Department of Mines, Petroleum and Exploration

GOVERNMENT OF WESTERN AUSTRALIA

Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	4532/13
Permit type:	Purpose Permit
Applicant name:	Argyle Diamonds Pty Limited
Application received:	10 July 2025
Application area:	566 hectares
Purpose of clearing:	Closure and decommissioning related activities
Method of clearing:	Mechanical Removal
Tenure:	*Diamond (Argyle Diamond Mines Joint Venture) Agreement Act 1981*, Mining Lease 259SA (AM 70/259) Mining Lease 80/114 Miscellaneous Licences 80/1, 80/11, 80/24 and 80/53
Location (LGA area):	Shire of Wyndham-East Kimberley
Colloquial name:	Argyle Diamond Mine

1.2. Description of clearing activities

Argyle Diamonds Pty Limited proposes to clear up to 566 hectares of native vegetation within a boundary of approximately 8,170 hectares, for the purpose of closure and decommissioning related activities (Argyle Diamonds, 2025; DMIRS, 2022; Appendix A). The project is located approximately 100 kilometres south of Kununurra, within the Shire of Wyndham-East Kimberley (GIS Database).

Clearing permit CPS 4532/1 was granted by the Department of Mines and Petroleum (DMP) on 13 October 2011. The clearing permit authorised the clearing of 50 hectares of native vegetation within a total boundary of 1,900 hectares (DMIRS, 2022).

CPS 4532/1 was amended on 2 August 2012 for the purpose of changing the annual reporting date from 31 July to 30 September each year (DMIRS, 2022).

On 27 December 2012, CPS 4532/2 was amended for the purpose of increasing the permit boundary from approximately 1,900 hectares to 2,608 hectares and changing the purpose of the clearing to infrastructure and operational maintenance (DMIRS, 2022).

CPS 4532/3 was amended on 6 February 2014, to increase the permit boundary by 18.34 hectares to approximately 2,626 hectares (DMIRS, 2022).

CPS 4532/4 was amended on 24 December 2015, to increase the permit boundary from 2,626 hectares to 2,696 hectares (DMIRS, 2022).

CPS 4532/5 was amended on 26 May 2016 to amend the purpose of clearing, amend the period in which clearing is authorised to allow for 15 hectares to be cleared each financial year, and increase the permit boundary (DMIRS, 2022).

CPS 4532/6 was amended on 20 October 2016 for the purposes of increasing the permit boundary, increasing the permitted amount of clearing to 300 hectares, amending the purpose of clearing and amalgamating eight existing permits into one permit (DMIRS, 2022).

CPS 4532/7 was amended on 4 May 2017 for the purpose of increasing the permit boundary by 74.85 hectares (DMIRS, 2022).

CPS 4532/8 was amended on 15 March 2018 for the purpose of increasing the permit boundary by 3.26 hectares to allow for rehabilitation trials on a waste rock dump (DMIRS, 2022).

CPS 4532/9 was amended on 30 June 2021 to increase the amount of clearing authorised to 416 hectares and increase the clearing permit boundary to approximately 7,423.5 hectares. These changes to the permit were to facilitate rehabilitation activities (DMIRS, 2022).

CPS 4532/10 was amended on 2 December 2021 to increase the permit boundary to approximately 8,016.7 hectares. The increase in permit boundary was to facilitate rehabilitation works on the existing waste rock dumps (DMIRS, 2022).

CPS 4532/11 was amended on 14 June 2022 to increase the permit boundary to approximately 8,170 hectares. The increase in permit boundary was to facilitate rehabilitation activities for existing infrastructure (DMIRS, 2022).

On 10 July 2025, the permit holder applied to amend CPS 4532/12 to increase the authorised clearing by 150 hectares from 416 hectares to 566 hectares; extend the period in which clearing is authorised and the permit duration, each by five years; amend the name of the Permit Holder to Argyle Diamonds Pty Limited; and amend the purpose of the permit to closure and decommissioning related activities (Argyle Diamonds, 2025; Appendix A).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	16 December 2025
Decision area:	566 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed, and determined in accordance with sections 51KA(1) 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 two submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (Appendix C), relevant datasets (Appendix F), supporting information provided by the applicant (Appendix A), the clearing principles set out in Schedule 5 of the EP Act (Appendix D), proposed avoidance and minimisation measures (Section 3.1), 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 site closure, decommissioning and rehabilitation.

The assessment identified that the proposed clearing may result in:

- the potential introduction and spread of weeds into adjacent vegetation, which could impact on the quality of the adjacent vegetation and its habitat values;
- impacts to priority ecological communities (PECs) and potential impacts to priority flora;
- potential loss of Gouldian finch breeding habitat;
- loss of supporting habitat for other conservation significant fauna species, including the orange leaf-nosed bat;
- increased risk of fauna injury or mortality;
- clearing of riparian vegetation;
- potential land degradation in the form of erosion; and
- potential deterioration of surface water quality.

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

The Delegated Officer decided to grant a clearing permit subject to conditions to:

- avoid, minimise to reduce the impacts and extent of clearing;
- take hygiene steps to minimise the risk of the introduction and spread of weeds;
- undertake slow, progressive one-directional clearing to allow terrestrial fauna to move into adjacent habitat ahead of the clearing activity;
- if proposing to undertake clearing during the Gouldian finch nesting season, inspect suitable Gouldian finch nesting trees within the application area for hollows, and avoid hollow bearing trees showing signs of nesting use until after nestlings have fledged;
- avoid riparian vegetation where practicable and maintain existing surface water flow;
- conduct activities for which clearing is authorised no later than three months after undertaking clearing to reduce the risk of erosion; and
- retain cleared vegetation and topsoil and rehabilitate cleared areas within 12 months of clearing to ensure flora and fauna habitat is not permanently lost.

The assessment has not changed since the assessment for CPS 4532/12, except in the case of principles (b), (g) and (i).

The Delegated Officer determined that the proposed amendments to increase the authorised clearing by 150 hectares from 416 hectares to 566 hectares; extend the period in which clearing is authorised and the permit duration, each by five years; amend the name of the Permit Holder to Argyle Diamonds Pty Limited; and amend the purpose of the permit to closure and decommissioning related activities are not likely to lead to an unacceptable risk to environmental values.

