GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 11128/1

File Number: DWERVT19146

Duration of Permit: From 5 March 2026 to 5 March 2028

PERMIT HOLDER

Shire of Shark Bay

LAND ON WHICH CLEARING IS TO BE DONE

Lot 357 on Deposited Plan 221215, Denham

AUTHORISED ACTIVITY

The permit holder must not clear more than 4.84 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending order of preference:

(a) avoid the clearing of *native vegetation*;

(b) minimise the amount of *native vegetation* to be cleared; and

(c) reduce the impact of clearing on any environmental value.

2. Weed management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of introduction and spread of *weeds*:

(a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;

(b) ensure that no known *weed*-affected soil, *mulch*, *fill*, or other material is brought into the area to be cleared; and

(c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

3. Directional clearing

The permit holder must:

(a) conduct clearing activities in a slow, progressive manner from west to east, towards adjacent remnant native vegetation; and

(b) allow reasonable time for fauna present within the area being cleared to move into adjacent native vegetation ahead of the clearing activity.

4. Fauna management – Greater bilby pre-clearance survey

(a) Within fourteen (14) days prior to undertaking any clearing authorised under this permit, for the areas cross-hatched yellow in Figure 1 of Schedule 1, the permit holder must engage a *fauna specialist* to:

(i) undertake surveys using transects spaced at 100 metres on average to identify evidence of use by the greater bilby (*Macrotis lagotis*); and

(ii) where evidence of greater bilby use is identified under *condition* 4(a)(i), undertake surveys using transects spaced at 20 metres on average, to identify evidence of burrows that may be suitable for greater bilby use.

(b) Where potential greater bilby burrow/s are identified under *condition* 4(a), the permit holder must engage a *fauna specialist* to:

(i) flag the location of the burrow/s; and

(ii) inspect the burrow/s and determine whether the burrow/s are *occupied.*

(c) Where an *occupied* burrow is identified under *condition* 4(b), the permit holder must engage a *fauna specialist* to:

(i) monitor the burrow with remote cameras for greater bilby use for a minimum of three (3) consecutive nights;

(ii) where no evidence of greater bilby activity is identified under *condition* 4(c)(i), the burrow shall be deemed as un-*occupied* and the permit holder must engage a *fauna specialist* to:

A. carefully excavate the burrow by hand, and remove and relocate any native vertebrate fauna found within the burrow; and

B. collapse and fill the burrow immediately after the *fauna specialist* has confirmed that no native vertebrate fauna are present within the burrow.

(iii) where evidence of greater bilby use is identified under *condition* 4(c)(i), the permit holder must engage a *fauna specialist* to:

A. continue to monitor the burrow for greater bilby activity;

B. implement displacement techniques such as deliberate disturbance of the burrow entrance, while ensuring the disturbance does not prevent greater bilby from exiting the burrow; and

C. once greater bilby displacement from the burrow is confirmed, stop monitoring, and undertake the actions required under *condition* 4(c)(ii)A and *condition* 4(c)(ii)B.

(d) If the greater bilby has not moved on from an *occupied* burrow under *condition* 4(c)(iii), the permit holder must, no earlier than seven (7) days prior to clearing, engage a *fauna specialist* to remove and relocate the identified greater bilby to an area of *greater bilby suitable habitat*, in accordance with a section 40 authorisation under the *Biodiversity Conservation Act 2016.*

(e) Immediately after the greater bilby has been relocated under *condition* 4(d), the permit holder must engage a *fauna specialist* to undertake the actions required under *condition* 4(c)(ii)A and *condition* 4(c)(ii)B.

(f) Within 24 hours prior to undertaking clearing authorised under this permit, the permit holder must engage a *fauna specialist* to re-inspect the flagged burrow/s identified under *condition* 4(b)(i) for evidence of re-excavation by greater bilby.

(g) Where re-excavated greater bilby burrow/s are identified under *condition* 4(f), the permit holder must engage a *fauna specialist* to:

(i) flag the location of the burrow/s; and

(ii) inspect the burrow/s and determine whether the burrow/s are *occupied.*

(h) Where an *occupied* burrow is identified under *condition* 4(g)(ii), the permit holder must engage a *fauna specialist* to:

(i) remove and relocate any identified greater bilby from the burrow to an area of *suitable habitat*, in accordance with a section 40 authorisation under the *Biodiversity Conservation Act 2016*; and

(ii) immediately after the greater bilby has been relocated under *condition* 4(h)(i), undertake the actions required under *condition* 4(c)(ii)A and *condition* 4(c)(ii)B.

(i) Where an un-*occupied* burrow is identified under *condition* 4(g)(ii), the permit holder must engage a *fauna specialist* to undertake the actions required under *condition* 4(c)(ii)A and *condition* 4(c)(ii)B.

(j) Where any greater bilby burrows are identified under *condition* 4(a) or 4(f), and any greater bilby is relocated under *condition* 4(d) or 4(h), the permit holder must include the following in a report to be submitted to the *CEO* within two (2) months of undertaking any clearing authorised under this permit:

(i) the location of any burrow identified including a description of whether the burrow was *occupied*, using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees;

(ii) a description of the remote camera monitoring actions undertaken under *condition* 4(c);

(iii) the date and time that burrows have been excavated and collapsed under *conditions* 4(c), 4(e), 4(h) and 4(i);

(iv) the date and time greater bilby are recorded as independently moving on from an *occupied* burrow under *condition* 4(c);

(v) the gender of each greater bilby captured and relocated under condition 4(d) or 4(h);

(vi) the location of any greater bilby captured under *condition* 4(d) or 4(h), using a GPS unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings or decimal degrees;

(vii) the date, time and vegetation type at each location where greater bilby are captured under *condition* 4(d) or 4(h);

(viii) the location of any greater bilby relocated under *condition* 4(d) or 4(h), using a GPS unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings or decimal degrees;

(ix) the date, time and vegetation type at each location where greater bilby are relocated under *condition* 4(d) or 4(h);

(x) the name of the *fauna specialist* that relocated greater bilby under *condition* 4(d) or 4(h); and

(xi) a copy of the fauna licence authorising the relocation of greater bilby under *condition* 4(d) or 4(h).

5. Fauna management – Malleefowl pre-clearance survey

(a) Prior to undertaking any clearing authorised under this Permit, the permit holder shall engage a *fauna specialist* to undertake clearance surveys within the area cross-hatched yellow in Figure 1 of Schedule 1 to identify malleefowl (*Leipoa ocellata*), including *active mounds* and inactive mounds.

(b) Prior to undertaking any clearing authorised under this Permit, the permit holder shall provide the results of the fauna survey in a report to the CEO.

(c) Where mounds are identified under condition 5(a) of this permit, the permit holder shall;

(i) flag the location of the mound(s);

(ii) not clear within 50 metres of malleefowl mound(s) outside of the *malleefowl breeding season*; and

(iii) not clear within 200 metres of malleefowl mound(s) during *malleefowl breeding season.*

6. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	(a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System

No.	Relevant matter	Specifications
		(GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 1; (f) actions taken to minimise the risk of the introduction and spread of *weeds* in accordance with condition 2; and (g) actions taken in accordance with condition 3.
2.	In relation to greater bilby management pursuant to condition 4	(a) results of the pre-clearance surveys undertaken in accordance with condition 4, including photographic records demonstrating the method and number of remote camera monitoring nights; and (b) a copy of the *fauna specialist's* report in accordance with condition 4.
3.	In relation to malleefowl management pursuant to condition 5	(a) the time(s) and date(s) that the survey was undertaken (b) the name and qualification of the *fauna specialist* performing the survey (c) the methodology used to survey the Permit Area and to identify the mound/s; and (d) the location of each malleefowl (*Leipoa ocellata*) mound, delineated as either an active mound or an inactive mound, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings.

