Department of **Mines, Petroleum and Exploration**

GOVERNMENT OF WESTERN AUSTRALIA

Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	10680/1
Permit type:	Purpose Permit
Applicant name:	Triple M Transport (WA) Pty Ltd
Application received:	14 July 2024
Application area:	22.58 hectares
Purpose of clearing:	Mineral production and associated activities
Method of clearing:	Mechanical Removal
Tenure:	Mining Lease 63/602
Location (LGA area):	Shire of Esperance
Colloquial name:	Qualilup Limestone

1.2. Description of clearing activities

Triple M Transport (WA) Pty Ltd (Triple M) proposes to clear up to 22.58 hectares of native vegetation within a boundary of approximately 22.58 hectares, for the purpose of mining related infrastructure (Triple M, 2024). The project is located approximately 34 kilometres west of Esperance, within the Shire of Esperance (GIS Database).

The application is to allow for the continued extraction of limestone resource that is currenlty being mined on the adjoining private land, Lot 502 through and acros Mining Lease 63/602 (Triple M, 2024).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	10 September 2026
Decision area:	22.58 hectares of native vegetation

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 Energy, Mines, Industry Regulation and Safety, (DEMIRS), now the Department of Mines, Petroleum and Exploration (DMPE) advertised the application for a public comment for a period of 21 days, and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (Appendix A), relevant datasets (Appendix D), supporting information provided by the applicant including the results of a flora and vegetation survey, the clearing principles set out in Schedule 5 of the EP Act (Appendix B), proposed avoidance and minimisation measures (Section 3.1), relevant planning instruments and any other matters considered relevant to the assessment (Section 3.3).

The assessment identified that the proposed clearing may result in:

- the potential introduction and spread of weeds into adjacent vegetation, which could impact on the quality of the adjacent vegetation and its habitat values; and
- potential land degradation in the form of wind erosion.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (Section 3.1), the Delegated Officer determined the proposed clearing can be minimised and managed to be unlikely to lead to an unacceptable risk to environmental values. The applicant has suitably demonstrated avoidance and minimisation measures (Section 4).

The Delegated Officer decided to grant a clearing permit subject to conditions to:

- avoid, minimise to reduce the impacts and extent of clearing;
- take hygiene steps to minimise the risk of the introduction and spread of weeds and dieback;
- undertake slow, progressive one-directional clearing to allow terrestrial fauna to move into adjacent habitat ahead of the clearing activity;

- commence construction no later than three months after undertaking clearing to reduce the risk of erosion; and
- not clear more than 10 hectares of native vegetation per financial year.

1.5. Site map

A site map of proposed clearing is provided in Figure 1 below.

Figure 1. Map of the application area. The yellow area indicates the area within which conditional authorised clearing can occur 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 (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)
- *Conservation and Land Management Act 1984* (WA) (CALM Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Mining Act 1978* (WA)
- *Rights in Water and Irrigation Act 1914* (RIWI Act)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2014)
- *Procedure: Native vegetation clearing permits* (DWER, October 2021)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016b)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2020)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

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.

Evidence was submitted by the applicant, demonstrating that avoidance / mitigation measures such as the following will be implemented:

- Design and overall clearing has been amended to exclude conservation significant flora and habitats;
- topsoil clearing will be progressive and minimised to that required for each stage of excavation;
- weed management will be applied; and
- land restoration is to occur as soon as possible following the end of excavation on each stage of pit floor and batter slope (Triple M, 2024).

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 (Appendix A) 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 (Appendix B) identified the impacts of the proposed clearing are limited and able to be managed to be environmentally acceptable with standard avoid and minimise / hygiene / staged clearing management conditions.

3.3. Relevant planning instruments and other matters

The clearing permit application was advertised on 20 September 2024 by DMPE, inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim (The Esperance Nyungars: WC1996/064) over the area under application (DPLH, 2026). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. The mining tenure title has been granted in accordance with the future act regime of the *Native Title Act 1993,* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

There are no registered Aboriginal Sites of Significance within the application area (DPLH, 2026). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

Other relevant authorisations required for the proposed land use include:

- A Mining Development and Closure Proposal approved under the *Mining Act 1978*

It is the proponent's responsibility to liaise with the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions, to determine whether a Works Approval, Water Licence, Bed and Banks Permit, or any other licences or approvals are required for the proposed works.