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)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Mining Act 1978* (WA)
- *Rights in Water and Irrigation Act 1914* (RIWI Act)
- *Diamond (Argyle Diamond Mines Joint Venture) Agreement Act 1981*

Relevant agreements (treaties) considered during the assessment include:

- Japan-Australia Migratory Bird Agreement
- China-Australia Migratory Bird Agreement
- Republic of Korea-Australia Migratory Bird Agreement

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2014)
- *Procedure: Native vegetation clearing permits* (DWER, October 2021)
- Guidance for the Assessment of Environmental Factors – *Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia* (EPA, 2004)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016b)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016a)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2020)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

The applicant has considered alternatives to clearing, but the proposed clearing is required to meet the rehabilitation requirements as per mining tenure conditions, the site's Mine Closure Plan, and stakeholder expectations (Argyle Diamonds, 2025). Areas required to be cleared have been previously disturbed, and clearing required to access and remove infrastructure and then rehabilitate the ground will be minimised where possible (Argyle Diamonds, 2025).

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

A review of current environmental information (Appendix C) reveals that the assessment against the clearing principles has posed a slight change in variance against principles (b), (g) and (i) from the clearing permit decision report CPS 4532/1.

3.2.1. Biological values (ecological communities and flora) - Clearing Principle (a)

Assessment

Priority ecological communities (PECs)

Kimberley Vegetation Association 833

The 'Vegetation Association 833' priority ecological community (PEC) has an extent of approximately 2,759 hectares mapped within the application area (GIS Database). This PEC is threatened by altered fire regimes, over-grazing and weed invasion, at a landscape scale (DBCA, 2023). CPS 4532/13 authorises the clearing of up to 566 hectares of native vegetation. This means a maximum of 20.5 percent of the PEC's extent within the application area is proposed to be cleared. This scale of clearing is unlikely to have a significant impact to this PEC at a landscape scale. However, care should be taken to ensure that weeds are not spread into this area.

Dinnabung Land System

The 'Dinnabung Land System' PEC has an extent of approximately 2,698 hectares mapped within the application area (GIS Database). This PEC is threatened by altered fire regimes, over-grazing and agricultural expansion, at a landscape scale (DBCA, 2023). CPS 4532/13 authorises the clearing of up to 566 hectares of native vegetation. This means a maximum of 21 percent of the PEC's extent within the application area is proposed to be cleared. This scale of clearing is unlikely to have a significant impact to this PEC at a landscape scale.

Argyle Land System of the Kimberley region

The 'Argyle Land System' PEC has an extent of approximately 113 hectares mapped within the application area (GIS Database). This PEC is threatened by over-grazing, agricultural expansion and weed invasion, at a landscape scale (DBCA, 2023). Much of the clearing within this land system is for the removal of linear infrastructure. This clearing will result in an impact to less than one percent of this PEC, and is unlikely to have a significant impact to this PEC at a landscape scale. However, care should be taken to ensure that weeds are not spread into this area.

Gordon Land System

The 'Gordon Land System' PEC has an extent of approximately six hectares mapped within the application area (GIS Database). This clearing will result in an impact to less than one percent of this PEC, and is unlikely to have a significant impact to this PEC at a landscape scale. However, care should be taken to ensure that weeds are not spread into this area, as this PEC is threatened by weed invasion (DBCA, 2023).

Flora

Two priority flora species have been recorded within the application area, *Triodia cremnophila* and *Jacquemontia* sp. Keep River (GIS Database).

Triodia cremnophila (Priority 1) has been recorded growing on waste dumps at the Argyle Diamond Mine (Western Australian Herbarium, 1998-; Western Botanical, 2018). It is highly likely that this species will naturally establish in rehabilitated areas where the waste rock substrate is utilised (Western Botanical, 2018). Therefore, the proposed clearing is unlikely to be significant to the conservation of this species, if the site is rehabilitated.

Jacquemontia sp. Keep River (Priority 1) was recorded within the application area in 2005, and adjacent to the application area in 1990 (Western Australian Herbarium, 1998-; GIS Database). As these areas have been cleared it is unlikely that the recorded flora continue to persist in the application area (GIS Database).

The proposed clearing is unlikely to significantly impact priority flora occurring in the local area. However, care should be taken to ensure that weeds are not spread into this area, and cleared areas shall be rehabilitated to ensure flora habitat is not permanently lost.

Conclusion

Based on the above assessment, the proposed clearing will result in impacts to priority ecological communities (PECs) and potential impacts to priority flora. As all clearing is within areas which have been previously disturbed, and cleared areas will be rehabilitated, the proposed clearing will have a positive impact on flora and vegetation in the long-term (Argyle Diamonds, 2025).

For the reasons set out above, it is considered that the impacts of the proposed clearing on priority ecological communities (PECs) and priority flora species can be managed by taking steps to minimise the risk of the introduction and spread of weeds, and rehabilitating the site to ensure these communities are not permanently lost.

Conditions

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

- take hygiene steps to minimise the risk of the introduction and spread of weeds; and
- retain cleared vegetation and topsoil and rehabilitate cleared areas within 12 months of clearing to ensure flora habitat is not permanently lost.

3.2.2. Biological values (fauna) - Clearing Principles (a) and (b)

Assessment

Wetland birds:

25 wetland bird species potentially occur within the application area, due to the presence of nearby records and suitable habitat within the application area (Appendix C.3). Of these 25, nine species have previously been recorded within the application area (Appendix C.3). Most records of these species within a 50 kilometre radius of the application area come from Lake Argyle and irrigated areas, with other records from major and minor drainage lines (GIS Database). As there is abundant suitable habitat outside of the application area, for these species, it is unlikely that the proposed clearing will have a significant impact on the conservation of wetland birds (ALA, n.d.f; Commonwealth of Australia, 2008; 2020; Cornell University, 2025; Menkhorst et al., 2019; Simpson & Day, 2010; TSSC, 2013; 2019; Wingmate Birds, n.d.; GIS Database).

Other birds:

Fork-tailed swift

The fork-tailed swift (*Apus pacificus*), Migratory, is an aerial species (Commonwealth of Australia, 2008). It has previously been recorded in the application area, and is likely to occur in the airspace above the application area (Stantec, 2019; GIS Database).

Gouldian finch and peregrine falcon

The Gouldian finch (*Chloebia gouldiae*) and the peregrine falcon (*Falco peregrinus*) have been recorded within the application area (GIS Database). These species inhabit a wide range of habitats, and have large ranges, with the Gouldian finch occurring across northern Australia, and the peregrine falcon being a global species (Australian Museum, 2019; NWF, n.d.; O'Malley, 2006; TSSC, 2016).