7. Reporting

(a) The permit holder must provide to the CEO, on or before 30 June of each calendar year, a written report containing:

(i) the records required to be kept under condition 6; and

(ii) records of activities done by the permit holder under this permit between 1 January and 31 December of the preceding calendar year.

(b) If no clearing authorised under this permit has been undertaken, a written report confirming that no clearing under this permit has been undertaken, must be provided to the CEO on or before 30 June of each calendar year.

(c) The permit holder must provide to the CEO, no later than 90 calendar days prior to the expiry date of the permit, a written report of records required under condition 6, where these records have not already been provided under condition 7(a).

DEFINITIONS

In this permit, the terms in Table have the meanings defined.

Table 2: Definitions

Term	Definition
active mound/s	means malleefowl mounds which appear to exhibit characteristics associated with normal nesting/breeding activity. This may include a nest mounded up, litter trails leading to mound, extensive soil and litter disturbance, and/or birds seen actively digging.
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*.
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
department	means the department established under section 35 of the *Public Sector Management Act 1994* (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	*Environmental Protection Act 1986* (WA)
fauna specialist	means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the *CEO* as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Biodiversity Conservation Act 2016*.
fill	means material used to increase the ground level, or to fill a depression.
greater bilby suitable habitat	means habitat known to support the Greater Bilby (*Macrotis lagotis*) within the known distribution of the species and adjacent areas which are likely to be suitable habitat for range extensions of this species.
malleefowl breeding season	means the period from 1 September to 31 January when malleefowl are known to breed.
mulch	means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
occupied	means currently occupied, or where uncertainty exists, potentially occupied, by the greater bilby (*Macrotis lagotis*).
weeds	means any plant – (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or

Term	Definition
	(c) not indigenous to the area concerned.

END OF CONDITIONS

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Caitlin Conway
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20 of the Environmental Protection Act 1986

10 February 2026

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure **1** 1).

Figure 1: Map of the boundary of the area within which clearing may occur

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 11128/1
Permit type:	Area permit
Applicant name:	Shire of Shark Bay
Application received:	12 June 2025
Application area:	4.84 hectares of native vegetation
Purpose of clearing:	Landfilling
Method of clearing:	Mechanical
Property:	Lot 357 on Deposited Plan 221215
Location (LGA area/s):	Shark Bay
Localities (suburb/s):	Denham

1.2. Description of clearing activities

The vegetation proposed to be cleared is contained within a single contiguous area (see Figure 1, Section 1.5) for the purpose of expanding the existing landfill facility.

1.3. Decision on application

Decision:	Granted
Decision date:	10 February 2026
Decision area:	4.84 hectares of native vegetation, as depicted in Section 1.5, below.

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 Water and Environmental Regulation (DWER) advertised the application for 21 days and no submissions were received.

In making this decision, the Delegated Officer had regard for:

- the site characteristics (see Appendix C),
- relevant datasets (see Appendix H.1),
- photographs provided by the applicant (see Appendix F),
- the clearing principles set out in Schedule 5 of the EP Act (see 0),
- relevant planning instruments and any other matters considered relevant to the assessment (see Section 3).

The assessment identified that the proposed clearing will result in:

- the potential to introduce and/or spread weeds into adjacent native vegetation
- the loss of native vegetation that is suitable habitat for priority flora
- the loss of native vegetation that is suitable habitat for reintroduced populations of threatened fauna species bilby (*Macrotis lagotis*) and malleefowl (*Leipoa ocellata*), and

- the loss of native vegetation that is suitable habitat for priority fauna species western grasswren (*Amytornis textilis textilis*) and woma (southwest subpopulation) (*Aspidites ramsayi* (southwest subpopulation)).

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

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
- engage a fauna specialist to undertake surveys to identify malleefowl mounds to be flagged and avoided from clearing, along with their relevant buffers, and
- engage a fauna specialist to undertake surveys to identify bilby burrows to be flagged and avoided from clearing, along with their relevant buffers.

1.5. Site map

Figure 1. Map of the application area

The area crosshatched yellow indicates the area authorised to be cleared 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 (see 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 polluter pays principle
- 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)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

The applicant advised that clearing cannot be avoided as the existing landfill is reaching capacity and expansion is necessary to cater for the needs of Denham (Shire of Shark Bay, 2025c).

The Shire advised that they reviewed all options available, and the proposed clearing area is the one that is most practical and will minimise the amount of clearing required. Alternatives were considered, however the proposed clearing area immediately next to the existing tip site operations was the selected location to minimise the extent of clearing, plan for necessary expansion, and to minimise the extent of disturbance.

The Shire also advised that in accordance with practice for the existing refuse site, rubbish stockpiles will be constantly managed to maximise use of the proposed clearing area and minimise the need for further expansion.

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 (see Appendix C) 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 (see **Error! Reference source not found.**) identified that the impacts of the proposed clearing present a risk to biological values (flora 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)

Assessment

According to available databases, there are 36 species of Priority flora within the local area. Based on the mapped soil and vegetation type, photographs provided by the applicant and advice from the Department of Biodiversity, Conservation and Attractions (DBCA) six of these species were identified as having suitable habitat within the proposed clearing area, namely:

- *Anthocercis intricata* (P3),
- *Chthonocephalus muellerianus* (P2),
- *Chthonocephalus tomentellus* (P2),
- *Grevillea rogersoniana* (P3),
- *Physopsis chrysophylla* (P3)*, and*
- *Triodia plurinervata* (P3)

Anthocercis intricata is a shrub known to grow in sand or loam over limestone and consolidated sand dunes (Florabase, 1998-). According to available databases, there are two records within the local area, the nearest being over three kilometres from the proposed clearing.

Chthonocephalus muellerianus is an annual herb found in red sand and is known to grow within Acacia woodlands (Florabase, 1998-). According to available databases, there is one record of this species within the local area, located over three kilometres from the proposed clearing.

Chthonocephalus tomentellus is an annual herb that has been found in a variety of habitats including red sand, Undulating plains, sand dunes and near saline depressions (Florabase, 1998-). According to available databases, there are nine records of this species in the local area, the nearest being approximately nine kilometres from the proposed clearing.

Grevillea rogersoniana can be found in the form of a shrub or a tree and grows in red sand (Florabase, 1998-). According to available databases, there are 14 records of this species in the local area, the nearest being over three kilometres from proposed clearing.

Physopsis chrysophylla is a large shrub known from red or sandy soils and sandplains (Florabase, 1998-). According to available databases, there are two records of this species in the local area, the nearest being over three kilometres from the proposed clearing.

Triodia plurinervata is a perennial tussock grass or herb and has been found in a variety of habitats such as red to orange-brown sand, limestone, sandy loam, sand dunes and steppes, often coastal areas, drainage basins and salt lakes. According to available databases, there are 24 records of this species in the local area, the nearest being approximately one kilometre from the proposed clearing.

In their advice, DBCA (2025) noted that while both *C. tomentellus* and *T. plurinervata* likely have suitable habitat within the proposed clearing area, they both are known from several records, and the proposed clearing is unlikely to significantly impact either species (DBCA, 2025). Furthermore, noting that both species are found in numerous habitat types, the proposed clearing is not likely to be significant habitat.

DBCA (2025) noted that while suitable habitat is present for *Grevillea rogersoniana*, *Anthocercis intricata, Physopsis chrysophylla* and *Chthonocephalus muellerianus* these species have not been recorded on the Peron Peninsula since 1970 and are currently known from several locations. Therefore, it is considered unlikely these species are present within the proposed clearing area, and the proposed clearing is not likely to result in the loss of significant habitat for these species.

Therefore, while the proposed clearing may contain suitable habitat for priority flora, it is not likely to significantly impact on these species, noting the extensive availability of habitat in the surrounding area. The proposed clearing activities may result in the introduction and spread of weeds into adjacent vegetation which may contain suitable habitat for priority flora.

