

Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	11102/1
Permit type:	Purpose permit
Applicant name:	Black Cat (Kal East) Pty Ltd
Application received:	21 May 2025
Application area:	31 hectares
Purpose of clearing:	Mineral Production and Associated Activities
Method of clearing:	Mechanical removal
Tenure:	Mining Lease 25/24, 25/91, 25/129 Miscellaneous Licence 25/62
Location (LGA area/s):	City of Kalgoorlie-Boulder
Colloquial name:	Myhree Project

1.2. Description of clearing activities

Black Cat (Kal East) Pty Ltd proposes to clear up to 31 hectares of native vegetation within a boundary of approximately 313.3 hectares, for the purpose of mining related infrastructure. The project is located approximately 28 kilometres west of Kalgoorlie-Boulder, within the City of Kalgoorlie-Boulder (GIS Database).

The purpose of the application is to support ongoing mining activities approved under Mining Proposal Reg ID 113166 and 129767. The clearing is required for mine-related infrastructure such as waste dumps, access roads and equipment laydown areas (Black Cat (Kal East), 2025).

Approximately 130 hectares out of 313.3 hectares has already been cleared for site infrastructure under permit CPS 8843/3 (see figure 2). This application is to replace CPS 8843/3 which has expired (Black Cat (Kal East), 2025).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	15 January 2026
Decision area:	31 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed, and determined in accordance with sections 51E 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 B), relevant datasets (Appendix F), supporting information provided by the applicant, including the results of biological surveys, the clearing principles set out in Schedule 5 of the EP Act (Appendix C), 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;
- impacts to riparian vegetation; and
- potential land degradation in the form of soil 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 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;
- commence construction no later than six months after undertaking clearing to reduce the risk of erosion; and
- watercourse management condition to reduce the impacts to riparian vegetation.

