



Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	11304/1
Permit type:	Purpose permit
Applicant name:	Sunnylake Holdings Pty Ltd
Application received:	22 October 2025
Application area:	30 hectares
Purpose of clearing:	Gypsum mining
Method of clearing:	Mechanical clearing with excavator
Tenure:	Mining Leases 70/171, 70/172, 70/173, 70/264, 70/1078, Miscellaneous Licence 70/195
Location (LGA area):	Shire of Wyalkatchem
Colloquial name:	Cowcowing Lakes Project

1.2. Description of clearing activities

Sunnylake Holdings Pty Ltd (Sunnylake) proposes to clear up to 30 hectares of native vegetation within a boundary of approximately 95 hectares for the purpose of gypsum mining within a 10-year timeframe (Sunnylake, 2025a). The project is located approximately 9 kilometres west of Cowcowing, within the Shire of Wyalkatchem (GIS Database).

Sunnylake noted that they purchased the tenements and operations at Cowcowing Lakes in October 2024 from Westdeen Holdings Pty Ltd, who hold CPS 6176/5 over the area, which was approved for 13.52 hectares of clearing (Gypsum Industries, 2024; Sunnylake, 2025b).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	24 September 2026
Decision area:	30 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed, and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Mines, Petroleum and Exploration (DMPE) advertised the application for a public comment for a period of 21 days, and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (Appendix B), supporting information provided by the applicant (Appendix A), the clearing principles set out in Schedule 5 of the EP Act (Appendix C), relevant planning instruments and any other matters considered relevant to the assessment (Section 3.3). The Delegated Officer also took into consideration the purpose of the clearing to facilitate gypsum mining activities.

The assessment identified that the proposed clearing may result in:

- the potential introduction and spread of weeds into adjacent vegetation
- impacts to conservation significant flora (particularly *Frankenia conferta*);
- potential land degradation in the form of increased salinity and water-logging.

After consideration of the available information, the Delegated Officer determined the proposed clearing is unlikely to have long-term adverse impacts on the environmental values of the Cowcowing Lakes, or on the population of *F. conferta*.

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;
- staged clearing and commencing mining activities no later than three months after undertaking clearing to reduce the risk of erosion;

- vegetation management particularly for the preservation of riparian and wetland-associated vegetation to reduce impacts from hydrological changes (such as waterlogging and salinity)

1.5. Site map

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



Figure 1. Map of the application area, with the yellow crosshatch being the area applied to be cleared under CPS 11304/1, and the solid green being the occurrence of *Frankenia conferta* (discussed in Section 3.2.1) (GIS Database)

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)
- *Biosecurity and Agriculture Management Act 2007* (BAM Act)
- *Conservation and Land Management Act 1984* (WA) (CALM Act)
- *Country Areas Water Supply Act 1947* (WA) (CAWS Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Mining Act 1978* (WA)
- *Rights in Water and Irrigation Act 1914* (RIWI Act)

The key guidance documents which inform this assessment are:

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

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

No evidence of avoidance or mitigation measures was provided to support the application.

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 (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 (vegetation) - Principle (c)

Assessment

The area proposed for clearing contains populations of the Silky Frankenia species (*Frankenia conferta*, henceforth referred to as *F. conferta*) which is listed as Vulnerable under the BC Act and Endangered under the EPBC Act (Commonwealth of Australia, 2008; GIS Database). This species is known to occur within major lake chains, consisting of saline wetlands ('salt lakes'), banks and drainage lines, across the Wheatbelt and southern Midwest/northern South-West regions of Western Australia (DEC, 2009b; DEWHA, 2008). Whilst it has a concentrated population around Cowcowing Lakes where this application is located, it is noted that this is only a small portion of their overall distribution (Commonwealth of Australia, 2008; WAH, 1998-).

The application overlaps previous clearing undertaken under CPS 6716/5, which was supported by survey data undertaken by Ecoscape in 2014. This included a desktop assessment, a conservation significant flora field survey focusing on the north-east area of the application in October 2014 (Figure 1), and two targeted surveys for *F. conferta* (one on previously mined areas of the lake, and the other on unmined tenements and the general wider southern-region of the Cowcowing Lakes) in December 2014 (Figure 2 & 3). The October survey was conducted during the recommended timing (EPA, 2016) and identified two *F. conferta* plants in a zone demarked as having a 'moderate' density of *F. conferta*. The timing of the surveys conducted in December is considered out-of-season for the south-west/interzone botanical province (EPA, 2016), however the survey states that although outside of the typical flowering period, *F. conferta* vegetation was still clearly visible in the area (Ecoscape, 2014). These targeted surveys determined that *F. conferta* was able to recolonise/regenerate in previously mined areas and could also be found at varying elevations on the lake bed, edge banks, footslopes and gypsum substrate (Ecoscape, 2014). The ability to regenerate was also noted in a subsequent report provided for this application, to demonstrate reporting compliance with DBCA's authorisation to take (Gypsum Industries, 2024).

