Department of Mines, Petroleum and Exploration

GOVERNMENT OF WESTERN AUSTRALIA

Clearing Permit Decision Report

Application details and outcomes

1.1. Permit application details

Permit number:	10823/1
Permit type:	Purpose Permit
Applicant name:	PS Connolly Enterprises Pty Ltd
Application received:	1 November 2024
Application area:	5 hectares
Purpose of clearing:	Sand mining
Method of clearing:	Mechanical Removal
Tenure:	Mining Lease 04/208
	Mining Lease 04/209
	Mining Lease 04/214
Location (LGA area/s):	Shire of Broome
Colloquial name:	Waterbank Station Sand Mine

1.2. Description of clearing activities

PS Connolly Enterprises Pty Ltd proposes to clear up to 5 hectares of native vegetation within a boundary of approximately 44.28 hectares, for the purpose of sand mining. The project is located approximately 6 kilometres north of Broome, within the Shire of Broome.

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	4 June 2026
Decision area:	5 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 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 1.5), relevant planning instruments and any other matters considered relevant to the assessment (Section 1.7).

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;
- impacts to conservation significant flora;
- potential impacts to conservation significant fauna habitat; and
- potential land degradation in the form of erosion.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (Section 1.5), the Delegated Officer determined the proposed clearing can be managed and is unlikely to lead to an unacceptable risk to environmental values.

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;
- no unauthorised clearing of trees two metres or larger;

- undertake a pre-clearance survey to identify the presence of threatened and priority flora within the application area in accordance with *EPA Technical Guidance;*
- commence construction no later than three months after undertaking clearing to reduce the risk of erosion;
- clearing restriction between December and March of each year,
- staged clearing to minimise wind and water erosion; and
- retain cleared vegetation and topsoil and respread this on a cleared area of equivalent size within the adjacent existing gravel extraction area within 12 months of clearing to ensure fauna habitat is not permanently lost.

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)
- *Mining Act 1978* (WA)

Relevant agreements (treaties) considered during the assessment include:

- Japan-Australia Migratory Bird Agreement
- China-Australia Migratory Bird Agreement
- Republic of Korea-Australia Migratory Bird Agreement

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)

Detailed assessment of application

1.5. Avoidance and mitigation measures

The Delegated Officer was somewhat satisfied that the applicant has made a reasonable effort to avoid and minimise potential impacts of the proposed clearing on environmental values. The proponent has outlined the following management measures to minimise impacts to native vegetation (PS Connolly Enterprises Pty Ltd, 2025):

- Larger trees will be left undisturbed, and sand mining to occur outside the dripline of the larger trees;
- All equipment used will be cleaned prior to accessing the leases to minimise potential weed spreading;
- All disturbed areas to be rehabilitated.

Additionally, further management conditions have been placed on the clearing permit to mitigate and minimise potential impacts to environmental values.

1.6. 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 identified that the impacts of the proposed clearing may present a risk to biological values (priority flora, as well as priority fauna and fauna habitat). The consideration of these impacts, and the extent to which they can be managed through conditions applied in line with sections 51H and 51I of the EP Act, is set out below.

1.6.1. Biological values (flora) - Clearing Principles (a)

Assessment

Aphyllodium glossocarpum (P3)

Aphyllodium glossocarpum, a Priority Three flora species, was recorded less than five metres from the application area (GIS database; Plant Ecology, 2026). While this conservation-significant species was not recorded within the application area, the flora survey was undertaken late in the dry season, which may have limited detectability. As a result, *Aphyllodium glossocarpum* may potentially occur within the application area.

Aphyllodium glossocarpum has been identified as a potential disturbance specialist (Plant Ecology, 2026), further supporting the likelihood of its presence in disturbed or cleared areas. In addition, this species flowers between April and October, and was

therefore unlikely to be detected during the timing of the survey (Plant Ecology, 2026). Suitable soil habitat exists within the application area (Plant Ecology, 2026; GIS Database), as Western Australian Herbarium (WAH, 1998-) notes this species growing in sandy, and Pindan soils.

