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:	10895/1
Permit type:	Purpose permit
Applicant name:	Maximus Resources Limited
Application received:	16 December 2024
Application area:	46 hectares
Purpose of clearing:	Purpose as shown on permit
Method of clearing:	Mechanical removal
Tenure:	Mining Lease 15/1448, 15/1770, 15/1771
Location (LGA area):	Shire of Coolgardie
Colloquial name:	Hilditch Gold Project

1.2. Description of clearing activities

Maximus Resources Limited proposes to clear up to 46 hectares of native vegetation within a boundary of approximately 136.7 hectares, for the purpose of mining related infrastructure (Maximus, 2024a). The project is located approximately 11 kilometres southwest of Kambalda, within the Shire of Coolgardie (GIS Database).

This clearing of native vegetation is to allow for the development of the Hilditch deposit and construction/installation of associated mine infrastructure including:

- open pit – mining is above the water table;
- waste dump;
- ROM (Run of Mine);
- office/workshop/fuel storage;
- laydown/hardstand; and
- haul/access roads (Maximus, 2024b).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	30 October 2025
Decision area:	46 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, vegetation and fauna surveys (NVS, 2024; Terrestrial Ecosystems, 2024a; 2024b; Western Botanical, 2015), 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;
- potential to conservation significant flora;
- impacts to conservation significant fauna;
- potential impacts to drainage lines; 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 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;
- 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;
- avoid clearing riparian vegetation where practicable and maintain surface water flow;
- undertake pre-clearance targeted flora survey between November and mid-December for Threatened flora species *Tetratheca spenceri*;
- a fauna management (malleefowl) condition requiring areas proposed to be cleared between 1 September and 31 January are inspected to identify active (in use) malleefowl mounds, and to maintain a 200 metre buffer around identified active mounds; and
- a fauna management (southern whiteface) condition requiring areas proposed to be cleared between 1 July and 31 October are inspected to identify active (in use) southern whiteface nests, and to maintain a 50 metre buffer around identified active nests.

