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WEABER PLAIN ROAD AND MULLIGANS LAGOON ROAD

NATIVE VEGETATION CLEARING PERMIT APPLICATION

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ACKNOWLEDGEMENT OF COUNTRY

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1 INTRODUCTION

1.1 PROJECT BACKGROUND

The Shire of Wyndham-East Kimberley (SWEK) is one of the four Local Government Areas in the Kimberley region of Western Australia (WA). The SWEK covers over 120,000 square kilometres (sq km), including the towns of Kununurra and Wyndham, WA's northernmost town.

SWEK is planning for a road realignment and intersection construction along Weaber Plain Road and Mulligans Lagoon Road (Project). The Project will require clearing of up to 7.3 ha of native vegetation, and no relevant clearing exemptions apply, thereby requiring a formal Native Vegetation Clearing Permit (NVCP) application under the *Environmental Protection Act 1986* (WA) (EP Act).

1.2 PURPOSE

The purpose of this NVCP application is to seek permission to clear up to 7.3 ha of native vegetation within a 22.5 ha Permit Area (Figure 1) to facilitate the Project.







2 PERMIT AREA

A Purpose Permit is being sought to allow a total clearing of up to 7.3 ha of native vegetation within a 22.5 ha Permit Area (Figure 1).

2.1 BOUNDARY

Clearing is to be conducted entirely within the boundaries of the Permit Area shown in Figure 1. Key environmental values are outlined in Section 4.

2.2 TENURE AND LAND ACCESS

All proposed vegetation disturbance addressed in this NVCP application will occur alongside Weaber Plain Road and Mulligans Lagoon Road.

The Permit Area is entirely within the SWEK Local Government area.

2.3 NATIVE TITLE

The Permit Area does not intersect any Native Title determination areas. The Permit Area does intersect the Ord Final Agreement (WI2005/003) Indigenous Land Use Agreement registered with the State of Western Australia

All vegetation disturbance will occur within the Permit Area shown in Figure 1. SWEK will comply with the requirements of the *Native Title Act 1993* (Cth).





3 PROPOSED ACTIVITIES

Clearing is required to widen sections along Weaber Plains Road and Mulligan's Lagoon Road as well as intersection construction works. Mechanical clearing will be undertaken.





4 ENVIRONMENTAL CHARACTERISTICS

4.1 BIOGEOGRAPHIC REGIONS

The Interim Biogeographic Regionalisation of Australia (IBRA) classifies Australia’s landscapes into large ‘bioregions’ and ‘subregions’ based on climate, geology, landform, native vegetation and species information (DCCEEW, 2025). The Permit Area is located in the Keep subregion (VIB01) of the Victoria Bonaparte bioregion which is characterised as ‘including dissected plateaus and alluvial plains and a number of river basins with Eucalypt woodlands as the dominant vegetation community (Figure 2).

4.2 LAND SYSTEMS

The Department of Primary Industries and Regional Development undertakes land system mapping for WA using a nesting soil-landscape mapping hierarchy (Payne & Schoknecht, 2011). While the primary purpose of the mapping is to inform pastoral and agricultural land capability, it is also useful for informing biological assessments. Land systems are defined as areas with recurring patterns of landforms, soils, vegetation and drainage (Payne & Leighton, 2004). There are two land systems intersecting the Permit Area including the Cockatoo and Ivanhoe System. Further detail on these systems is provided in Table 1 and shown in Figure 3.

Table 1: Land systems

Land System	Description	Area within Permit Area (ha)
Cockatoo System	Gently undulating plains with deep sand soils on sandstone and calcareous sandstone supporting stringybark-bloodwood woodlands over upland tall grass	10.7 ha
Ivanhoe System	Alluvial flood plains with black cracking clay soils supporting blue grass grasslands and minor eucalypt woodlands with frontage tall grasses.	11.8 ha
TOTAL		22.5 ha

4.3 VEGETATION

The Permit Area does not intersect the boundaries of any known Threatened Ecological Communities or buffer areas. None have been recorded within 50 km of the Permit Area. The Permit Area does intersect the mapped boundary of one Priority Ecological Community (PEC); the Ivanhoe Land System PEC (Priority 3) (Figure 5). This PEC is characterised by ‘Many small to medium areas of gently sloping alluvial “black soil” plains with some timbered “red” soil in the central and northern parts of the area’ (DBCA, 2023). The key threat to this PEC is extensive threatening processes acting at landscape scales, namely agricultural expansion and altered fire regimes, weed invasion.

Up to 124,697.3 ha of this PEC has been mapped by DBCA with up to 12.4 ha (0.01%) intersecting the Permit Area.





From 2007 to 2018, the Department of Biodiversity, Conservation and Attractions (DBCA) and Department of Water and Environmental Regulation published regular updates regarding the pre-European extent and current year's extent of each of Beard's vegetation units in WA.

There is only one vegetation association within the Permit Area, vegetation association 909 (Beard, 1975) (Figure 4). This vegetation association is described as Grasslands, high grass savanna woodland on sandstone and has 99% of its pre-European Extent remaining in regard to the state-wide extent, IBRA region extent and subregion extent (Table 2).

Table 2: Status Vegetation Association 909

Region	Pre-European Extent (ha)	Current Extent (ha)	% remaining
Statewide	281,737	278,878 ha	99%
Victoria Bonaparte IBRA region	281,415	278,753	99%
Keep Subregion	281,415	278,753	99%

