GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 11070/1

File Number: DWERVT18775

Duration of Permit: From 15 August 2025 to 15 August 2026

PERMIT HOLDER

Department of Transport on behalf of the Shire of Irwin

LAND ON WHICH CLEARING IS TO BE DONE

Lot 954 on Deposited Plan 36803 (Crown Reserve 41088), Port Denison

AUTHORISED ACTIVITY

The permit holder must not clear more than 0.455 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending order of preference:

(a) avoid the clearing of *native vegetation*;

(b) minimise the amount of *native vegetation* to be cleared; and

(c) reduce the impact of clearing on any environmental value.

2. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	(a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); and (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 1.

3. Reporting

The permit holder must provide to the *CEO* the records required under condition 3 of this permit when requested by the *CEO*.

DEFINITIONS

In this permit, the terms in Table have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*.
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
department	means the department established under section 35 of the *Public Sector Management Act 1994* (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	*Environmental Protection Act 1986* (WA)
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.

END OF CONDITIONS

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Temika Mathieson
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

18 July 2025

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure **1**).

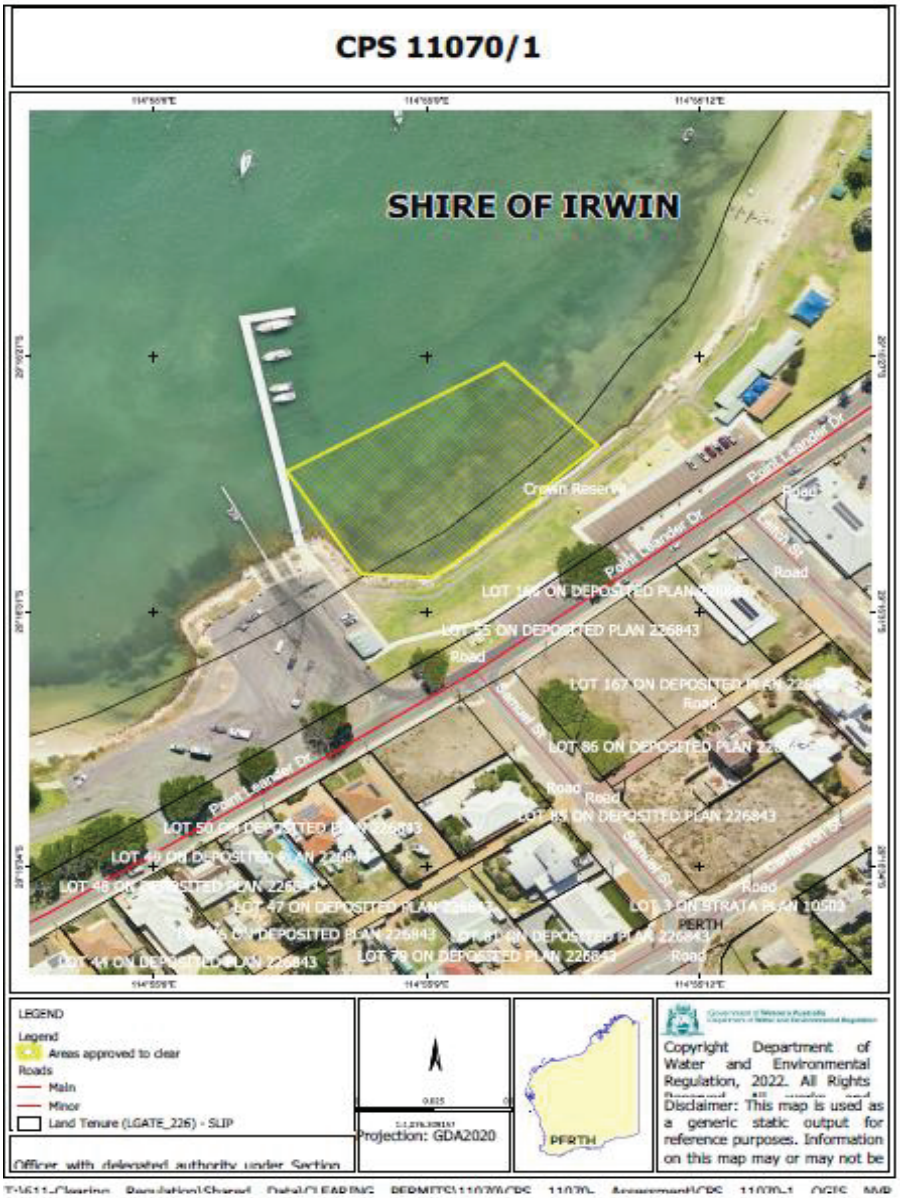

Figure 1: Map of the boundary of the area within which clearing may occur

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 11070/1
Permit type:	Area permit
Applicant name:	Department of Transport on behalf of the Shire of Irwin
Application received:	8 May 2025
Application area:	0.455 hectares of native vegetation
Purpose of clearing:	Maintenance dredging campaign
