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 Mines, Petroleum and Exploration (DMPE) 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)

Which department are you submitting this form to? If the clearing is for mineral and petroleum activities authorised under the *Mining Act 1978*, the various petroleum Acts, and/or a State Agreement with areas covered by either mineral or petroleum tenure granted under one of the abovementioned Acts, select 'Department of Mines, Petroleum and Exploration'. For all other clearing activities, select 'Department of Water and Environmental Regulation'.	☐ Department of Mines, Petroleum and Exploration ☒ Department of Water and Environmental Regulation

Part 2 – Applicant details

2.1 Applicant name

For area permits:

If granted, the name(s) of (all) landowner(s) will be listed as 'permit holders' on the permit.

For purpose permits:

If granted, the name(s) of (all) applicant(s) will go on the permit.

☐ Applying as an individual – complete the following:

Title	☐ Mr ☐ Mrs ☐ Ms ☐ Other:	
Name(s)		

☐ Applying as a body corporate or other entity formed at law – complete the following:

Name	
Australian Company Number (ACN)	

☒ Applying as a government entity (e.g. government department, local government authority, or other statutory body)

Name	Department of Transport and Major Infrastructure (DTMI)

2.2 Applicant contact details

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

[redacted]

2.3 Applicant contact postal details

Provide the postal address for the above individual, body corporate or local government authority (primary contact).

[redacted]

[redacted]

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.

[redacted]

2.5 Electronic correspondence consent

DWER/DMPE 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/DMPE (as applicable) about the subject of this form will be exclusively via email, using the email address provided above.	☒ Yes ☐ No

2.6 Contact details for enquiries

If different from the applicant's contact details, enter the contact details of a person with whom DWER/DMPE should liaise with (e.g. a consultant).

[redacted]



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

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	Western end of Castletown Beach, Esperance below the mean high water (MHW) level. Crown Land. Volume and folio number: LR3174/140 Lot number: 323 on Deposited Plan: 416487 Crown reserve number: NA Pastoral lease number: NA Mining tenement number: NA		
Street address – Line 1	Noresman Rd		
Street address – Line 2			
Suburb	Castletown		
State	Western Australia	Postcode	6450
Local government area(s)	Shire of Esperance		
Land zoning	Crown Land		

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')
☒ I 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/DMPE 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 m^2	Area of circle = 3.14 x $radius^2$
1 acre = 0.4 hectares/4,000 m^2	Area of a rectangle = length x width
1 tree = 0.01 hectares/100 m^2	Area of a triangle = ½ length x perpendicular height

Total area of clearing proposed (hectares)	**0.30 ha**
Footprint of clearing (hectares) (purpose permit only)	**0.30 ha**
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 and Major Infrastructure (DTMI) on behalf of the Minister for Transport is responsible for the management of coastal facilities and small craft waterways around Western Australia (WA). The DTMI has the authority to undertake maintenance dredging under Section 5(1) of the *Marine & Harbours Act 1981* to maintain safe navigable waters at these facilities, which is carried out through the implementation of a state-wide maintenance dredging program. The DTMI's maintenance dredging program is central to the viability of the State's commercial fishing and marine tourism industry, and the safe navigability of waterways. Specific maintenance dredging requirements are determined by facility user feedback and the rate of siltation which reduces the effective navigation depth. The rate of natural siltation is dependent on the frequency and intensity of metocean events and is periodically monitored and assessed by hydrographic and topographic surveys. The Bandy Creek Boat Harbour (hereafter; the Boat Harbour) located ~5 km east of the center of Esperance and is managed by DTMI. South-easterly swells tend to drive a net eastward littoral drift that transports sediments and wrack beyond (and into) the Boat Harbour. The configuration of the Boat Harbour entrance channel breakwater interrupts littoral drift resulting in sediments to be deposited within the Boat Harbour entrance channel and frequent (~every 2–3 years) maintenance dredging is required to maintain safe navigability for commercial and recreational vessels accessing the facility. The next maintenance dredging campaign is proposed for commencement in March 2027. Maintenance dredging campaigns involve the removal of up a maximum allowable of ~120,000 m^3 of dredged material per campaign (though typical campaign volumes average ~60,000 m^3) from the Boat Harbour via a small cutter-suction dredge. Dredged material is pumped directly into two onshore Disposal Areas (Eastern Beach and Castletown Beach) via a slurry pipeline, with material placed above the high water mark. While a small proportion of dredge material is disposed ~1.3 km east of the Boat Harbour to Eastern Beach, material is predominantly proposed to be disposed at Castletown Beach. Castletown Beach extends ~4 km from the Boat Harbour to the Esperance tanker jetty. The beach experiences coastal erosion issues due to the natural eastward oriented sediment transport in Esperance Bay. Ongoing erosion issues pose a threat to land based infrastructure from coastal retreat. The Shire of