The Gouldian finch breeds in tree hollows, particularly those of the smooth-barked *Eucalyptus brevifolia* (O'Malley, 2006; TSSC, 2016). Breeding habitat has been in reference sites in the Stantec (2019) survey, and foraging habitat has been recorded within rehabilitation sites. The availability of suitable tree hollows is a limiting factor for Gouldian finch populations at a local scale (STGF, 2013). As it takes approximately 80 to 100 years for suitable breeding cavities to form, and the species has been recorded within the application area, it is recommended that trees that contain suitable breeding cavities are not disturbed (Stantec, 2019; STGF, 2013; GIS Database).

Peregrine falcons lays their eggs in recesses of cliff faces, tree hollows or in the large abandoned nests of other birds (Australian Museum, 2019). Cliffs are generally the preferred habitat for breeding (COSEWIC, 2017). As suitable breeding habitat is likely to occur in the local area, and the peregrine falcon is able to disperse, the proposed clearing is unlikely to be significant for the conservation of this species (DPIRD, 2025).

Grey falcon and letter-winged kite

Both the grey falcon (*Falco hypoleucos*) and the letter-winged kite (*Elanus scriptus*) inhabit open plains with tree-lined watercourses (ALA, n.d.b; Birdlife Australia, n.d.; Garnett & Crowley, 2000). These species are considered possibly occurring, as suitable habitat occurs within the application area (Stantec, 2019).

The grey falcon has been recorded once within the 50 kilometre radius of the application area (GIS Database). This is outside of the species usual distribution, which is areas with an annual rainfall of less than 500 millimetres (Garnett & Crowley, 2000; Olsen & Olsen, 1986). It is unlikely that the application area is significant habitat for the grey falcon.

The letter-winged kite has an irruptive population, dependent on the availability of prey (Birdlife Australia, n.d.). Western Australia is not part of the species' core range, and occurrences are irregular (ALA, n.d.b; Menkhorst et al., 2019; Simpson & Day, 2010). Therefore, it is unlikely that the application area is significant habitat for the species.

Purple-crowned fairy wren (western), red goshawk and oriental cuckoo

These species inhabit woodlands and forests (ALA, n.d.a; Birdlife International, 2021; DCCEEW, 2023; TSSC, 2015). The red goshawk (*Erythrotriorchis radiatus*) and the oriental cuckoo (*Cuculus optatus*) have been recorded on the Ord River, 35.7 and 48.9 kilometres from the application area, respectively (GIS Database). Due to the distance from these records, and the presence of preferred habitat outside of the application area, the red goshawk and the oriental cuckoo are unlikely to be significantly impacted by the proposed clearing. The purple-crowned fairy wren (western) (*Malurus coronatus coronatus*) has been recorded at Lake Argyle, and on minor drainage lines approximately 0.7 kilometres from the application area (GIS Database). Therefore, this species is considered likely to occur within the application area. As the preferred habitat of this species (dense, riparian vegetation) occurs widely in the region, including around Lake Argyle and along major rivers, the proposed clearing is unlikely to be significant for the conservation of this species (ALA, n.d.a; Birdlife International, 2021; GIS Database). However, the potential impacts to this species may be minimised by the implementation of a watercourse vegetation management condition.

Reptiles:

The freshwater crocodile (*Crocodylus johnstoni*), Other Specially Protected, inhabit various freshwater environments, including rivers, creeks, pools, billabongs, lagoons, swamps and flooded plains (Australian Museum, 2020). The freshwater crocodile is known from 13 records within a 50 kilometre radius of the application area (GIS Database). All but one of these records occur at Lake Argyle or the Ord River (GIS Database). There is one record within the application area, which was recorded in the year 2000 (GIS Database). During floods, freshwater crocodiles can move between habitats, but as levels drop they congregate in deeper waters (Australian Museum, 2020). The record at a dam within the application area is likely an anomaly, potentially due to the flooding due to Cyclone Steve, earlier in the year (BoM, n.d.). The impact of the proposed clearing to crocodiles occurring at Lake Argyle is unlikely to be significant.

The crack-dwelling ctenotus (*Ctenotus rimacola camptris*), Priority 1, is endemic to areas of tussock grassland on black-soil (grey cracking clay) plains, which occur extensively in the Ord-Victoria region of northwestern Australia (Horner & Fisher, 1998). The species has been recorded 0.6 kilometres from the application area (GIS Database). The nearest record of this species was recorded in 1980 (GIS Database). Several more recent records have been recorded near the lower Ord River, where the species is threatened by clearing for agriculture (DLPE, 2025). As the application area is outside of the core distribution for this species, the habitat proposed to be cleared is unlikely to be significant to the conservation of this species (DLPE, 2025).

Mammals:

The northern short-tailed mouse (*Leggadina lakedownensis*), Priority 4, is known to occur in tussock grassland habitats with cracking clay soils (CALM, n.d.a; Menkhorst & Knight, 2011). This species has been recorded within the application area (Stantec, 2019; GIS Database). The northern short-tailed mouse is a widespread species, occurring across northern Australia from the Pilbara to Cape York (Menkhorst & Knight, 2011). The species is most abundant on Thevenard and Serrurier Islands, and conservation measures are focussed on maintaining these populations (CALM, n.d.a). As suitable habitat is widespread in the local area, the mouse uses different burrows each night, and they are able to disperse, the clearing of suitable habitat within the application area is unlikely to be significant for the conservation of this species (CALM, n.d.a; DPIRD, 2025). However, slow directional clearing is recommended to allow this species to disperse ahead of the clearing activity if present within the application area.

The orange leaf-nosed bat (*Rhinonicteris aurantia*), Priority 4, inhabits a range of habitats including grassland, open woodland, savannah woodland, and spinifex covered hills (ALA, n.d.d; Queensland Government, 2013). Based on the timing of records, it can be inferred that the species utilises the application area for foraging, rather than roosting (Stantec, 2019). The species was recorded at both control and rehabilitation sites (Stantec, 2019). It is not expected that the proposed clearing will have a significant impact on orange leaf-nosed bat, if the site is rehabilitated.

Rakali (*Hydromys chrysogaster*), Priority 4, occupies habitat in the vicinity of permanent water, be this fresh, brackish or marine (CALM, n.d.b). Rakali has not been recorded within the application area, but is considered potentially occurring due to the presence of suitable habitat (GIS Database). The rakali is threatened by flood mitigation, swamp drainage, predation, and previously hunting (Australian Museum, 2024). The species is unlikely to be significantly impacted by the proposed clearing.

