



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7739/1
Permit Holder:	Department of Transport
Duration of Permit:	17 March 2018 – 17 March 2023

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of dredging and disposal of dredge material.

2. Land on which clearing is to be done

Peel Harvey Estuarine System – Water Feature PIN 11834258.

3. Area of Clearing

The Permit Holder must not clear more than 7.88 hectares of native vegetation within the area cross-hatched yellow on attached Plan CPS 7739/1.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under relevant Acts any other written law.

PART II – MANAGEMENT CONDITIONS

6. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

PART III – RECORD KEEPING AND REPORTING

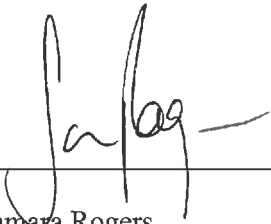
7. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares).; and
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 6 of this Permit.

8. Reporting

The Permit Holder must provide to the CEO the records required under condition 7 of this Permit, when requested by the CEO.



Samara Rogers
A/MANAGER
CLEARING REGULATION




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

15 February 2018

CPS 7739/1 - Plan



Legend

-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Samara Rogers Date 15/2/18
Samara Rogers

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



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1. Application details

1.1. Permit application details

Permit application No.: 7739/1
Permit type: Purpose Permit

1.2. Proponent details

Applicant's name: Western Australian Department of Transport
Application date: 15 August 2017

1.3. Property details

Property: Point Grey Channel within the Peel Harvey Estuarine System (PIN 11834258)
Local Government Authority: CITY OF MANDURAH and SHIRE OF MURRAY
DER Region: Greater Swan
DPaW District: Swan
Localities: Point Grey

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
7.88		Direct removal via dredging and potential smothering due to disposal of spoil	Dredging to maintain safe navigable depths within the Point Grey Channel.

1.1. Decision on Application

Decision on Permit Application: Grant
Decision Date: 15 February 2018
Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

The Delegated Officer had regard for the benthic habitat information provided by the applicant and A Licence to Dredge, issued by the Department of Water and Environmental Regulation with conditions including implementation of an approved Environmental Management Plan.

Through assessment it has been determined that the clearing is unlikely to result in unacceptable environmental impacts.

Given the above, the Delegated Officer decided to grant a clearing permit subject to avoidance conditions.

2. Background

Clearing Description: The applicant proposes to clear up to 7.88 hectares of native vegetation for the purpose of dredging (2.68 ha dredge area) and dredge spoil disposal (5.20 ha disposal area).

Vegetation Description: Seagrass and macroalgae dominated by *Zostera* sp. And *Halophila* sp. (BMT Oceanica 2018).

Vegetation Condition: Good; Vegetation structure significantly altered by various signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate to it (Keighery 1994).
To
Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

The condition and description of the vegetation was determined from a benthic habitat survey and photos provided by the applicant (BMT Oceanica 2018) and historic use of the channel area within the Peel Harvey Estuarine System.

3. Assessment of application against clearing principles

The application is to clear up to 7.88 hectares of native vegetation for the purpose of dredging and dredge material disposal (DoT 2017). The vegetation within the application area is seagrass and macroalgae dominated by *Zostera* sp. And *Halophila* sp. (BMT Oceanica 2018). The spoil disposal area is 53 per cent bare sand with the remaining 47 per cent being comprised of sparse-dense seagrass and macoralgae (BMT Oceanica 2018).

According to available databases, no benthic species of conservation significance have been recorded in the local area. One Priority 3 priority ecological community (PEC) occurs within the local area - Subtropical and Temperate Coastal Saltmarsh which is present around the perimeter of the Peel Harvey Estuarine System, the nearest occurrence is 788 m west of the application area. Given this PEC is a terrestrial community, the application area is not likely to represent this PEC.

Conservation Reserves in the local area include Len Howard Conservation Park, 4802 metres north east of the application area, Austin Bay Nature Reserve, 7488 metres east south east of the application area and Creery Island Nature Reserve, 7580 metres from the application area. The proposed clearing of aquatic vegetation is not likely to impact the environmental values of these Conservation areas.

Noting the absence of conservation significant species or communities within the application area, the proposed clearing is not likely to impact on threatened or priority flora, priority or threatened ecological communities. The proposed clearing is not likely to impact upon conservation reserves within the local area or significant fauna habitat and is not likely to be classified as clearing a significant remnant due to the size of the application area in relation to the Peel Harvey Estuarine System.

Although the application area is within a waterbody (Peel Harvey Estuarine System), an Estuary is not considered a watercourse and therefore the proposed clearing is not at variance to clearing principle (f). The proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of ground water or exacerbate flooding.

Given the above, the proposed clearing is not likely to be at variance to the clearing principles.

4. Planning instruments and other relevant matters.

The applicant originally applied for an area of 3 hectares. The original clearing permit application was advertised on the Department of Water and Environmental Regulation website on 6 September 2017 with a 21 day submission period. No submissions were received in relation to this application. Following a habitat survey of the disposal area, the application was amended on 14 November 2017 to increase the application area to 7.88 hectares (increase in the disposal area from 0.32 to 5.2 hectares). The amended application was advertised on the DWER website on 15 November 2017 with a seven day submission period. No public submissions were received.

It is noted that clearing impacts affecting the water column are managed through the *Waterways Conservation Act 1976* and the application to obtain a Licence to Carry Out Dredging and/or Reclamation works, under this Act. A Licence to Dredge was issued by the Department of Water and Environmental Regulation on 19 January 2018.

The Shire of Murray advised that they had no objection to the permit (Shire of Murray 2017).

5. References

- BMT Oceanica (2018) Point Grey Maintenance Dredging, Benthic Habitat (DWER ref: A1607435).
- Department of Transport (2017) Clearing Permit Application CPS 7739/1 (DWER ref: A1506025).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Shire of Murray (2017) Direct Interest Response – CPS 7739/1 – Peel Harvey Estuarine System (DWER Ref: A1524397).