1.5. Site map

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

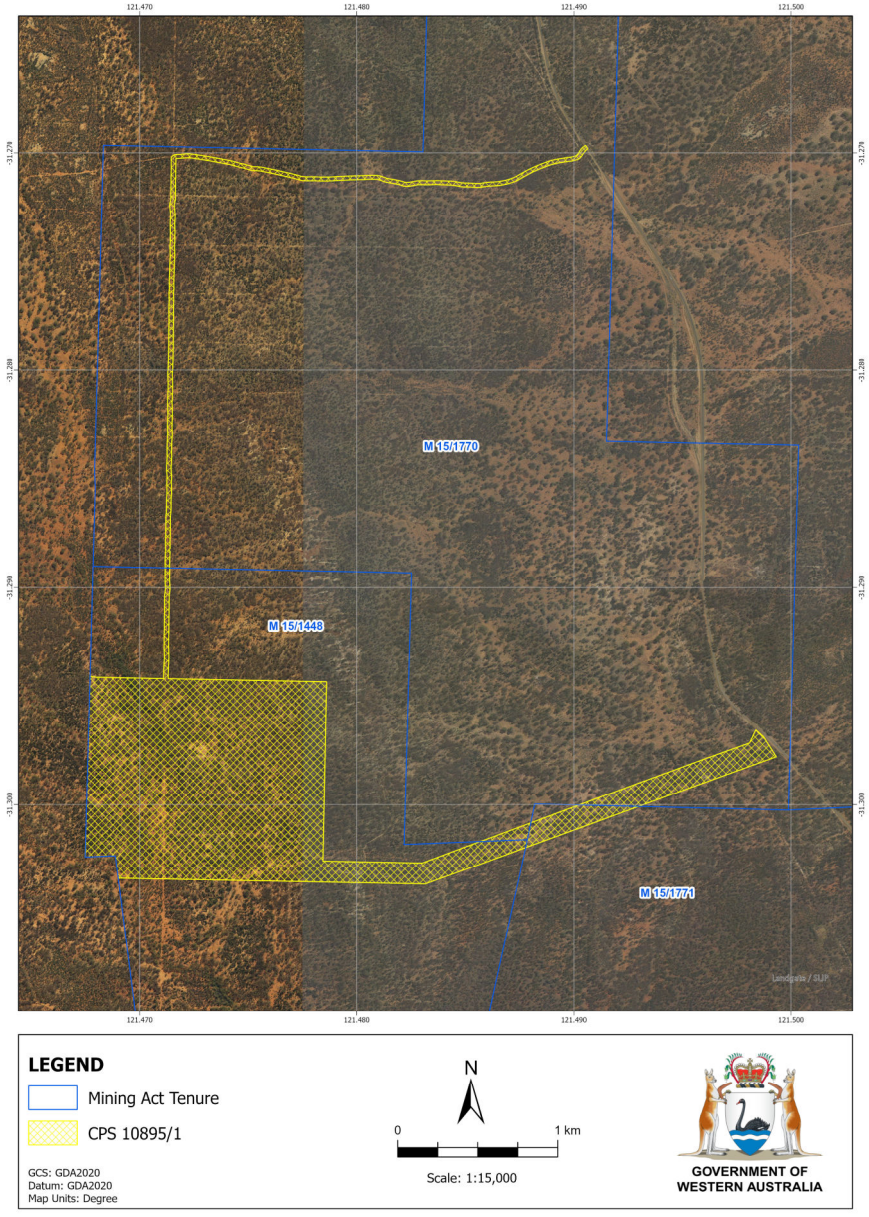

Figure 1. Map of the application area. The yellow area indicates the area within which conditional authorised clearing can occur under the granted clearing permit.

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)
- *Biosecurity and Agriculture Management (BAM) Act 2007*

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

Evidence was submitted by the applicant, demonstrating that various avoidance and mitigation measures such as the following, but not limited to, will be implemented (Maximus, 2024b):

- weed control programs will be carried out and ensure all machinery involved in clearing operations will be cleaned prior to arrival at site to minimise the spread of weeds and soil pathogen;
- culverts, floodways and/or spoon drains as required to maintain surface water flow; and
- the disturbed area (except for the open pit) will be rehabilitated at completion of mining.

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 identified that the impacts of the proposed clearing present a risk to biological values (flora, vegetation and fauna). 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

3.2.1. Biological values (flora) – Clearing Principle (a) & (c)

Assessment

A flora and vegetation survey was conducted over the application area and surrounding areas (340.6 hectares survey area) by Native Vegetation Solutions (2024) during April 2024. The flora survey identified total of 24 families, 46 genera and 99 species within the survey area (NVS, 2024). Six vegetation types were identified within the application area, none were considered unique or restricted and the vegetation types identified are common, widespread and well represented within the Eastern Goldfields subregion (NVS, 2024). Five weed species were recorded within the survey area: *Carrichtera annua* (Ward's Weed), *Centaurea melitensis* (Maltese Cockspur), *Lysimachia arvensis* (Pimpernel), *Salvia verbenaca* (Wild Sage) and *Sonchus oleraceus* (*Common Sowthistle*) (NVS, 2024). None of these species are considered Declared Pests under the *Biosecurity and Agriculture Management (BAM) Act 2007*.

NVS (2024) did not record any vegetation types representative of a Threatened or Priority Ecological Community (NVS, 2024). No Priority or Threatened flora species were identified within the application during the flora survey, however one Threatened flora, *Tetratheca spenceri*, has been recorded within five kilometres of the application area and has the potential to occur based on the habitat present (Western Botanical, 2015; GIS Database). As the flora survey was undertaken in April, and this Threatened flora flowers in November and mid-December (Butcher & Cockerton, 2012), there is potential for this flora species to occur within the application area.

Conclusion

For the reasons set out above, it is considered that the impacts of the proposed clearing on conservation significant flora can be managed by undertaking pre-clearance flora surveys for threatened flora species *Tetratheca spenceri*, avoiding and minimising disturbance and by taking steps to minimise the risk of the introduction and spread of weeds.

Conditions

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

- 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
- undertake pre-clearance flora surveys for *Tetratheca spenceri* during November and mid-December.

Biological values (fauna) - Clearing Principle (b)

Assessment

Terrestrial Ecosystems (2024b) undertook a basic vertebrate fauna survey and risk assessment across the application area and adjacent areas (340 hectare survey area) in April 2024. Two broad fauna habitats were identified within the application area:

- Eucalypt and tall Melaleuca woodland; and
- Eucalypt woodland over mixed shrubs as well as disturbed areas (e.g. tracks) (Terrestrial Ecosystems, 2024b).