Method of clearing:	Burial/smothering
Property:	Lot 954 on Deposited Plan 36803 (Crown Reserve 41088)
Location (LGA area/s):	Shire of Irwin
Localities (suburb/s):	Port Denison

1.2. Description of clearing activities

The Department of Transport (DoT) are proposing to undertake the clearing of native marine vegetation within Lot 954 on Deposited Plan 36803 (Crown Reserve 41088), Port Denison. The vegetation proposed to be cleared is within a single contiguous area which will be the result of a short-term dredging campaign within Port Denison Boat Harbour (see Figure 1, Section 1.5).

1.3. Decision on application

Decision:	Granted
Decision date:	17 July 2025
Decision area:	0.455 hectares of native vegetation, as depicted in Section 1.5, below.

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 21 days and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (see Appendix B), relevant datasets (see Appendix F.1), the clearing principles set out in Schedule 5 of the EP Act (see Appendix C), relevant planning instruments and any other matters considered relevant to the assessment (see Section 3). The Delegated Officer also took into consideration that this project is a short-term maintenance dredging campaign to remediate sediment accretion near the wharf and boat pens and restore navigational safety. The disposal of this material may result in the burial/smothering of marine flora occurring in the area (DoT, 2025a).

The assessment identified that the proposed clearing would result in the direct loss of approximately 0.455 hectares of seagrass. However, noting the extent of marine vegetation in the vicinity of the application area, this loss is not considered significant to marine fauna.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (see Section 3.1), the Delegated Officer determined the proposed clearing is not likely to lead to an unacceptable risk to the environment. The Delegated Officer decided to grant a clearing permit subject to conditions to conditions to avoid, minimise and reduce the impacts and extent of clearing.