Conclusion
Based on the above assessment, the proposed clearing is not likely to result in the loss of significant habitat for priority flora. For the reasons set out above, it is considered that indirect impacts to adjacent suitable habitat can be managed through the standard weed hygiene condition

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

- weed hygiene measures to mitigate the introduction and spread of weeds into adjacent vegetation

3.2.2. Biological values (fauna) - Clearing Principle (b)

Assessment
According to available databases, there are 74 species of conservation significant fauna within the local area (50 km radius), composed of 45 birds, one fish, one invertebrate, 19 mammals and eight reptiles. Due to the proposal's location within the Peron Peninsula, most of these records are associated with migratory birds, aquatic fauna and reintroduced species only found on Dirk Hartog and Bernier Islands. Five fauna species were identified as having suitable habitat within the proposed clearing area, namely:

- Bilby (*Macrotis lagotis*) (VU),
- Malleefowl (*Leipoa ocellata*) (VU),
- western grasswren (*Amytornis textilis textilis*) (P4)

- western spiny-tailed skink (*Egernia stokesii badia*) (VU), and
- woma (southwest subpopulation) (*Aspidites ramsayi* (southwest subpopulation)) (P1)

Bilby and malleefowl

According to available databases, there are three records of bilby and 29 records of malleefowl in the local area, the nearest bilby record being 2.22 kilometres and the nearest malleefowl record being 6.44 kilometres from the proposed clearing.

The bilby was once found across 70 per cent of Australia, however, has since disappeared from at least 80 per cent of their original range (DCCEEW, 2023). In Western Australia they are now only found in the Pilbara and Southern Kimberly (DCCEEW, 2023). According to the Recovery Plan for the species (DCCEEW, 2023), bilby occupy a range of habitats including open tussock grassland on uplands and hills; mulga woodland/shrubland growing on ridges and rises; and hummock grassland on plains and in alluvial areas. Bilby distribution is limited by the availability of soils suitable for burrowing, such as sandy areas, where burrow excavation is easier.

The original distribution of Malleefowl covered much of the southern half of the continent from the west coast to the Great Dividing Range in the east, with populations now largely only found in the semi-arid zones of Australia (DCCEEW, 2024). According to the species' Recover Plan (DCCEEW, 2024) malleefowl is mainly found in shrublands and low woodlands dominated by mallee and associated habitats such as broombush and scrub pine. In Western Australia they are also known to occur in some shrublands dominated by Acacia and occasionally in woodlands dominated by eucalypts such as wandoo, marri and mallet (DCCEEW, 2024). Malleefowl require abundant leaf litter and a sandy substrate for the successful construction of nest mounds (DCCEEW, 2024). Its remaining populations are highly fragmented due to extensive land clearing.

Both the bilby and malleefowl have been successfully reintroduced to the Shark Bay area as part of an ongoing conservation project called Project Eden. Project Eden included actions such as a predator proof barrier fence at the southern end of the peninsula and intense fox and cat baiting to reduce predation within the Shark Bay Heritage Area (Morris et. al., 2003). Malleefowl were re-introduced between 1997 and 1998, and bilby were reintroduced between 2000 and 2002 (Morris et. al., 2003). It is therefore considered likely that these species are present in proximity to the proposal.

Advice from DBCA (2025) notes that if any individuals or significant habitats (e.g. malleefowl mounds or bilby burrows) are present, the proposed clearing will significantly impact these species. Noting this, both DBCA's (2025) advice and the department's assessment consider that given the extensive availability of suitable habitat surrounding the proposal, if individuals, mounds or burrows are not present, the proposed clearing is not likely to significantly impact either species. Pre-clearance surveys will enable the applicant to identify and avoid any significant habitat within the application area.

Other fauna

The western grasswren is a small, predominantly ground-dwelling bird found in areas with dense cover and is currently known from shrublands where foliage is low (less than 1 metre) but forms dense clumps and thickets (TSSC, 2006). Its distribution is currently restricted to the Shark Bay Region of Western Australia. According to available databases, there are 136 records of this species in the local area, the nearest being 0.4 kilometres from the proposed clearing.

The western spiny-tailed skink occurs in open eucalypt woodlands and Acacia-dominated shrublands in semi-arid to arid areas of south-western WA and, around Shark Bay including Peron Peninsula, Edel Land and Dirk Hartog Island (DEC, 2012a). According to available databases, there are 14 records of this species in the local area, the nearest being 3.22 kilometres from the proposed clearing.

The woma occurs in the arid zones of Western Australia, favouring open myrtaceous heath on sand plains, and dune fields dominated by spinifex (DEC, 2012b). According to available databases, there are 12 records in the local area, the nearest being 1.49 kilometres from the proposed clearing.

DBCA (2025) advised that the western grasswren and woma were highly likely to be present within the proposed clearing area and the western spiny-tailed skink is not likely to be present. Noting the restricted nature of these species, the proposed clearing may impact on individuals who are present at the time of clearing, however, is not likely to result in the loss of significant habitat for these species given the extensive availability of suitable habitat surrounding the application. Conducting slow, directional clearing will allow any individuals to move into adjacent suitable habitat.

Conclusion
For the reasons set out above, it is considered that the impacts of the proposed clearing on bilby and malleefowl can be managed by conducting pre-clearance surveys to determine whether these species are present and if so, avoiding significant habitat.

It is considered that potential impacts to the western grasswren and the woma can be managed through directional clearing to allow fauna to move into adjacent native vegetation.

The applicant may have notification responsibilities under the EPBC Act for impacts to bilby and malleefowl and their habitats, as set out in the EPBC Act Significant Impact Guidelines 1.1 - Matters of National Environmental Significance. 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:

- pre-clearance survey, requiring the permit holder to engage a fauna specialist to undertake surveys to identify malleefowl mounds to be flagged and avoided from clearing, along with relevant buffers
- pre-clearance survey, requiring the permit holder to engage a fauna specialist to undertake surveys to identify bilby burrows to be flagged and avoided from clearing, along with relevant buffers
- slow directional clearing to allow fauna to move into adjacent vegetation ahead of the clearing activity

3.3. Relevant planning instruments and other matters

Site history
CPS 8264/1 has previously been in force over the proposed clearing area. CPS 8264/1 authorised the Shire of Shark Bay to the clear of 38.6 hectares of native vegetation in April 2019 for the purpose of landfilling. CPS 8264/1 expired in April 2024 with no clearing occurring throughout the duration of the permit.

Aboriginal Heritage
No Aboriginal sites of significance have been mapped within the application area. It is the permit holder's responsibility to comply with the *Aboriginal Heritage Act 1972* (WA) and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

End

Appendix A. Additional information provided by applicant

Summary of comments	Consideration of comment
Avoidance and mitigation measures (Shire of Shark Bay, 2025c)	See section 3.1 Avoidance and mitigation measures.