End

Appendix A. Additional information provided by applicant

Summary of comments	Consideration of comment
A fauna assessment of the area was undertaken on 28 October 2026 and was provided to the Department (Greg Harewood, 2026).	The fauna analysis and results have been used in conjunction with additional databases to determine the potential impacts on fauna.
The permit boundary was reduced from 29.11 hectares to 22.58 hectares.	Reducing the permit boundary excised habitat suitable for SRE species.

Appendix B. Site characteristics

B.1. Site characteristics

Characteristic	Details
Local context	The area proposed to be cleared is located approximately 34 kilometres west of Esperance, within the Shire of Esperance (GIS Database). It is mapped within the Recherche Subregion of the Esperance Plains (GIS Database). The area proposed to be cleared is part of a tract of native vegetation in the intensive land use zone of Western Australia (GIS Database).
Ecological linkage	According to available databases, the application area does not contain any known or mapped ecological linkages, however, aerial imagery shows that the application area may provide access for native fauna to disperse along the coast (GIS Database).
Conservation areas	Approximately half of the application area is mapped within a Proposed National Park Area (DBCA Interested Lands) (GIS Database). The application area is also located in proximity to several conservation reserves, including R 26885 and R 50792 to the west and south west, respectively, and the Wudjari Marine Park located within 300 metres to the south-east (GIS Database).
Vegetation description	The vegetation of the application area is broadly mapped as the following Beard vegetation association: • 42: Shrublands; mallee & acacia scrub on south coastal dunes (GIS Database). A flora and vegetation survey was conducted over the application area by PVG Environmental during November 2021 and February 2025. The following four vegetation associations were recorded within the application area (PGV, 2022; 2026): • AccPf: *Acacia cyclops* Shrubland over *Acacia cochlearis/Pimelea ferruginea* Open to Closed Low Heath; • EaPh: *Eucalyptus angulosa* Very Open Tree Mallee over *Pultenaea heterochila/Pomaderris myrtilloides* Closed Low Heath; and • PhPf: *Pultenaea heterochila/Pomaderris myrtilloides/Acrotriche cordata/Acacia cochlearis/Pimelea ferruginea* Open to Closed Low Heath.
Vegetation condition	The vegetation survey (PGV, 2022; 2026) indicate the vegetation within the proposed clearing area is in 'Excellent' (Keighery, 1994) condition. The full Keighery (1994) condition rating scale is provided in Appendix C.
Climate and landform	The application area, located within the Esperance Plains bioregion of Western Australia, experiences a semi-arid Mediterranean climate with an average annual rainfall of 616.4 millimetres (BoM, 2026). The application area lies between 42 metres and 82 metres Australian Height Datum (AHD), on an undulating, generally southeast facing gradient (DPIRD, 2024). Gradients are variable over the site, with approximately half having relatively flat land (around 3% slope), and the remainder having between 5-12% slope (DPIRD, 2024). A narrow gully in the eastern part has very steep gradients up to 40% (DPIRD, 2024).
Soil description	The soils of the application area broadly mapped as the following soil type: • Tooregullup 1 subsystem: Calcareous uniform sands on parabolic dunes (DPIRD, 2026).
Land degradation risk	The application area is highly exposed to erosive summer sea breezes and the removal of native vegetation will significantly increase the wind erosion risk (DPIRD, 2024). Additionally, the calcareous sandy topsoils are often inherently water repellent when dry (DPIRD, 2024). The removal of native vegetation is likely to increase the water erosion risk, particularly during intense summer rainfall and on slopes above 3% (DPIRD, 2024).
Waterbodies	The desktop assessment and aerial imagery indicated that there are no surface wetlands or surface water features within the application area (GIS Database).
Hydrogeography	The application area is mapped within the Esperance Groundwater Area and the Esperance Water Reserve Public Drinking Water Source Area – Priority 3 (GIS Database). The groundwater level is estimated to be around seven metres below ground level (DPIRD, 2024). The groundwater salinity is classed as marginally fresh, and the pH is classed as neutral (DPIRD, 2024).
Flora	The flora survey did not record any Threatened or Priority Flora within the application area (PGV, 2022; 2026; GIS Database).