1.5. Site map

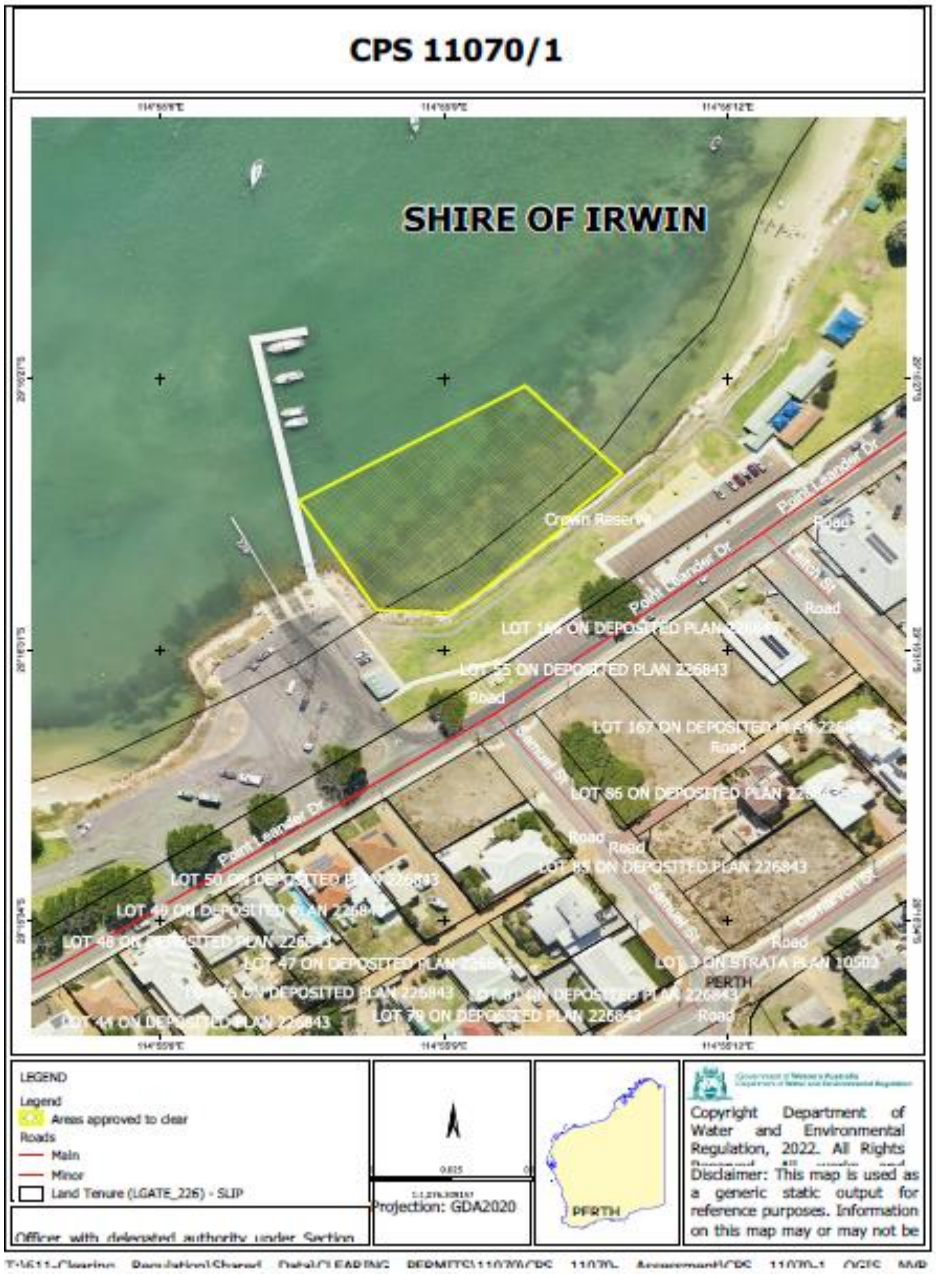

Figure 1 Map of the application area. The area crosshatched yellow indicates the area authorised to be cleared under the granted clearing permit.

2 Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity

- the principle of the conservation of biological diversity and ecological integrity.

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)

3 Detailed assessment of application

3.1. Avoidance, minimisation and mitigation measures

The applicant has advised that the following avoidance, minimisation and mitigation measures will be undertaken (DoT, 2025a):

- Disposal was considered onto an unvegetated beach used in previous campaigns (approximately 100 metres south of the boat pens). However, this option was not considered suitable due to the short distance and the speed at which disposed material 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,
- 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 m^3, 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,
- 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 reduce further potential impacts,
- 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 a daily sketch of the turbid plume/s at the disposal area to record a visual extent of turbidity,
- Site photographs of the disposal area will be captured once daily throughout the campaign to verify the plume sketches, and
- 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.

The Delegated Officer was satisfied that the applicant has made a reasonable effort to avoid and minimise potential impacts of the proposed clearing on environmental values.

3.2. Assessment of impacts on environmental values

In assessing the application, the Delegated Officer has had regard for the site characteristics (see Appendix B) and the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values.

The assessment against the clearing principles (see Appendix C) identified the impacts of the proposed clearing are limited and able to be managed to be environmentally acceptable with standard avoid and minimise management conditions.

3.3. Relevant planning instruments and other matters

The application was advertised on DWER's website for 21 days on the 6 June 2025 and no submissions were received.

The Shire of Irwin advised DWER that local government approvals are not required and has agreed to be a joint applicant on the clearing permit (Shire of Irwin, 2025).

The application area is located within the Yamatji nation Native Title determination area. The Yamatji nation Native Title claimants were invited to provide comment on the proposed clearing under 24KA of the *Native Title Act 1993*. No comments have been received to date.

Several Aboriginal sites of significance have been mapped within the local area. It is the permit holder's responsibility to comply with the *Aboriginal Heritage Act 1972* (WA) and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

End

Appendix A. Additional information provided by applicant

Summary of comments	Consideration of comment
Representative photographs of the area proposed to be cleared were provided by the applicant on 9 July 2025.	Refer to Appendix E.