Invertebrates:

A camaenid land snail (eastern Napier Ranges) (*Nanotrachia orientalis*), Vulnerable, inhabits litter on sandstone screes (Köhler & Criscione, 2013). This species has been recorded less than 100 metres from the application area, however, as the nearby records range from 1985 to 1996, the likelihood that this species persists in the area is reduced, additionally, the survey by Stantec (2019) included invertebrate trapping and this species was not recorded (GIS Database). Therefore, it is considered unlikely that this species occurs within the application area.

Conclusion

Based on the above assessment, the proposed clearing will potentially result in the loss of Gouldian finch breeding habitat, and loss of supporting habitat for other conservation significant species, including the orange leaf-nosed bat. The proposed clearing may also result in injury or mortality to fauna occurring within the application area.

For the reasons set out above, it is considered that the impacts of the proposed clearing on Gouldian finch breeding habitat can be managed through a fauna (Gouldian finch) management condition. Other impacts to fauna and their habitats can be minimised through a rehabilitation condition, a directional clearing condition, a watercourse vegetation management condition, and by following avoidance, minimisation and reduction principles to reduce the impacts and extent of clearing.

The applicant may have notification responsibilities under the EPBC Act for impacts to the Gouldian finch and its habitats, as set out in the EPBC Act. 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:

- retain cleared vegetation and topsoil and rehabilitate cleared areas within 12 months of clearing to ensure fauna habitat is not permanently lost;
- avoid, minimise to reduce the impacts and extent of clearing;
- avoid riparian vegetation where practicable and maintain existing surface water flow;
- slow, one directional clearing to allow fauna to move into adjacent vegetation ahead of the clearing activity; and
- if proposing to undertake clearing during the Gouldian finch nesting season, inspect suitable Gouldian finch nesting trees within the application area for hollows, and avoid hollow bearing trees showing signs of nesting use until after nestlings have fledged.

3.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 3 October 2025 by the Department of Mines, Petroleum and Exploration inviting submissions from the public. Two submissions were received in relation to this application.

There are three native title claims (WCD2003/001 - Miriuwung-Gajerrong (Western Australia), WCD2019/005 – Malarngowem and WCD2019/006 - Yurriyangem Taam) over the area under application (DPLH, 2025). These claims have been determined by the Federal Court on behalf of the claimant groups. The mining tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

There are 28 registered Aboriginal Sites of Significance within the application area (DPLH, 2025). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

It is noted that the proposed clearing may impact on the Gouldian finch and its habitats, which are protected matters under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). The proponent may be required to refer the project to the (Commonwealth) Department of Climate Change, Energy, the Environment and Water for environmental impact assessment under the EPBC Act. The proponent is advised to contact the Department of Climate Change, Energy, the Environment and Water for further information regarding notification and referral responsibilities under the EPBC Act.

Other relevant authorisations required for the proposed land use include:

- A Programme of Work approved under the *Mining Act 1978*
- A Mining Proposal / Mine Closure Plan / Mining Development and Closure Proposal approved under the *Mining Act 1978*

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

End

Appendix A. Additional information provided by applicant

Summary of comments	Consideration of comment
After submitting the application, in correspondence with the Department, the applicant confirmed that the amendment is to include: • extending the period in which clearing is authorised and the permit duration, each by five years; • amending the name of the Permit Holder to Argyle Diamonds Pty Limited; and • amending the purpose of the permit to closure and decommissioning related activities.	These changes were included in the amendment of CPS 4532/12.

Appendix B. Details of public submissions

Summary of comments	Consideration of comment
One submission was received, relating to the Argyle Participation Agreement (APA) (Submission, 2025).	The Department issued a written response to this submitter, advising that this is outside of the scope of assessment. It is advised that the submitter should liaise with the applicant to negotiate these requests.
Concerns regarding cultural heritage (Submission, 2025).	These matters are addressed in Section 3.3.
The Shire of Wyndham-East Kimberley raised no concerns with the proposed amendment (Shire of Wyndham-East Kimberley, 2025).	

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 (GIS Database). It is located within the Purnululu subregion of the Ord Victoria Plain Bioregion (GIS Database). The application area is surrounded by a variety of mining operations, including gemstone, iron ore and copper mining operations (GIS Database).
Ecological linkage	The application area is not considered a significant ecological linkage. The vegetation immediately surrounding the application area and the majority of the region remains uncleared (GIS Database).
Conservation areas	The application area is not located within any DBCA legislated conservation areas (GIS Database). The nearest legislated conservation area is the Ord River Regeneration Reserve and approximately 35 kilometres southeast of the application area (GIS Database).
Vegetation description	The vegetation of the application area is broadly mapped as the following Beard vegetation associations: **808**: Curly spinifex with woodland (*Triodia bitextura* with *Eucalyptus phoenicea*, *E. brevifolia*, *Corymbia ferruginea*, *C. dichromophloia*); **816**: Short grasses with scattered trees e.g. Bauhinia and snappy gum (*Enneapogon* spp., *Aristida* spp. with *Lysiphyllum cunninghamii*, *Eucalyptus brevifolia*); **818**: Hummock grassland with scattered bloodwoods & snappy gum (*Triodia* spp., *Corymbia dichromophloia, Eucalyptus leucophloia*); **819**: Mainly ribbon grass with low woodland or scattered trees (e.g. *Eucalyptus terminalis* over *Chrysopogon* spp., *Dichanthium* spp.); **820**: Bloodwood, stringybark over curly spinifex and sorghum (*Corymbia dichromophloia*, *Eucalyptus tetrodonta* over *Triodia bitextura, Sorghum* spp.); **825**: Grey box, cabbage gum over white grass and ribbon grass (*Eucalyptus tectifica, Corymbia grandifolia* over *Sehima nervosum*, *Chrysopogon* spp.); **827**: Hummock grassland with scattered bloodwoods & snappy gum (*Triodia* spp., *Corymbia dichromophloia, Eucalyptus leucophloia*); **833**: Short grasses with scattered trees e.g. Bauhinia and snappy gum (*Enneapogon* spp., *Aristida* spp. with *Lysiphyllum cunninghamii, Eucalyptus brevifolia*); **4000**: Mainly Mitchell grass (*Astrebla* spp.); and **4001**: Mainly ribbon grass with low woodland or scattered trees (e.g. *Eucalyptus terminalis* over *Chrysopogon* spp., *Dichanthium* spp.) (GIS Database). Several flora surveys have been previously conducted by Mattiske (2004) which cover approximately half of the permit area. The majority of the permit area has also been covered by previous vegetation mapping undertaken by Dames and Moore (1982). The following vegetation complexes have been identified which were included as part of the previous versions of the permit:

<table>
<tr><th>Characteristic</th><th>Details</th></tr>
<tr><td></td><td>Dames and Moore vegetation associations and complexes:
Mountain complex;
Riverine complex;
Hill complex;
Plains complex;
Cracking clay plains complex;
Levee/terrace complex;
Frosted bloodwood – steppe woodland association;
Kimberley gum – low tree steppe association; and
Thickets associations (Dames & Moore, 1982).</td></tr>
<tr><td>Vegetation condition</td><td>The vegetation survey, aerial imagery and photographs of the site indicate the vegetation within the proposed clearing area is in excellent to degraded condition (Keighery, 1994).

