



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5099 / 1
File Number: 2011/006844
Duration of Permit: From 28 September 2012 to 28 September 2014

PERMIT HOLDER

Shire of Esperance

LAND ON WHICH CLEARING IS TO BE DONE

LOT 2194 ON DEPOSITED PLAN 38819 (ESPERANCE, SHIRE OF)

AUTHORISED ACTIVITY

Clearing of up to 2.94 hectares of native vegetation within the area cross hatched yellow on attached Plan 5099/1.

CONDITIONS

Nil.

A handwritten signature in black ink, appearing to read "M Warnock", written over a horizontal line.

M Warnock
MANAGER, COMPLIANCE AND AUDIT SECTION
NATIVE VEGETATION CONSERVATION BRANCH

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

6 September 2012

Plan 5099/1

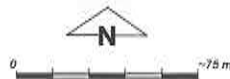


LEGEND

- Cadastre
- Towns
- Local Government Authorities

Cleaning Instruments

- Areas Applied to Clear
- Areas Subject to Conditions
- Areas Approved to Clear



Scale 1:3000

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

M Warnock Date *6/9/12*

M Warnock
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

Our environment, our future
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* Project Data. This data has not been quality assured. Please contact map author for details.



1. Application details

1.1. Permit application details

Permit application No.: 5099/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Shire of Esperance

1.3. Property details

Property: LOT 2194 ON PLAN 38819 (ESPERANCE, SHIRE OF)
Local Government Area: Shire of Esperance
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.94		Mechanical Removal	Artificial headland and seawall

1.5. Decision on application

Decision on Permit Application: GRANT
Decision Date: 6 September 2012

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Seagrass meadow (DEC 2012)	Seagrass meadow	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	Vegetation condition assessed through aerial imagery

3. Assessment of application against clearing principles

Comments **Proposal is not likely to be at variance to this Principle**

The application is to clear up to 2.94 hectares of seagrass meadow for the purposes of constructing an artificial headland and seawall. The clearing of seagrasses includes the seagrass that will be directly displaced by the structure and the possible clearing that will result from sediment being raised through the construction of the headland and seawall.

The Esperance Bay seagrass complex covers an area of approximately 2010 hectares in waters shallower than 10m (Hegge and Kendrick, 2001). Hegge and Kendrick (2001) states that the Esperance Bay seagrass community is resilient to disturbance factors. The study established that the seagrasses in Esperance Bay appear in dynamic equilibrium, where recovery has been demonstrated despite being physically disturbed by increasing levels of port and coastal development between 1956 and 2001 (Hegge and Kendrick, 2001).

The proposed clearing is unlikely to be at variance to any of the clearing principles.

Methodology Reference:
-Hegge and Kendrick (2001)

GIS DataSets:
- Esperance 20CM Orthomosaic - Landgate 2007

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The project was originally referred to the Environmental Protection Authority (EPA) under section 38 (1) of the *Environmental Protection Act 1986*, in October 2011. The EPA's decision was 'Not Assessed - No Advice Given' (EPA 2012)

An assessment of the need for the Shire of Esperance (Shire) to refer the project to the Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) under the *Environmental Protection Biodiversity Conservation Act 1999* was undertaken by the shire in consultation with SEWPaC. The Shire has advised that the project was not referred as significant impacts on EPBC listed species are unlikely (Shire of Esperance, 2012)

Methodology

Reference:

- EPA (2012)
- Shire of Esperance (2012)

4. References

Department of Environment and Conservation (2011) regional advice. DEC Ref: A517970

Environmental Protection Authority (2012) Notice under section 39A(3) Environmental Protection Act 1986. DEC Ref: A512771

Hegge, BJ & Kendrick, GA (2001) Changes in the distribution of vegetated habitats (seagrasses and reefs) in Esperance Bay between 1956 and 2001, Western Australian Museum, Perth.

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

5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)