	Esperance (SoE) has historically completed sand renourishment campaigns via trucking from inland sources to maintain the profile of Castletown Beach. In collaboration with SoE, previous Boat Harbour maintenance dredging campaigns in 2021, 2023 and 2025 involved disposal to Castletown Beach for the beneficial reuse of dredged material from the Boat Harbour to nourish Castletown beach. Dredged material was pumped from the Boat Harbour via the SoE's permanently installed pipeline, placed and profiled at the western end of Castletown Beach. For the 2027 campaign and future Boat Harbour maintenance dredging campaigns, there remains ongoing collaboration and commitment between the SoE and DTMI for the continuation of renourishing Castletown Beach utilising dredged material to mitigate ongoing erosion. Previous marine benthic habitat surveys completed within the nearshore area of Castletown Beach have shown seagrasses dominate benthic habitat between 5–30 m in the embayment (Tecchiato et al. 2019) and are particularly extensive on the western side of Esperance Bay (Kendrick et al. 2005). Mixed seagrass, macroalgae and sand are found in the area off the town beaches (including immediately adjacent to the beach renourishment area at Castletown Beach) up to ~10 m depth (Tecchiato et al. 2019). Sheltered habitats of Esperance Bay are dominated by *Posidonia sinuosa* with smaller amounts of mixed *Amphibolis griffithii* and *Posidonia australis* (Kendrick et al. 2005; Hegge & Kendrick 2005). *Posidonia ostenfeldii* have been found in swell exposed regions (Hegge & Kendrick 2005) and *Halophila* sp. have been found in sand dominated areas close to shore (Tecchiato et al. 2019). Hegge and Kendrick (2001) described the Esperance Bay seagrass assemblages covering an area of ~2010 ha in waters shallower than 10 m with communities generally resilient to disturbance factors despite historical physical disturbances from maritime infrastructure port and coastal developments. Macroalga species found in Esperance Bay include *Sargassum* spp. and *Ecklonia* spp. (Tecchiato et al. 2019). As sediments are deposited from the disposal pipeline, material will be profiled to re-establish a beach profile to mitigate coastal erosion. The beach profile will progressively build seaward from the deposited material and there is a risk of smothering nearshore native aquatic vegetation (seagrass and macroalgae) during disposal operations at Castletown Beach.
Specify what the final land use will be	No change to land use after beach nourishment

after clearing	activities.

5.4 Method

Proposed method of clearing (i.e. burning, cutting, draining, flooding, grazing, mechanical clearing/bulldozing or other – specify)	Sediments from the Bandy Creek Boat Harbour will be dredged using a small cutter suction dredge and transported to the proposed Castle Town Beach Disposal Area via an onshore permanent pipeline constructed by the SoE. Booster pumps will aid in the flow of material through the pipeline to reach the Disposal Area. The average ratio of the material to be discharged as a water slurry form is ~90% water to ~10% solids. Disposal slurry flow is aimed to be slowed by the construction of a bund and swale on the beach, allowing time for sediments to settle instead of being carried with the water proportion of the slurry. Following placement, material will be profiled to build the beach profile with civil plant (e.g. dozer and/or excavator). The beach profile will progressively build seaward from the deposited material during disposal operations.

5.5 Timeframe

Period within which you propose to do the clearing (e.g. 1/7/2022 to 30/8/2024)	Start date: 1 March 2027 End date: 1 March 2032

Note: The clearing referral process is not suitable for any clearing that is expected to take longer than two years.

5.6 Pre-application scoping

Historic clearing of native vegetation in the Swan Coastal Plain and Avon Wheatbelt Interim Biogeographic Regionalisation for Australia (IBRA) bioregions has been extensive. DWER/DMPE strongly recommends a pre-application meeting if you propose to clear native vegetation within these bioregions.

Do you propose to clear native vegetation within the Swan Coastal Plain or Avon Wheatbelt bioregions?	☐ Yes – complete section below ☐ I have had a pre-application meeting with DWER/DMPE Insert date of meeting and officer name(s): ☐ I have contacted DWER/DMPE 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/DMPE. 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/DMPE will ask you to do so during the validation of this application. Offsets will only be considered by DWER/DMPE as a last resort, once avoidance and minimisation measures have been clearly demonstrated.