Appendix C. Site characteristics

C.1. Site characteristics

Characteristic	Details
Local context	The area proposed to be cleared is part of an expansive tract of native vegetation in the extensive land use zone of Western Australia. It is surrounded by native vegetation and adjacent to an existing landfill. Aerial imagery indicates the local area (50-kilometre radius from the centre of the area proposed to be cleared) retains approximately 95 per cent of the original native vegetation cover.
Ecological linkage	The proposed clearing area is not mapped within a formal ecological linkage.
Conservation areas	The proposed clearing is not mapped within a conservation area. The nearest conservation area is the Shark Bay Marine Park, located approximately 2.80 km from the proposed clearing.
Vegetation description	Photographs supplied by the applicant indicate the vegetation within the proposed clearing area consists of hummock grassland. Representative photos are available in Appendix F. This is consistent with the mapped vegetation type: • Beard 112, which is described as Hummock grassland with scattered shrubs or mallee Triodia spp. Acacia spp., Grevillea spp. Eucalyptus spp (Shepherd et al, 2001) The mapped vegetation type retains approximately 95 per cent of the original extent (Government of Western Australia, 2019).
Vegetation condition	Photographs supplied by the applicant indicate the vegetation within the proposed clearing area is in poor to very good (Trudgen, 1991) condition. The full Trudgen (1991) condition rating scale is provided in Appendix E. Representative photos are available in Appendix F.
Climate and landform	The proposed clearing is located in a region with a climate classified as hot, humid summers. Denham has an average maximum temperature of 26.8 degrees Celsius and a mean annual rainfall of 221.7 mm. Landform within the proposed clearing area is described as mostly depositional surfaces: undulating coastal sand plains with isolated rocky ridges; low longitudinal dunes near the ocean; occasional birridas; depositional surfaces otherwise lacking in drainage features.
Soil description	The soil is mapped as the Taillefer System (237Ti), which is described as undulating sandy plains of calcareous sand over limestone with minor limestone ridges, low coastal dunes and sea cliffs supporting mainly hard spinifex grasslands with numerous shrubs.
Land degradation risk	The mapped soils are susceptible to wind erosion when exposed through loss of vegetation (DPIRD, 2019).
Waterbodies	No wetlands or waterbodies intersect the area proposed to be cleared. The nearest waterbody is Shark Bay, located approximately 2.2 km from the proposed clearing.
Hydrogeography	The proposed clearing is mapped within the Gascoyne Groundwater Area Proclaimed under the RIWI Act. The mapped soil is not susceptible to water erosion, waterlogging or flooding.
Flora	There are 191 records across 36 species of conservation significant flora in the local area (50-kilometre radius), none of which are listed as threatened under the BC Act. The nearest record is located approximately 1.08 km from the proposed clearing.
Ecological communities	The proposed clearing is not mapped within a threatened or priority ecological community. Only one community is recorded within the local area, the “Hypersaline

Characteristic	Details
	microbial community number 2 (Hamelin Pool stromatolites)" (Priority 1), located approximately 31.38 km from the proposed clearing.
Fauna	There are 3627 records across 74 species of conservation significant fauna in the local area (50-kilometre radius), two of which are recorded within one kilometre of the proposed clearing, namely: • western grasswren (*Amytornis textilis textilis*) (P4) – 0.40 km, and • wood sandpiper (*Tringa glareola*) (MI) – 0.88 km Most records in the local area are associated with migratory birds and aquatic species.

C.2. Flora analysis table

With consideration for the site characteristics set out above, relevant datasets (see Appendix H.1), impacts to the following conservation significant flora required further consideration.

Species name	Conservation status	Suitable habitat features ? [Y/N]	Suitable vegetation type? [Y/N]	Suitable soil type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify? [Y, N, N/A]
Anthocercis intricata	3	Y	Y	Y	3.34	2	N/A
Chthonocephalus muellerianus	2	Y	Y	Y	3.12	1	N/A
Chthonocephalus tomentellus	2	Y	Y	Y	8.95	9	N/A
Grevillea rogersoniana	3	Y	Y	Y	3.12	14	N/A
Physopsis chrysophylla	3	Y	Y	Y	3.12	2	N/A
Triodia plurinervata	3	Y	Y	Y	1.08	24	N/A

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

C.3. Fauna analysis table

Species name	Conservation status	Suitable habitat features? [Y/N]	Suitable vegetation type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify? [Y, N, N/A]
greater bilby (*Macrotis lagotis*)	VU	Y	Y	2.22	3	N/A
malleefowl (*Leipoa ocellata*)	VU	Y	Y	6.44	29	N/A
western grasswren (*Amytornis textilis textilis*)	P4	Y	Y	0.40	136	N/A
western spiny-tailed skink (*Egernia stokesii badia*)	VU	Y	Y	3.22	14	N/A
woma (southwest subpopulation) (*Aspidites ramsayi* (southwest subpopulation))	P1	Y	Y	1.49	12	N/A

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

Appendix D. 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: The area proposed to be cleared contains suitable habitat for several species of priority flora.	Not likely to be at variance	Yes *Refer to Section 3.2.1, above.*
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 proposed clearing area contains suitable habitat for several species of conservation significant fauna.	At variance	Yes *Refer to Section 3.2.2, above.*
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment No flora listed as threatened under the BC Act are recorded within the local area, therefore the proposed clearing is not likely to support significant habitat or individuals of threatened flora.	Not likely to be at variance	No
Principle (d): *"Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community."* Assessment: The proposed clearing is not mapped within a threatened ecological community (TEC). No TECs are recorded within the local area.	Not likely to be at variance	No
Environmental value: significant remnant vegetation and conservation areas		
Principle (e): *"Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared."* Assessment: The extent of the mapped vegetation type and native vegetation in the local area is consistent with the national objectives and targets for biodiversity conservation in Australia. The vegetation proposed to be cleared is not considered to be part of a significant ecological linkage in the local area.	Not 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.	Not likely to be at variance	No
Environmental value: land and water resources		

Assessment against the clearing principles	Variance level	Is further consideration required?
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 no water courses or wetlands are recorded within one kilometre the application area, the proposed clearing is unlikely to impact on- or off-site hydrology and water quality.	Not likely to be at variance	No
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The mapped soils can be susceptible to wind erosion if vegetation is removed. Noting the location of the application area and the condition of the surrounding vegetation, the proposed clearing is not likely to have an appreciable impact on land degradation.	Not likely to be at variance	No
Principle (i): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water."* Assessment: Given no water courses, wetlands, or Public Drinking Water Sources Areas are recorded within one kilometre of the application area, the proposed clearing is unlikely to impact surface or ground water quality.	Not likely to be at variance	No
Principle (j): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."* Assessment The 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. Given no water courses or wetlands are recorded within one kilometre of the application area, the proposed clearing is unlikely to contribute to waterlogging.	Not likely to be at variance	No

Appendix E. Vegetation condition rating scale

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

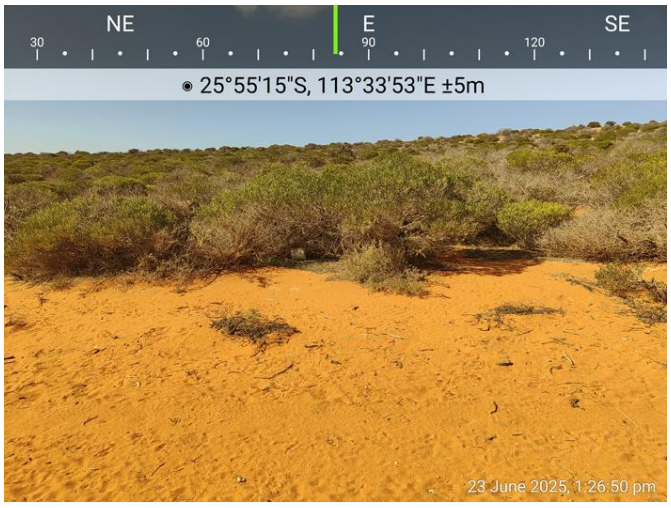
Considering its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Trudgen, M.E. (1991) *Vegetation condition scale* in National Trust (WA) 1993 Urban Bushland Policy. National Trust of Australia (WA), Wildflower Society of WA (Inc.), and the Tree Society (Inc.), Perth.

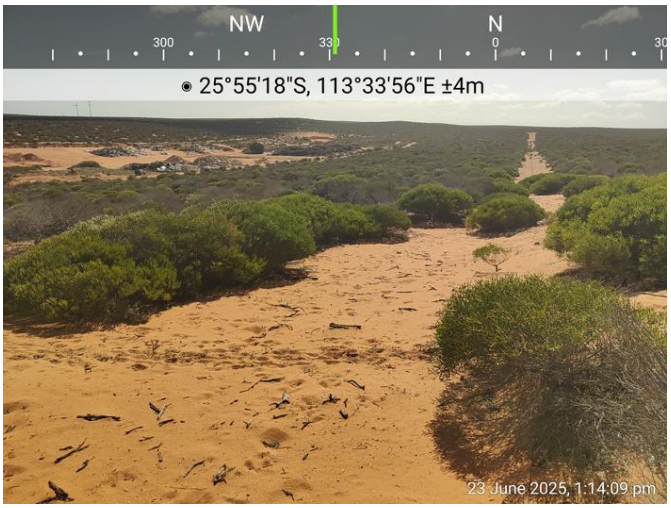
Measuring vegetation condition for the Eremaean and Northern Botanical Provinces (Trudgen, 1991)

Condition	Description
Excellent	Pristine or nearly so, no obvious signs of damage caused by human activities since European settlement.
Very good	Some relatively slight signs of damage caused by human activities since European settlement. For example, some signs of damage to tree trunks caused by repeated fire, the presence of some relatively non-aggressive weeds, or occasional vehicle tracks.