Corymbia paractia (P2)

Multiple records of this Priority Two flora species occur within a 50 km radius of the application area (GIS Database; Plant Ecology, 2026). *Corymbia paractia* is typically associated with skeletal soils in transitional zones between beach dunes and pindan soils, both of which are present within the application area. The species flowers between April and May, or from October to December (WAH, 1998–), and generally reaches a height of approximately four to six metres (Atlas of Living Australia, 2026).

Although the species was not recorded during the survey, its presence within the application area cannot be ruled out due to its occurrence in nearby areas and incomplete survey coverage (Plant Ecology, 2026). To minimise potential impacts, unauthorised clearing of tree species two metres in height or greater is not permitted.

Bonamia oblongifolia (P3)

Few records of this Priority Three species exist (WAH, 1998–). Bonamia oblongifolia is a perennial plant that flowers in February, and limited information is available regarding its ecology and distribution (Atlas of Living Australia, 2026). The species is known to occur on sandy or gravelly soils, which are consistent with those present within the application area (Plant Ecology, 2026). Plant Ecology (2026) note that the species may potentially occur within the application area; however, it may not have been identifiable during the survey due to seasonal constraints, particularly given that it is a perennial species (Atlas of Living Australia, 2026).

Glycine pindanica (P3)

This Priority Three perennial flora species flowers between February and March, and again in June. Plant Ecology (2026) notes that the species may potentially occur within the application area and is known to occur on pindan soil types; however, due to the timing of the survey, its presence could not be confirmed.

Jacquemontia sp. Broome (P1)

This species has been identified as potentially occurring within the application area (Plant Ecology, 2026). It has been recorded multiple times in the local area by flora specialists in recent years (Plant Ecology, 2026), including approximately 1.7 kilometres from the application area (GIS Database). Despite this, it was not recorded during the survey, which may be attributable to seasonal limitations, as the survey was conducted in November and *Jacquemontia sp. Broome* is a perennial species that flowers in March.

Tephrosia andrewii (P3)

Plant Ecology (2026) noted that this Priority Three species may potentially occur within the application area; however, its presence would represent a range extension. Multiple records are documented in the Western Australian Herbarium (WAH, 1998–) across the Dampierland IBRA Region. Based on current information, clearing within the application area is unlikely to have a significant impact on the species.

Polymeria sp. Broome (K.F. Kenneally 9759) (P3)

This Priority Three native perennial herb is associated with pindan soil habitats and is considered likely to occur within the application area. However, as its flowering period is in March, the timing of the survey was not suitable to reliably detect this species. Multiple records are documented across the Dampierland and Great Sandy Desert IBRA regions (WAH, 1998–), indicating the species is relatively widespread and its presence within the application area cannot be ruled out.

Terminalia kumpaja (P3)

Plant Ecology (2026) did not record this Priority Three species within the application area; however, it has been identified as potentially occurring. The species is associated with sandy soils, sandstone outcrops, and sand dunes, which are present in parts of the application area (Plant Ecology, 2026). It is known to flower in May, August, and October (WAH, 1998-), which may have influenced its detectability during the survey. Database records indicate that the nearest occurrence is approximately twenty kilometres from the application area. As a perennial species with multiple records held by the Western Australian Herbarium (1998–), including some within Walyarta Conservation Park, its presence within the application area cannot be ruled out.

Tribulopis marliesiae (P3)

This Priority Three species was not recorded during the survey conducted by Plant Ecology (2026); however, it may occur within the application area due to the presence of suitable soil habitat. The species flowers between August and November, indicating that it would likely have been detectable during the timing of the survey.

Various factors limited the effectiveness of the vegetation survey, which included the survey being conducted in November, after a dry season with near average rainfall and temperatures (Plant Ecology, 2026). The lack of flowering material limited the ability to identify all species to at least a species level and any annual species were unlikely to be present (Plant Ecology, 2026).

The vegetation within the application area consists primarily of tree species with an average height of less than 10 metres (Plant Ecology, 2026). Measures will be implemented to avoid the clearing of larger tree species where practicable, reducing the potential impact on biological diversity.

Some of the application area is already disturbed, with numerous weed species recorded, including two Declared Pests under the *Biosecurity and Agriculture Management Act 2007* (Plant Ecology, 2026).