Characteristic	Details
Ecological communities	The application area is mapped within Proteaceae Dominated Kwongkan Shrublands of the Southeast Coastal Floristic Province of Western Australia – Priority 3 Priority Ecological Community (PEC), however the vegetation within the application area did not represent this PEC (PGV, 2022; 2026; GIS Database).
Fauna	Several conservation significant fauna species have been recorded within 20 kilometres of the application area (GIS Database). However, no conservation significant fauna were identified during the fauna assessment (Greg Harewood, 2026).
Fauna habitat	The application area can be described as having a mosaic of shrubland and/or open to closed low heath with a small area of very open tree mallee on sand or limestone (Greg Harewood, 2026).

B.2. Vegetation extent

	Pre-European area (ha)	Current extent (ha)	Extent remaining (%)	Current extent in all DBCA managed land (ha)	Current extent in all DBCA Managed Land (proportion of pre-European extent) (%)
IBRA Bioregion Esperance Plains	2,899,940.66	1,494,450.87	51.53	1.00	0.00
IBRA Subregion Recherche	1,329,262.27	628,671.60	47.29	383,818.14	28.87
Local Government Shire of Esperance	4,459,670.90	3,210,952.18	72.00	969,738.28	21.74
Beard vegetation associations - State					
Veg Assoc No. 42	310,084.50	297,963.21	96.09	137,415.45	44.32
Beard vegetation associations - Bioregion					
Veg Assoc No. 42	135,419.99	128,052.58	94.56	1.00	0.00
Beard vegetation associations - subregion					
Veg Assoc No. 42	108,885.37	104,049.03	95.56	70,178.51	64.45

Government of Western Australia (2019)

B.3. Flora analysis table

With consideration for the site characteristics set out above, relevant datasets (Appendix D.1), and biological survey information (PGV, 2022; 2026; WAH, 1998-; GIS Database), impacts to the following conservation significant flora required further consideration.

Species name	Conservation status	Distance of closest record to application area (km)	Number of known records derived from Florabase (total)	Suitable habitat features? [Y/N]
Austrostipa echinata	1	<1	8	Y
Austrostipa mundula	3	0	20	Y
Banksia prolata subsp. *calcicola*	4	<8	19	Y
Eucalyptus preissiana subsp. *lobata*	4	<2	13	Y
Leucopogon sp. Lake Magenta (K.R. Newbey 3387)	1	<10	14	N

T: threatened, CR: critically endangered, EN: endangered, VU: vulnerable, P: priority

B.4. Fauna analysis table

With consideration for the site characteristics set out above, relevant datasets (Appendix D.1), and biological survey information (Commonwealth of Australia, 2008; Greg Harewood, 2026; PGV, 2022; 2026; GIS Database), impacts to the following conservation significant fauna required further consideration.

Species name	Common name	Conservation status	Distance of closest record to application area (km)	Suitable habitat features? [Y/N]
Actitis hypoleucos	common sandpiper	MI	<2	N
Calidris acuminata	sharp-tailed sandpiper	MI	<2	N
Calidris alba	sanderling	MI	<12	N
Calidris canutus	red knot	EN	<6	N
Calidris falcinellus	broad-billed sandpiper	MI	<11	N
Calidris ferruginea	curlew sandpiper	CR	<6	N
Calidris ruficollis	red-necked stint	MI	<2	N
Calidris tenuirostris	great knot	CR	<6	N
Cereopsis novaehollandiae grisea	Recherche Cape Barren goose	VU	<17	N
Charadrius cucullatus	hooded plover, hooded dotterel	P4	<2	N
Falco peregrinus	peregrine falcon	OS	<10	Y
Hydroprogne caspia	Caspian tern	MI	<2	N
Leipoa ocellata	malleefowl	VU	<18	N
Limosa lapponica	bar-tailed godwit	MI	<17	N
Oxyura australis	blue-billed duck	P4	<6	N
Pluvialis fulva	Pacific golden plover	MI	<12	Y
Thalasseus bergii	crested tern	MI	<17	N
Tringa glareola	wood sandpiper	MI	<4	N
Tringa nebularia	common greenshank	MI	<2	N
Zanda latirostris	Carnaby's cockatoo	EN	<14	N