1.5. Site map

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

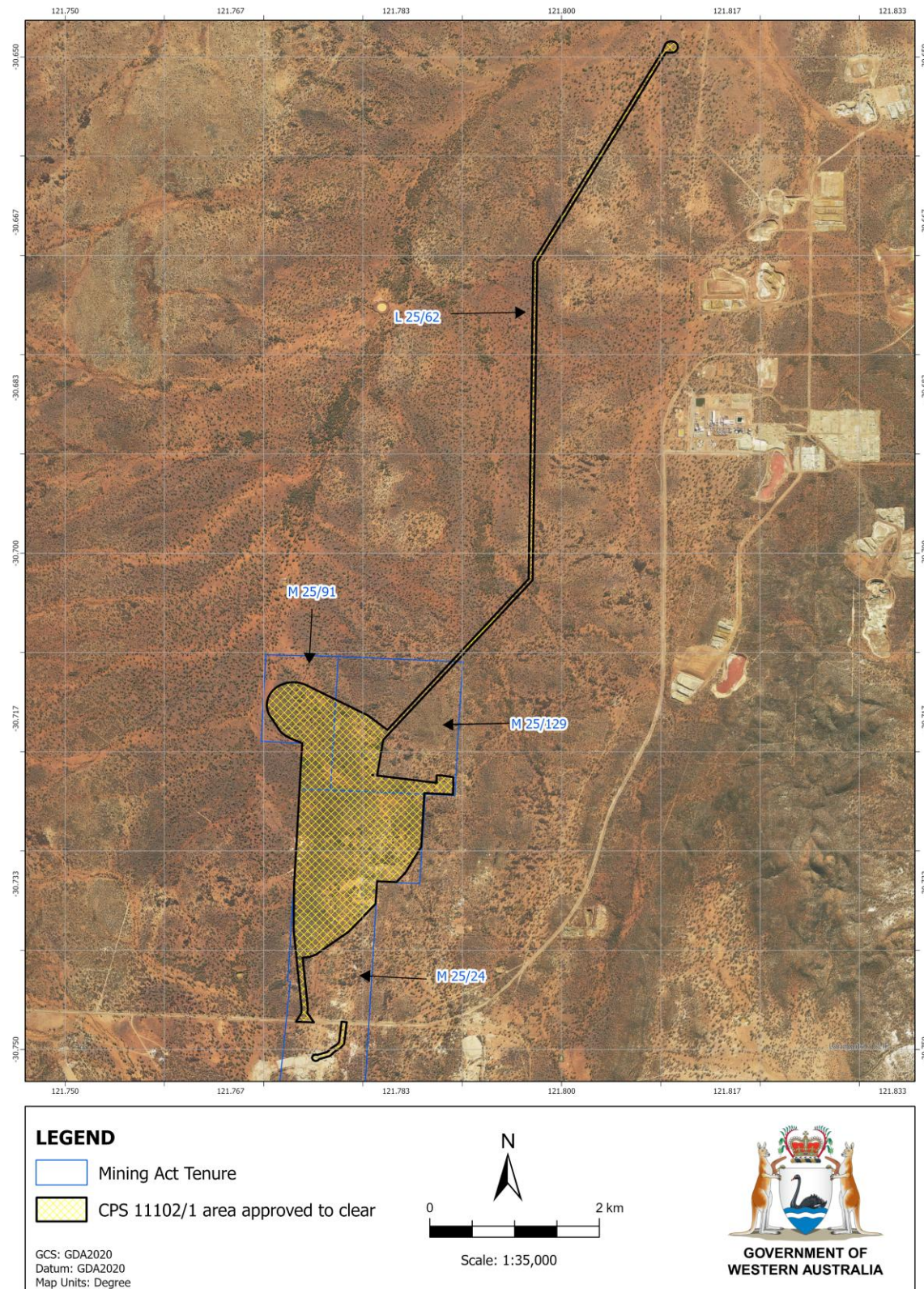


Figure 1. Map of the application area. The yellow area indicates the area within which conditional authorised clearing can occur under the granted clearing permit.

2. Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the principle of the conservation of biological diversity and ecological integrity

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Conservation and Land Management Act 1984* (WA) (CALM Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Mining Act 1978* (WA)
- *Rights in Water and Irrigation Act 1914*

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, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016; 2020)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

Black Cat (Kal-East) (2025) have outlined following avoidance and mitigation measures:

- Site infrastructure was located in proximity to the (then) proposed open pits (Myhree and Boundary). The size and scale of clearing was proportional to the mine design that is footprint of waste rock landforms. Haul roads were designed for dump trucks and semi-trailers;
- Where possible, trees were left to provide shade near offices, workshops, parking areas, along road verges and between facilities;
- All machinery was thorough washed and inspected. Soil and Seed Inspection Forms were completed prior to clearing activities commencing;
- No watercourses or drainage lines were changed or damaged;
- Topsoil stockpiles will be inspected to ensure stockpiles are weed free. Any weeds found will be removed by (clipping, spraying or hand pulling). All weeds found will be recorded in the site weed register. Weed management has been undertaken since commencement of operations; and
- Progressive rehabilitation will be undertaken in accordance with the site's Mine Closure Plan.

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 B) 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 (fauna, adjacent flora and vegetation) and land and water resources. 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 and Fauna) - Clearing principles (a) and (b)

Assessment

Two reconnaissance flora and vegetation surveys were conducted over the application area during 28 July 2019 and 10 September 2020 (Botanica, 2019; 2020). These surveys covered approximately 961 hectares and 1,025 hectares respectively (Botanica, 2019; 2020).

The desktop assessments and surveys identified four Priority flora species that have the potential to occur within the application area: *Eremophila xantholaemus* (P1), *Eremophila praecox* (P2), *Eremophila arachnoides* subsp. *tenera* (P1), and *Xanthoparmelia dayiana* (P3) (Botanica, 2019; 2020; GIS Database). The likelihood of occurrence for these species was determined by potentially suitable habitat within the application area and known regional records (Botanica, 2019; 2020; Western Australia Herbarium, 1998). While none of these species were identified during the flora surveys, no targeted surveys have been conducted within suitable vegetation types for individuals (Botanica, 2019; 2020). None of these species are restricted to the region (Western Australian Herbarium, 1998). Based on the provided information, the proposed clearing is unlikely to impact the local population of potentially occurring Priority flora.

Desktop and fauna habitat assessments identified that two conservation significant fauna species may possibly occur within the application area: malleefowl (*Leipoa ocellata*, VU) and peregrine falcon (*Falco peregrinus*, OS) (Botanica, 2019; 2020). Habitat for malleefowl was identified to be appropriate for dispersal and foraging, but unlikely to provide suitable breeding habitat (Botanica, 2019; 2020). Suitable foraging and dispersal habitat is widely available outside the application area (Botanica, 2019; 2020). The application area may provide suitable habitat for peregrine falcon; however, the application area would likely be utilised as a much larger home range (Botanica, 2019; 2020). Due to peregrine falcons highly mobile nature they are unlikely to be impacted by the proposed clearing (Botanica, 2019; 2020). No evidence of any conservation significant fauna was opportunistically recorded during the field assessments (Botanica, 2019; 2020).