As the proposed clearing is located within the Northern Botanical Province, these condition ratings have been converted to Trudgen (1991) condition rating scale (GIS Database). Therefore, the vegetation within the proposed clearing area ranges from very good to very poor Trudgen (1991) condition.

The full Trudgen (1991) condition rating scale is provided in Appendix E.</td></tr>
<tr><td>Climate and landform</td><td>The climate of the Purnululu subregion of the Ord Victoria Plain bioregion is described as dry hot tropical, semi-arid with summer rainfall (CALM, 2002). The nearest weather station, Argyle Aerodrome, records an average annual rainfall of 752 millimetres per year (BoM, 2025).

The application area is flat to gently-sloping and mapped at elevations of 150-550 metres Australian height datum (GIS Database). Land system mapping broadly describes the application area as undulating plains with hills, mesas, ridges and plateaux (GIS Database).</td></tr>
<tr><td>Soil description</td><td>The soils within the application area are broadly mapped as the following (DPIRD, 2025):
<table>
<tr><th>Land system</th><th>Description</th></tr>
<tr><td>Antrim system (316An)</td><td>Mesas, buttes, structural benches, and rounded hills on basalt or dolerite supporting bloodwood-southern box and snappy gum sparse low woodlands over arid short grass and hard spinifex</td></tr>
<tr><td>Argyle system (721Ar)</td><td>Gently undulating plains on limestone and shale with black cracking clay soils supporting Mitchell grass and other mid-height grasslands</td></tr>
<tr><td>Argyle system, Dam phase (721ArW_DAM)</td><td>Lake Argyle</td></tr>
<tr><td>Dinnabung system (316Db)</td><td>Gently undulating plains and low rises on limestone and shale supporting grey box-bloodwood woodlands over Tippera tall grass and upland tall grass</td></tr>
<tr><td>Dinnabung system, Dam phase (316DbW_DAM)</td><td>Lake Argyle</td></tr>
<tr><td>Gordon system (721Go)</td><td>Undulating plains on limestone and shale supporting bloodwood-southern box sparse low woodlands over arid short grasses</td></tr>
<tr><td>Ivanhoe system, Dam phase (316IvW_DAM)</td><td>Lake Argyle</td></tr>
<tr><td>Ivanhoe system, Dam phase (721IvW_DAM)</td><td>Lake Argyle</td></tr>
<tr><td>MacPhee system (316Mc)</td><td>Gently undulating plains below low granite hills supporting eucalypt woodlands over upland tall grasses</td></tr>
<tr><td>O'Donnell system (312Od)</td><td>Undulating plains and scattered low hills on granite and gneiss, loamy skeletal soils, supporting snappy gum and bloodwood very open woodlands with arid short grasses and ribbon grass; also minor Mitchell grass grasslands</td></tr>
<tr><td>Wave Hill system (721Wv)</td><td>Undulating basaltic plains with black cracking clay soils supporting Mitchell grass and blue grass grasslands and bloodwood: southern box sparse low woodlands with mixed grass</td></tr>
<tr><td>Weaber system (316Wb)</td><td>Ridges, hogbacks, cuestas, and structural plateaux of sandstone, calcareous sandstone, and conglomerate supporting stringybark-bloodwood woodlands over upland tall grasses</td></tr>
<tr><td>Wickham system (721Wk)</td><td>Ridges, hogbacks, cuestas, and structural plateaux of sandstone, siltstone, and shale supporting snappy gum low woodlands over soft spinifex and curly spinifex</td></tr>
</table></td></tr>
</table>

Characteristic	Details
Land degradation risk	The Gordon land system is highly susceptible to erosion if vegetative cover is removed (Payne & Schoknecht, 2011). Slopes within the MacPhee land system are susceptible to erosion if vegetative cover is removed (Payne & Schoknecht, 2011). The O'Donnell land system is moderately susceptible to erosion (Payne & Schoknecht, 2011). Most of the Ivanhoe land system has low susceptibility to erosion, except for levees, which have moderate susceptibility (Payne & Schoknecht, 2011). The Antrim, Argyle, Dinnabung, Wave Hill, Weaber and Wickham land systems are not generally susceptible to erosion (Payne & Schoknecht, 2011).
Waterbodies	The desktop assessment and aerial imagery indicated that two major, non-perennial watercourses transect the area proposed to be cleared, being Bow River and Smoke Creek (GIS Database). Additionally, several minor, non-perennial watercourses transect the area proposed to be cleared (GIS Database). The application area intercepts Lake Argyle, which is an Environmentally Sensitive Area (ESA) and an internationally important wetland listed under the Ramsar Convention (DCCEEW, 2022; GIS Database).
Hydrogeography	The application area is not within any mapped Public Drinking Water Source Areas (PDWSA) (GIS Database). The nearest PDWSA is the Kununurra Water Reserve located approximately 70 kilometres to the north of the application area (GIS Database). The application area is located within the Ord River and Tributaries Surface Water Area, the Ord River Irrigation District and the Canning-Kimberley Groundwater Area, all proclaimed under the *Rights in Water and Irrigation Act 1914* (GIS Database). The mapped groundwater salinity is 500-1,000 total dissolved solids milligrams per litre, which is described as freshwater (NWGA, 2023; GIS Database).
Flora	There are records of 53 priority flora located within a 50 kilometre radius of the application area (GIS Database). Two priority flora species (*Jacquemontia* sp. Keep River and *Triodia cremnophila*) have been recorded within the application area (GIS Database).
Ecological communities	Four priority ecological communities (PECs) are mapped within the application area (GIS Database). These PECs are listed in Appendix C.4 and potential impacts to these PECs are discussed in Section 3.2.1.
Fauna	There are records of 41 conservation significant fauna located within a 50 kilometre radius of the application area (GIS Database). 14 of these have been recorded within the application area (GIS Database). See Appendix C.3 for the full list of conservation significant fauna species considered.