Appendix B. Site characteristics

B.1. Site characteristics

The information provided below describes the key characteristics of the application area and is based on the best information available to DWER at the time of this assessment. This information was used to inform the assessment of the clearing against the Clearing Principles, contained in Appendix C.

Characteristic	Details
Local context	The application area is a 0.455-hectare isolated patch of native marine vegetation in the extensive land use zone of Western Australia. The local area (20-kilometre radius from the centre of the application area) retains approximately 40.57 per cent of the original native vegetation cover.
Ecological linkage	No ecological linkages have been mapped within the vicinity of the application area.
Conservation areas	The closest conservation area is Dongara Nature Reserve which is located approximately 4.7 kilometres north of the application area.
Vegetation description	Photographs supplied by the applicant (DoT, 2025b) indicates the vegetation within the application area consists of sea grass. This is inconsistent with the mapped vegetation type: • Beard 17, which is described as Wattle, *casuarina* and tea tree *acacia-allocasuarina-melaleuca* alliance (Shepherd et al, 2001). The mapped vegetation type is likely present within the terrestrial vegetation located on the mainland. The mapped vegetation type retains approximately 83.51 per cent of the original extent in the Geraldton Sandplains IBRA Bioregion (Government of Western Australia, 2019).
Vegetation condition	Photographs supplied by the applicant (DoT, 2025b) indicate the vegetation within the application area is in Degraded to Good (Keighery, 1994 –) condition. The full Keighery (1994) condition rating scale is provided in Appendix D.
Soil description	There is no soil mapping data currently available for the application area, noting the marine nature of the vegetation. Mainland soils are mapped within the Quindalup Central 2 Subsystem, described as Coastal dune system, no fixed drainage (DPIRD, 2025).
Land degradation risk	Given the marine nature of the application area, land degradation is not likely to be relevant. Mainland soils are mapped as having a moderate to low land degradation risk (DPIRD, 2025).
Waterbodies and hydrogeography	The application area lies within the Indian Ocean.

Characteristic	Details
	The closest mainland watercourse is located approximately 1.48 kilometres from the application area.
Flora	The desktop assessment identified that four conservation significant flora species have been recorded within the local area, comprising two threatened flora species and two priority flora species (Western Australian Herbarium, 1998-). None of these existing records are known marine species.
Ecological communities	The desktop assessment identified that there are no conservation significant ecological communities within the application area. The closest mapped ecological community is the Subtropical and Temperate Coastal Saltmarsh, which is listed as Priority 1 Priority Ecological Community (PEC) by the Department of Biodiversity, Conservation and Attractions in Western Australia, which is located approximately 1.6 kilometres north of the application area. With consideration for the site characteristics and relevant datasets (see Appendix F.1), the application area is not considered likely to contain vegetation representative of a Threatened Ecological Community (TEC) or PEC.
Fauna	The desktop assessment identified that 18 conservation significant fauna species have been recorded within the local area including five threatened fauna species, two priority fauna species and 11 migratory fauna species. None of these existing records occur within the application area, with the closest being an occurrence of *Thalasseus bergii* approximately 0.87 kilometres from the application area. With consideration of the site characteristics set out above, relevant datasets (see Appendix F.1), and the habitat preferences of the species recorded from the local area, the application area is unlikely to provide habitat for conservation significant fauna species and did not require further consideration.

B.2. Vegetation extent

	Pre-European extent (ha)	Current extent (ha)	Extent remaining (%)	Current extent in all DBCA managed land (ha)	Current proportion (%) of pre-European extent in all DBCA managed land
IBRA bioregion*					
Geraldton Sandplains	3136037.83	1404424.32	44.78	568255.10	18.12
Vegetation complex					
Beard Vegetation Association 17 *	54078.08	45159.85	83.51	6067.99	11.22
Local area					
20km radius	126123.66	25248.63	40.57	-	-

*Government of Western Australia (2019)