Conclusion

Based on the above assessment, the proposed clearing is unlikely to result in a loss of significant habitat for Priority flora or conservation significant fauna species. The vegetation types and fauna habitats identified are not restricted to the application area and are common and widespread within the region (Botanica, 2019; 2020; GIS Database).

Given the area covered for each field assessment is expansive and survey effort is limited (Botanica, 2019; 2020), future amendments of this permit will be subject to additional targeted surveys of all conservation significant flora species that have the potential to occur within the application area.

Conditions

No management conditions required for flora or fauna.

3.3. Relevant planning instruments and other matters

The clearing permit application was advertised on 21 August 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 two native title claims (WAD647/2017 – Marlinyu Ghoorlie; WAD297/2020 – Kakarra Part A) over the area under application (DPLH, 2025). These claims have been determined by the Federal Court on behalf of the claimant groups. 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 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 Programme of Work approved under the *Mining Act 1978*.
- A Mining Development and Closure Proposal approved under the *Mining Act 1978*.

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

End

Appendix A. Additional information provided by applicant

Summary of comments	Consideration of comment
Assessing officer had requested a new revised application form with the updated name of the company to the proponent.	The updated company name was reflected in the approval documents.

Appendix B. Site characteristics

B.1. Site characteristics

Characteristic	Details
Local context	<p>The project is located approximately 25 kilometres east of Kalgoorlie-Boulder, within the City of Kalgoorlie-Boulder in the extensive land use zone. The application area is surrounded by vast tracks of uncleared land.</p> <p>The application area is surrounded by the landscape and vegetation of the Eastern Murchison subregion within Murchison bioregion and Eastern Goldfield subregion within Coolgardie bioregion as described by the Interim Biogeographic Regionalisation of Australia (IBRA) (GIS Database). The dominant land use in these regions are crown reserves, native pasture grazing, and mining (CALM, 2002).</p>
Ecological linkage and conservation areas	The nearest conservation area is Bullock Holes Timber Reserve which is located approximately 16 kilometres north from the application area (GIS Database). The application area does not represent an ecological linkage.
Vegetation description	<p>The vegetation of the application area is broadly mapped as the following Beard vegetation associations:</p> <p>20: Low woodland; mulga mixed with <i>Allocasuarina cristata</i> & <i>Eucalyptus</i> sp.; and</p> <p>468: Medium woodland; salmon gum & goldfields blackbutt (GIS Database).</p> <p>Two flora and vegetation surveys were conducted over the application area by Botanica Consulting during 28 July 2019 and 10 September 2020. The following vegetation types were recorded within the application area (see figure 2) (Botanica, 2019; 2020):</p> <p>CLP-EW1: Low woodland of <i>Eucalyptus salmonophloia</i> over mid shrubland of <i>Eremophila scoparia</i> and low shrubland of <i>Atriplex vesicaria</i> / <i>Olearia muelleri</i> on clay-loam plain.</p> <p>CLP-EW2: Forest of <i>Eucalyptus ravida</i> over mid shrubland of <i>Atriplex nummularia</i> / <i>Eremophila scoparia</i> and low chenopod shrubland of <i>Atriplex vesicaria</i> on clay-loam plain.</p> <p>OD-EW1: Open low woodland of <i>Eucalyptus salmonophloia</i> over mid shrubland of <i>Eremophila scoparia</i> and low samphire shrubland of <i>Tecticornia disarticulata</i> on clayloam plain.</p> <p>HS-CFW1: Forest of <i>Casuarina pauper</i> over mid shrubland of <i>Acacia tetragonophylla</i> and low open shrubland of <i>Dodonaea lobulata</i> on hillslope.</p> <p>HS-EW1: Forest of <i>Eucalyptus stricklandii</i> over mid shrubland of <i>Eremophila oldfieldii</i> subsp. <i>angustifolia</i> and low open shrubland of <i>Ptilotus obovatus</i> on hillslope.</p> <p>HS-EW2: Low woodland of <i>Eucalyptus lesouefii</i> / <i>Eucalyptus griffithsii</i> over mid shrubland of <i>Acacia kalgoorliensis</i> and open low shrubland of <i>Ptilotus obovatus</i> / <i>Westringia rigida</i> on hillslope.</p> <p>HS-MWS1: Tree mallee of <i>Eucalyptus griffithsii</i> over mid shrubland of <i>Eremophila scoparia</i> and low hummock grassland of <i>Triodia scariosa</i> on hillslope.</p>
Vegetation condition	<p>The vegetation surveys indicate the vegetation within the proposed clearing area is in very good, good and degraded condition (Botanica, 2019; 2020).</p> <p>The full Keighery (1994) condition rating scale is provided in Appendix D.</p>
Climate and landform	The bioregions in which the application area is, is located in a semi-arid to arid zone of Western Australia (CALM, 2002). The Bulong weather station (station number 012013) has a recorded average annual rainfall of approximately 257.3 millimetres per year (BoM, 2026).
Soil description and land degradation	The application area has been mapped as the Monger, Kanowna, Gumland, and Moriarty land systems (DPIRD, 2026; GIS Database). These land systems consist of low ironstone hills, stony lower slopes, pediplains, and low greenstone rises and stony plains (DPIRD, 2026; Pringle et al., 1994; Waddell and Galloway, 2023). These land systems are generally susceptible to erosion if vegetation cover is removed (DPIRD, 2026; Pringle et al., 1994; Waddell and Galloway, 2023)
Waterbodies and hydrography	The desktop assessment and aerial imagery indicated that four minor, non-perennial watercourses transect the application area (GIS Database). The application area falls within the Goldfields Groundwater Area, which is legislated by the <i>RIWI Act 1914</i> . The mapped groundwater salinity is