C.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 - Ord Victoria Plain	5,497,881.46	5,493,144.00	~99	940,518.57	17.11
Beard vegetation associations - State					
808	1,201,800.25	1,201,483.04	~99	10,602.55	0.88
816	132,973.51	132,853.40	~99	76,539.22	57.56
818	33,259.81	32,969.24	~99	-	-
819	38,133.37	37,451.96	~98	-	-
820	59,638.81	59,407.23	~99	-	-
825	64,206.40	64,160.99	~99	-	-
827	81,396.82	81,308.67	~99	49,253.52	60.51

833	38,674.88	37,916.18	~98	-	-
4000	150,829.04	149,836.27	~99	-	-
4001	56,043.47	55,704.86	~99	-	-
Beard vegetation associations - Bioregion (Ord Victoria Plain)					
808	4,136.67	4,136.67	~99	-	-
816	89,542.91	89,422.79	~99	76,539.22	85.48
818	33,174.04	32,883.47	~99	-	-
819	30,659.49	29,978.09	~98	-	-
820	5,305.28	5,078.06	~96	-	-
825	22,590.30	22,555.36	~99	-	-
827	81,301.90	81,301.90	~99	49,253.52	60.58
833	38,497.64	37,738.94	~98	-	-
4000	102,486.50	101,606.79	~99	-	-
4001	30,112.60	29,909.99	~99	-	-

Government of Western Australia (2019)

C.3. Fauna analysis table

The following conservation significant fauna species have been recorded within 50 kilometres of the application area (GIS Database). The likelihood of occurrence for these species were determined by potentially suitable habitat within the application area, species distribution, biological survey information and known regional records (ALA, n.d.a; n.d.b; n.d.c; n.d.d; n.d.e; n.d.f; Australian Museum, 2019; 2020; Birdlife Australia, n.d.; Birdlife International, 2021; CALM, n.d.a; n.d.b; Commonwealth of Australia, 2008; 2020; Cornell University, 2025; DCCEEW, 2023; 2025; DPIRD, 2025; Garnett & Crowley, 2000; Gomon & Bray, 2020; Horner & Fisher, 1998; Köhler & Criscione, 2013; Menkhorst et al., 2019; O'Malley, 2006; Queensland Government, 2013; Simpson & Day, 2010; Stantec, 2019; Stroede, n.d.; TSSC, 2013; 2015; 2016; 2019; Wingmate Birds, n.d.; GIS Database).

Species name	**Conservation status**		**Suitable habitat features? [Y/N]**	**Distance of closest record to application area (km)**	**Likelihood of occurrence**
	WA	**EPBC**			
Wetland Birds					
Australian little bittern (*Botaurus dubius*)	P4	-	Y	0	Recorded within application area - discussed in Section 3.2.2
Australian painted snipe (*Rostratula australis*)	EN	EN	Y	0	Recorded within application area - discussed in Section 3.2.2
Caspian tern (*Hydroprogne caspia*)	MI	MI	Y	0	Recorded within application area - discussed in Section 3.2.2
Common greenshank (*Tringa nebularia*)	MI	MI	Y	0	Recorded within application area - discussed in Section 3.2.2
Common sandpiper (*Actitis hypoleucos*)	MI	MI	Y	0	Recorded within application area - discussed in Section 3.2.2
Glossy ibis (*Plegadis falcinellus*)	MI	MI	Y	0	Recorded within application area - discussed in Section 3.2.2
Marsh sandpiper (*Tringa stagnatilis*)	MI	MI	Y	0	Recorded within application area - discussed in Section 3.2.2
Osprey (*Pandion haliaetus*)	MI	MI	Y	0	Recorded within application area - discussed in Section 3.2.2
Wood sandpiper (*Tringa glareola*)	MI	MI	Y	0	Recorded within application area - discussed in Section 3.2.2

Species name	Conservation status		Suitable habitat features? [Y/N]	Distance of closest record to application area (km)	Likelihood of occurrence
	WA	EPBC			
Sharp-tailed sandpiper (*Calidris acuminata*)	MI	MI & VU	Y	<3.2	Likely - discussed in Section 3.2.2
Red-necked stint (*Calidris ruficollis*)	MI	MI	Y	<4.5	Likely - discussed in Section 3.2.2
Oriental pratincole (*Glareola maldivarum*)	MI	MI	Y	<4.5	Likely - discussed in Section 3.2.2
White-winged black tern (*Chlidonias leucopterus*)	MI	MI	Y	<4.5	Likely - discussed in Section 3.2.2
Black-tailed godwit (*Limosa limosa*)	MI	MI	Y	<5	Likely - discussed in Section 3.2.2
Little curlew (*Numenius minutus*)	MI	MI	Y	<5.1	Likely - discussed in Section 3.2.2
Gull-billed tern (*Gelochelidon nilotica*)	MI	MI	Y	<5.4	Likely - discussed in Section 3.2.2
Oriental plover (*Charadrius veredus*)	MI	MI	Y	<8.4	Likely - discussed in Section 3.2.2
Long-toed stint (*Calidris subminuta*)	MI	MI	Y	<10.7	Likely - discussed in Section 3.2.2
Curlew sandpiper (*Calidris ferruginea*)	CR	CR & MI	Y	<10.9	Likely - discussed in Section 3.2.2
Australasian bittern (*Botaurus poiciloptilus*)	EN	EN	Y	<13	Likely - discussed in Section 3.2.2
Grey-tailed tattler (*Tringa brevipes*)	P4 & MI	MI	Y	<36.2	Possible - discussed in Section 3.2.2
Pacific golden plover (*Pluvialis fulva*)	MI	MI	Y	<45.4	Possible - discussed in Section 3.2.2
Common tern (*Sterna hirundo*)	MI	MI	Y	<47.1	Possible - discussed in Section 3.2.2
Swinhoe's snipe (*Gallinago megala*)	MI	MI	Y	<48.3	Possible - discussed in Section 3.2.2
Yellow wagtail (*Motacilla flava*)	MI	MI	Y	<48.9	Possible - discussed in Section 3.2.2
Other Birds					
Fork-tailed swift (*Apus pacificus*)	MI	MI	Y	0	Recorded within application area - discussed in Section 3.2.2
Gouldian finch (*Chloebia gouldiae*)	P4	EN	Y	0	Recorded within application area - discussed in Section 3.2.2
Peregrine falcon (*Falco peregrinus*)	OS	-	Y	0	Recorded within application area - discussed in Section 3.2.2
Purple-crowned fairy-wren (western) (*Malurus* coronatus coronatus)	EN	EN	Y	<0.7	Likely - discussed in Section 3.2.2
Red goshawk (Erythrotriorchis radiatus)	VU	VU	Y	<35.7	Possible - discussed in Section 3.2.2
Letter-winged kite (*Elanus scriptus*)	P4	-	Y	<48.3	Possible - discussed in Section 3.2.2
Grey falcon (*Falco hypoleucos*)	VU	-	Y	<48.5	Possible - discussed in Section 3.2.2
Oriental cuckoo (*Cuculus optatus*)	MI	MI	Y	<48.9	Possible - discussed in Section 3.2.2
Reptiles					
Freshwater crocodile (*Crocodylus johnstoni*)	OS	-	Y	0	Recorded within application area - discussed in Section 3.2.2