No conservation significant fauna species or evidence (e.g. tracks, scats) were recorded during the application area, however 13 conservation significant species have been recorded within 50 kilometres of the application area (GIS Database). Of the 13 species recorded within the local area, six are considered to potentially occur within the application area (GIS Database).

Peregrine falcon (*Falco peregrinus* – Other Specially Protected Species), is one of the most widespread birds in the world and occurs across most of Australia (Commonwealth of Australia, 2008). The species inhabits cliffs, costal habitats, rivers, wooded water courses, lakes and urban environments (Commonwealth of Australia, 2008). No individuals were recorded during the survey, however, this species has been recorded within 30 kilometres from the application area, suggesting that they may use the application area as part of a larger home range (GIS Database). The proposed clearing of native vegetation will not likely lead to a significant impact to this species and impacts can be managed by placing a slow directional clearing condition on the permit.

Malleefowl (*Leipoa ocellata* – Vulnerable) is known from the Coolgardie bioregion however, there are no recent records of active breeding mounds within the vicinity of the application area (Terrestrial Ecosystems, 2024b). There were no mounds, tracks or scats recorded during the current fauna survey and searches of areas suitable for recording Malleefowl tracks did not yield any results (Terrestrial Ecosystems, 2024b). However, the application area does provide suitable foraging and breeding habitat for this species.

Central long-eared bat (*Nyctophilus major tor* – Priority 3) inhabits mixed eucalypt woodlands with prominent shrub strata in arid and semi-arid regions (McKenzie & Parnaby, 2008). The central long-eared bat is widespread in the Coolgardie bioregion (McKenzie & Parnaby, 2008; GIS Database). As the central long-eared bat and its habitat is widespread in the region, and has secure populations within conservation estates, the proposed clearing of suitable habitat is unlikely to result in a significant impact to the species (McKenzie & Parnaby, 2008; Terrestrial Ecosystems, 2024b).

A targeted search for the Arid Bronze Azure Butterfly (*Ogyris subterrestris petrina* – Critically Endangered) was conducted over the application area on 2-15 September 2024 (Terrestrial Ecosystems, 2024ba). The Arid Bronze Azure Butterfly is associated with colonies of *Camponotus terebrans*, a sugar ant that is associated with smooth bark Eucalyptus species (Commonwealth of Australia, 2008). Smooth bark Eucalypt trees are present within the application area and both the host ant and Arid Bronze Azure Butterfly were searched for during the targeted survey and no individuals of *Camponotus terebrans* were recorded (Terrestrial Ecosystems, 2024a). There were no Arid Bronze Azure Butterflies recorded within the application area (Terrestrial Ecosystems, 2024a). The application area is not likely to be providing significant habitat for the Arid Bronze Azure Butterfly.

Inland hairstreak (*Jalmenus aridus* – Priority 2) is a butterfly species known from the Goldfields region (Commonwealth of Australia, 2008). Preferred habitat for inland hairstreak consists of open woodland with Senna, Eremophila, Scaveola and Maireana shrubs (Eastwood et al., 2023). Hostplants within the application area for *Jalmenus aridus* larvae include *Senna artemisioides subsp. filifolia* (Eastwood et al., 2023; NVS, 2024). Given no *Jalmenus aridus* individuals were recorded during the fauna survey and the closest records are 49 kilometres away, there is a low probability of this species occurring within the application area.

Western rosella (inland) (*Platycercus icterotis xanthogenys* – Priority 4) is found in eucalypt and sheoak woodlands and scrubs, especially those containing wandoo (*E. wandoo*), flooded gum, salmon gum (*E. salmonophloia*), tall mallee and rock sheoak (*Allocasuarina huegeliana*) (DEC, 2008). This species has been recorded within 50 kilometres of the application area and suitable habitat is present, however, given this species was not recorded during the fauna survey, and the habitat is available in the surrounding bioregion, this species can be considered a potential infrequent visitor, and the proposed clearing is not considered to have a significant impact.