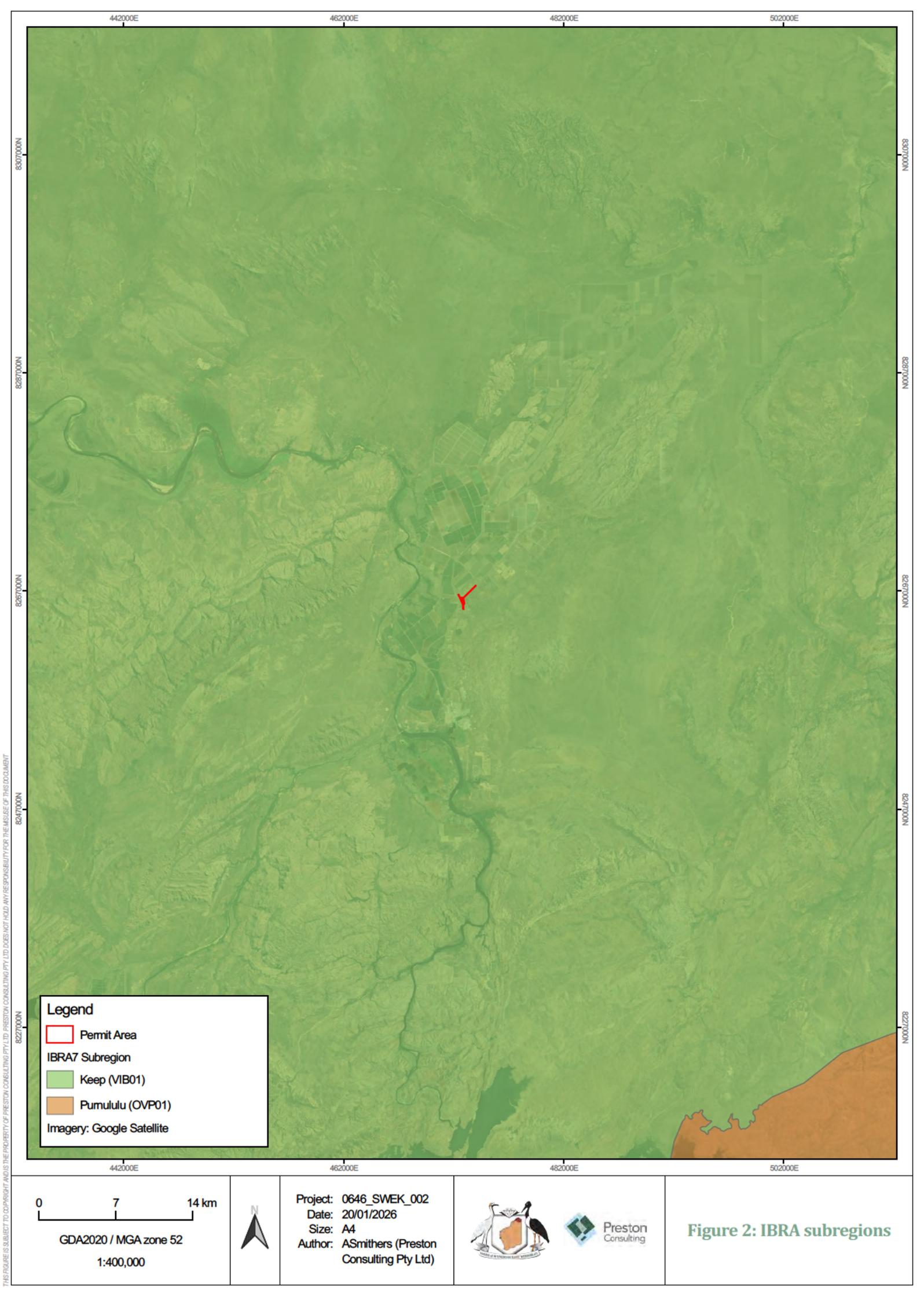
Regional Native Vegetation Extent

Native vegetation within 10, 15 and 20 km of the Permit Area was mapped using DPIRD's Native Vegetation Extent dataset (DPIRD, 2017) and is shown in Figure 6. The extent of native vegetation surrounding the Permit Area is summarised in Table 3. There is less vegetation within the Permit Area and within 10 km of the Permit Area due to the proximity to Kununurra and Ord River irrigation area which has been extensively cleared.

Table 3: Native vegetation surrounding the Proposal

Radius (km)	Area of native vegetation remaining (ha)	% of native vegetation remaining
Permit Area	9.1	40%
10	23,665	64%
15	61,712	79%
20	116,482	86%





442000E

462000E

482000E

502000E

8307000N

8307000N

8287000N

8287000N

8267000N

8267000N

8247000N

8247000N

8227000N

8227000N

Legend

- Permit Area
- IBRA7 Subregion
- Keep (VIB01)
- Pumululu (OVP01)
- Imagery: Google Satellite

442000E

462000E

482000E

502000E

0 7 14 km

GDA2020 / MGA zone 52
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Figure 2: IBRA subregions

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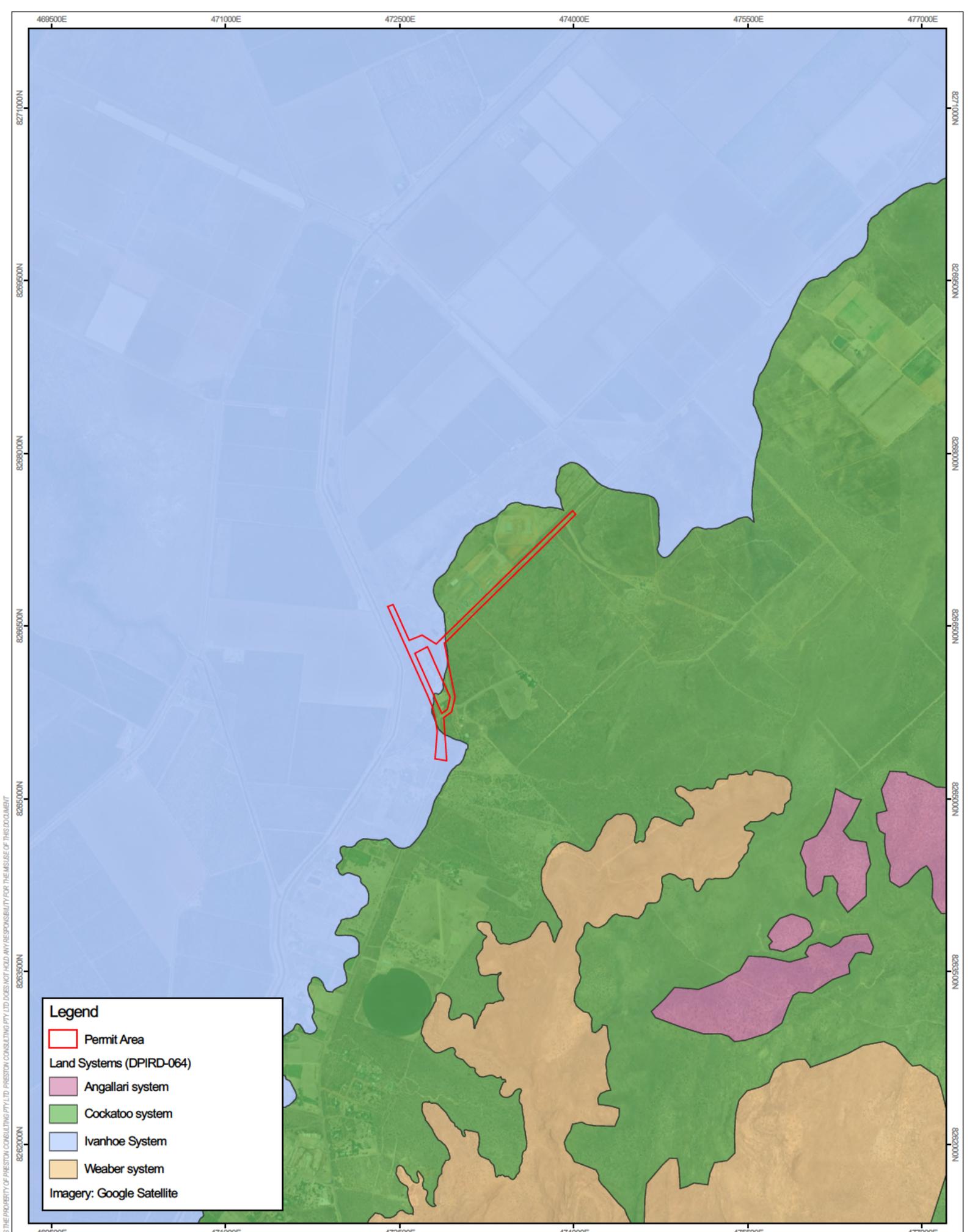
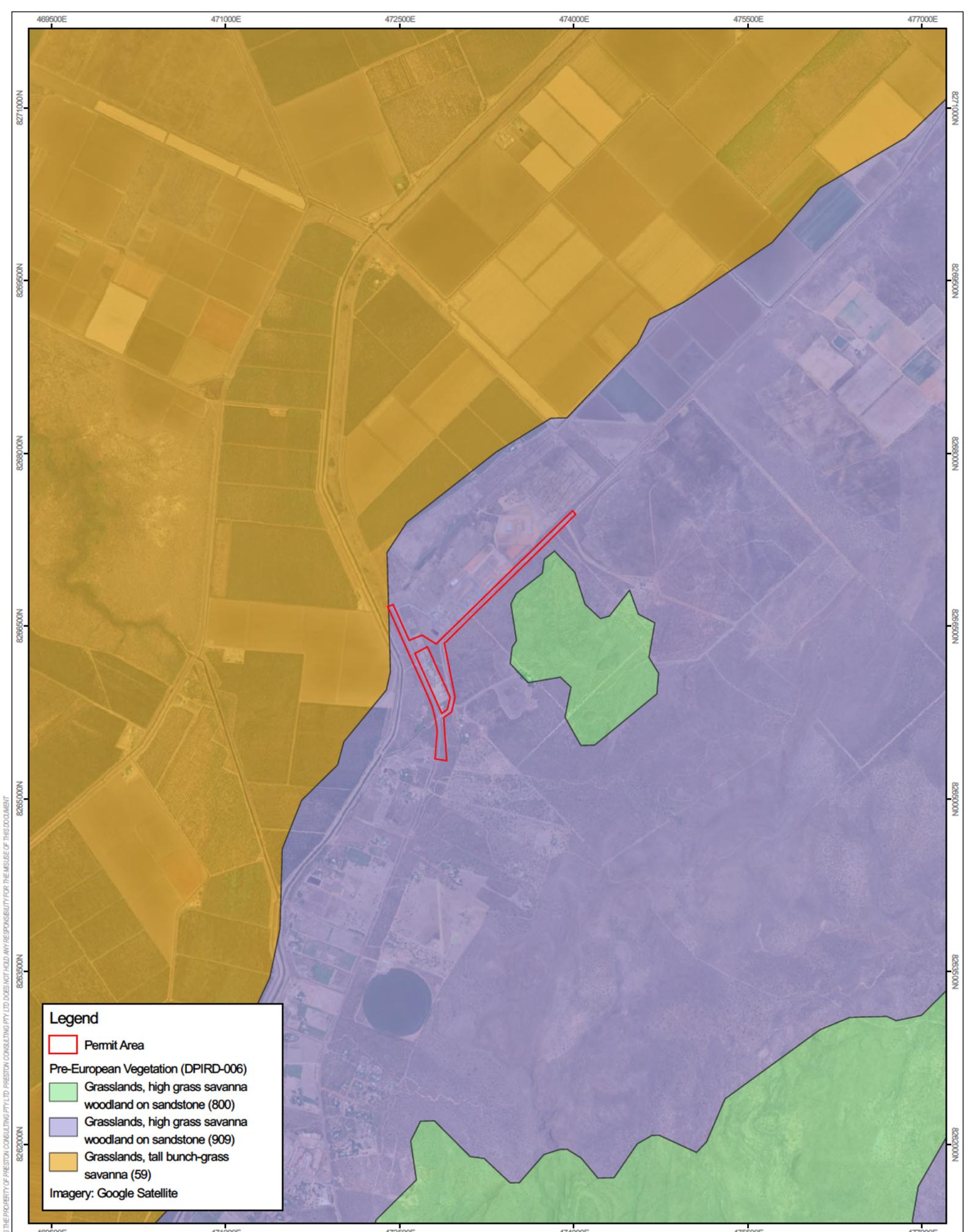