Characteristic	Details
	14,000-35,000 milligrams per litre total dissolved solids which is described as saline to hypersaline (GIS Database).
Flora	There have been records of seven Priority flora species within the 20 kilometres radius of the application area (Appendix B.3) (GIS Database).
Ecological communities	The application area does not intersect any Threatened or Priority Ecological Communities (TEC or PEC) (GIS Database). The nearest Priority 3 PEC is Emu Land System, located approximately 5.3 kilometres north of the application area (GIS Database).
Fauna	A desktop assessment of the application area recorded 16 conservation significant faunas in a 40 kilometres radius of the application area (GIS Database). Two conservation significant fauna have possibility to occur in the application area (Appendix B.4) (Botanica, 2019; 2020).
Fauna habitat	In the application area, two broad-scale terrestrial fauna habitats were identified, <i>Eucalyptus</i> Open Woodland and <i>Casuarina</i> Forest (see figure 3) (Botanica, 2020).

B.2. Vegetation extent

	Pre-European area (ha)	Current extent (ha)	Extent remaining (%)	Current extent in all DBCA managed land (ha)	Current extent in all DBCA Managed Land (proportion of pre-European extent) (%)
IBRA Bioregion - Murchison	28,120,586	28,044,823	~99	2,185,987	7.77
- Coolgardie	12,912,204	12,648,491	~97	2,114,349	16.37
Beard vegetation associations - State					
20	1,295,103	1,292,474	~99	250,985	19.38
468	592,022	583,902	~98	135,197	22.84
Beard vegetation associations - Murchison					
20	1,174,259	1,171,630	~99	181,845	15.49
468	8,632	8,509	~98	4,478	51.88
Beard vegetation associations - Coolgardie					
20	11,864	11,863	~100	1,060	8.94
468	583,357	575,360	~98	130,719	22.41

Government of Western Australia (2019)

B.3. Flora analysis table

The following conservation significant flora species have records within a 20 kilometres radius of the application area (GIS Database). Habitat suitability and likelihood of occurrence was determined utilising biological survey information (Botanica, 2019; 2020; Western Australia Herbarium, 1998-; GIS Database).

Species name	Conservation status	Suitable vegetation? [Y/N]	Likelihood of occurrence	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify? [Y, N, N/A]
<i>Calandrinia quartzitica</i>	P1	N	Unlikely	<20	18	N/A
<i>Eremophila arachnoides</i> subsp. <i>tenera</i>	P3	Y	Possibly	<20	18	Y
<i>Eremophila praecox</i>	P2	Y	Possibly	<20	52	Y
<i>Eremophila xantholaemus</i>	P1	Y	Possibly	<5	4	Y
<i>Ptilotus rigidus</i>	P1	N	Unlikely	<20	21	Y
<i>Tecticornia flabelliformis</i>	P2	N	Unlikely	<10	9	Y
<i>Xanthoparmelia dayiana</i>	P3	Y	Possibly	<20	5	N/A

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

B.4. Fauna analysis table

The following conservation significant fauna species have records within a 40 kilometres radius of the application area (GIS Database). Habitat suitability, likelihood of occurrence and impact was determined utilising biological survey information (Botanica, 2019; 2020; GIS Database).