In addition to these surveys, a population estimation method was also used to determine that there could be over 10,000,000 individual *F. conferta* plants associated with Cowcowing Lakes (Ecoscape, 2014). Figure 3 (Ecoscape, 2014) shows that there are multiple estimated population of *F. conferta* that are larger outside of the tenements subject to this application, therefore significant impacts to *F. conferta* are not considered likely. During the assessment, it was confirmed by the applicant that 440 individual *F. conferta* plants would require authorisation to be cleared under CPS 11304/1 (Table 1).

According to our database (GIS Database), the following species have been identified within 10 kilometres of the application area. Based on the habitats and distributions described below, it is considered unlikely that these species would be identified within the proposed clearing area:

- *Eremphila resinosa* – prefers sandy loams to loams and clays in open mallee woodland with a mixed *Acacia* scrub understorey, and has a distribution range from the townsites of Morawa to Narembeen (Commonwealth of Australia, 2008; DEC, 2009a).
- *Grammosolen odgersii* subsp. *occidentalis* – relies on the recovery plan created for *Cyphanthera odgersii* subsp. *occidentalis*, however the distribution of this species appears to be more towards the upper north-east of the Cowcowing Lakes, closer to the north of the Cowcowing Townsite (Commonwealth of Australia, 2008).
- *Pityrodia scabra* subsp. *scabra* – restricted to the Cowcowing area of Western Australia, in soils that are brown-white sands in shrublands dominated by *Acacia acuminata*, *A. beauverdiana*, *A. nigripilosa* subsp. *nigripilosa*, *Allocasuarina acutivalvis*, *Melaleuca uncinata* and *Verticordia mitchelliana* (Commonwealth of Australia, 2008; DCCEEW, 2024).

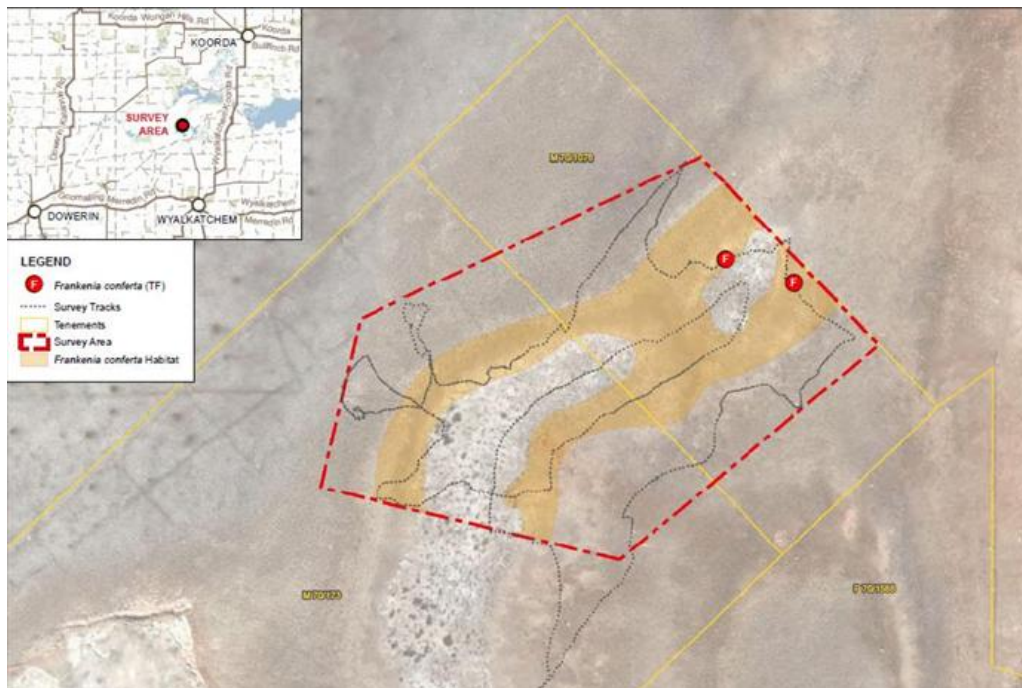


Figure 1: Map showing results from the October survey which identified two *F. conferta* plants within the application area (Ecoscape, 2014).