Figure 3: Land systems



Legend

- Permit Area
- Grasslands, high grass savanna woodland on sandstone (800)
- Grasslands, high grass savanna woodland on sandstone (909)
- Grasslands, tall bunch-grass savanna (59)

Imagery: Google Satellite

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0 0.7 1.4 km

GDA2020 / MGA zone 52

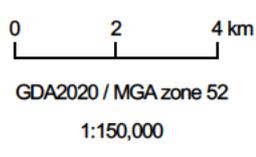
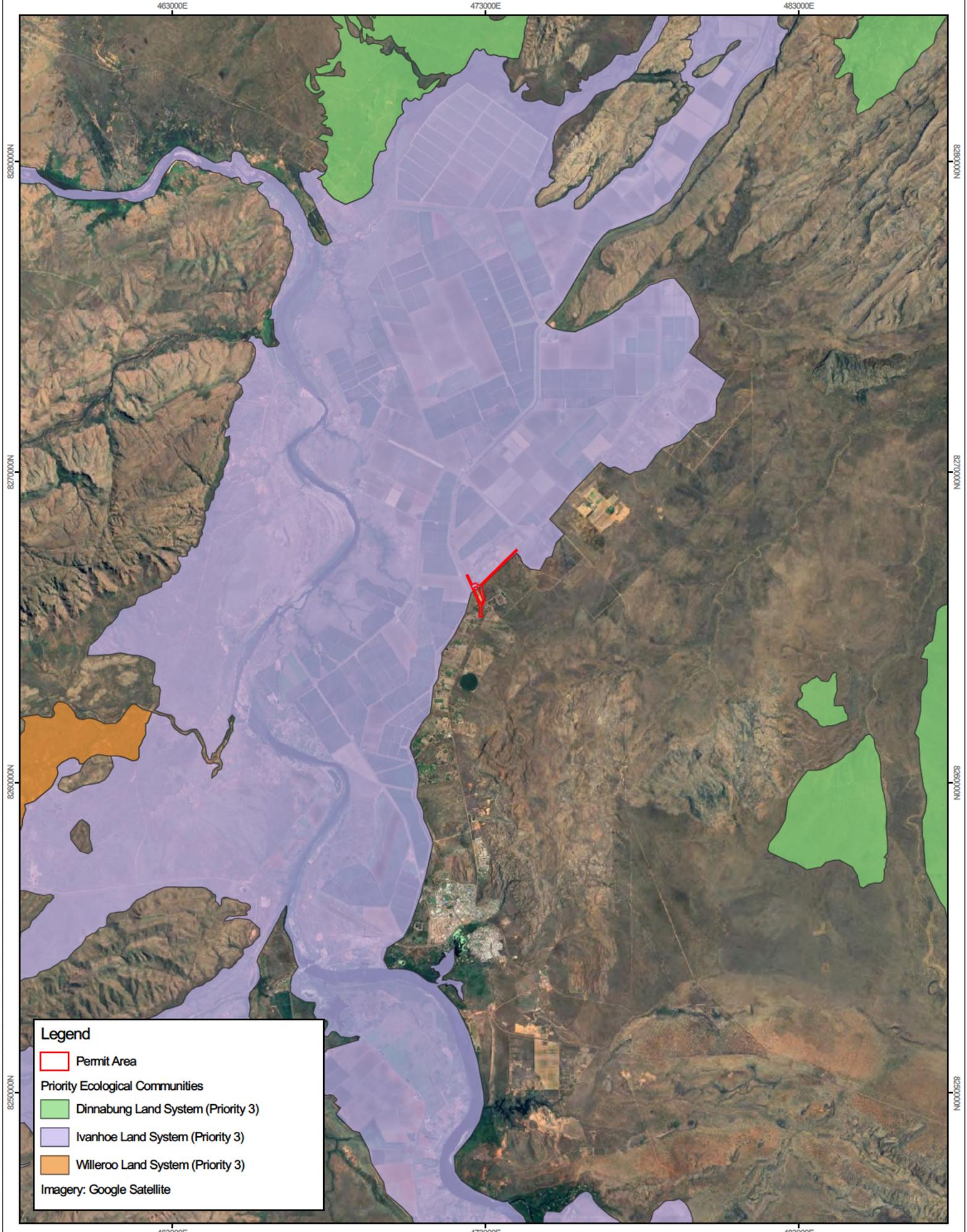
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Figure 4: Pre-European vegetation