Conclusion

Based on the above assessment, the proposed clearing may result in an impact on threatened flora and/ or priority flora, as well as tree species two metres in height or larger. Due to the timing of the flora and vegetation survey, the Delegated Officer could not confidently determine if the proposed clearing will not have an impact on majority of the Priority flora listed in this report.

Condition

To address the potential impacts as stated above, the following management measures will be required as conditions on the clearing permit:

- undertake a pre-clearance survey to identify the presence of threatened and priority flora within the application area in accordance with *EPA Technical Guidance*;
- No unauthorised clearing of trees two metres in height or larger; and
- Implementation of a weed management condition.

1.6.2. Biological values (fauna) - Clearing Principles (b)

Assessment

No fauna survey was submitted in support of the application. While clearing has occurred within the application area over previous years, vegetation on portions of the site have regenerated (Plant Ecology, 2026) and are reported to be in 'degraded' to 'excellent' ecological condition (Plant Ecology, 2026), and this is determined by the level of disturbance from past mining activity.

Tyto novaehollandiae kimberli (Northern Masked Owl), a species listed as Priority 1 in Western Australia and Vulnerable under the EPBC Act, has been recorded within approximately 10 kilometres of the application area. The distribution of this species remains poorly understood (DCCEEW, 2015). Although records from the Broome region of Western Australia may be dated, the Department of Climate Change, Energy, the Environment and Water (DCCEEW, 2026) notes that this likely reflects limited survey effort rather than confirmed absence of this species. The Northern Masked Owl typically roosts and nests in large hollows of paperbark trees, particularly species of *Melaleuca* (DCCEEW, 2026). These include *Melaleuca alsophila* and other northern paperbark species such as *Melaleuca viridiflora* and *Melaleuca leucadendra*. Such *Melaleuca* species have been recorded within the application area and are mapped as being in good condition (Plant Ecology, 2026). Therefore, the potential occurrence of this Priority One species within the application area cannot be ignored. Furthermore, the Northern Masked Owl is a strongly territorial species (DCCEEW, 2026), which may increase its susceptibility to habitat disturbance and further supports consideration of potential impacts associated with the application.

Falco peregrinus (Peregrine Falcon)
The nearest recorded occurrence of the Peregrine Falcon is approximately five kilometres from the application area. This species typically nests in cliff recesses, tree hollows, or abandoned nests of other birds (BirdLife, 2026). While it may utilise the area for foraging or potentially nest in large hollow-bearing trees, the absence of a targeted fauna survey means its presence or use of tree hollows within the application area cannot be confirmed.
To minimise potential impacts on nesting habitat, unauthorised clearing of trees two metres in height or greater is not permitted, thereby reducing the risk of disturbing any nests that may occur within hollow-bearing trees.

Conclusion

Based on the above assessment, the proposed clearing may result in an impact on *Tyto novaehollandiae kimberli* (Northern Masked Owl) and *Falco peregrinus* (Peregrine Falcon). Since no fauna survey was provided with the application the Delegated Officer could not confidently determine if the proposed clearing will not have an impact on these species.

Conditions

To address the potential impacts as stated above, the following management measures will be required as conditions on the clearing permit:

- no unauthorised clearing of trees two metres or larger.

1.7. Relevant planning instruments and other matters

The clearing permit application was advertised on 14 February 2025 by the Department of Mines, Petroleum and Exploration inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim over the area under application (DPLH, 2026). This claim has been determined by the Federal Court on behalf of the claimant group. The mining tenure 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 two 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 Proposal / Mine Closure Plan 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. Site characteristics