Condition	Description
Good	More obvious signs of damage caused by human activity since European settlement, including some obvious impact on the vegetation structure such as that caused by low levels of grazing or slightly aggressive weeds.
Poor	Still retains basic vegetation structure or ability to regenerate it after very obvious impacts of human activities since European settlement, such as grazing, partial clearing, frequent fires or aggressive weeds.
Very poor	Severely impacted by grazing, very frequent fires, clearing or a combination of these activities. Scope for some regeneration but not to a state approaching good condition without intensive management. Usually with a number of weed species present including very aggressive species.
Completely degraded	Areas that are completely or almost completely without native species in the structure of their vegetation; i.e. areas that are cleared or 'parkland cleared' with their flora comprising weed or crop species with isolated native trees or shrubs.

Appendix F. Photographs of the vegetation (Shire of Shark Bay, 2025d)

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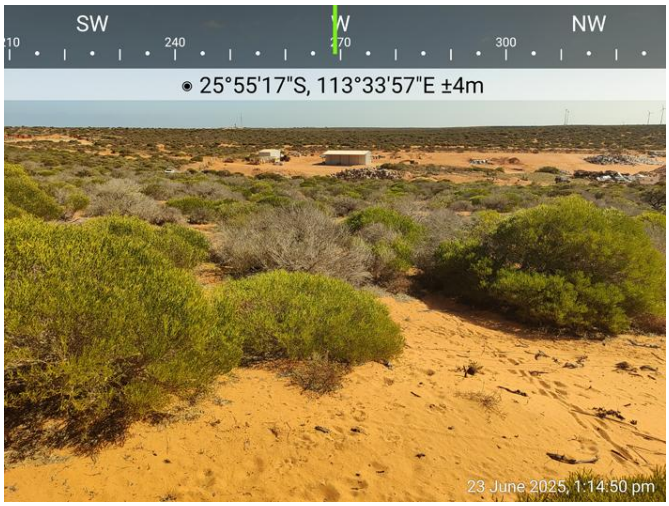
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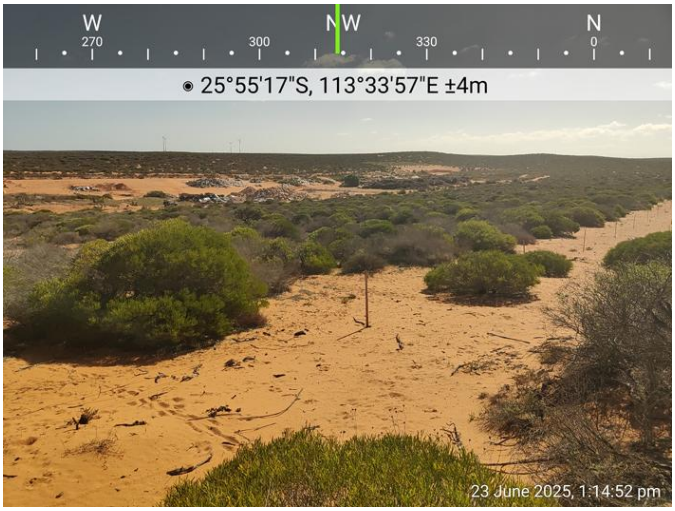
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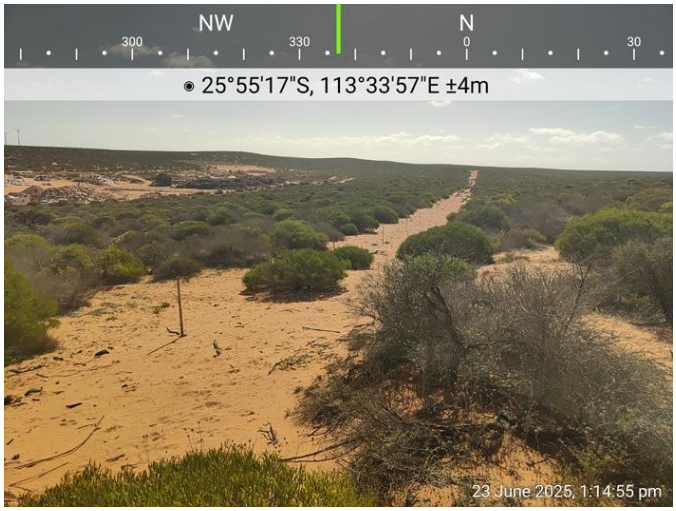
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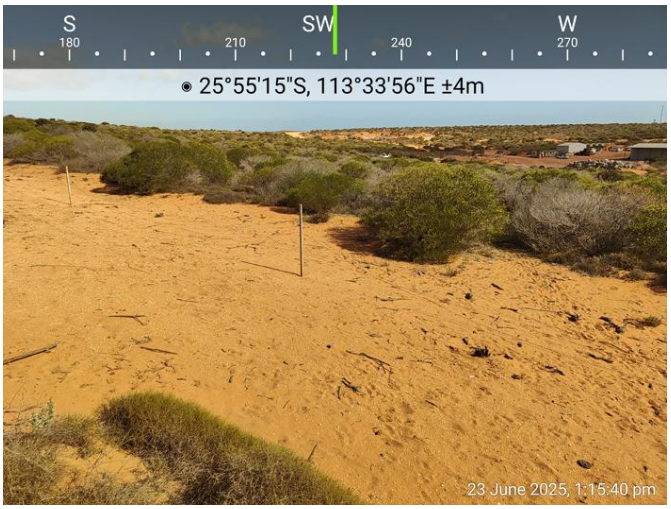
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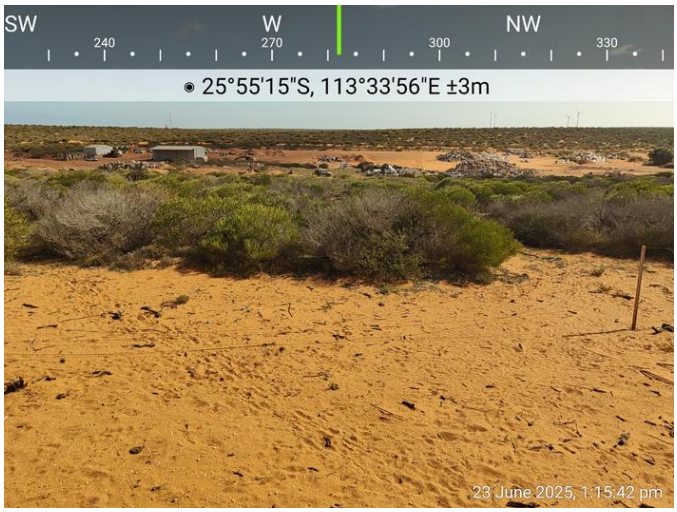
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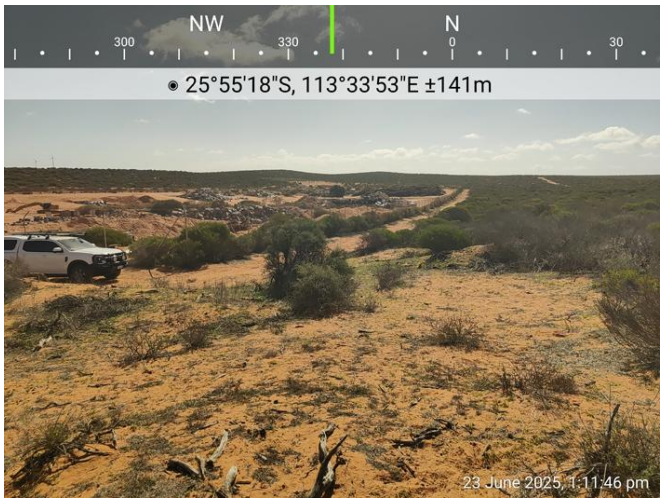
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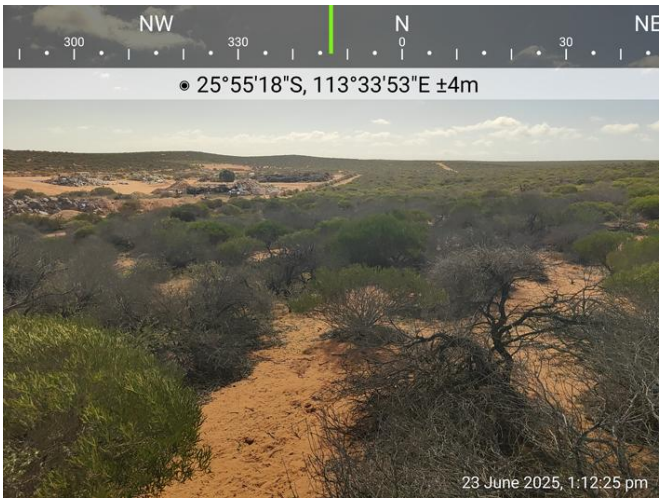
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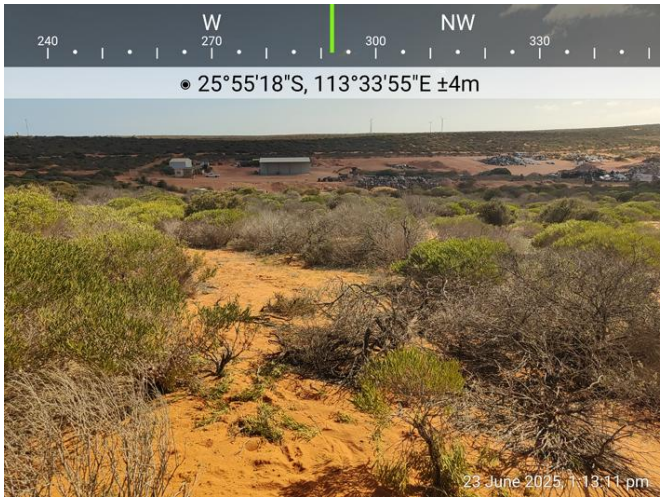
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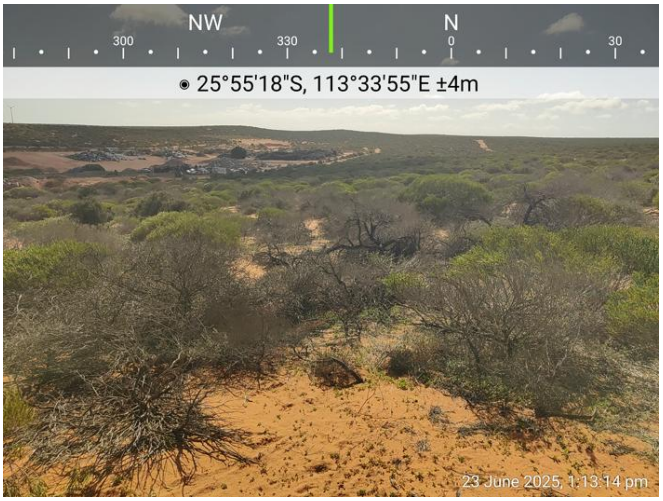
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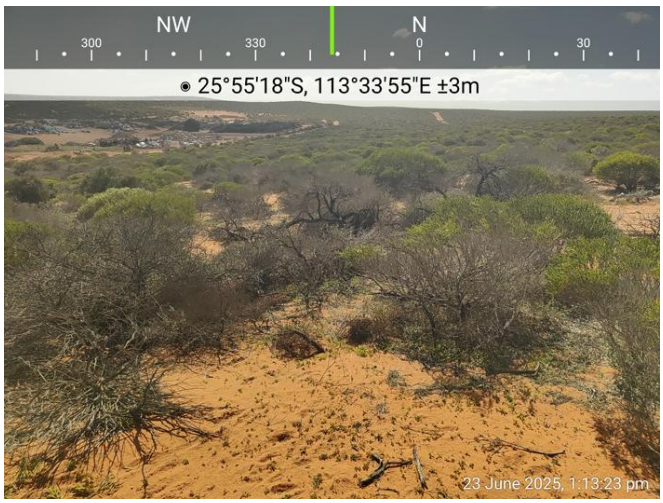
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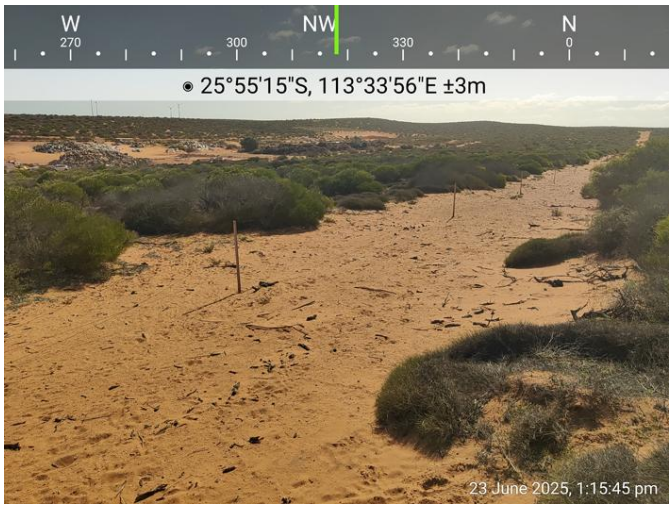
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23 June 2025, 1:17:04 pm