The southern whiteface (*Aphelocephala leucopsis* – Vulnerable) occurs across most of mainland Australia, within open woodlands and shrublands where there is an understorey of grasses, shrubs or both (Commonwealth of Australia, 2008). These areas are usually dominated by acacias or eucalypts on ranges, foothills, lowlands and plains (Commonwealth of Australia, 2008). The southern whiteface forages in areas with low tree density and an herbaceous understory with litter cover, and roosts and nests in living and dead trees that contain suitable hollows or crevices (Commonwealth of Australia, 2008). This species nests in large bulky domed-shaped nests made out of grass, bark and roots within hollows or crevices in trees, and low bushes (Commonwealth of Australia, 2008). Acacia shrubland and Eucalyptus woodland habitat within the application area provides

suitable foraging habitat and potentially suitable breeding habitat for the southern whiteface (NVS, 2024; Terrestrial Ecosystems, 2024b). This species has been historically recorded within the project area (Terrestrial Ecosystems, 2024b). As suitable habitat is abundantly present within the surrounding bioregion, the proposed impacts are not expected to be significant, however local impacts may be minimised by pre-clearance inspections for nests prior to clearing.

Conclusion

Based on the above assessment, the proposed clearing will result in potential impacts to conservation significant fauna such as Malleefowl (*Leipoa ocellata*) and southern whiteface (*Aphelocephala leucopsis*).

The applicant may have notification responsibilities under the EPBC Act for impacts to Malleefowl (*Leipoa ocellata*) and southern whiteface (*Aphelocephala leucopsis*) and their habitats, as set out in the EPBC Act (DCCEEW, 2023; 2024). The applicant has been advised to contact the federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) to discuss EPBC Act referral requirements.

Conditions

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

- avoid, minimise to reduce the impacts and extent of clearing;
- take hygiene steps to minimise the risk of the introduction and spread of weeds;
- undertake slow, progressive one-directional clearing to allow terrestrial fauna to move into adjacent habitat ahead of the clearing activity;
- a fauna management (malleefowl) condition requiring areas proposed to be cleared between 1 September and 31 January are inspected to identify active (in use) malleefowl mounds, and to maintain a 200 metre buffer around identified active mounds; and
- a fauna management (southern whiteface) condition requiring areas proposed to be cleared between 1 July and 31 October are inspected to identify active (in use) southern whiteface nests, and to maintain a 50 metre buffer around identified active nests.

3.3. Relevant planning instruments and other matters

The clearing permit application was advertised on 21 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 are no native title claim over the area under application (DPLH, 2025). 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, 2025). 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. Site characteristics

A.1. Site characteristics

Characteristic	Details
Local context	The area proposed to be cleared is located approximately 11 kilometres southwest of Kambalda, within the Shire of Coolgardie (GIS Database). It is mapped within the Eastern Goldfield subregion of the Coolgardie Bioregion (GIS Database). The dominant land uses in this bioregion are pastoralism, crown reserves and mining. Mining and exploration are evident in many areas around Kalgoorlie, Kambalda, Widgiemooltha, Higginsville and Lake Lefroy, with numerous small abandoned and operational mines scattered throughout the landscape (Terrestrial Ecosystems, 2024b).
Ecological linkage	According to available databases, the application area does not contain any known or mapped ecological linkages (GIS Database).
Conservation areas	The application area is not mapped within a conservation area, the nearest (Kamalda Nature Reserve) is located seven kilometres northwest of the application area (GIS Database).
Vegetation description	The vegetation of the application area is broadly mapped as the following Beard vegetation association: • 9: Medium woodland; coral gum (*Eucalyptus torquata*) and goldfields blackbutt (*E. le soufii*) (GIS Database). A flora and vegetation survey was conducted over the application area by Native Vegetation Solutions (2024) during April, 2024. The following vegetation associations were recorded within the application area (NVS, 2024): • Transitional Eucalyptus woodland (72.6%); • *Eucalyptus ravida* woodland (1.4%); • Mixed Eucalyptus woodland over sclerophyll shrubland on small rises (6.0%); • *Eucalyptus griffithsii* over *Acacia acuminata* (7.2%); • Eucalyptus woodland over *Melaleuca sheathiana* (8.2%); and • Open *Eucalyptus salmonophloia* woodland (2.8%).
Vegetation condition	The vegetation survey (NVS, 2024) indicates the vegetation within the proposed clearing area is in 'Very Good' to 'Completely Degraded' (Keighery, 1994) condition. The full Keighery (1994) condition rating scale is provided in Appendix C.
Climate and landform	The application area, located within the Coolgardie region of Western Australia, experiences a which exhibits a semi-arid climate characterised by hot dry summers and mild dry winters with an average annual rainfall of 281.3 millimetres (BoM, 2025). NVS (2024) recorded three landforms within the application area: flat plains, drainage and disturbed areas.
Soil description	The soils of the application area broadly mapped as the following soil type: • Kanowna system: Undulating stony plains on metasedimentary and felsic volcaniclastic rocks with saline drainage tracts, supporting scattered eucalypt woodlands and halophytic shrublands; and • Coolgardie system: Uplands and undulating plains associated with ultramafic greenstones, supporting eucalypt woodlands and halophytic shrublands (DPIRD, 2025; Waddell and Galloway, 2023).
Land degradation risk	The Kanowna land system, except for the loamy plain landform, this land system is susceptible to water erosion. This is most apparent where weathered felsic volcaniclastic rocks underlie saline soils, particularly in areas where perennial shrub cover is substantially reduced or the soil surface is disturbed. (Waddell and Galloway, 2023). The Coolgardie land system where not protected by a stony mantle, footslopes and valley floors are susceptible to water erosion, particularly where perennial shrub cover is substantially reduced and/or the soil surface is disturbed (Waddell and Galloway, 2023).
Waterbodies	The desktop assessment and aerial imagery indicated that there are no permanent surface waterbodies or watercourses within the application area (GIS Database). Several minor non-perennial watercourses intersect the application area (Terrestrial Ecosystems, 2024b).
Hydrogeography	The application area is mapped within the Goldfields Groundwater Area (GIS Database).
Flora	Flora surveys recorded no priority flora or threatened species within the application area (NVS, 2024; GIS Database). There are records of 26 conservation significant flora species within the local area (20 kilometre radius from the application area) (GIS Database).
Ecological communities	The application area is not mapped within a Threatened or Priority Ecological Community (TEC/PEC) (GIS Database).
Fauna	The basic fauna survey recorded no Threatened, Migratory or Specially protected fauna species listed under the EPBC Act or BC Act within the application area, and no evidence of such fauna species was noted (burrows, diggings, tracks and scats) (Terrestrial Ecosystems, 2024b). Thirteen