Appendix C. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
Principle (a): *"Native vegetation should not be cleared if it comprises a high level of biodiversity."* Assessment: The application area does not contain locally or regionally significant flora, fauna, habitats, assemblages of plants.	Not likely to be at variance	No
Principle (b): *"Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna."* Assessment: The application area is not likely to contain significant habitat for conservation significant fauna, noting the extent of marine habitat available in the vicinity and the relatively small area of seagrass directly impacted by the proposal.	Not likely to be at variance	No
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: The application area is unlikely to contain habitat for flora species listed under the BC Act.	Not likely to be at variance	No
Principle (d): *"Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community."* Assessment: The application area does not contain species that can indicate a threatened ecological community.	Not at variance	No
Environmental value: significant remnant vegetation and conservation areas		
Principle (e): *"Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared."* Assessment: The extent of native vegetation in the local area is consistent with the national objectives and targets for biodiversity conservation in Australia. The vegetation proposed to be cleared is not considered to be part of a significant ecological linkage in the local area.	Not likely to be at variance	No
Principle (h): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area."* Assessment: Given the nature of the proposed clearing and the distance to the nearest conservation area, the proposed clearing is not likely to have an impact on the environmental values of nearby conservation areas.	Not at variance	No
Environmental value: land and water resources		
Principle (f): *"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."* Assessment: Given the application area lies within the ocean and the closest watercourse is located approximately 1.48 km from the application area, the proposed clearing is not considered to be growing in association with a wetland or watercourse.	Not at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The clearing of 0.455 hectares of seagrass vegetation is not likely to cause appreciable land degradation.	Not likely to be at variance	No
Principle (i): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water."* Assessment: Given the extent of the seagrass vegetation in the context of the marine environment, and the management measures in place through the applicant's management plan, the removal of the seagrass vegetation is unlikely to have significant or long-term impacts on water quality.	Not likely to be at variance	No
Principle (j): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."* Assessment: The clearing of 0.455 hectares of seagrass within the Indian Ocean is not likely to cause or exacerbate the incidence or intensity of flooding.	Not likely to be at variance	No

Appendix D. Vegetation condition rating scale

Vegetation condition is a rating given to a defined area of vegetation to categorise and rank disturbance related to human activities. The rating refers to the degree of change in the vegetation structure, density and species present in relation to undisturbed vegetation of the same type. The degree of disturbance impacts upon the vegetation's ability to regenerate. Disturbance at a site can be a cumulative effect from a number of interacting disturbance types.

Considering its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Measuring vegetation condition for the South West and Interzone Botanical Province (Keighery, 1994)

Condition	Description
Pristine	Pristine or nearly so, no obvious signs of disturbance.
Excellent	Vegetation structure intact, with disturbance affecting individual species; weeds are non-aggressive species.
Very good	Vegetation structure altered, with obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and/or grazing.
Good	Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it. For example, disturbance to vegetation structure caused by very frequent fires, the presence of some very aggressive weeds at high density, partial clearing, dieback and/or grazing.
Degraded	Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management. For example, disturbance to vegetation structure caused by very frequent fires, the presence of very aggressive weeds, partial clearing, dieback and/or grazing.
Completely degraded	The structure of the vegetation is no longer intact and the area is completely or almost completely without native species. These areas are often described as 'parkland cleared' with the flora comprising weed or crop species with isolated native trees or shrubs.

Appendix E. Photographs of the vegetation (BMT, 2025)

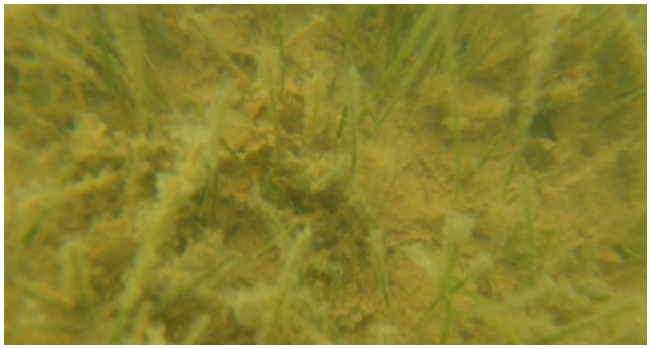

Figure 2. Underwater photograph of the vegetation proposed to be cleared (BMT, 2025)

Figure 3. Underwater photograph of the vegetation proposed to be cleared (BMT, 2025)

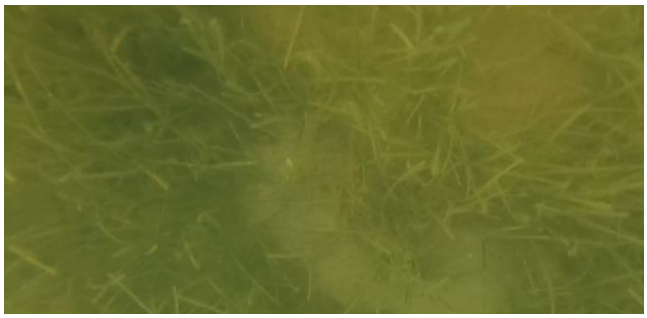

Figure 4. Underwater photograph of the vegetation proposed to be cleared (BMT, 2025)