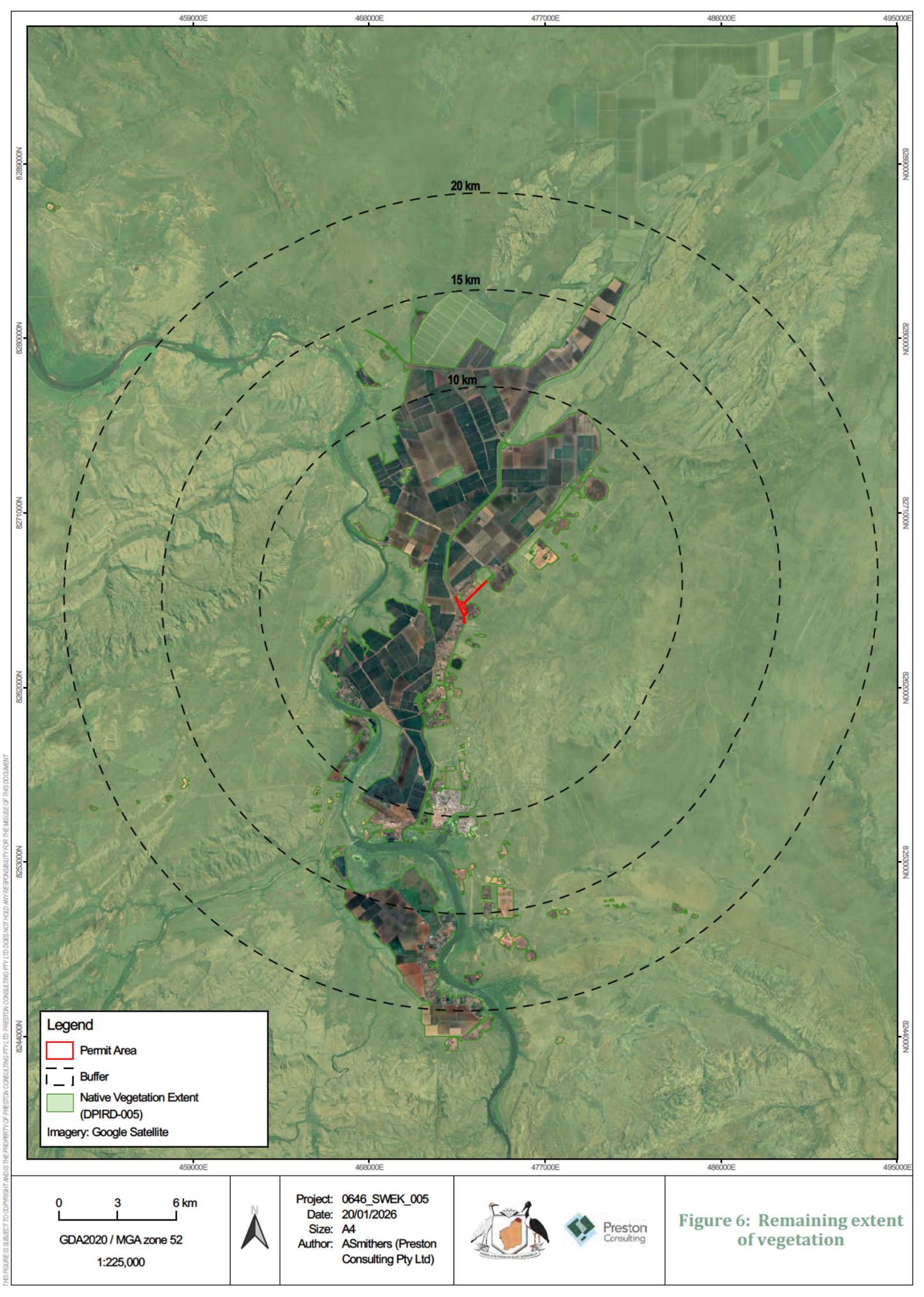
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Figure 5: Priority Ecological Communities

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Legend

- Permit Area
- Buffer
- Native Vegetation Extent (DPIRD-005)

Imagery: Google Satellite

0 3 6 km

GDA2020 / MGA zone 52

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Figure 6: Remaining extent of vegetation



4.4 FLORA

A search of the DBCA database identified 29 listed species recorded within a 10 km radius of the Permit Area (Table 4). No records were identified within the Permit Area and no Threatened flora species were recorded. Six listed species were recorded within 3 km of the Permit Area:

- *Typhonium* sp. Kununurra (A.N. Start ANS 1467) – Endangered (*Biodiversity and Conservation Act* 2016 (BC Act));
- *Hibiscus* sp. Kununurra (K.F. Kenneally 1940) – Priority 1 (DBCA list);
- *Echinochloa kimberleyensis* – Priority 1 (DBCA list);
- *Stylidium incognitum* – Priority 2 (DBCA list);
- *Euphorbia stevenii* – Priority 3 (DBCA list); and
- *Ficus lilliputiana* forma *pilosa* – Priority 4 (DBCA list).

Typhonium sp. Kununurra (A.N. Start ANS 1467) was discovered in December 2001 approximately 5 km northwest of Kununurra airport in WA. It has since been found at several more locations in WA and in the Northern Territory. However, all known locations are on the Ord River’s ancestral floodplain downstream of Carlton Gorge. It is common in suitable habitat but, because much of its known range is within the proposed Ord Stage 2 irrigation area, where it inhabits soils favoured for irrigated agriculture, on private property, on pastoral lease or on road reserves, its conservation status is tenuous; a number of surveys have attempted to locate subpopulations on land with conservation-secure tenures but none of the results have been published. There are 98 records of this species within 50 km of the Permit Area, however all records are located to the east and are associated with the Ord River. This species is therefore unlikely to occur within the Permit Area.

Hibiscus sp. Kununurra (K.F. Kenneally 1940) has been recorded at 13 locations within 50 km of the Permit Area. There are no additional locations identified on FloraBase. All records occur within the Keep IBRA subregion of the Victoria Bonaparte bioregion.

Echinochloa kimberleyensis has been recorded at five locations within 50 km of the Permit Area. An additional four locations have been identified on FloraBase. All records occur within the Keep IBRA subregion of the Victoria Bonaparte bioregion.

Stylidium incognitum has been recorded at eight locations within 50 km of the Permit Area. An additional four locations have been identified on FloraBase. All records occur within both the Central Kimberley and Victoria Bonaparte IBRA bioregions in two subregions.