Characteristic	Details
	conservation significant fauna species have been recorded within 50 kilometres of the application area (Terrestrial Ecosystems, 2024b; GIS Database).
Fauna habitat	The basic fauna survey (Terrestrial Ecosystems, 2024b) identified two broad fauna habitats within the survey area: • Eucalypts with mixed shrubs; and • Eucalypts with tall melaleuca.

A.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 - Coolgardie	12,912,204.35	12,648,491.39	97.96	1.00	0.00
Beard vegetation associations - State					
Veg Assoc No. 9	240,509.33	235,161.94	97.78	18,984.28	7.89
Beard vegetation associations - Bioregion					
Veg Assoc No. 9	240,441.99	235,100.97	97.78	1.00	0.00

Government of Western Australia (2019)

A.3. Flora analysis table

With consideration for the site characteristics set out above and relevant datasets (see Appendix D.1), and biological survey information (NVS, 2024; Western Australian Herbarium, 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]
Acacia crenulata	3	<5	25	N
Acacia kerryana	2	<5	16	Y
Acacia websteri	1	<10	21	Y
Allocasuarina eriochlamys subsp. grossa	3	<5	29	N
Calandrinia lefroyensis	1	<20	11	Y
Chrysocephalum apiculatum subsp. norsemanense	3	<20	18	Y
Cratystylis centralis	3	<5	13	Y
Cyathostemon divaricatus	1	<10	7	N
Eremophila caerulea subsp. merrallii	4	<20	23	Y
Eremophila succinea	3	<15	10	Y
Eucalyptus urna subsp. xesta	3	<10	25	Y
Lepidosperma sp. Kambalda (A.A. Mitchell 5156)	2	<5	2	N
Lepidosperma sp. Parker Range (N. Gibson & M. Lyons 2094)	1	<5	7	N
Phebalium clavatum	2	<15	16	Y
Philotheca apiculata	1	<20	28	N
Phlegmatospermum eremaeum	3	<10	19	Y
Pterostylis xerampelina	1	<20	15	N
Ricinocarpos digynus	1	<20	10	N
Stackhousia muricata subsp. Perennial (W.R. Barker 3641)	3	<5	50	Y
Stylidium choreanthum	3	<10	30	N

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]
Styphelia rectiloba	3	<5	7	N
Tecticornia flabelliformis	2	<15	9	N
Tecticornia mellarium	1	<15	21	N
Tetratheca spenceri	T	<5	4	Y
Thryptomene planiflora	1	<5	23	Y
Xanthoparmelia xanthomelanoides	2	<20	7	Y