A.1. Site characteristics

<table>
<tr><th>Characteristic</th><th>Details</th></tr>
<tr><td>Local context</td><td>The area proposed to be cleared is part of an expansive tract of native vegetation in the extensive land use zone of Western Australia. It is surrounded by the landscape and vegetation of the Dampierland bioregion and it is adjacent to the town of Bilingurr and forms part of the existing Waterbank Station Sand Mine (GIS Database).</td></tr>
<tr><td>Ecological linkage</td><td>Based on aerial imagery, the proposed clearing does not form part of any formal or informal ecological linkages (GIS Database).</td></tr>
<tr><td>Conservation areas</td><td>The application area is adjacent to an area reserved for conservation, recreation, and traditional and customary Aboriginal use and enjoyment (GIS Database).</td></tr>
<tr><td>Vegetation description</td><td>The vegetation of the application area is broadly mapped as the following Beard vegetation associations:
73: Grasslands, short bunch grass savanna, grass; salt water grassland (Sporobolus virginicus); and
750: Shrublands, pindan; Acacia tumida shrubland with grey box & cabbage gum medium woodland over ribbon grass & curly spinifex (GIS Database).

A flora and vegetation survey was conducted over the application area by Plant Ecology Consulting (Plant Ecology) during November, 2025. The following vegetation associations were recorded within the application area (Plant Ecology, 2026):
<table>
<tr><th>Vegetation association</th><th>Description</th></tr>
<tr><td>Melaleuca alsophila – Chrysopogon fallax Woodland</td><td>Woodland of Melaleuca alsophila and Atalaya hemiglauca over tussock grassland of Chrysopogon fallax **Cenchrus setiger and Cyperaceae sp. in grey medium heavy clays on low-lying flats.</td></tr>
<tr><td>Acacia eriopoda – Lysiphyllum cunninghamii Open Woodland</td><td>Open Woodland of Acacia eriopoda, Lysiphyllum cunninghamii and Hakea macrocarpa over shrubland of Santalum lanceolatum and Atalaya hemiglauca over tussock grassland of Poaceae species in brown silty clay loams on flats.</td></tr>
<tr><td>Sersalisia sericea</td><td>Mature Sersalisia sericea</td></tr>
<tr><td>Sporobolus virginicus – Bothriochloa ewartiana Grassland</td><td>Tussock grassland of Sporobolus virginicus – Bothriochloa ewartiana with emergent Melaleuca alsophila and vines of Vincetoxicum carnisum and Operculina aequisepala grey medium heavy clays on low-lying flats.</td></tr>
</table></td></tr>
<tr><td>Vegetation condition</td><td>The vegetation survey (Plant Ecology, 2026) and ariel imagery indicate the vegetation within the proposed clearing area is in rated as completely degraded to excellent condition.
The full Trudgen (1991) condition rating scale is provided in Appendix C.</td></tr>
<tr><td>Climate and landform</td><td>The application area is located in a summer dominant zone with a marked wet summer and a dry winter (BoM, 2026). The average annual rainfall is of 629 millimetres (Broome Airport) (BoM, 2026).</td></tr>
<tr><td>Soil description</td><td>The soils in the application are mapped and described as red deep sand, red sandy earth and yellow deep sand (DPIRD, 2026).</td></tr>
<tr><td>Land degradation risk</td><td>The application area falls within the Yeeda land system which is described as red sandplains supporting pindan vegetation with dense acacia shrubs, scattered bloodwood and grey box trees and curly spinifex and ribbon grass (DPIRD, 2026). This land system is generally not prone to degradation or erosion (Schoknecht and Payne, 2010). The northern corner of the application area is subject to inundation (GIS Database), and during significant summer rainfall events erosion is likely to occur due to temporary flooding.</td></tr>
<tr><td>Waterbodies</td><td>The desktop assessment and aerial imagery indicated that no watercourses or wetlands transect the area proposed to be cleared (GIS Database).</td></tr>
<tr><td>Hydrogeography</td><td>The application area is located within the Broome Groundwater Area, which is legislated by the RIWI Act 1914. The mapped groundwater salinity of less than 500 milligrams per litre total dissolved solids which is described as fresh (GIS Database).</td></tr>
<tr><td>Flora</td><td>There are no records of conservation significant flora species in the application area (GIS Database). One Priority three species has been recorded less than one kilometre from the application area (Plant Ecology, 2026). Plant Ecology (2026) list three mature tree species within the application and survey area all of which are listed at approximately 10 metres or less in height. Plant Ecology (2026) also mention eight conservation-coded taxa which may occur within the application area based on available habitats.</td></tr>
<tr><td>Ecological communities</td><td>The application area falls within the buffer zones of two Priority Ecological Communities and one Threatened Ecological Community (GIS Database).</td></tr>
</table>

Characteristic	Details
Fauna	There are no records of conservation significant fauna species in the application area (GIS Database). However multiple records exist within a 50 kilometre radius of the application area.