Euphorbia stevenii has been recorded at six locations within 50 km of the Permit Area. An additional seven locations have been identified on FloraBase. All records occur within both the Central Kimberley and Victoria Bonaparte IBRA bioregions in three subregions.

Ficus lilliputiana forma *pilosa* has been recorded at five locations within 50 km of the Permit Area. An additional two locations identified on FloraBase, all records, all records are within the Keep IBRA subregion of the Victoria Bonaparte bioregion.

Table 4: Significant flora identified in the desktop assessment within 10 km of the Permit Area

Species	Status	Distance to Permit Area
<i>Lazarum</i> sp. Kununurra (A.N. Start ANS 1467)	Endangered	~6 km
<i>Typhonium</i> sp. Kununurra (A.N. Start ANS 1467)	Endangered	~2 km

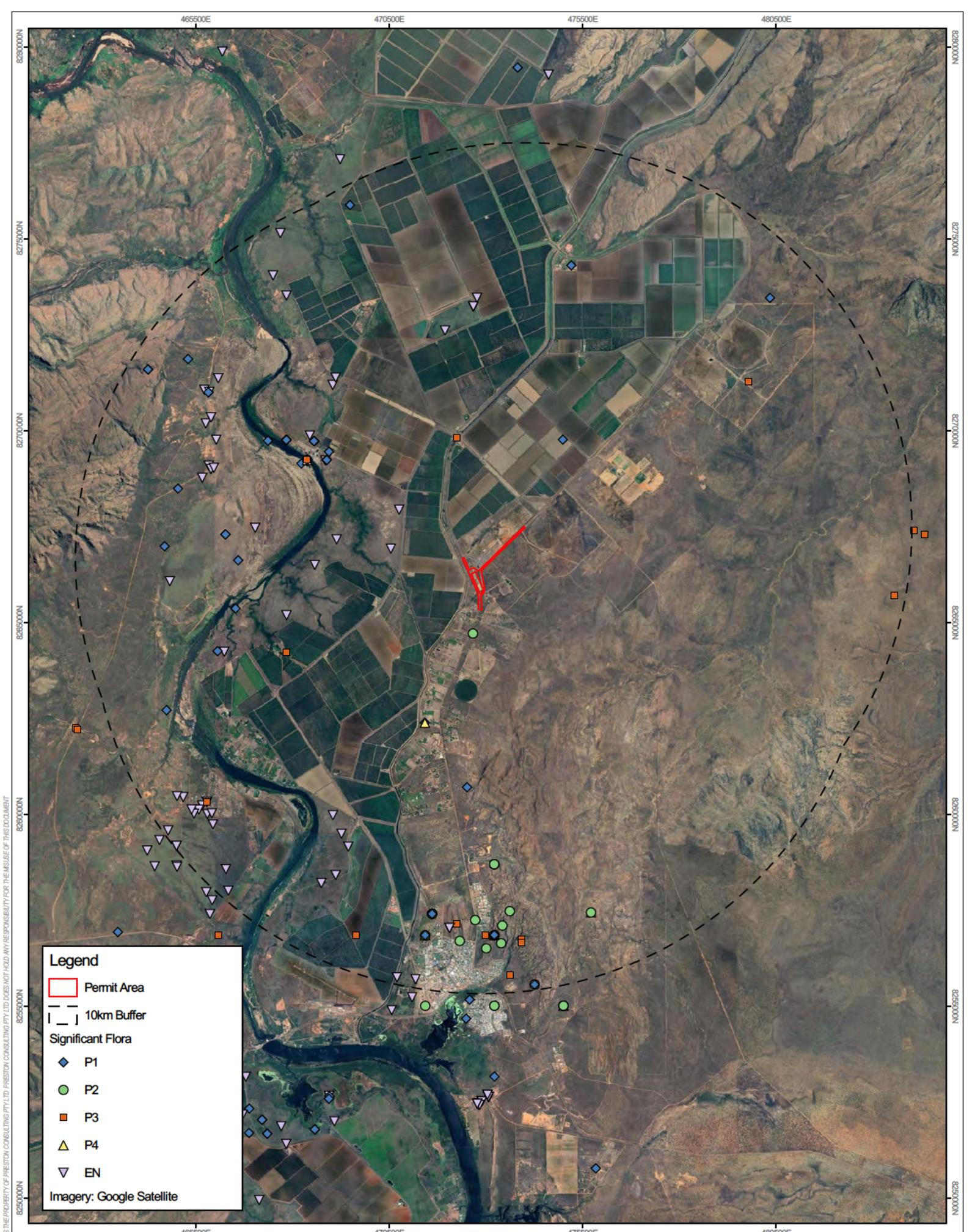




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Species	Status	Distance to Permit Area
<i>Cyperus digitatus</i>	Priority 1	~6 km
<i>Euploca alcyonium</i>	Priority 1	~5 km
<i>Euploca cupressina</i>	Priority 1	~7 km
<i>Euploca foveolata</i>	Priority 1	~5 km
<i>Euploca tachyglossoides</i>	Priority 1	~10 km
<i>Goodenia brachypoda</i>	Priority 1	~9 km
<i>Goodenia durackiana</i>	Priority 1	~4 km
<i>Goodenia malvina</i>	Priority 1	~4 km
<i>Grona flagellaris</i>	Priority 1	~5 km
<i>Hibiscus</i> sp. Kununurra (K.F. Kenneally 1940)	Priority 1	~2 km
<i>Hullisia argillicola</i>	Priority 1	~8 km
<i>Ipomoea argillicola</i>	Priority 1	~6 km
<i>Echinochloa kimberleyensis</i>	Priority 1	~3 km
<i>Iseilema trichopus</i>	Priority 1	~5 km
<i>Polycarpaea umbrosa</i>	Priority 1	~4 km
<i>Solanum pugiunculiferum</i>	Priority 1	~8 km
<i>Sphenoclea zeylanica</i>	Priority 1	~6 km
<i>Triodia racemigera</i>	Priority 1	~4 km
<i>Triodia triticoides</i>	Priority 1	~5 km
<i>Utricularia tridactyla</i>	Priority 1	~10 km
<i>Utricularia tubulata</i>	Priority 1	~8 km
<i>Zornia areolata</i>	Priority 1	~8 km
<i>Fimbristylis laxiglumis</i>	Priority 2	~5 km
<i>Platysace saxatilis</i>	Priority 2	~7 km
<i>Stylidium incognitum</i>	Priority 2	~1 km
<i>Utricularia baliboongarnang</i>	Priority 2	~8 km
<i>Acacia jasperensis</i>	Priority 3	~9 km
<i>Acacia richardsii</i>	Priority 3	~5 km
<i>Brachychiton tuberculatus</i>	Priority 3	~9 km
<i>Dendrophthoe odontocalyx</i>	Priority 3	~5 km
<i>Euphorbia stevenii</i>	Priority 3	~3 km
<i>Schoenus punctatus</i>	Priority 3	~10 km
<i>Synostemon hubbardii</i>	Priority 3	~5 km
<i>Utricularia muelleri</i>	Priority 3	~8 km
<i>Ficus lilliputiana</i> forma <i>lilliputiana</i>	Priority 4	~8 km
<i>Ficus lilliputiana</i> forma <i>pilosa</i>	Priority 4	~3 km
<i>Ipomoea gracilis</i>	Priority 4	~5 km





Legend

- Permit Area
- 10km Buffer

Significant Flora

- ◆ P1
- P2
- P3
- ▲ P4
- ▼ EN

Imagery: Google Satellite

0 2 4 km

GDA2020 / MGA zone 52

1:120,000



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Figure 7: Records of significant flora

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827000N
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N000928
N000928
N000928
N000928
N000928
N000928

465500E 470500E 475500E 480500E

465500E 470500E 475500E 480500E



4.5 FAUNA

A search of the DBCA database identified 64 listed species recorded within 50 km of the Permit Area (Figure 7). No records were identified within the Permit Area (Figure 7). The species consisted of:

- 14 Threatened species under the EPBC Act;
- 28 Migratory species listed under the EPBC Act;
- 13 Threatened species under the BC Act only; and
- 9 species listed as Priority (P) by DBCA.