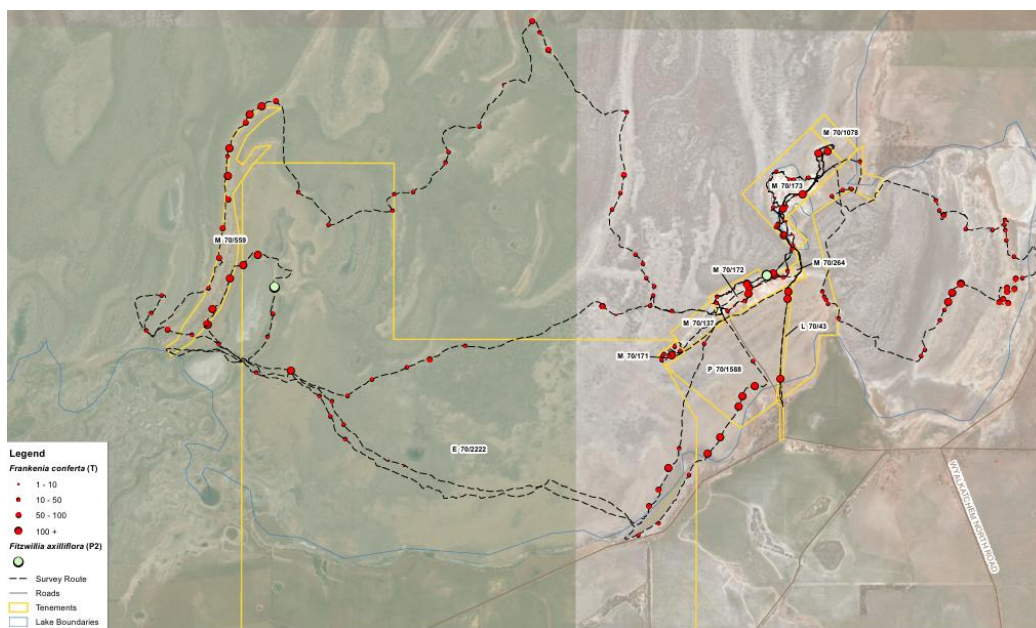


Figure 2: Maps showing results from the December survey which identified multiple *F. conferta* individuals, as well as two *Fitzwillia axilliflora*, both within the application area and in the surrounding area (Ecoscape, 2014).