A.4. Fauna analysis table

With consideration for the site characteristics set out above and relevant datasets (see Appendix D.1), and biological survey information (Terrestrial Ecosystems, 2024b; GIS Database), impacts to the following conservation significant flora 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	<45	N
Aphelocephala leucopsis	southern whiteface	VU	<50	Y
Branchinella basispina	a fairy shrimp (Balladonia-Norseman)	P3	<50	N
Calidris acuminata	sharp-tailed sandpiper	MI	<15	N
Dasyurus geoffroii	chuditch, western quoll	VU	<20	N
Falco peregrinus	peregrine falcon	OS	<30	Y
Jalmenus aridus	inland hairstreak, desert blue butterfly	P2	<50	Y
Leipoa ocellata	malleefowl	VU	<5	Y
Nyctophilus major tor	central long-eared bat	P3	<50	Y
Ogyris subterrestris petrina	arid bronze azure butterfly	CR	<50	Y
Platycercus icterotis xanthogenys	western rosella (inland)	P4	<50	Y
Tringa brevipes	grey-tailed tattler	P4 & MI	<50	N
Tringa nebularia	common greenshank	MI	<45	N

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: A flora and vegetation assessment was conducted over the application area by NVS (2024) on 3 April 2024. Six vegetation associations comprising a total of 24 families, 46 genera and 99 species were identified (NVS, 2024). There were no vegetation associations which were representative of a Threatened or Priority Ecological Community and no Threatened or Priority flora or fauna species were recorded within the application area (NVS, 2024; Terrestrial Ecosystems, 2024b; GIS Database).	Not likely to be at variance	Yes Refer to Section 3.2.1, above.

Assessment against the clearing principles	Variance level	Is further consideration required?
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 habitat types within the application area are reportedly widespread and common throughout the region. Whilst it may support conservation significant fauna such as malleefowl and southern whiteface, the habitats present and are not considered to represent significant habitat for fauna (Terrestrial Ecosystems, 2024a; 2024b).	May be at variance	Yes Refer to Section 3.2.1, above.
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: There are no known records of Threatened flora within the application area (GIS Database). Flora surveys of the application area did not record any species of Threatened flora (NVS, 2024; Western Botanical 2015; GIS Database). Threatened flora species, *Tetratheca spenceri*, has been recorded within five kilometres of the application area (Western Botanical, 2015).	Not likely to be at variance	Yes Refer to Section 3.2.1, above.
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 the application area and the flora and vegetation survey did not identify any TECs (NVS, 2024; GIS Database).	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 native vegetation in the local area is consistent with the national objectives and targets for biodiversity conservation in Australia (Commonwealth of Australia, 2001). The vegetation proposed to be cleared is not considered to be part of a significant ecological linkage in the local area.	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: Given the distance to the nearest conservation area, the proposed clearing is not likely to have an impact on the environmental values of nearby conservation areas (GIS Database).	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: Given a minor drainage line transects the application area, the proposed clearing is likely to impact on- or off-site hydrology and water quality. This may be managed through a flora management condition which requires riparian vegetation to be avoided where possible and waterflow to be maintained.	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: Erosion may occur due to the removal of large vegetation, especially within drainage channels. Given the size of the proposed clearing (46 hectares), there is an increased risk of erosion if large areas are cleared and not utilised. Potential degradation as a result of the proposed clearing may be minimised by the implementation of a staged clearing condition.	May be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
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: Given a minor drainage line transects the application area, the proposed clearing may impact surface or groundwater water quality. Further impacts within non-perennial watercourses may be minimised by the implementation of a water management condition.	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 mapped soils and topographic contours in the surrounding area do not indicate the proposed clearing is likely to contribute to increased incidence or intensity of flooding (GIS Database).	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 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 D. Sources of information

D.1. GIS datasets

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

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Bush Forever (Regional Scheme) (DPLH-022)
- Cadastre (LGATE-218)
- Contours (DPIRD-073)
- 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)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Groundwater Salinity Statewide (DWER-026)
- Hydrographic Catchments – Catchments (DWER-028)
- Hydrography – Inland Waters – Waterlines
- Hydrography, Linear (DWER-031)
- IBRA Vegetation Statistics
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Native Title (ILUA) (LGATE-067)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)
- 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 – Rangelands (DPIRD-064)
- WA Now Aerial Imagery

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.