T: threatened, CR: critically endangered, EN: endangered, VU: vulnerable, MI: migratory, CD: conservation dependent, OS: other specially protected, P: priority

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: A flora and vegetation survey was conducted over the application area by PGV Environmental during November 2021 and February 2025. PGV Environmental recorded a total of 81 native plant species and seven weed species during the flora and vegetation survey, indicating a moderate species richness for the size of the survey area (PGV, 2022; 2026). The area proposed to be cleared does not contain significant flora or assemblages of plants (PGV, 2022; 2026). The application area is mapped as the 'Proteaceae dominated kwongkan shrublands of the southeast coastal floristic province of Western Australia' (Priority 3) priority ecological community (PEC). However, the flora survey determined the vegetation within the application area is not representative of this PEC (PGV, 2022).	May 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 area proposed to be cleared does not contain significant habitat for conservation significant fauna; however, it forms part of the remaining natural vegetation corridor along the coast (Greg Harewood, 2026; GIS Database). The proposed clearing is not expected to sever this corridor, and impacts to local fauna may be managed through the implementation of a slow directional clearing condition, allowing fauna to move into the adjacent vegetation.	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: The flora survey did not record any Threatened or Priority Flora within the application area (PGV, 2022; 2026; GIS Database).	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: There are no known Threatened Ecological Communities (TECs) located within or in close proximity to the application area (GIS Database). The flora and vegetation survey of the application area did not identify any TECs (PGV, 2022).	Not likely to be 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 application area falls within the Carnarvon Bioregion of the Interim Biogeographic Regionalisation for Australia (IBRA) (GIS Database). Over 51% of the pre-European vegetation still exists in the Esperance Plains Bioregion IBRA (Government of Western Australia, 2019). The application area is broadly mapped as Beard vegetation association 42 (GIS Database). This vegetation association has not been extensively cleared as over 94% of the pre-European extent of this vegetation association remains uncleared at both the state and bioregional level (Government of Western Australia, 2019). The application area does not represent a significant remnant of native vegetation in an area that has been extensively cleared (GIS Database).	Not 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: The removal of vegetation from the area may increase the amount of surface water runoff in the area, thus mobilising excess sedimentation which may subsequently infiltrate into the nearby mapped wetlands and result in the degradation of these wetlands. However, given that there is approximately 350 metres of vegetation remaining between Lake Quallilup and the proposed clearing site and approximately 500 metres of vegetation remaining between Lake Gore and the application area, the impacts upon these wetlands are likely to be minimal. In addition to this, the applicant has advised that clearing is to be carried out in stages over a 10 year period, with revegetation to occur once each stage has been completely excavated (Triple M, 2024). A structured revegetation plan will assist in mitigating potential impacts to these sensitive wetland areas.	May be 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: No watercourses or wetlands have been mapped within the application area, and the flora survey did not record riparian vegetation within the application area (PGV, 2022; 2026; GIS Database).	Not likely to be 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: Given that the application area is highly exposed to erosive summer sea breezes and the removal of native vegetation will significantly increase the wind erosion risk, the proposed clearing is likely to have an appreciable impact on land degradation (DPIRD, 2024). Potential impacts as a result of erosion can be managed through the implementation of a staged clearing condition, reducing the time for exposure following the clearing of native vegetation, and limiting clearing to 10 hectares per financial year.	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: There are no surface water features, active drainages or soaks due to the high porosity of the sand and elevation of the water table (Triple M, 2026; GIS Database).	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: Given the extent of adjoining vegetation and as the cleared area will be maintained as an extraction site, the proposed clearing 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. Sources of information