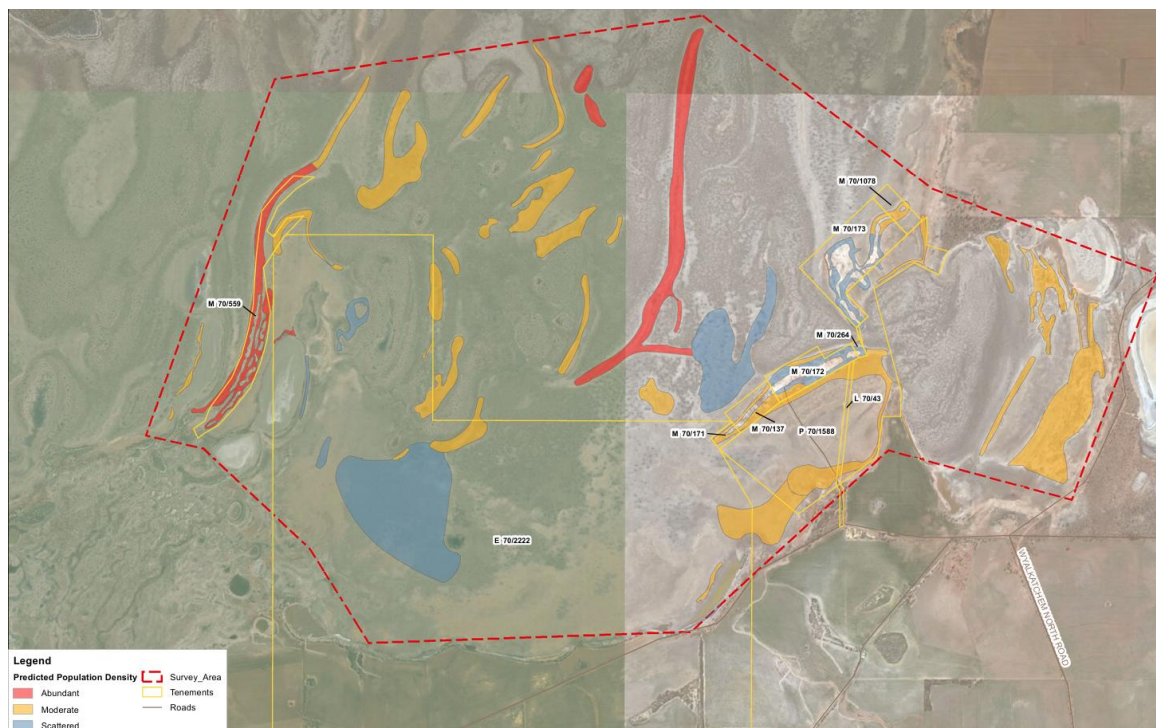


Figure 3: Map showing predicted population extent and densities of *F. conferta* in the lower region of the Cowcowing Lakes, including the application area. These predictions are based on habitat mapping as part of Ecoscape's population estimation method (Ecoscape, 2014).

	Plants/ha	ha	Plants
Scattered	200	0.19	38
Moderate	4000	0.08	320
Moderate	4000	0.02	80
Scattered	200	0.01	2
		TOTAL	440

Table 1: The application area for CPS 11304/1 (yellow crosshatch) and the *Frankenia conferta* population locations (dark green) in 2014 (Ecoscape, 2014; GIS Database); and the calculations provided by Sunnyside Holdings Pty Ltd to confirm the number of *F. conferta* species required to be taken from the application area as a result of CPS 11304/1 (this table was provided as additional information (see Appendix A)).

Conclusion

Based on the above assessment, the proposed clearing will result in removal of *Frankenia conferta* individuals. The applicant has estimated that 440 plants will be removed during the clearing, which has been determined as unlikely to impact the overall species, and will require authorisation sought prior to clearing as per Section 40 of BC Act (DBCA, 2026). The applicant has been advised to contact the DBCA to obtain authorisation before clearing commences.

Conditions

None recommended.

3.2.2. Land and water resources (hydrology & land degradation) - Principles (f) & (g):

Assessment

The proposed clearing is located within the Cowcowing Lakes which is a 15,000-hectare ephemeral basin with predominately saline soils (Central Wheatbelt Visitor Centre, 2026; DEC, 2008; GIS Database). This salt lake is not listed as an official Wetland of National or International Importance; however, it is still considered a significant asset that is experiencing impacts from increasing salinity and sedimentation (CALM, 2002; DEC, 2008; GIS Database). The salt lake is within the Avon Natural Resource Management (NRM) area which has shallow and increasingly hypersaline groundwater due to cumulative clearing in the region. The local soils are also mapped as highly susceptible to salinity and phosphorus export (see Section B6) (CALM, 2002; DEC, 2008; GIS Database). It is noted that the application area is predominately mapped as a bare salt lake with sparse patches of vegetation that are able to withstand a high salt-tolerance (GIS Database).

Although the proposed clearing under CPS 11304/1 is within an area that was previously cleared under CPS 6716/5, additional clearing may contribute to ongoing impacts on the hydrology and water quality of the area and may exacerbate existing land degradation processes (CALM, 2002). In addition, the biggest threat to *F. conferta* within the application area and across the wider Cowcowing Lakes area are changes in hydrology, particularly from waterlogging, and increasing salinity (DEC, 2009b; CPS 11304/1

DEWHA, 2008; GIS Database). It is noted that the proposed clearing footprint is 30 hectares, representing approximately 0.2% of the approximately 15,000 hectare Cowcowing Lakes system.

Conclusion

Based on the above assessment, it is considered that the impacts of the proposed clearing may increase the salinity and alter the hydrology of the Cowcowing Lakes. However, this is not largely variant from the current condition of the soils and description of the application area and wouldn't see significant impacts to the lake body as a result of this clearing. A vegetation management condition can be imposed to protect remnant riparian vegetation and restore the natural hydrology of the area.

Conditions

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

- A vegetation management condition, which requires the applicant to avoid clearing riparian vegetation where practicable and ensuring that existing surface water flow is maintained.

3.3. Relevant planning instruments and other matters

The clearing permit application was advertised on 16 January 2026 by the Department of Mines, Petroleum and Exploration inviting submissions from the public. No submissions were received in relation to this application.