A.2. Flora analysis table

With consideration for the site characteristics set out above, relevant datasets (Appendix D.1), and biological survey information, impacts to the following conservation significant flora required further consideration.

Species name	Conservation status	Suitable habitat features? [Y/N]	Suitable vegetation type? [Y/N]	Suitable soil type? [Y/N]	Distance of closest record to application area (km)	Are surveys adequate to identify? [Y, N, N/A]
Aphyllodium glossocarpum	P3	Y	Y	Y	>5 metres	N
Bonamia oblongifolia	P3	Y	Y	Y	-	N
Corymbia paractia	P2	Y	Y	Y	~ 3 km	Y
Glycine pindanica	P3	Y	Y	Y	~ 5 km	N
Jacquemontia sp. Broome	P1	Y	Y	Y	~ 5 km	N
Polymeria sp. Broome	P3	Y	Y	Y	~ 10 km	N
Terminalia kumpaja	P3	Y	Y	Y	~ 5 km	N
Tribulopis marliesiae	P3	Y	Y	Y	-	Y

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

A.1. Fauna analysis table

The following conservation significant fauna species have been recorded within 50 kilometres of the application area (GIS Database).

Species name	Conservation status	Suitable habitat features? [Y/N]	Suitable vegetation type? [Y/N]	Distance of closest record to application area (km)	Are surveys adequate to identify? [Y, N, N/A]
Tyto novaehollandiae kimberli (northern masked owl)	P1; VU	Y	Y	~ 5 km	N/A
Trichosurus vulpecula arnhemensis (northern brushtail possum (Kimberley))	VU	N	N	~ 5 km	N/A
Falco peregrinus (peregrine falcon)	OS	Y	Y	~ 5 km	N/A

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

Appendix B. 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: No Threatened or Priority flora were recorded during the survey conducted by Plant Ecology in November 2025. However, as the survey was completed late in the dry season, the presence of conservation significant taxa within the application area cannot be ruled out. Priority flora species, including *Aphyllodium glossocarpum* (P3), may occur within the application area, The vegetation in parts of the application area consists of tree species with an average height of less than 10 metres. Measures will be implemented to avoid the clearing of larger tree species. These measures have been included as a condition on the permit.	May be at variance	Yes *Refer to section 3.2.1*

Assessment against the clearing principles	Variance level	Is further consideration required?
Numerous weed species recorded within the application area, including two Declared Pests under the *Biosecurity and Agriculture Management Act 2007* (Plant Ecology, 2026).		
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 may contain foraging, roosting, breeding, critical, significant habitat for conservation significant fauna.	May be at variance	Yes *Refer to section 3.2.1*
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: The area proposed to be cleared 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: A small portion of the northeastern corner of the application area falls in the Kimberley Vegetation Association 73 (Priority 3) Threatened and Priority Ecological Community (Plant ecology, 2026; GIS Database), however, upon investigation by Plant Ecology (2026), species associated with this vegetation association were not recorded in the survey. Aerial imagery indicates a large portion of the application area as already disturbed. Therefore, any further clearing of this vegetation type is unlikely to have an impact on this vegetation community.	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 extent of the mapped vegetation type 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: The proposed clearing is not likely to have an impact on the environmental values of adjacent conservation areas.	Not likely to 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: There are no watercourses or wetlands within the application area (GIS Database), however, an area immediately north of the application area is subject to inundation (GIS Database), especially during significant summer rainfall events. It is recommended to ensure no clearing takes place during the rainfall period.	Not likely to be at variance	No
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: Significant summer rainfall events occur from December to March (Bureau of Meteorology, 2026). There is an area immediately to the north of the application area that is subject to inundation (GIS Database), therefore it is likely that the application area will experience seasonal inundation during significant summer rainfall events. Erosion is likely to occur during these flooding events. The application area also falls within the transition zone between the Yeeda Soil Landscape System (Red Sandplain	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
soils or Pindan Sands) and the Carpentaria Low Land System (DPIRD, 2026a). Soils within the extraction area are leached pale sands. Water is likely to pool in the extraction area, but overland flow is not expected to be significant (DPIRD, 2026a).		
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: As no watercourses, wetlands, or Public Drinking Water Source Areas occur within the application area, groundwater is fresh (less than 500 milligrams per Litre of total dissolved solids), and average evaporation rate (approximately 3,200 millimetres) greatly exceeds average annual rainfall (GIS database), the proposed clearing is unlikely to impact surface or groundwater 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 area immediately north of the application area is subject to episodic inundation during significant summer rainfall events (GIS Database); however, any inundation is expected to occur as shallow sheet flooding and is likely to drain rapidly due to the high local evaporation rate. Given the limited extent of proposed clearing (five hectares) relative to the overall catchment size of the Cape Leveque Coast Basin, as well as the absence of watercourses or wetlands within the application area, the proposed clearing is unlikely to cause, or exacerbate, the incidence or intensity of flooding. Soils within the extraction area are leached pale sands. Water is likely to pool in the extraction area, but overland flow is not expected to be significant (DPIRD, 2026a).	Not likely to be at variance	No

