

Department of Water and Environmental Regulation

Department of Energy, Mines, Industry Regulation and Safety

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

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) 	
'referral' and 'referrer'		 □ Department of Energy, Mines, Industry Regulation and Safety ☑ Department of Water and Environmental Regulation

Part 2 – Applicant details

2.1 Applicant name

For area permits:	□ Applying as an individual – complete the following:			
If granted, the	Title	□ Mr □ Mrs □ Ms □ Other:		
name(s) of (all) landowner(s) will be listed as	Name(s)			
'permit holders' on the permit.	☐ Applying as a following:	a body corporate or other entity formed at law – complete the		
For purpose permits:	Name			
If granted, the name(s) of (all) applicant(s) will	Australian Cor	mpany Number (ACN)		
go on the permit.				
	Name	Department of Transport on behalf of The Shire of Irwin		

2.2 Applicant contact details

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



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.



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.

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).



If 'No' – complete the following:



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.	□ Yes – skip to Part 4	⊠ 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	Parcel Identifiers: Port Denison Boat Habour vested to the Minister for Transport under the Marine and Harbour Act 1981 proclamation published in the Government Gazette on 15 July 2011 at page 2953 (Attachment 1) Lot 954 on Deposited Plan 36803, Volume LR3130, Folio 937, Reserve number 41088 (Attachment 1)		
Street address – Line 1	Port Denison public boat ramp		
Street address – Line 2	Point Leander Drive		
Suburb	Port Denison		
State	WA Postcode 6525		
Local government area(s)	Shire of Irwin		
Land zoning	Reserve for the purpose of recreation (Reserve 41088)		

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
☐ 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')
□ 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/DEMIRS 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

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 = $10,000 \text{ m}^2$ Area of circle = 3.14 x radius^2 1 acre = $0.4 \text{ hectares/4,000 m}^2$ Area of a rectangle = length x width

1 tree = 0.01 hectares/100 m² Area of a triangle = $\frac{1}{2}$ length x perpendicular height

Total area of clearing proposed (hectares)	0.455 Ha
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.). The Western Australian Department of Transport (DoT) is planning a short-term maintenance dredging campaign within the Port Denison Boat Harbour (the Harbour) to remediate recent sediment accretion near the wharf and boat pens and restore navigational safety. The campaign will involve disposal of dredged material into a nearshore area to the east of the public boat ramp. Disposal of dredged material may result in burial/smothering of marine flora occurring in the area (seagrass meadows), resulting in the requirement of a clearing permit.

The Harbour is located ~360 km north of Perth and is a commercial and recreational harbour facility managed by the DoT. It includes 48 boat pens, 42 moorings, a service jetty, fuelling and maintenance facilities and a boat ramp. The fishing (rock lobster) industry has historically been the primary facility user.

Historically, shallowing has not been significant within the Harbour and no major maintenance dredging campaigns have been required. Small-scale maintenance dredging and/or excavation works have been carried out in 2004 and 2020 to remove accreted sediments within the Harbour.

Small areas of sediment accretion have been identified adjacent to the Harbour wharf and boat pens in recent hydrographic surveys. To remediate accretion and restore navigational safety, DoT is planning a short-term (~two weeks) maintenance dredging campaign in Winter or Spring 2025. This will include disposal of ~800 m³ of dredged material in the nearshore area immediately to the east of the public boat ramp. The disposal area has been selected in consultation with the Shire of Irwin and the local commercial fishing industry as the preferred option to minimise disruption to commercial operations and to provide public amenity. The material placed in this area will support nourishment of the adjacent beach, which is subject to ongoing erosion. It should also be noted that in previous DoT campaigns at the Harbour dredged material was disposed onto an unvegetated beach ~100 m south of the

		boat pens; however, this option is not preferred as the material quickly migrated back into the boat pens in which it was removed from.	
		A drag-flow dredge will be used to remove sediments within the accretion areas. Dredged sediment will be disposed through a submerged pipeline directly onto the disposal area for beach nourishment.	
Specify what the final land use will be after clearing		No land use changes are proposed by DoT following completion of works. However, part of the clearing area is intended to be reclaimed for future shorefront developments by the Shire of Irwin as per the Shire's Foreshore Masterplan (within the next 12–24 months; per. comm, Shire of Irwin, 15 January 2025).	
5.4 Method			
Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)		Burial/smothering through disposal of dredged material	
5.5 Timeframe			
Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)		Start date: 18/08/2025 End date: 18/10/2025	
	erral process is not suitable for a	ny clearing that is expected to take longer	
than two years.			
5.6 Pre-application Historic clearing of na		tal Plain and Avon Wheatbelt <u>Interim</u>	
Biogeographic Region	nalisation for Australia (IBRA) bior	regions has been extensive.	
vegetation within thes		n meeting if you propose to clear native	
☐ Yes – complete section below			
Do you propose to clear native vegetation within the Swan Coastal Plain or Avon Wheatbelt	☐ I have had a pre-application meeting with DWER/DEMIRS		
	Insert date of meeting and officer name(s):		
bioregions?	☐ 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):	
 ☐ 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. ☑ 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)

Several disposal area options that did not require clearing were investigated by DoT. Disposal was considered onto the unvegetated beach utilised as a disposal area in previous campaigns at the Harbour (located ~100 m south of the boat pens); however, this option is not considered suitable as due to the short distance disposed material quickly migrates back into the area in which it was dredged from. A second disposal option was considered over the northern side of the Harbour breakwater, avoiding any benthic habitat, however this would restrict accessibility for the commercial operators, resulting in considerable financial losses. Consultation between DoT, the Shire of Irwin, and other relevant commercial stakeholders of the project resulted in the clearing area being selected as the preferred option to minimise disruption of commercial operations and recreational activities within the Harbour, provide public amenity, and combat coastal erosion.