The permit area is within the South West Native Title Settlement (WCD2021/010) area and within the Ballardong People Indigenous Land Use Agreement (ILUA) area (DPLH, 2026). This settlement resolves Native Title rights and interests over an area of approximately 200,000 square kilometres within the southwest of Western Australia. 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, 2026). It is the applicant'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 applicant's responsibility to liaise with the Department of Water and Environmental Regulation (DWER) and the Department of Biodiversity, Conservation and Attractions (DBCA), 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
31/7/2026 - Queried the ISA number provided as this does not align with the survey information provided. - Confirmation of the location and number of plants to be taken under a new Section 40 (to be obtained when 11304/1 is granted)	17/08/2026 - ISA data is not available and therefore cannot be considered in this assessment - Response to the Section 40 query required further information
18/08/2026 - Queried whether there was any ISA or IBSA data to consider - Clarify the different hectares and number of plants to take in the different Section 40s provided for this assessment - Confirmation on how many plants are to be taken under the new Section 40	26/08/2026 - No IBSA/ISA to provide for the assessment - Another Section 40 attached for consideration - Utilising habitat polygons, it is expected 440 plants will be taken across the tenements.

Appendix B. Site characteristics**B.1. Site characteristics**

Characteristic	Details
Local context	The application area is within the Interim Biogeographic Regionalisation for Australia (IBRA) bioregion of the Avon Wheatbelt and within the IBRA Merredin subregion (GIS Database). The area proposed to be cleared is part of an isolated patch of native vegetation within a non-perennial waterbody (Cowcowing Lakes) in the intensive land use zone of Western Australia (GIS Database). The lake body is surrounded by agricultural lands, and the proposed clearing area of 30 hectares is within a previously mined area of the lake (Sunnylake, 2025a; GIS Database).
Ecological linkage	According to available data, the application area does not contain any known or mapped ecological linkages, however, aerial imagery shows that the application area is within a linkage of waterbodies (GIS Database). There are isolated patches of native vegetation within the Cowcowing Lakes area, which may support the Threatened flora species <i>Frankenia conferta</i> (Sunnylake, 2025b; GIS Database).
Conservation areas	The nearest conservation area is the Dukin Nature Reserve, located approximately 7.5 kilometres north-east of the application area (GIS Database).
Vegetation description	The vegetation of the application area is broadly mapped in the following Beard Vegetation Associations (BVA): 125: Bare areas; salt lakes; and 1061: Mosaic: Medium sparse woodland; salmon gum & yorrell / Succulent steppe; saltbush & samphire (GIS Database). These BVAs align with aerial imagery. No survey information was provided by the applicant that talked to the vegetation description of the area.
Vegetation condition	Aerial imagery would indicate that the vegetation present in the application area varies from 'Excellent' to 'Degraded' condition, due to previous mining activities (Keighery, 1994; GIS Database). The full Keighery (1994) condition rating scale is provided in Appendix D.
Climate and landform	The Avon Wheatbelt bioregion is described as arid to semi-arid, with a warm Mediterranean climate (BoM, 2026a; CALM, 2002). The nearest weather station recorded an average rainfall of approximately 300.7 millimetres per year (BoM, 2026b). The application area is located within the boundary of the Cowcowing Lakes which is described as a basin landform (DEC, 2008).
Soil description	There are many different soil types mapped in the area, including predominately saline soils from the salt lake environment, as well as loamy earths and sandy duplexes (DPIRD, 2026). Due to the ephemeral nature of the salt lake, these soils are noted for being 'damp' rather than completely wet or submerged (DEC, 2008).
Land degradation risk	Vegetation, wetlands, and riparian populations in the Avon Wheatbelt bioregion are deemed at risk to siltation and increasing salinity due to native vegetation clearing (CALM, 2002). The application area is within the Wallambin system which is dominated by saline soils and sandy duplexes (Griffin & Goulding, 2004; DPIRD, 2026). This composition of soils and location of the permit area on the salt lake means there is a high salinity and water logging/inundation risk (see Section B.6) (Griffin & Goulding, 2004).