E.1.GIS datasets

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

- 10 metre contours (DPIRD-073)
- Cadastre (Polygon) (LGATE-217)
- Clearing Instruments Activities (Areas Approved to Clear) (DWER-076)
- Clearing Instruments Conditions (Areas Subject to Conditions) (DWER-077)
- Clearing Instruments Proposals (Areas Applied to Clear) (DWER-075)
- Clearing Referral Proposal (DWER-116)
- Clearing Regulations - Environmentally Sensitive Areas (DWER-046)
- Clearing Regulations - Schedule One Areas (DWER-057)
- Consanguineous Wetlands Suites (DBCA-020)
- DBCA - Lands of Interest (DBCA-012)
- DBCA - Legislated Lands and Waters (DBCA-011)
- DBCA Fire History (DBCA-060)
- Directory of Important Wetlands in Australia - Western Australia (DBCA-045)
- EPA Redbook Recommended Conservation Reserves 1976-1991 (DBCA-029)
- Groundwater Salinity Statewide (DWER-026)
- IBRA Vegetation Statistics
- IBSA Survey Details (DWER-118)
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Native Title (Determination) (LGATE-066)
- Native Title (Fed Court) (LGATE-005)
- Native Title (ILUA) (LGATE-067)
- Native Title (NNTT) (LGATE-004)
- Native Vegetation Extent (DPIRD-005)
- Offsets Register - Offsets (DWER-078)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)
- Reserves (LGATE-227)
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Mapping - Best Available (DPIRD-027)
- Soil Landscape Mapping - Project Areas (DPIRD-070)
- Surface Water Management Areas (DWER-041)
- Townsites (LGATE-248)
- WA Now Aerial Imagery
- WRIMS - Groundwater Areas (DWER-085)

Restricted GIS Databases used:

- Black Cockatoo Roosting Sites
- Forest Red Tailed Black Cockatoo Breeding Sites
- White-Tailed Black Cockatoo Breeding Sites
- Black Cockatoo BC Feeding SCP
- Black Cockatoo Feeding JF
- Black Cockatoo Feeding Areas Buffered
- Black Cockatoo Baudin's Distribution
- Black Cockatoo Forest Red Tail Distribution
- Black Cockatoo Carnaby's Distribution
- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened and Priority Flora (TPFL)
- Threatened and Priority Flora (WAHerb)
- Threatened and Priority Fauna
- Threatened and Priority Ecological Communities
- Threatened and Priority Ecological Communities (Buffers)

E.2. References

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Triple M Transport (WA) Pty Ltd (Triple M) (2024) Clearing permit application form, CPS 10680/1, received 14 July 2024.

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4. Glossary

Acronyms:

BC Act	*Biodiversity Conservation Act 2016,* Western Australia
BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DCCEEW	Department of Climate Change, Energy, the Environment and Water, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
DEMIRS	Department of Energy, Mines, Industry Regulation and Safety (now DMPE)
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia (now DMPE)
DMP	Department of Mines and Petroleum, Western Australia (now DMPE)
DMPE	Department of Mines, Petroleum and Exploration
DoEE	Department of the Environment and Energy (now DCCEEW)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)

DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	*Environmental Protection Act 1986*, Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia
IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	*Rights in Water and Irrigation Act 1914*, Western Australia
TEC	Threatened Ecological Community

Definitions:

DBCA (2023) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia:

Threatened species

T Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under section 19(1), or is a rediscovered species to be regarded as threatened species under section 26(2) of the Biodiversity Conservation Act 2016 (BC Act).

Threatened fauna is the species of fauna that are listed as critically endangered, endangered or vulnerable threatened species.

Threatened flora is the species of flora that are listed as critically endangered, endangered or vulnerable threatened species.

The assessment of the conservation status of threatened species is in accordance with the BC Act listing criteria and the requirements of Ministerial Guideline Number 1 and Ministerial Guideline Number 2 that adopts the use of the International Union for Conservation of Nature (IUCN) Red List of Threatened Species Categories and Criteria, and is based on the national distribution of the species.