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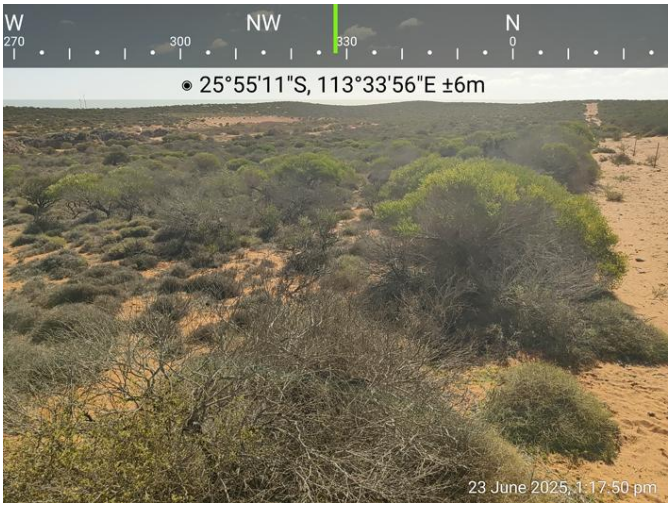
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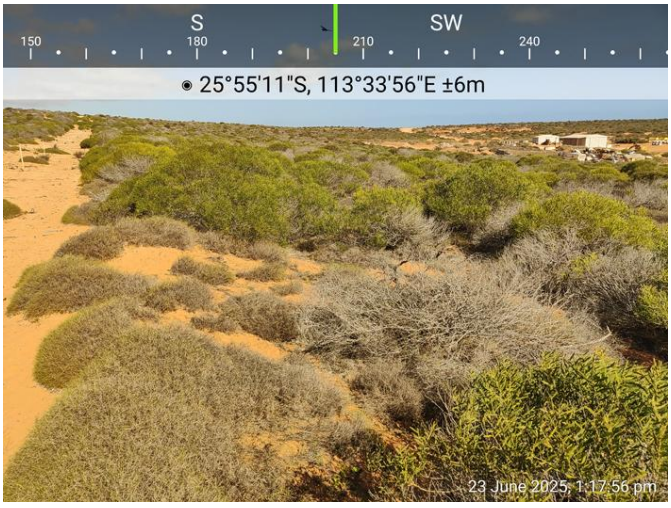
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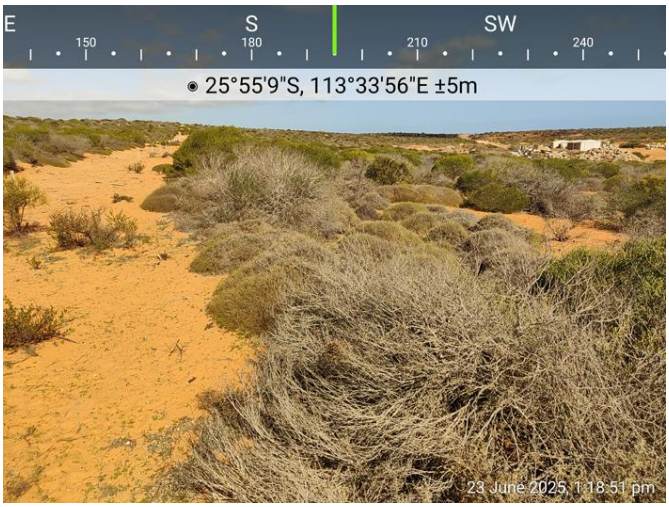
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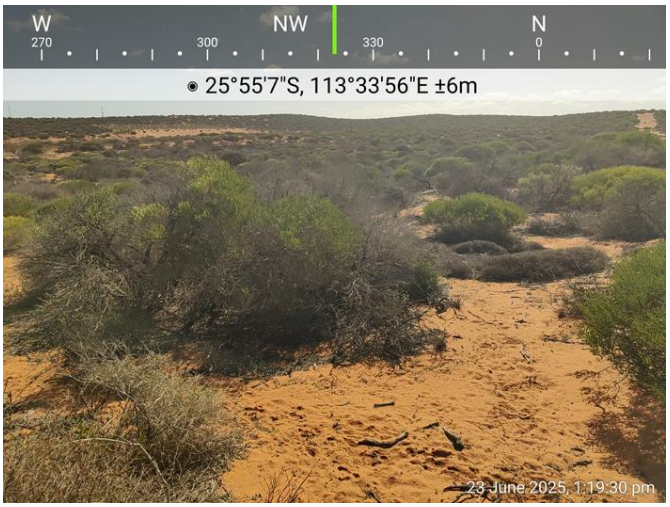
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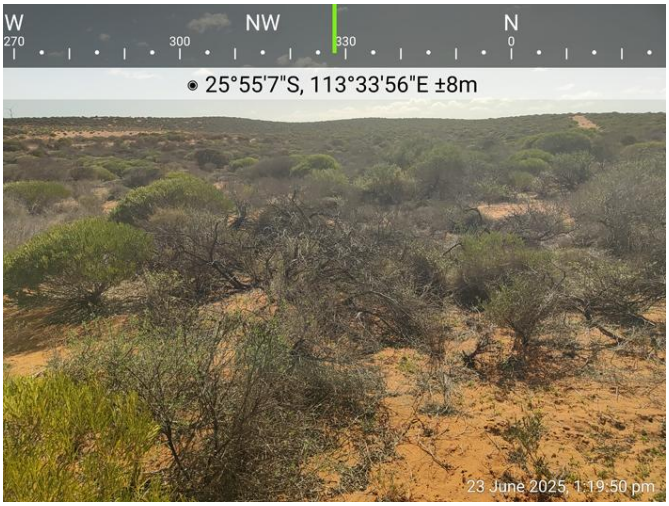
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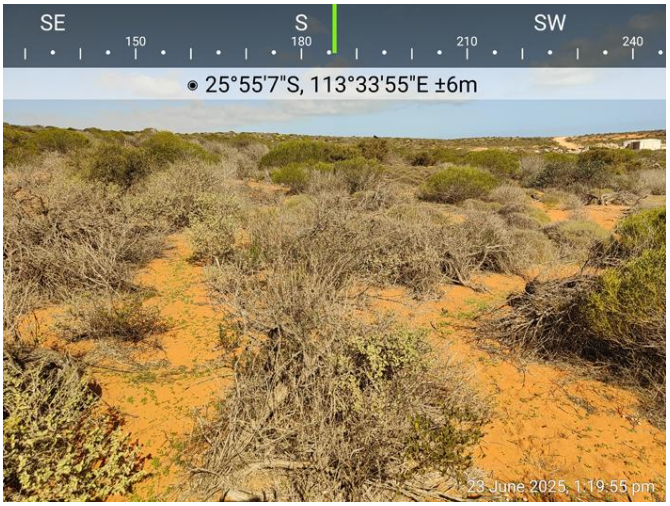
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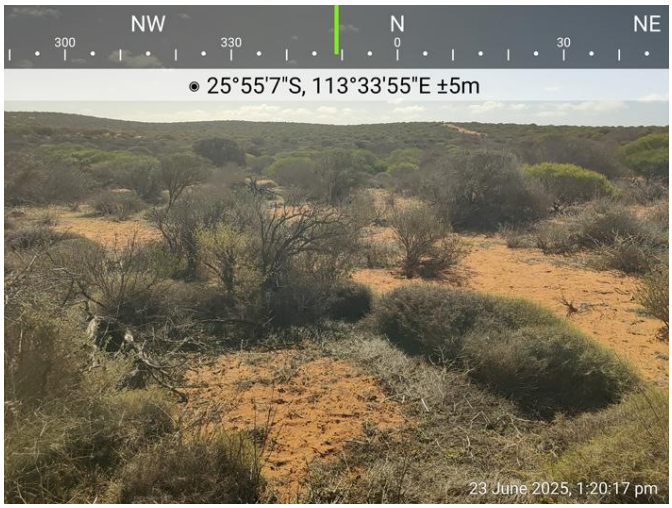
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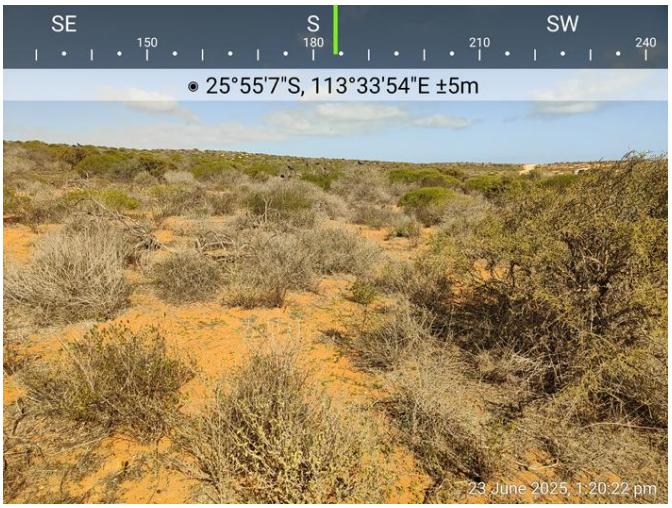
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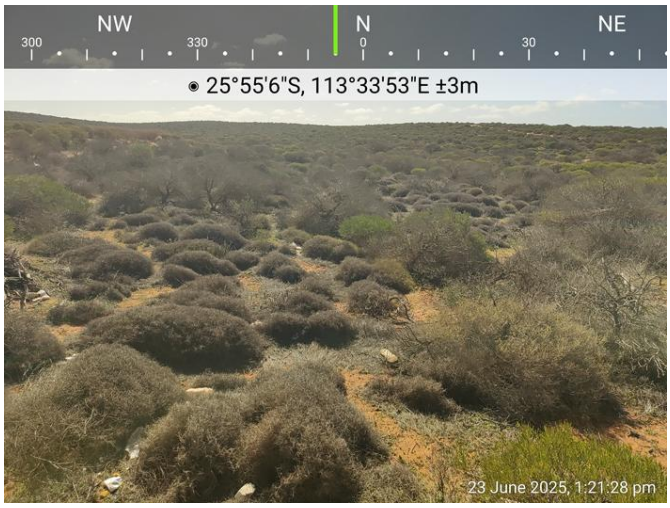
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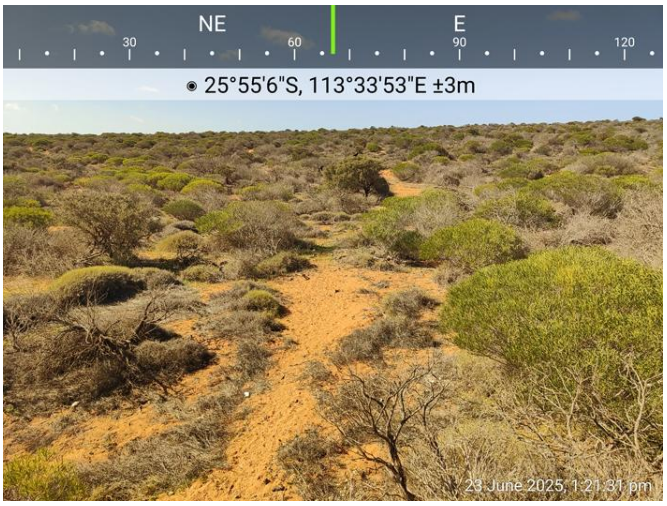
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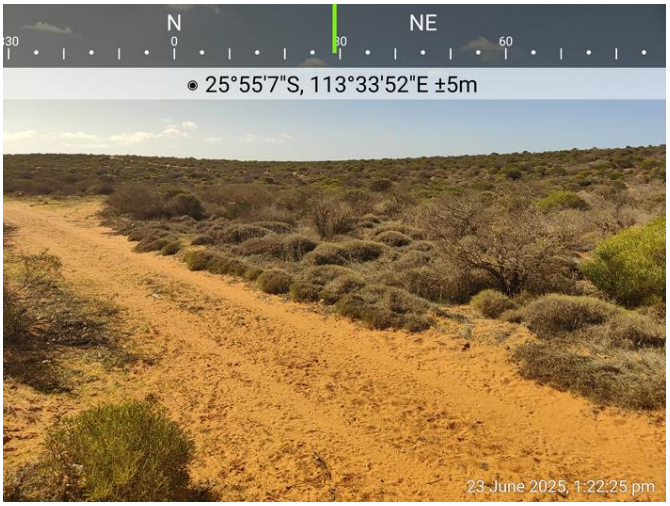
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25°55'7"S, 113°33'52"E ±5m
23 June 2025, 1:22:28 pm