Up to 35 of these significant fauna species have been recorded within 10 km of the Permit Area, 31 of which are bird species. The remaining four species consist of the Lakeland Downs Mouse (Priority 4), the Orange Leaf-nosed Bat (Priority 4), the water-rat (Priority 4) and the Saltwater Crocodile (Migratory). No waterbodies occur within the Permit Area so it is unlikely that the water-rat or Saltwater Crocodile would be present.

From aerial photos the Permit Area does not appear to contain any specific or restricted fauna habitats (such as rocky outcrops, drainage lines, wetlands etc.). All habitats appear to be representative of the surrounding widespread habitat (Plate 1 - Plate 4).

Table 5: Recorded Significant Fauna from DBCA desktop search

Scientific name	Common Name	State/DBCA Listing	EPBC Act
Mammals			
<i>Dasyurus hallucatus</i>	Northern Quoll	Endangered	Endangered
<i>Macroderma gigas</i>	Ghost Bat	Vulnerable	Vulnerable
<i>Hipposideros stenotis</i>	Northern Leaf-nosed Bat	Priority 2	N/A
<i>Vespadelus douglasorum</i>	Yellow-lipped Cave Bat	Priority 2	N/A
<i>Rhinonicteris aurantia</i>	Orange Leaf-nosed Bat	Priority 4	N/A
<i>Leggadina lakedownensis</i>	Lakeland Downs Mouse	Priority 4	N/A
<i>Hydromys chrysogaster</i>	Water-rat	Priority 4	N/A
Reptiles			
<i>Crocodylus porosus</i>	Saltwater Crocodile	Migratory	Migratory
<i>Chelodina kuchlingi</i>	Kuchling's Snake-necked Turtle	Critically Endangered	N/A
<i>Anilius troglodytes</i>	Sandamara Blind Snake (Napier Range)	Priority 1	N/A
<i>Ctenotus rimacola camptris</i>	Crack-dwelling Ctenotus	Priority 1	N/A
<i>Crocodylus johnstoni</i>	Freshwater Crocodile	Specially Protected	N/A
Birds			
<i>Numenius madagascariensis</i>	Eastern Curlew	Critically Endangered	Critically Endangered & Migratory
<i>Calidris ferruginea</i>	Curlew Sandpiper	Critically Endangered	Critically Endangered & Migratory
<i>Rostratula australis</i>	Australian Painted Snipe	Endangered	Endangered





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Scientific name	Common Name	State/DBCA Listing	EPBC Act
<i>Pezoporus occidentalis</i>	night parrot	Critically Endangered	Endangered
<i>Malurus coronatus coronatus</i>	Purple-crowned Fairy-Wren (western)	Endangered	Endangered
<i>Chloebia gouldiae</i>	Gouldian finch	Priority 4	Endangered
<i>Botaurus poiciloptilus</i>	Australasian Bittern	Endangered	Endangered
<i>Tringa nebularia</i>	Common Greenshank	Migratory	Endangered & Migratory
<i>Geophaps smithii smithii</i>	Partridge Pigeon (Eastern)	Priority 4	Vulnerable
<i>Falcunculus whitei</i>	Crested Shrike-tit (Northern)	Priority 3	Vulnerable
<i>Erythrotriorchis radiatus</i>	Red Goshawk	Endangered	Vulnerable
<i>Calidris acuminata</i>	Sharp-tailed Sandpiper	Migratory	Vulnerable & Migratory
<i>Xenus cinereus</i>	Terek Sandpiper	Migratory	Migratory
<i>Tringa stagnatilis</i>	Marsh Sandpiper	Migratory	Migratory
<i>Tringa glareola</i>	Wood Sandpiper	Migratory	Migratory
<i>Sternula albifrons</i>	Little Tern	Migratory	Migratory
<i>Spatula querquedula</i>	Garganey	Migratory	Migratory
<i>Pluvialis fulva</i>	Pacific Golden Plover	Migratory	Migratory
<i>Plegadis falcinellus</i>	Glossy Ibis	Migratory	Migratory
<i>Pandion haliaetus</i>	Osprey	Migratory	Migratory
<i>Numenius phaeopus</i>	Whimbrel	Migratory	Migratory
<i>Numenius minutus</i>	Little Curlew	Migratory	Migratory
<i>Motacilla flava</i>	Yellow Wagtail	Migratory	Migratory
<i>Limosa limosa</i>	Black-tailed Godwit	Migratory	Migratory
<i>Limosa lapponica</i>	Bar-Tailed Godwit	Migratory	Migratory
<i>Hydroprogne caspia</i>	Caspian Tern	Migratory	Migratory
<i>Hirundo rustica</i>	Barn Swallow	Migratory	Migratory
<i>Glareola maldivarum</i>	Oriental Pratincole	Migratory	Migratory
<i>Gelochelidon nilotica</i>	Gull-billed Tern	Migratory	Migratory
<i>Gallinago megala</i>	Swinhoe's Snipe	Migratory	Migratory
<i>Cuculus optatus</i>	Oriental Cuckoo	Migratory	Migratory
<i>Chlidonias leucopterus</i>	White-Winged Black Tern	Migratory	Migratory
<i>Charadrius veredus</i>	Oriental Plover	Migratory	Migratory
<i>Cecropis daurica</i>	Red-rumped Swallow	Migratory	Migratory
<i>Calidris subminuta</i>	Long-toed Stint	Migratory	Migratory
<i>Calidris ruficollis</i>	Red-Necked Stint	Migratory	Migratory
<i>Calidris pugnax</i>	Ruff	Migratory	Migratory
<i>Apus pacificus</i>	Fork-tailed Swift	Migratory	Migratory
<i>Actitis hypoleucos</i>	Common Sandpiper	Migratory	Migratory
<i>Falco hypoleucos</i>	Grey Falcon	Vulnerable	N/A