Species name	Common name	Conservation status	Suitable habitat features? [Y/N]	Likelihood of occurrence	Distance of closest record to application area (km)	Are surveys adequate to identify? [Y, N, N/A]
<i>Amytornis textilis textilis</i>	western grasswren	P4	N	Unlikely	<25	N/A
<i>Branchinella denticulata</i>	a fairy shrimp (Carnarvon to Kalgoorlie)	P3	N	Unlikely	<40	N/A
<i>Calidris acuminata</i>	sharp-tailed sandpiper	MI	N	Unlikely	<20	N/A
<i>Calidris alba</i>	sanderling	MI	N	Unlikely	<25	N/A
<i>Calidris ferruginea</i>	curlew sandpiper	CR	N	Unlikely	<20	N/A
<i>Calidris ruficollis</i>	red-necked stint	MI	N	Unlikely	<20	N/A
<i>Charadrius cucullatus</i>	hooded plover, hooded dotterel	P4	N	Unlikely	<10	Y
<i>Falco peregrinus</i>	peregrine falcon	OS	N	Possibly	<40	Y
<i>Jalmenus aridus</i>	inland hairstreak, desert blue butterfly	P4	N	Unlikely	<40	Y
<i>Leipoa ocellata</i>	malleefowl	VU	N	Possibly	<10	Y
<i>Ogyris subterrestris petrina</i>	arid bronze azure butterfly	CR	N	Unlikely	<35	N/A
<i>Plegadis falcinellus</i>	glossy ibis	MI	N	Unlikely	<35	N/A
<i>Tringa brevipes</i>	grey-tailed tattler	P4 & MI	N	Unlikely	<40	N/A
<i>Tringa glareola</i>	wood sandpiper	MI	N	Unlikely	<30	N/A
<i>Tringa nebularia</i>	common greenshank	MI	N	Unlikely	<15	N/A
<i>Zanda latirostris</i>	Carnaby's cockatoo	EN	N	Unlikely	<35	N/A