Appendix C. 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 Trudgen, M.E. (1991) *Vegetation condition scale* in National Trust (WA) 1993 Urban Bushland Policy. National Trust of Australia (WA), Wildflower Society of WA (Inc.), and the Tree Society (Inc.), Perth.

Measuring vegetation condition for the Eremaean and Northern Botanical Provinces (Trudgen, 1991)

Condition	Description
Excellent	Pristine or nearly so, no obvious signs of damage caused by human activities since European settlement.
Very good	Some relatively slight signs of damage caused by human activities since European settlement. For example, some signs of damage to tree trunks caused by repeated fire, the presence of some relatively non-aggressive weeds, or occasional vehicle tracks.
Good	More obvious signs of damage caused by human activity since European settlement, including some obvious impact on the vegetation structure such as that caused by low levels of grazing or slightly aggressive weeds.
Poor	Still retains basic vegetation structure or ability to regenerate it after very obvious impacts of human activities since European settlement, such as grazing, partial clearing, frequent fires or aggressive weeds.
Very poor	Severely impacted by grazing, very frequent fires, clearing or a combination of these activities. Scope for some regeneration but not to a state approaching good condition without intensive management. Usually with a number of weed species present including very aggressive species.
Completely degraded	Areas that are completely or almost completely without native species in the structure of their vegetation; i.e. areas that are cleared or 'parkland cleared' with their flora comprising weed or crop species with isolated native trees or shrubs.

Appendix D. Sources of information

D.1. GIS datasets

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

- Clearing Instruments Activities (Areas Approved to Clear) (DWER-076)
- Clearing Regulations - Environmentally Sensitive Areas (DWER-046)
- Clearing Regulations - Schedule One Areas (DWER-057)
- DBCA - Lands of Interest (DBCA-012)
- DBCA - Legislated Lands and Waters (DBCA-011)
- DBCA Fire History (DBCA-060)
- Groundwater Salinity Statewide (DWER-026)
- Hydrographic Catchments - Basins (DWER-027)
- Hydrographic Catchments - Catchments (DWER-028)
- Hydrographic Catchments - Divisions (DWER-029)
- IBRA Vegetation Statistics
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Medium Scale Topo Coastal Flat (Polygon) (LGATE-122)
- Medium Scale Topo Contour (Line) (LGATE-015)
- Medium Scale Topo Elevation (Point) (LGATE-014)
- Mineral Field Boundaries (DMIRS-005)
- Native Title (Determination) (LGATE-066)
- Native Title (Fed Court) (LGATE-005)
- Native Title (NNTT) (LGATE-004)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)
- 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)
- Townsites (LGATE-248)
- WA Now Aerial Imagery
- WRIMS - Groundwater Areas (DWER-085)
- WRIMS - Groundwater Resources (DWER-084)

Restricted GIS Databases used:

- 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)

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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.