



View looking west



Cluster 9 – Three trees (small sized trees).

View looking east



View looking west



Cluster 10 – Three trees (small sized trees).

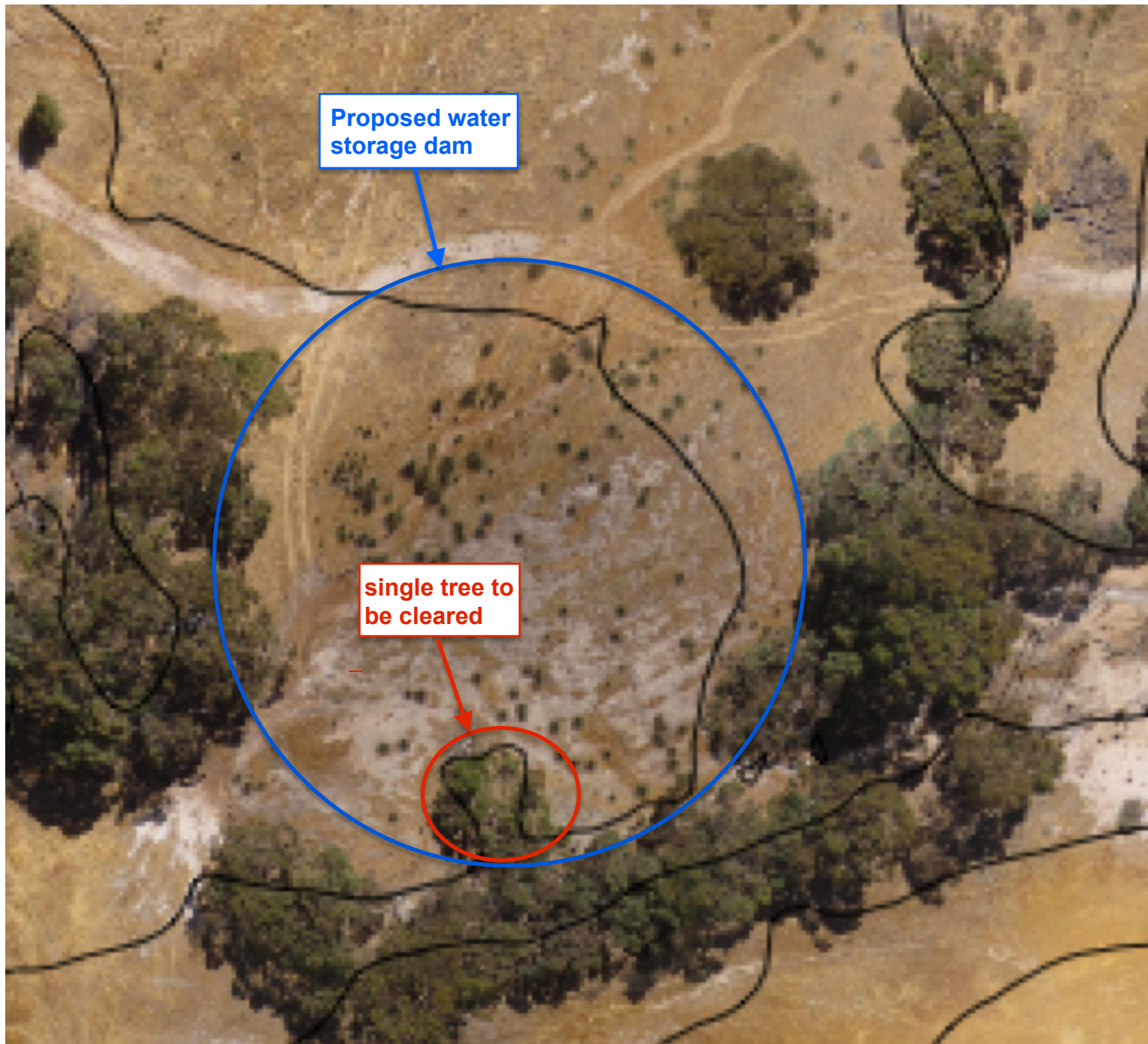
View looking east



View looking west



Clearing Permit Application - Water Storage Dam Area



Water Storage Dam Area

Single tree to be removed



View looking north



View looking south