Characteristic	Details
Waterbodies	The proposed clearing is within the boundary of the Cowcowing Lakes which is an ephemeral waterbody (wetland) located within the Avon Natural Resource Management (NRM) region (DEC, 2008; GIS Database). It is not officially listed as an official Wetland of National or International Importance (GIS Database). However, it is described as being an asset of significance, with its condition being fair but in decline (CALM, 2002; GIS Database).
Hydrogeography	There is no Public Drinking Water Source Area (PDWSA) within 50 kilometres of the application area, with the closest (Bolgart PDWSA) being approximately 80 kilometres away (GIS Database). The application area is not within a proclaimed groundwater area; however, it is located within the Avon River System Surface Water Area proclaimed under the <i>Rights in Water and Irrigation Act 1914</i> (GIS Database). The groundwater salinity is mapped as 14,000 to >35,000 milligrams per litre total dissolved solids which is described as saline-to-hypersaline (GIS Database). The groundwater within the Avon NRM area is noted to be shallow, with water levels slowly rising as a result of cumulative clearing (DEC, 2008).
Flora	There are 11 records of conservation significant fauna within a 10-kilometre radius of the application area, including 4 Threatened species (GIS Database). Of these Threatened species, the Silky Frankenia (<i>Frankenia conferta</i>) has been recorded within the application area (GIS Database).
Ecological communities	Within a 10-kilometre radius, the application area is surrounded by 126 pockets of State-recognised Priority 3 ecological communities (the Wheatbelt Woodlands), with the closest being approximately 220 metres away (GIS Database).
Fauna	There are 4 records of conservation significant fauna within a 10-kilometre radius of the application area, including the Western Spiny-tailed Skink (<i>Egernia stokesii badia</i>), recorded 2.4 kilometres away (Department of Environment, 2026; GIS Database). No fauna surveys have been conducted or provided by the applicant to support this assessment.

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 - Avon Wheatbelt	9,517,109.95	1,761,187.42	18.51	174,980.68	1.84
IBRA Subregion - Merredin	6,524,180.55	1,367,565.48	20.96	126,804.59	1.94
Local Government - Name	159,508.71	13,123.96	8.23	1,309.59	0.82
Beard vegetation associations - State					
Veg Assoc No. 125	3,485,785.49	3,146,487.22	90.27	265,740.10	7.62
Veg Assoc No. 1061	42,747.48	20,355.18	47.62	5,321.69	12.45
Beard vegetation associations - Bioregion (Avon Wheatbelt)					
Veg Assoc No. 125	167,448.18	16,289.27	9.73	3,309.89	1.98
Veg Assoc No. 1061	42,747.48	20,355.18	47.62	5,321.69	12.45
Beard vegetation associations - Subregion (Merredin)					
Veg Assoc No. 125	148,564.13	13,642.55	9.18	1,748.89	1.18
Veg Assoc No. 1061	42,747.48	20,355.18	47.62	5,321.69	12.45

Government of Western Australia (2019)

B.3. Flora analysis table

The below species have been identified within a 10 kilometres radius of the application area (GIS Database). The values below have been derived with consideration for the site characteristics set out above, relevant datasets (GIS Database), and biological survey information (Ecoscape, 2014).

Species name	Conservation status	Distance of closest record to application area (km)	Total individuals to be cleared	Habitat suitability (salt-lake associated)	Are surveys adequate to identify? [Y, N, N/A]
<i>Cryptandra subtilis</i>	P3	<10	0	N	N
<i>Eremophila resinosa</i>	T	<10	0	N	N
<i>Eucalyptus erythronema</i> subsp. <i>inornata</i>	P3	<10	0	N	N
<i>Fitzwillia axilliflora</i>	P2	<5	0	Y	N
<i>Frankenia conferta</i>	T	<0	440	Y	Y
<i>Frankenia glomerata</i>	P4	<10	0	Y	N
<i>Grammosolen odgersii</i> subsp. <i>occidentalis</i>	T	<10	0	N	N
<i>Grevillea haplantha</i> subsp. <i>recedens</i>	P3	<10	0	N	N
<i>Lepidium genistoides</i>	P3	<10	0	N	N
<i>Pityrodia scabra</i> subsp. <i>scabra</i>	T	<10	0	N	N
<i>Verticordia mitchelliana</i> subsp. <i>mitchelliana</i>	P3	<10	0	N	N

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

B.4. Fauna analysis table

The following conservation significant fauna species have been recorded within 10 kilometres of the application area (GIS Database).