To minimise the impact of disposal operations on the receiving environment, both the dredge volume and the duration of disposal activities have been kept to a minimum. The estimated dredge volume is approximately 800 m³, with disposal operations expected to be completed within two weeks.

The disposal area location has been strategically selected to partially overlap with the reclamation area proposed by the Shire of Irwin as part of the Port Denison Foreshore Core Precinct development, allowing clearing to be partly combined and limiting disturbance of additional areas.

Native vegetation in the form of seagrass meadows in the disposal area is anticipated to be directly removed through burial/smothering by disposal of dredge material during disposal operations. It is noted that the selected clearing area is slightly larger than the disposal area (0.45 ha vs 0.12 ha, respectively) to account for indirect impacts on marine vegetation from turbid plumes that may be generated during disposal (i.e. smothering/ shading). Any increase in water turbidity from disposal is predicted to be minimal and short-term in nature due to the small dredge volume and scale of operations. In addition, samples from the dredge area collected on 7 May 2024 (BMT 2024) were largely characterised by fine to coarse sands with small portions of silts and clays, and have a rapid settling velocities, further reducing the likelihood of persistent turbid plumes. While a significant increase in water column turbidity and associated impacts on marine vegetation is unlikely, turbidity will be monitored and managed in accordance with the Port Denison Boat Harbour Maintenance Dredging -Environmental Impact Assessment and Management Plan (BMT 2025) to further reduce potential impacts.

There is no proposed or predicted impact to terrestrial vegetation.

References

BMT (2024) Port Denison Boat Harbour – Sediment Sampling and Analysis Plan Implementation Report. Prepared for Department of Transport by BMT Commercial Australia Pty Ltd, Report No. R-000607.001-26, Perth, Western Australia, September 2024

BMT (2025) Port Denison Boat Harbour Maintenance Dredging – Environmental Impact Assessment and Management Plan. Prepared for Department of Transport by BMT Commercial Australia Pty Ltd, Report No. R-000607.002-4, Perth, Western Australia, January 2025

Provide the mitigation details (e.g. management of weed spread, rehabilitation)

Environmental monitoring and management commitments for the proposed Harbour campaign are detailed in BMT (2025) and include the following measures relevant to minimising direct and indirect impacts to marine vegetation:

- Review of disposal pipe position logger data (collected every 30 minutes) to ensure disposal occurs within the approved clearing area
- Plume sketches: the dredging contractor will complete daily a sketch of the turbid plume/s at the disposal area to record a visual extent of turbidity
- Site photographs: site photographs of the disposal area will be captured once daily throughout the campaign to verify the plume sketches.

Should monitoring indicate that turbidity may cause a potential impact (i.e. turbid plume is significantly greater than predicted) contingency measures will be applied including halting operations, revision of potential alternative disposal strategy and notification/consultation with relevant authorities if issue persists.

Rehabilitation is not proposed post-works as part of the clearing area is intended to be reclaimed for future shorefront developments by the Shire of Irwin as per the Shire's Foreshore Masterplan (within the next 12–24

months; per. comm, Shire of Irwin, 15 January 2025).				
6.2 Offsets				
Do you want to subm	nit a clearing offset proposal with your form?	□ Yes	⊠ No	
	opplete and attach Appendix A of the <u>Clearing</u> offsets procedure guideline as a supporting orm.	□ Apper	ndix A attached	
Part 7 – Surveys	for assessments (IBSA and IMSA)			
Do you want to subm	nit marine or biodiversity surveys in ?	□ Yes ⊠	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) <u>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments</u> (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				
are only issued once a notify DWER/DEMIRS	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? □ Ye			s et 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 Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments? □ Yes □ Yes □ Not applicable			☐ Yes ☑ 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.

☐ Yes ☑ No – skip to Part 9				
ocess)			
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.				
t	ty nt			

the EPA?	No − complete question	below.		
If 'No' – do you intend to refer the proposal to the EPA?		sterial Statement applies t number:		
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 <u>Procedure: Prescribed premises works approvals and licences</u> and <u>Guideline: Industry regulation guide to licensing</u> .				
9.3 Water licences	and permits (<i>Rights in W</i>	/ater and Irrigation Act 1914)		
a licence or amen	do you intend to apply for: idment to a licence to take iter or groundwater)	☐ Yes☐ No – a current valid licence applies		
 construct wells (in or a permit or amend interfere with the lawatercourse? For further guidance 		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:
	No − planning approval is not required
	Enter details:
	Not applicable Not