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

Appendix C. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
<p>Principle (a): <i>"Native vegetation should not be cleared if it comprises a high level of biodiversity."</i></p> <p><u>Assessment:</u></p> <p>There is suitable vegetation present for a number of Priority flora species within the application area, however no Priority flora were identified during the field assessments (Botanica, 2019; 2020; GIS Database).</p>	Not likely to be at variance	Yes <i>Refer to Section 3.2.1, above.</i>
<p>Principle (b): <i>"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."</i></p> <p><u>Assessment:</u></p> <p>The application area may provide marginal habitat for two conservation significant fauna species (Botanica, 2019; 2020; GIS Database).</p>	Not likely to be at variance	Yes <i>Refer to Section 3.2.1, above.</i>
<p>Principle (c): <i>"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."</i></p> <p><u>Assessment:</u></p> <p>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 (Botanica, 2019; 2020). The area proposed to be cleared is unlikely to contain habitat suitable for any species of Threatened flora.</p>	Not likely to be at variance	No
<p>Principle (d): <i>"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."</i></p> <p><u>Assessment:</u></p> <p>There are no known Threatened or Priority Ecological Communities (TECs or PECs) located within or in close proximity to the application area (GIS Database). A flora and vegetation survey of the application area did not identify any vegetation representative of a TEC or PECs (Botanica, 2019; 2020).</p>	Not likely to be at variance	No
Environmental value: significant remnant vegetation and conservation areas		
<p>Principle (e): <i>"Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared."</i></p> <p><u>Assessment:</u></p> <p>The application area falls within the Murchison and Coolgardie Bioregion of the Interim Biogeographic Regionalisation for Australia (IBRA) (GIS Database). Approximately, 99 and 97 percentage respectively of the pre-European vegetation still exists in the IBRA Murchison and Coolgardie Bioregion (Government of Western Australia, 2019).</p> <p>The application area is broadly mapped as Beard vegetation associations 20: Low woodland; mulga mixed with <i>Allocasuarina cristata</i> & <i>Eucalyptus</i> sp. and 468: Medium woodland; salmon gum & goldfields blackbutt (GIS Database). Approximately 98 to 99 percentage of the pre-European extent of these vegetation associations remain uncleared at both the state and bioregional level (Government of Western Australia, 2019). The vegetation proposed to clear is not a remnant in an area that has been extensively cleared.</p>	Not at variance	No
<p>Principle (h): <i>"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></p> <p><u>Assessment:</u></p> <p>The nearest conservation area is the Bullock Holes Timber Reserve which is located approximately 16 kilometres north from the application area (GIS Database). The proposed application is unlikely to impact the environmental values of any conservation area.</p>	Not likely to be at variance	No
Environmental value: land and water resources		
<p>Principle (f): <i>"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."</i></p>	At variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
<p><u>Assessment:</u></p> <p>There are no permanent watercourses or wetlands within the application area (Botanica, 2019; 2020; GIS Database). Several minor drainage lines pass through the application area (GIS Database). Drainage lines in the region are dry for most of the year, only flowing briefly immediately following significant rainfall (Pringle et al., 1994; Waddell and Galloway, 2023).</p> <p>The application area contains one vegetation type that is growing in association with a broad floodplain: OD-EW1 – Open low woodland of <i>Eucalyptus salmonophloia</i> over mid shrubland of <i>Eremophila scoparia</i> and low samphire shrubland of <i>Tecticornia disarticulata</i> on clay-loam plain (Botanica, 2019; 2020).</p> <p>Potential impacts to vegetation growing in association with the watercourses may be minimised by the implementation of a watercourse management condition.</p>		
<p><u>Principle (g):</u> “Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.”</p> <p><u>Assessment:</u></p> <p>The application area is mapped within the Monger, Kanowna, Gumland, and Moriarty land systems (DPIRD, 2022; GIS Database).</p> <p>The Monger land system is described as a landscape of low rises and gently undulating ironstone-gravel plains supporting eucalypt woodlands, interspersed with saline alluvial drainage tracts occupied by halophytic shrubland (Waddell and Galloway, 2023). This land system is generally not susceptible to erosions due to its low-relief landforms, extensive ironstone gravel mantles and very gentle slopes (Waddell and Galloway, 2023).</p> <p>The Kanowna land system is an undulating stony plain on metasedimentary and felsic volcanoclastic rocks with saline drainage tracts, supporting scattered eucalypt woodlands and halophytic shrublands (Waddell and Galloway, 2023). This land system is susceptible to water erosion and increases substantially where perennial shrub cover is removed or soil surfaces are disturbed (Waddell and Galloway, 2023).</p> <p>The Gumland land system is described as extensive pediplains supporting eucalypt woodlands with halophytic and non-halophytic shrub understoreys (DPIRD, 2022). This land system is susceptible to soil erosion if perennial shrub cover is reduced (DPIRD, 2022).</p> <p>The Moriarty land system consists of low greenstone rises and stony plains, supporting chenopod shrublands with patchy eucalypt overstoreys (Pringle et al., 1994). Drainage lines in this land system are susceptible to water erosion if perennial shrub cover is removed and the soil surface is disturbed (Pringle et al., 1994).</p> <p>The implementation of a staged clearing condition may minimise potential land degradation as a result of the proposed clearing.</p>	May be at variance	No
<p><u>Principle (i):</u> “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.”</p> <p><u>Assessment:</u></p> <p>There are no Public Drinking Water Source Areas within or in close proximity to the application area (GIS Database). There are no permanent watercourses or wetlands within the area proposed to clear (GIS Database). Several minor drainage lines intersect the application area (GIS Database). Drainage lines in the region are dry for most of the year, only flowing briefly immediately following significant rainfall. The proposed clearing is unlikely to result in significant changes to surface water flows or cause deterioration in the quality of underground water.</p>	Not likely to be at variance	No
<p><u>Principle (j):</u> “Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.”</p> <p><u>Assessment:</u></p> <p>The climate of the region is semi-arid to arid, with an average rainfall of approximately 200-300 millimetres per year (CALM, 2002). The Bulong weather station has a recorded average annual rainfall of approximately 257.3 millimetres per year (BoM, 2026).</p> <p>There are no permanent water courses or waterbodies within the application area (GIS Database). Seasonal drainage lines are common in the region and temporary localised flooding may occur briefly following heavy rainfall events. The proposed</p>	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
clearing is unlikely to increase the incidence or intensity of natural flooding events (Botanica, 2019; 2020).		