Species name	Conservation status		Suitable habitat features? [Y/N]	Distance of closest record to application area (km)	Likelihood of occurrence
	WA	EPBC			
Crack-dwelling ctenotus (*Ctenotus rimacola camptris*)	P1	-	Y	<0.6	Likely - discussed in Section 3.2.2
Mammals					
Northern short-tailed mouse (*Leggadina lakedownensis*)	P4	-	Y	0	Recorded within application area - discussed in Section 3.2.2
Orange leaf-nosed bat (*Rhinonicteris aurantia*)	P4	-	Y	<16.2	Likely - discussed in Section 3.2.2
Rakali (*Hydromys chrysogaster*)	P4	-	Y	<37.8	Possible - discussed in Section 3.2.2
Rock ringtail possum (*Petropseudes dahli*)	P3	-	Y	<49.8	Unlikely
Invertebrates					
A camaenid land snail (eastern Napier Ranges) (*Nanotrachia orientalis*)	VU	-	Y	<0.1	Unlikely - discussed in Section 3.2.2
Fish					
Drysdale grunter (*Syncomistes rastellus*)	P2	-	N	<1.6	Unlikely

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

C.4. Ecological community analysis table

The following priority ecological communities have been mapped within the application area (GIS Database).

Community name	Abbreviated community name	Conservation status	Area within permit boundary (hectares)
Kimberley Vegetation Association 833	Vegetation Association 833	P3	2,759
Dinnabung Land System	Dinnabung Land System	P3	2,698
Argyle Land System of the Kimberley region	Argyle Land System	P3	113
Gordon Land System	Gordon Land System	P3	6

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 and conservation significant fauna. Four priority ecological communities (PECs) occur within the application area (GIS Database).	May be at variance (as per CPS 4532/12)	Yes *Refer to Section 3.2.1 and Section 3.2.2, 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:	May be at variance (changed from CPS 4532/12)	Yes *Refer to Section 3.2.2, above.*

Assessment against the clearing principles	Variance level	Is further consideration required?
The area proposed to be cleared may contain breeding habitat for Gouldian finch. Other conservation significant fauna may be impacted through loss of supporting habitat, or injury or mortality due to mechanical clearing.		
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: The area proposed to be cleared is unlikely to contain flora species listed under the BC Act, given that there have been no records of threatened flora within a 50 kilometre radius of the application area (GIS Database).	Not likely to be at variance (as per CPS 4532/12)	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: There are no known Threatened Ecological Communities (TECs) located within or in close proximity to the application area (GIS Database).	Not likely to be at variance (as per CPS 4532/12)	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 is consistent with the national objectives and targets for biodiversity conservation in Australia (Commonwealth of Australia, 2001; Appendix C.2). The vegetation proposed to be cleared is not considered to be part of a significant ecological linkage in the local area.	Not at variance (as per CPS 4532/12)	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 (approximately 35 kilometres) to the nearest conservation area, the proposed clearing is not likely to have an impact on the environmental values of nearby conservation areas (GIS Database).	Not likely to be at variance (as per CPS 4532/12)	No
Environmental value: land and water resources		
Principle (f): *"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."* Assessment: The proposed clearing will impact Lake Argyle, which is an Environmentally Sensitive Area (ESA) and an internationally important wetland listed under the Ramsar Convention, as well as several non-perennial watercourses, including Bow River and Smoke Creek (DCCEEW, 2022; GIS Database). The temporary clearing of a narrow strip of vegetation is not likely to have a significant impact on the environmental values of Lake Argyle. However, care should be taken to ensure that weeds are not spread into these areas. Condition: To address the above impact, the following management measures will be required as a condition on the clearing permit: • take hygiene steps to minimise the risk of the introduction and spread of weeds; and • avoid riparian vegetation where practicable and maintain existing surface water flow.	At variance (as per CPS 4532/12)	No
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The Gordon, MacPhee and O'Donnell land systems, mapped within the application area, are susceptible to erosion (DPIRD, 2025; Payne & Schoknecht, 2011).	May be at variance (changed from CPS 4532/12)	No

Assessment against the clearing principles	Variance level	Is further consideration required?
The proposed clearing may result in land degradation, however the potential impacts may be minimised by the implementation of a staged clearing condition and a watercourse vegetation management condition. Condition: To address the above impact, the following management measures will be required as a condition on the clearing permit: • conduct activities for which clearing is authorised no later than three months after undertaking clearing to reduce the risk of erosion; and • avoid riparian vegetation where practicable and maintain existing surface water flow.		
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: **Surface water** Watercourses within the application area drain to Lake Argyle, which is an Environmentally Sensitive Area (ESA) and an internationally important wetland listed under the Ramsar Convention (DCCEEW, 2022; GIS Database). Siltation is caused by soil erosion and can lead to a decline in surface water quality (DER, 2014; CRC, 2025). As soils within the application area are susceptible to erosion, the proposed clearing has the potential to cause the deterioration of surface water quality (DPIRD, 2025; Payne & Schoknecht, 2011). **Underground water** Groundwater recharge from the Ord River is generally low-salinity (O'Boy et al., 2001). The scale of clearing (566 hectares within a boundary of approximately 8,170 hectares) is unlikely to significantly change groundwater salinity in the region. Condition: To address the above impact, the following management measures will be required as a condition on the clearing permit: • conduct activities for which clearing is authorised no later than three months after undertaking clearing to reduce the risk of erosion; and • avoid riparian vegetation where practicable and maintain existing surface water flow.	May be at variance (changed from CPS 4532/12)	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 application area experiences a dry hot tropical, semi-arid with summer rainfall (CALM, 2002). The annual evaporation rate greatly exceeds the annual rainfall (BoM, 2006; 2025). The application area is located within the Upper Ord River catchment area (86,361,695 hectares) (GIS Database). The proposed clearing of up to 566 hectares of native vegetation is not likely to significantly impact on the drainage characteristics of the catchment or increase the potential for flooding within the application area.	Not likely to be at variance (as per CPS 4532/12)	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.