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Scientific name	Common Name	State/DBCA Listing	EPBC Act
<i>Elanus scriptus</i>	Letter-winged Kite	Priority 4	N/A
<i>Botaurus dubius</i>	Australian Little Bittern	Priority 4	N/A
<i>Falco peregrinus</i>	Peregrine Falcon	Specially Protected	N/A
Invertebrates			
<i>Ordrachia elegans</i>	A Camaenid Land Snail (Jeremiah Hills)	Critically Endangered	N/A
<i>Cristilabrum spectaculum</i>	A Camaenid Land Snail (Jeremiah Hills)	Endangered	N/A
<i>Cristilabrum simplex</i>	A Camaenid Land Snail (Ningbing Ranges)	Critically Endangered	N/A
<i>Cristilabrum primum</i>	A Camaenid Land Snail (Ningbing Ranges)	Critically Endangered	N/A
<i>Cristilabrum monodon</i>	A Camaenid Land Snail (Ningbing Ranges)	Critically Endangered	N/A
<i>Cristilabrum isolatum</i>	A Camaenid Land Snail (Sandy Creek)	Endangered	N/A
<i>Cristilabrum grossum</i>	A Camaenid Land Snail (Ningbing Ranges)	Critically Endangered	N/A
<i>Cristilabrum buryillum</i>	Buryill Point Camaenid Land Snail (Ningbing Ranges)	Critically Endangered	N/A
<i>Cristilabrum bubulum</i>	A Camaenid Land Snail (Ningbing Ranges)	Endangered	N/A





Plate 1: Aerial Imagery Permit Area Overview



Plate 2: Aerial Imagery Permit Area Southwest



Plate 3: Aerial Imagery Permit Area Northwest



Plate 4: Aerial Imagery Permit Area East



4.6 WATER AND DRAINAGE

The Permit Area is within the Lower Ord River catchment. The Lower Ord forms the terminus of the Ord River catchment. No drainage lines or permanent water bodies occur within the Permit Area.

4.7 LAND USE

The dominant land use in the surrounding area is grazing, native pastures, Unallocated Crown Land, Indigenous and Crown reserves. The area is a renowned wilderness tourism destination and is hosting increasing numbers of tourists and conservation.

The Permit Area contains a large proportion of existing disturbance as a result of the existing road network.





5 STAKEHOLDER CONSULTATION

SWEK identified the following potential stakeholders for the Project:

- Kununurra and Wyndham communities;
- Pastoral lessees;
- Department of Transport;
- Main Roads Western Australia;
- Department of Water and Environmental Regulation;
- Registered Native Title holders;
- Local tourism operators;
- Tourists;
- Department of Planning, Lands and Heritage;
- Department of the Environment and Energy; and
- Department of Primary Industries and Regional Development.

Shire road maintenance is subject to annual funding submissions and the scale and nature of activities may vary from year to year. SWEK have taken the opportunity to review the potential activities over the next ten years and have consulted with key stakeholders during the planning and funding stages, and will continue to consult with key stakeholders during the implementation stages for the Project.

Consultation will be conducted as part of SWEK’s normal information and consultation processes. SWEK notifies key stakeholders of road work activities and road status via their website (available at <http://www.swek.wa.gov.au/>).





6 ASSESSMENT OF CLEARING AGAINST THE TEN CLEARING PRINCIPLES

The proposed vegetation disturbance has been assessed against the ten clearing principles described within *A Guide to the Assessment of Applications to Clear Native Vegetation* (Department of Environmental Regulation (DER), 2014; Table 6).





Table 6: Assessment of proposed vegetation disturbance against the ten clearing principles

Relevant Information	Assessment of potential impacts	Proposed control measures	Outcome – Assessment of variance with clearing principle
1. Native Vegetation should not be cleared if it comprises a high level of biological diversity			
<p>No significant flora were recorded within the Permit Area (noting targeted searches have not been conducted over the Permit Area).</p> <p>The vegetation in the Permit Area is identified as Vegetation Association 909. Vegetation Association 909 has 99% of statewide, bioregion and subregion pre-European extent remaining.</p> <p>Whilst the Kimberley region is recognised as a biodiversity hotspot, no systematic review of biodiversity has been completed for the region (Graham, 2001).</p> <p>Vegetation communities with high levels of biodiversity are relatively restricted. Graham (2001) documented the biodiversity values at a subregional level for the Victoria Bonaparte 1 subregion. Rare features relevant to the Permit Area identified in Graham (2001) include:</p> <ul style="list-style-type: none"> • Ramsar listed wetlands of the Ord floodplain and Lake Kununurra; • 'Wet' tropical river of the lower Ord River; • Man-made wetlands of Lake Kununurra; and • Alluvial plain systems of the Ord and Weaber plains. <p>None of the vegetation recorded within the Permit Area was within the boundaries of any known TECs.</p> <p>Up to 12.4 ha of Ivanhoe Land System PEC has been mapped within the Permit Area.</p>	<p>The proposed clearing will result in the removal of up to 7.3 ha of native vegetation. Clearing of 7.3 ha within the Permit Area represents less than 0.003% of the remaining extent of Vegetation Association 909 in the Keep subregion.</p> <p>Up to 12.4 ha of Ivanhoe Land System PEC has been mapped within the Permit Area, 0.01% of the regional extent. Clearing of up to 7.3 ha is unlikely to have a significant impact on the maintenance of this PEC</p> <p>Clearing will occur in a highly developed area adjacent to an existing road network.</p> <p>The Permit Area does not include any of the known documented special values in relation to landscape, ecosystem, species and genetic values listed for the VB1 subregion (Graham, 2001).</p> <p>The vegetation within the Permit Area is broadly representative of vegetation from the surrounding area and is likely to occur in much larger areas outside of the Permit Area.</p> <p>The Permit Area includes areas previously cleared that are devoid of vegetation. Therefore the clearing is simply expanding these areas within the boundary of the Permit Area.</p> <p>The proposed clearing would be limited to narrow areas in proximity to existing roads. This clearing is unlikely to significantly impact the level of biological diversity within these areas.</p>	<p>To minimise the impact of clearing on the environment, SWEK proposes the following control measures:</p> <ul style="list-style-type: none"> • All clearing will be managed under a Ground Disturbance Permit process (or similar); • The total extent of vegetation clearing is limited to 7.3 ha; • Clearing areas will be identified prior using GPS coordinates and boundaries visually identified with pegs; • All clearing restricted to only what is required for each activity within the proposed Permit Area and undertaken only when required; and • All vegetation clearing and earthmoving equipment will be inspected and cleaned prior to conducting clearing activities, vehicles will be inspected and cleaned as required to prevent the incidental spread of weeds. 	<p>The proposed clearing is unlikely to be at variance with this principle.</p>
2. Native vegetation should not be cleared if it comprises the whole, or part of, or is necessary for the maintenance of a significant habitat for fauna indigenous to WA			