Provide the avoidance details (e.g. retention of vegetation on property)	Castletown beach is a known erosional hotpot in WA that presents imminent threats to SoE and Crown land-based infrastructure (pathways, roads) from coastal retreat. The area has been exposed to historical disturbance from construction / operation of maritime and terrestrial infrastructure including previous sand management campaigns. SoE and DTMI have historically provided Local and State government funding for campaigns (sand trucking from inland sources averaging ~19,000 m^3 /yr and the recent beneficial reuse of dredged material in 2021, 2023 and 2025 with larger volumes to afford greater protection to infrastructure) to mitigate coastal erosion. The nearshore area of Castle town beach represents a disturbed system from past activities and is a dynamic coastal environment subjected to ongoing coastal erosion and accretion patterns from natural and anthropogenic influences. As the beach profile continues to erode and experience narrowing, aquatic vegetation is encroaching further into to the nearshore area of Castletown beach. The intent of the proposed clearing is to re-establish the historical beach profile and mitigate coastal erosion through the beneficial reuse of dredged material from Bandy Creek Boat Harbour maintenance dredging campaigns. Through beneficial reuse of material to mitigate erosion there will be avoidance from sourcing sand inland and potential clearing of larger areas of terrestrial vegetation. In the context of the wider Esperance Bay, a small area of well represented resilient aquatic vegetation and small-scale

	clearing is required to re-establish the historical beach profile. Civil plant will be utilised during disposal of dredged material to the Castletown Beach disposal area to manage disposed sediments, maximizing the retention of sediment on the beach for renourishment. The aim will be to retain dredged material on the proportion of Castletown Beach disposal area that represents bare sand. However, due to the dynamic nature of this coastal environment, periods of high wave energy may pull material seaward, reducing the steepness of the beach profile and potentially smothering adjacent seagrass.
Provide the mitigation details (e.g. management of weed spread, rehabilitation)	Management and mitigation measures included avoidance of vegetated areas during disposal / profiling where possible though placement of disposal material to unvegetated areas initially. Monitoring the placement and accretion of dredged material within the disposal area will be undertaken to ensure material remains within the proposed disposal area. This includes pre-campaign hydrographic and aerial surveys to establish the pre-campaign seagrass edge, visual markers placed for plant operators on site, weekly beach profile surveys in collaboration with the SoE, and capture of drone imagery.

6.2 Offsets

Do you want to submit a clearing offset proposal with your form?	☐ Yes ☒ No
If 'Yes' – please complete and attach Appendix A of the *Clearing of native vegetation offsets procedure* guideline as a supporting document for your form.	☐ Appendix A attached

Part 7 – Surveys for assessments (ISA)

Do you want to submit marine or biodiversity surveys in support of your form?	☐ Yes ☒ No – skip to Part 8

7.1 Biodiversity and Marine surveys

If you want to submit any biodiversity or marine surveys to support this form, you must submit them via Environment Online and follow the **Procedure - – Preparing Data Packages for the Index of Surveys for Assessments (ISA)** at https://environmentonline.dwer.wa.gov.au/article/?code=KA-00081#/ and https://environmentonline.dwer.wa.gov.au/article/?code=KA-00098.

If you do not meet the ISA requirements, DWER/DMPE will decline/return your form.

Please provide the ISA number(s) in the space provided. Please note DWER/DMPE will suspend the assessment timeframes for your application until the biodiversity or marine surveys are accepted by ISA.

Have you submitted all the biodiversity surveys that support this form to the Index of Surveys for Assessment via Environment Online?	☐ Yes ☒ Not applicable

If 'Yes' – please provide the ISA number(s)and/or any relevant existing IBSA/IMSA numbers	

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/DMPE 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.

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process, such as the assessment bilateral agreement or accredited assessment?	☐ Yes ☒ No – skip to Part 9
Is your proposed clearing a controlled action? If 'Yes', please make sure you have entered all the mandatory details in the Annex C7 form	☐ Yes EPBC number: ☐ Annex C7 form attached ☐ No (DWER/DMPE cannot assess the application under an EPBC Act Accredited Process)
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/DMPE) 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.

Has the proposed clearing or any related matter been referred to the EPA?	☐ Yes Enter details: [ ] ☒ No – complete question below.
If 'No' – do you intend to refer the proposal to the EPA?	☐ Yes – intend to refer (proposal is a 'significant proposal') ☐ Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) ☐ No – a current valid Ministerial Statement applies Enter Ministerial Statement number: [ ] ☒ No – not a significant proposal

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 *Procedure: Prescribed premises works approvals and licences* and *Guideline: Industry regulation guide to licensing*.	☐ Yes Application reference: [ ] ☐ No – a valid works approval applies ☐ No – a valid licence applies ☐ No – a valid registration applies ☒ No – not required

9.3 Water licences and permits (*Rights in Water and Irrigation Act 1914*)

Have you applied or do you intend to apply for: • a licence or amendment to a licence to take water (surface water or groundwater) • a licence or amendment to a licence to construct wells (including bores and soaks), or • a permit or amendment to a permit to interfere with the bed and banks of a watercourse? For further guidance on water licences and permits under the *Rights in Water and Irrigation Act 1914*, see DWER's *Procedure: Water licences and permits*.	☐ Yes ☐ No – a current valid licence applies Licence number: [ ] ☒ Not applicable