Species name	Common Name	Conservation status		Distance of closest record to application area (km)	Are surveys adequate to identify? [Y, N, N/A]
		WA	EPBC		
<i>Oxyura australis</i>	Blue-billed duck	P4	N/A	<5	N/A
<i>Parartemia contracta</i>	Brine shrimp	P1	N/A	<10	N/A
<i>Falco peregrinus</i>	Peregrine falcon	OS	N/A	<5	N/A
<i>Egernia stokesii badia</i>	Western spiny-tailed skink	VU	EN	<5	N/A

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

B.5. Ecological community analysis table

Within a 10-kilometre radius from the application area, the following ecological communities were identified (GIS Database).

Community name	Conservation status		Distance of closest record to application area (km)	Number of known records	Are surveys adequate to identify? [Y, N, N/A]
	State	Commonwealth			
Eucalypt woodlands of the Western Australian Wheatbelt	P3	CR	0.22	126	N/A

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

B.6. Land degradation risk table

Risk categories	Land Unit 1
Wind erosion	M1: 10-30% of the map unit has a high to extreme hazard
Water erosion	M1: 10-30% of the map unit has a high to extreme hazard
Salinity	H2: >70% of the map unit has a moderate to high risk
Subsurface Acidification	M2: 30-50% of the map unit has a high susceptibility
Flood risk	M1: 10-30% of the map unit has a high to extreme hazard
Water logging	H2: >70% of the map unit has a high to extreme hazard
Phosphorus export risk	H1: 50-70% of map unit has a high to extreme phosphorus export risk

Appendix C. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
<u>Principle (a):</u> “Native vegetation should not be cleared if it comprises a high level of biodiversity.” <u>Assessment:</u> The area proposed to be cleared does not contain regionally significant flora, fauna, or habitats. The Priority flora species identified (see Table B3) are not restricted to the application area (WAH, 1998-). As per Table B5 of this report, 126 records of priority ecological communities were recorded within 10 kilometres of the application area, with the closest being approximately 220 metres away (GIS Database). According to aerial imagery, these are isolated pockets of woodland vegetation (Wheatbelt Woodlands) remaining historically post-clearing for the surrounding agricultural lands are classified as Priority 3 under State legislation and as Critically Endangered under Commonwealth legislation (GIS Database). Vegetation condition ranges from Excellent to Degraded (as per Keighery, 1994), and the application area has been previously cleared and excavated (Sunnylake, 2025b), therefore this area does not contain a high level of biodiversity that would be at variance via the clearing proposed.	Not likely to be at variance	No
<u>Principle (b):</u> “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.” <u>Assessment:</u> No fauna surveys have been conducted or provided for the application area to determine whether significant fauna or habitats persist in the previously cleared application area. According to available data (GIS Database), four fauna species have been identified within a 10-kilometres radius of the application area (see Section B4). Of these species, the Western Spiny-tailed Skink (<i>Egernia stokesii badia</i>) is the most at-risk, being listed Endangered under the EPBC Act and as Vulnerable under the BC Act (Commonwealth of Australia, 2008; GIS Database). However, it is unlikely this species would occur within, or rely upon the habitat within the application area, as this area is described as a salt lake whereas the predominant habitat and distribution of the Western Spiny-tailed Skink includes woodlands and hollow logs, which is more likely to align with the surrounding pockets of ecological communities not intercepted by the application area (Central Wheatbelt Visitor Centre, 2026; Commonwealth of Australia, 2008; GIS Database).	Not likely to be at variance	No
<u>Principle (c):</u> “Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora.” <u>Assessment:</u> The area proposed to be cleared contains Threatened flora (Silky Frankenia; <i>Frankenia conferta</i>), which will require a Section 40 authorisation under the BC Act. <i>F. conferta</i> has previously been cleared within the area under CPS 6716/5, with Section 40 authorisations approved for that activity. No other Threatened flora were identified within the application area (Ecoscape, 2014; GIS Database).	At variance	Yes <i>Refer to Section 3.2.1, above</i>
<u>Principle (d):</u> “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.” <u>Assessment:</u> There are no identified threatened ecological communities (TEC) within the application area or within 10 kilometres of the application area (GIS Database).	Not at variance	No
Environmental value: significant remnant vegetation and conservation areas		
<u>Principle (e):</u> “Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.” <u>Assessment:</u> Within the Avon Wheatbelt bioregion and Merredin subregion, BVA 125 has a remaining extent of <9.73% which is inconsistent with the targets for biodiversity conservation in Australia (<30%) (Commonwealth of Australia, 2001; Government of Western Australia, 2019). However, State-wide, both associations are consistent with the national objectives (BVA 125 has 90.27% remaining and BVA 1061 has 47.62% remaining), noting that BVA 125 persists in a variety of diverse locations such as Albany and Meekatharra (Government of Australia, 2019).	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
The Cowcowing Lakes appears to be the largest saline lake connected to a series of waterbodies via drainage lines and lands susceptible to inundation, including Lake Wallambin (GIS Database). Based on the location of the clearing, this would not sever this linkage and is therefore unlikely to impact the wider lake body (GIS Database).		
<u>Principle (h):</u> <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> <u>Assessment:</u> The nearest conservation area is the Dukin Nature Reserve, and is located approximately 7.5 kilometres away the application area (GIS Database). Although this reserve area overlaps a north-west portion of the Cowcowing Lakes area, given its distance from the application area, it is unlikely the proposed clearing will impact its conservation values (GIS Database).	Not likely to be at variance	No
Environmental value: land and water resources		
<u>Principle (f):</u> <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> <u>Assessment:</u> Although the application area within Lake Cowcowing overlaps an area that has been previously cleared, additional clearing for the extraction of gypsum is likely to continue to impact the hydrology and overall water quality the of site (CALM, 2002; Sunnyslake 2025a).	May be at variance	Yes <i>Refer to Section 3.2.2, above.</i>
<u>Principle (g):</u> <i>"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."</i> <u>Assessment:</u> Although the application area within Lake Cowcowing overlaps an area that has been previously cleared, additional clearing is likely to continue to contribute to land degradation via increasing salinity and phosphorus export (CALM, 2002).	May be at variance	Yes <i>Refer to Section 3.2.2, above.</i>
<u>Principle (i):</u> <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."</i> <u>Assessment:</u> There is no PDWSA within 50 kilometres of the application area, with the closest (Bolgart PDWSA) being approximately 80 kilometres away (GIS Database). The groundwater salinity is mapped as 14,000 to >35,000 milligrams per litre total dissolved solids which is described as saline-to-hypersaline (GIS Database). Therefore, the proposed clearing is unlikely to impact surface or groundwater quality.	Not likely to be at variance	No
<u>Principle (j):</u> <i>"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."</i> <u>Assessment:</u> Cowcowing Lakes covers an area of 15,000 hectares therefore the proposed 30 hectares of clearing could potentially increase waterlogging within the application area, impacting approximately 0.2% of the entire lake area (Central Wheatbelt Visitor Centre, 2026; DEWHA, 2008; GIS Database).	May be at variance	No