CR **Critically endangered species**

Threatened species considered to be "*facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines.

EN **Endangered species**

Threatened species considered to be "*facing a very high risk of extinction in the wild in the near future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as endangered under section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines.

VU **Vulnerable species**

Threatened species considered to be "*facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as vulnerable under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines.

Extinct species

Listed by order of the Minister as extinct under section 23(1) of the BC Act as extinct or extinct in the wild.

EX **Extinct species**

Species where "*there is no reasonable doubt that the last member of the species has died*", and listing is otherwise in accordance with the ministerial guidelines (section 24 of the BC Act).

EW **Extinct in the wild species**

Species that *"is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its life cycle and form*", and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).

Currently there are no threatened fauna or threatened flora species listed as extinct in the wild.

Specially protected species

SP **Specially protected species**

Listed by order of the Minister as specially protected under section 13(1) of the BC Act. Meeting one or more of the following categories: species of special conservation interest; migratory species; cetaceans; species subject to international agreement; or species otherwise in need of special protection.

Species that are listed as threatened species (critically endangered, endangered, or vulnerable) or extinct species under the BC Act cannot also be listed as specially protected species.

MI **Migratory species**

Fauna that periodically or occasionally visit Australia or an external Territory or the exclusive economic zone; or the species is subject of an international agreement that relates to the protection of migratory species and that binds the Commonwealth; and listing is otherwise in accordance with the ministerial guidelines (section 15 of the BC Act).

Migratory species include birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) or The Republic of Korea (ROKAMBA), and fauna subject to the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention), an environmental treaty under the United Nations Environment Program. Migratory species listed under the BC Act are a subset of the migratory animals, that are known to visit Western Australia, protected under the international agreements or treaties, excluding species that are listed as Threatened species.

CD **Species of special conservation interest (conservation dependent fauna)**

Species of special conservation need that are dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened, and listing is otherwise in accordance with the ministerial guidelines (section 14 of the BC Act).

Currently only fauna are listed as species of special conservation interest.

OS **Other specially protected species**

Species otherwise in need of special protection to ensure their conservation, and listing is otherwise in accordance with the ministerial guidelines (section 18 of the BC Act).

Currently only fauna are listed as species otherwise in need of special protection.

Priority species

P **Priority species**

Priority is not a listing category under the BC Act. The Priority Flora and Fauna lists are maintained by the department and are published on the department's website.

All fauna and flora are protected in WA following the provisions in Part 10 of the BC Act. The protection applies even when a species is not listed as threatened or specially protected, and regardless of land tenure (State managed land (Crown land), private land, or Commonwealth land).

Species that may possibly be threatened species that do not meet the criteria for listing under the BC Act because of insufficient survey or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of prioritisation for survey and evaluation of conservation status so that consideration can be given to potential listing as threatened.

Species that are adequately known, meet criteria for near threatened, or are rare but not threatened, or that have been recently removed from the threatened species list or conservation dependent or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species require regular monitoring.

Assessment of priority status is based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.

P1 **Priority One - Poorly-known species – known from few locations, none on conservation lands**

Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, for example, agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation.

Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements for threatened listing and appear to be under immediate threat from known threatening processes. These species are in urgent need of further survey.

P2 **Priority Two - Poorly-known species – known from few locations, some on conservation lands**

Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, for example, national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation.

Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements for threatened listing and appear to be under threat from known threatening processes. These species are in urgent need of further survey.

P3 **Priority Three - Poorly-known species – known from several locations**

Species that are known from several locations and the species does not appear to be under imminent threat or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat.

Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. These species need further survey.

P4 **Priority Four - Rare, Near Threatened and other species in need of monitoring**

(a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection but could be if present circumstances change. These species are usually represented on conservation lands.

(b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for vulnerable but are not listed as a conservation dependent specially protected species.

(c) Species that have been removed from the list of threatened species or lists of conservation dependent or other specially protected species, during the past five years for reasons other than taxonomy.

(d) Other species in need of monitoring.

Principles for clearing native vegetation:

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

(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.

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora.

(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.

(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.

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

(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.

(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.

(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.