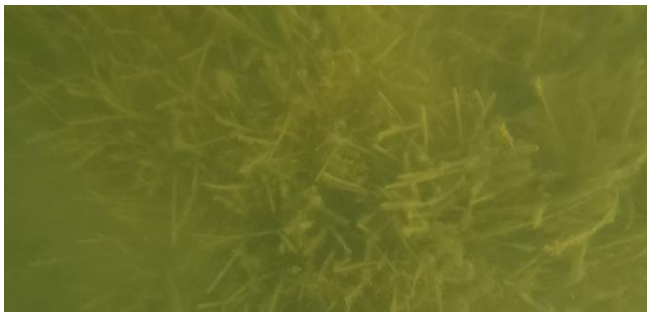

Figure 5. Underwater photograph of the vegetation proposed to be cleared (BMT, 2025)

Appendix F. Sources of information

F.1. GIS databases

Publicly available GIS Databases used (sourced from www.data.wa.gov.au):

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Cadastre (LGATE-218)
- Cadastre Address (LGATE-002)
- Contours (DPIRD-073)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- Flood Risk (DPIRD-007)
- Groundwater Salinity Statewide (DWER-026)
- Hydrography – Inland Waters – Waterlines
- Hydrological Zones of Western Australia (DPIRD-069)
- IBRA Vegetation Statistics
- Imagery
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Native Title (ILUA) (LGATE-067)
- Pre-European Vegetation Statistics
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)

- Remnant Vegetation, All Areas
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Land Quality – Flood Risk (DPIRD-007)
- Soil Landscape Land Quality – Phosphorus Export Risk (DPIRD-010)
- Soil Landscape Land Quality – Subsurface Acidification Risk (DPIRD-011)
- Soil Landscape Land Quality – Water Erosion Risk (DPIRD-013)
- Soil Landscape Land Quality – Water Repellence Risk (DPIRD-014)
- Soil Landscape Land Quality – Waterlogging Risk (DPIRD-015)
- Soil Landscape Land Quality – Wind Erosion Risk (DPIRD-016)
- Soil Landscape Mapping – Best Available
- Soil Landscape Mapping – Systems

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

F.2. References

BMT Commercial Pty Ltd (BMT) (2025) *Supporting Information for Clearing Permit Application CPS 11070/1.* Received 9 July 2025. (DWER ref: DWERDT1158897).

Commonwealth of Australia (2001) *National Objectives and Targets for Biodiversity Conservation 2001-2005*, Canberra.

Department of Environment Regulation (DER) (2013). *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide2_assessment_native_veg.pdf.

Department of Primary Industries and Regional Development (DPIRD) (2025) *NRInfo Digital Mapping. Department of Primary Industries and Regional Development.* Government of Western Australia. URL: https://maps.agric.wa.gov.au/nrm-info/ (accessed June 2025).

Department of Transport (DoT) (2025a) *Clearing permit application CPS 11070/1*, received 8 May 2025 (DWER Ref: DWERVT18775).

Department of Transport (DoT) (2025b) *Supporting information (photographs) for clearing permit application CPS 11070/1*, received 10 July 2025 (DWER Ref: DWERVT1158897).

Department of Water and Environmental Regulation (DWER) (2019) *Procedure: Native vegetation clearing permits*. Joondalup. Available from: https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits_v1.PDF.

Government of Western Australia. (2019) *2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019.* WA Department of Biodiversity, Conservation and Attractions. https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics

Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) *Native Vegetation in Western Australia, Extent, Type and Status*. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

Shire of Irwin (2025) *Advice for clearing permit application CPS 11070/1*, received 15 May 2025 (DWER Ref: DWERDT1119659).

Western Australian Herbarium (1998-) *FloraBase - the Western Australian Flora*. Department of Biodiversity, Conservation and Attractions, Western Australia. https://florabase.dpaw.wa.gov.au/ (Accessed 11 June 2025).