N
NE
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90
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23 June 2025, 1:23:12 pm


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SE
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60
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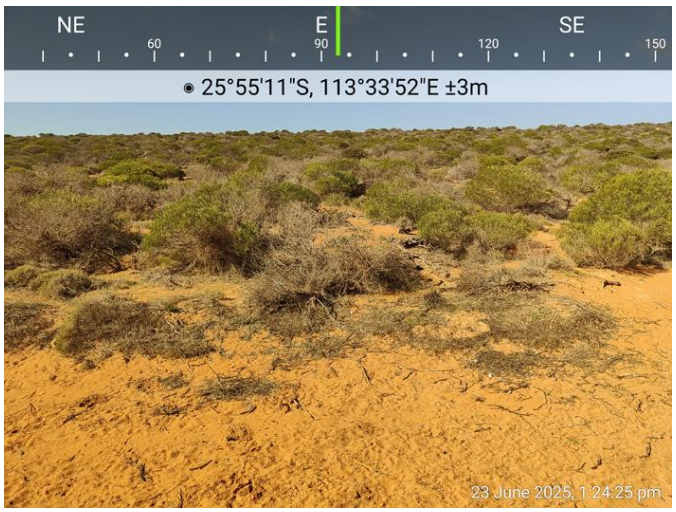
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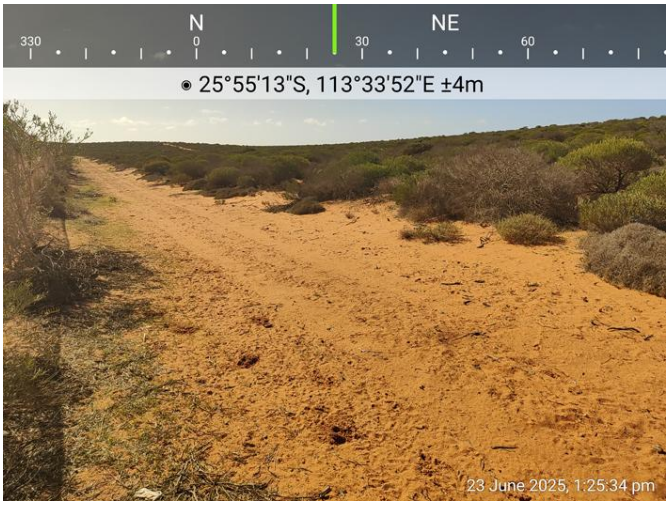
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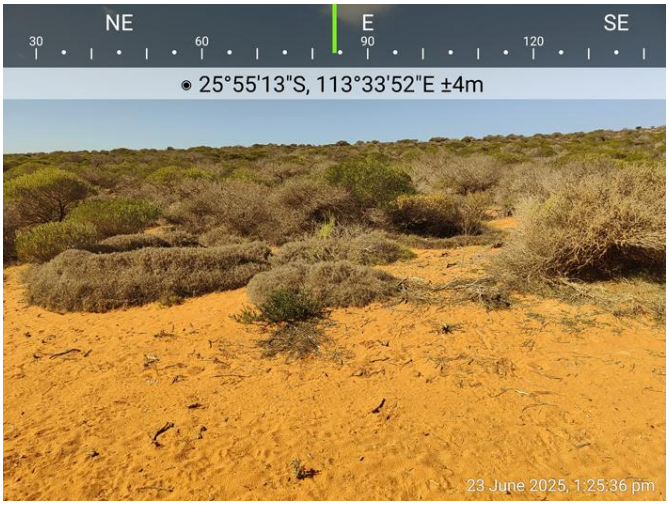
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Appendix H. Sources of information

H.1. GIS databases

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

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Cadastre (LGATE-218)
- Cadastre Address (LGATE-002)
- Contours (DPIRD-073)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- Flood Risk (DPIRD-007)
- Groundwater Salinity Statewide (DWER-026)
- Hydrography – Inland Waters – Waterlines
- Hydrological Zones of Western Australia (DPIRD-069)
- IBRA Vegetation Statistics
- Imagery
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Native Title (ILUA) (LGATE-067)
- Offsets Register – Offsets (DWER-078)
- Pre-European Vegetation Statistics
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)
- Remnant Vegetation, All Areas
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Land Quality – Flood Risk (DPIRD-007)
- Soil Landscape Land Quality – Phosphorus Export Risk (DPIRD-010)
- Soil Landscape Land Quality – Subsurface Acidification Risk (DPIRD-011)
- Soil Landscape Land Quality – Water Erosion Risk (DPIRD-013)
- Soil Landscape Land Quality – Water Repellence Risk (DPIRD-014)
- Soil Landscape Land Quality – Waterlogging Risk (DPIRD-015)
- Soil Landscape Land Quality – Wind Erosion Risk (DPIRD-016)
- Soil Landscape Mapping – Best Available
- Soil Landscape Mapping – Systems

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

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