Appendix D. Vegetation condition rating scale

Vegetation condition is a rating given to a defined area of vegetation to categorise and rank disturbance related to human activities. The rating refers to the degree of change in the vegetation structure, density and species present in relation to undisturbed vegetation of the same type. The degree of disturbance impacts upon the vegetation's ability to regenerate. Disturbance at a site can be a cumulative effect from a number of interacting disturbance types.

Considering its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Measuring vegetation condition for the South West and Interzone Botanical Province (Keighery, 1994)

Condition	Description
Pristine	Pristine or nearly so, no obvious signs of disturbance.
Excellent	Vegetation structure intact, with disturbance affecting individual species; weeds are non-aggressive species.
Very good	Vegetation structure altered, with obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and/or grazing.
Good	Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it. For example, disturbance to vegetation structure caused by very frequent fires, the presence of some very aggressive weeds at high density, partial clearing, dieback and/or grazing.
Degraded	Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management. For example, disturbance to vegetation structure caused by very frequent fires, the presence of very aggressive weeds, partial clearing, dieback and/or grazing.
Completely degraded	The structure of the vegetation is no longer intact and the area is completely or almost completely without native species. These areas are often described as 'parkland cleared' with the flora comprising weed or crop species with isolated native trees or shrubs.

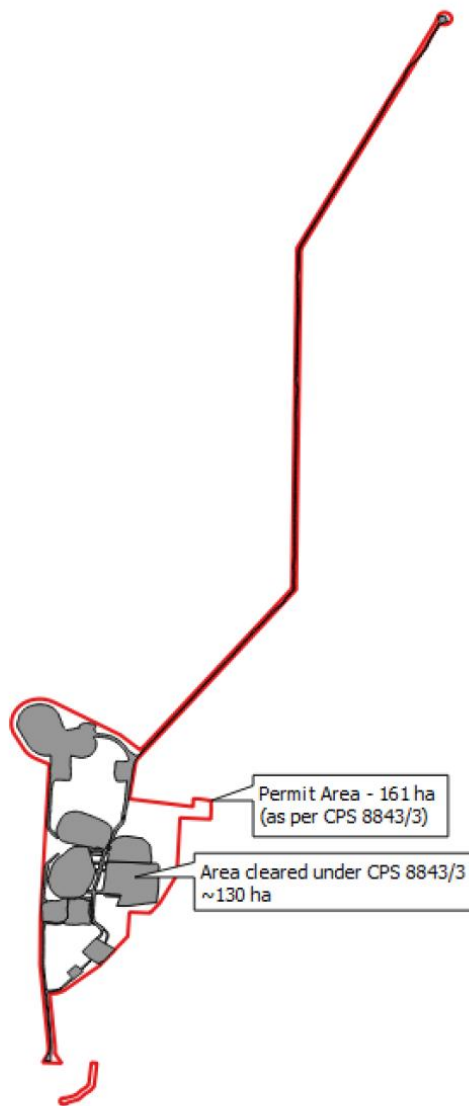


Figure 2: The map of the CPS 8843/3 application area. The grey polygons are the areas that have been cleared under CPS 8843/3.

Appendix F. Sources of information

F.1. GIS datasets

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

- Cadastre (Polygon) (LGATE-217)
- Clearing Instruments Activities (Areas Approved to Clear) (DWER-076)
- Clearing Referral Proposal (DWER-116)
- 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)
- IBRA Vegetation Statistics
- IBSA Survey Details (DWER-118)
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Native Title (Determination) (LGATE-066)

- Native Title (Fed Court) (LGATE-005)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)
- Reserves (LGATE-227)
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Mapping - Best Available (DPIRD-027)
- Soil Landscape Mapping - Project Areas (DPIRD-070)
- Soil Landscape Mapping - Systems (DPIRD-064)
- Townsites (LGATE-248)
- 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)

F.2. References

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Glossary

Acronyms:

BC Act	<i>Biodiversity Conservation Act 2016</i> , 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	<i>Environmental Protection Act 1986</i> , Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (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	<i>Rights in Water and Irrigation Act 1914</i> , 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.