Appendix D. Vegetation condition rating scale

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

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

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

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

Appendix E. Sources of information

E.1. GIS datasets

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

- Bush Forever Areas 2000 (DPLH-019)
- Clearing Instruments Activities (Areas Approved to Clear) (DWER-076)
- Clearing Regulations - Environmentally Sensitive Areas (DWER-046)
- Clearing Regulations - Schedule One Areas (DWER-057)
- DBCA - Lands of Interest (DBCA-012)
- DBCA - Legislated Lands and Waters (DBCA-011)
- DBCA Fire History (DBCA-060)
- Directory of Important Wetlands in Australia - Western Australia (DBCA-045)
- EPA Referred Significant Proposals (DWER-120)
- Groundwater Salinity Statewide (DWER-026)
- IBRA Vegetation Statistics
- IBSA Survey Details (DWER-118)
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Native Title (Determination) (LGATE-066)
- Native Title (Fed Court) (LGATE-005)
- Native Title (ILUA) (LGATE-067)
- Native 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, Rivers (DWER-036)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Mapping - Best Available (DPIRD-027)
- Townsites (LGATE-248)
- WA Now Aerial Imagery
- Waterways Conservation Act Management Areas (DWER-072)

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)

E.2. References

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- Department of the Environment, Water, Heritage and the Arts (DEWHA) (2008) *Approved Conservation Advice for Frankenia conferta* (Silky Frankenia). Canberra: Department of the Environment, Water, Heritage and the Arts. Available from: <http://www.environment.gov.au/biodiversity/threatened/species/pubs/6074-conservation-advice.pdf>. Accessed 1 September 2026.
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Sunnylake Holdings Pty Ltd (Sunnylake) (2025b) Cover letter to support clearing permit application, CPS 11304/1, received 22 October 2025)

Western Australian Herbarium (WAH) (1998-) FloraBase - the Western Australian Flora. Department of Biodiversity, Conservation and Attractions, Western Australia. <https://florabase.dbca.wa.gov.au/> (Accessed 18 August 2026).

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.