Relevant Information	Assessment of potential impacts	Proposed control measures	Outcome – Assessment of variance with clearing principle
<p>No significant fauna have been recorded in the Permit Area. Up to 35 species have been recorded within 10 km of the Permit Area, 31 of which are birds. The remaining four species consist of the Lakeland Downs Mouse (Priority 4), the Orange Leaf-nosed Bat (Priority 4), the water-rat (Priority 4) and the Saltwater Crocodile (Migratory).</p> <p>From aerial photos the Permit Area does not appear to contain any specific or restricted fauna habitats (such as rocky outcrops, drainage lines, wetlands etc.). All habitats appear to be representative of the surrounding widespread habitat.</p>	<p>SWEK is committed to reducing the impact to fauna habitat as much as practicable. The proposed clearing will result in the removal of up to 7.3 ha of widespread native fauna habitat.</p> <p>Clearing will be undertaken within widespread habitat adjacent to an existing road and agricultural area. It is highly unlikely that the narrow areas of clearing would result in the loss of the whole, or a significant part of a significant fauna habitat.</p> <p>The required native vegetation disturbance is unlikely to prevent access to an area necessary for maintaining a significant fauna habitat.</p>	<p>Implement control measures described above and any significant fauna injuries will be reported.</p>	<p>The proposed clearing is unlikely to be at variance with this principle.</p>
<p>3. Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora</p>			
<p>No significant flora have been recorded within the Permit Area, however targeted searches have not been conducted over the Permit Area.</p>	<p>No known records of significant flora will be impacted by the clearing, and Threatened Flora are unlikely to occur within the Permit Area.</p> <p>The Permit Area may contain Priority Flora individuals, however the clearing will occur within a narrow footprint, within widespread habitat that is well represented in the surrounding area.</p>	<p>Implement control measures described above.</p>	<p>The proposed clearing may be at variance with this principle if Priority Flora are present within the clearing areas.</p>
<p>4. Native vegetation should not be cleared if it comprises the whole or part of, or is necessary for the maintenance of, a Threatened Ecological Community</p>			
<p>The Permit Area does not intersect the boundaries of any known Threatened Ecological Communities or buffer areas. None have been recorded within 50 km of the Permit Area.</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>The proposed clearing is unlikely to be at variance with this principle.</p>
<p>5. Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared</p>			
<p>The Permit Area lies entirely within the Victoria Bonaparte Bioregion, specifically located on the Keep IBRA Subregion. The Keep subregion is the only subregion of the Victoria Bonaparte bioregion.</p> <p>The vegetation in the Permit Area is identified as Vegetation Association 909. Vegetation</p>	<p>The Permit Area does not represent a significant remnant of native vegetation in an extensively cleared area.</p> <p>The proposed clearing will result in the removal of up to 7.3 ha of native vegetation. Clearing of 7.3 ha within the Permit Area represents less than 0.003% of the remaining</p>	<p>Implement control measures described above.</p>	<p>The proposed clearing is unlikely to be at variance with this principle.</p>





Relevant Information	Assessment of potential impacts	Proposed control measures	Outcome - Assessment of variance with clearing principle
<p>Association 909 has 99% of statewide, bioregion and subregion pre-European extent remaining.</p> <p>60% of native vegetation remains within 10 km of the Permit Area due to the proximity to Kununurra and the Ord River Irrigation Area.</p>	<p>extent of Vegetation Association 909 within the Keep subregion, and only 0.03% of the native vegetation within 10 km of the Permit Area.</p>		
6. Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland			
<p>The Permit Area does not intersect any watercourses or wetlands.</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>The proposed clearing is not at variance with this principle.</p>
7. Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation			
<p>The vegetation in the Permit Area is identified as Vegetation Association 909. Vegetation Association 909 has 99% of statewide, bioregion and subregion pre-European extent remaining.</p> <p>60% of native vegetation remains within 10 km of the Permit Area due to the proximity to Kununurra and the Ord River Irrigation Area</p>	<p>Land degradation will be limited to the 7.3 ha of proposed land clearing. The land clearing will be in areas adjacent to other disturbed areas to avoid clearing in undeveloped areas.</p>	<p>Implement control measures described above</p>	<p>The proposed clearing is unlikely to be at variance with this principle.</p>
8. 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			
<p>The Permit Area does not occur within or adjacent to any conservation areas.</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>The proposed clearing is not at variance with this principle.</p>
9. Native vegetation should not be cleared if the clearing is likely to cause deterioration in the quality of surface or underground water			
<p>No significant wetlands are contained within or are in close proximity to the Permit Area.</p>	<p>The proposed clearing is not expected to cause deterioration in the quality of surface or underground water.</p> <p>Potential impacts to surface or groundwater quality as a result of the clearing include sediment loss from disturbed areas and minor hydrocarbon spills.</p> <p>It is unlikely that native vegetation that is growing in, or in association with, an environment associated with a watercourse or wetland will be disturbed to a level that would significantly affect the quality of a watercourse.</p>	<p>Not applicable</p>	<p>The proposed clearing is unlikely to be at variance with this principle.</p>
10. Native vegetation should not be cleared if the clearing is likely to cause, or exacerbate, the incidence or intensity of flooding			





Relevant Information	Assessment of potential impacts	Proposed control measures	Outcome - Assessment of variance with clearing principle
<p>The region is generally dry, with occasional significant rainfall events often associated with wet season rainfall.</p>	<p>Clearing of 7.3 ha of native vegetation adjacent to an existing road network is unlikely to cause, or exacerbate, the incidence or intensity of flooding.</p> <p>Surface water flow during flood conditions would be able to easily maintain its existing regimes.</p> <p>Any sheet flow will be able to pass through with minimal disruption to flow.</p>	<p>Implement the control measures described above.</p>	<p>The proposed clearing is unlikely to be at variance with this principle.</p>





7 SUMMARY AND CONCLUSIONS

The purpose of this NVCP Application is to allow the clearing of up to 7.3 ha of native vegetation.

The following key points are noted:

- Clearing of 7.3 ha within the Permit Area represents less than 0.003% of the remaining extent of Vegetation Association 909 in the Keep subregion;
- The proposed clearing will not impact the following:
 - TECs or PECs;
 - Threatened Flora; or
 - Conservation areas;
- The proposed clearing is unlikely to result in significant impacts to the following:
 - Threatened and Priority Fauna; and
 - Priority Flora.

SWEK has also identified a number of control measures to minimise the impacts to native vegetation. These measures include the following:

- All clearing will be managed under a Ground Disturbance Permit process (or similar);
- The total extent of vegetation clearing is limited to 7.3 ha;
- Clearing areas will be identified prior using GPS coordinates, and boundaries visually identified with pegs;
- All clearing restricted to only what is required for each activity within the proposed Permit Area and undertaken only when required; and
- All vegetation clearing and earth moving equipment will be inspected and cleaned prior to conducting clearing activities, vehicles will be inspected as cleaned as required to prevent the incidental spread of weeds.

This NVCP application assessed the proposed vegetation clearing against the ten clearing principles described in *A Guide to the Assessment of Applications to Clear Native Vegetation* (DER, 2014). As described in Table 6, the proposed clearing may be at variance with one clearing principle due to the potential presence of Priority Flora. It is unlikely however that the clearing of narrow footprints alongside existing roads (within widespread habitat) would result in a significant proportional loss of any species if it was present.





8 GLOSSARY

Term	Meaning
BC Act	<i>Biodiversity Conservation Act 2016</i>
Cth	Commonwealth
DBCA	Department of Biodiversity, Conservation and Attractions
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DER	Department of Environmental Regulation (now Department of Water and Environmental Regulation)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
ha	Hectares
IBRA	Interim Biographical Regionalisation for Australia
km	Kilometres
NVCP	Native Vegetation Clearing Permit
PEC	Priority Ecological Community
Permit Area	Boundary for clearing proposed in this NVCP (Figure 1)
Project	Road Realignment and Intersection Reconstruction
SRE	Short Range Endemic Invertebrates
SWEK	Shire of Wyndham-East Kimberley
TEC	Threatened Ecological Community
WA	Western Australia





9 REFERENCES

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