Condition	Description
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.
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. Sources of information

F.1. GIS datasets

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

- 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 Schemes Pending (DWER-121)
- EPA Referred Significant Proposals (DWER-120)
- EPA Referred Significant Proposals Pending (DWER-103)
- Geographic Names (GEONOMA) (LGATE-013)
- Groundwater Salinity Statewide (DWER-026)
- Hydrographic Catchments - Catchments (DWER-028)
- IBRA Vegetation Statistics
- IBSA Survey Details (DWER-118)
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Medium Scale Topo Contour (Line) (LGATE-015)
- Medium Scale Topo Water (Line) (LGATE-018)
- Medium Scale Topo Water (Polygon) (LGATE-016)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)
- 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
- Wild Rivers (DWER-087)

Restricted GIS Databases used:

- Threatened and Priority Flora (TPFL)
- Threatened and Priority Flora (WAHerb)
- Threatened and Priority Fauna
- Threatened and Priority Ecological Communities
- Threatened and Priority Ecological Communities (Buffers)

F.2. References

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4. Glossary

Acronyms:

BC Act	*Biodiversity Conservation Act 2016,* Western Australia
BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DCCEEW	Department of Climate Change, Energy, the Environment and Water, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
DEMIRS	Department of Energy, Mines, Industry Regulation and Safety (now DMPE)
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia (now DMPE)
DMP	Department of Mines and Petroleum, Western Australia (now DMPE)
DMPE	Department of Mines, Petroleum and Exploration
DoEE	Department of the Environment and Energy (now DCCEEW)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	*Environmental Protection Act 1986*, Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia
IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	*Rights in Water and Irrigation Act 1914*, Western Australia

TEC Threatened Ecological Community

Definitions:

DBCA (2023) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia:

Threatened species

T Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under section 19(1), or is a rediscovered species to be regarded as threatened species under section 26(2) of the Biodiversity Conservation Act 2016 (BC Act).

Threatened fauna is the species of fauna that are listed as critically endangered, endangered or vulnerable threatened species.

Threatened flora is the species of flora that are listed as critically endangered, endangered or vulnerable threatened species.

The assessment of the conservation status of threatened species is in accordance with the BC Act listing criteria and the requirements of Ministerial Guideline Number 1 and Ministerial Guideline Number 2 that adopts the use of the International Union for Conservation of Nature (IUCN) Red List of Threatened Species Categories and Criteria, and is based on the national distribution of the species.

CR **Critically endangered species**

Threatened species considered to be "*facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines.

EN **Endangered species**

Threatened species considered to be "*facing a very high risk of extinction in the wild in the near future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as endangered under section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines.

VU **Vulnerable species**

Threatened species considered to be "*facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with criteria set out in the ministerial guidelines*".

Listed as vulnerable under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines.

Extinct species

Listed by order of the Minister as extinct under section 23(1) of the BC Act as extinct or extinct in the wild.

EX **Extinct species**

Species where "*there is no reasonable doubt that the last member of the species has died*", and listing is otherwise in accordance with the ministerial guidelines (section 24 of the BC Act).

EW **Extinct in the wild species**

Species that *"is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its life cycle and form*", and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).

Currently there are no threatened fauna or threatened flora species listed as extinct in the wild.

Specially protected species

SP **Specially protected species**

Listed by order of the Minister as specially protected under section 13(1) of the BC Act. Meeting one or more of the following categories: species of special conservation interest; migratory species; cetaceans; species subject to international agreement; or species otherwise in need of special protection.

Species that are listed as threatened species (critically endangered, endangered, or vulnerable) or extinct species under the BC Act cannot also be listed as specially protected species.

MI **Migratory species**

Fauna that periodically or occasionally visit Australia or an external Territory or the exclusive economic zone; or the species is subject of an international agreement that relates to the protection of migratory species and that

binds the Commonwealth; and listing is otherwise in accordance with the ministerial guidelines (section 15 of the BC Act).

Migratory species include birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) or The Republic of Korea (ROKAMBA), and fauna subject to the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention), an environmental treaty under the United Nations Environment Program. Migratory species listed under the BC Act are a subset of the migratory animals, that are known to visit Western Australia, protected under the international agreements or treaties, excluding species that are listed as Threatened species.

CD **Species of special conservation interest (conservation dependent fauna)**

Species of special conservation need that are dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened, and listing is otherwise in accordance with the ministerial guidelines (section 14 of the BC Act).

Currently only fauna are listed as species of special conservation interest.

OS **Other specially protected species**

Species otherwise in need of special protection to ensure their conservation, and listing is otherwise in accordance with the ministerial guidelines (section 18 of the BC Act).

Currently only fauna are listed as species otherwise in need of special protection.

Priority species

P **Priority species**

Priority is not a listing category under the BC Act. The Priority Flora and Fauna lists are maintained by the department and are published on the department's website.

All fauna and flora are protected in WA following the provisions in Part 10 of the BC Act. The protection applies even when a species is not listed as threatened or specially protected, and regardless of land tenure (State managed land (Crown land), private land, or Commonwealth land).

Species that may possibly be threatened species that do not meet the criteria for listing under the BC Act because of insufficient survey or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of prioritisation for survey and evaluation of conservation status so that consideration can be given to potential listing as threatened.

Species that are adequately known, meet criteria for near threatened, or are rare but not threatened, or that have been recently removed from the threatened species list or conservation dependent or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species require regular monitoring.

Assessment of priority status is based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.

P1 **Priority One - Poorly-known species – known from few locations, none on conservation lands**

Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, for example, agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation.

Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements for threatened listing and appear to be under immediate threat from known threatening processes. These species are in urgent need of further survey.

P2 **Priority Two - Poorly-known species – known from few locations, some on conservation lands**

Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, for example, national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation.

Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements for threatened listing and appear to be under threat from known threatening processes. These species are in urgent need of further survey.

P3 **Priority Three - Poorly-known species – known from several locations**

Species that are known from several locations and the species does not appear to be under imminent threat or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat.

Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. These species need further survey.

P4 **Priority Four - Rare, Near Threatened and other species in need of monitoring**

(a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection but could be if present circumstances change. These species are usually represented on conservation lands.

(b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for vulnerable but are not listed as a conservation dependent specially protected species.

(c) Species that have been removed from the list of threatened species or lists of conservation dependent or other specially protected species, during the past five years for reasons other than taxonomy.

(d) Other species in need of monitoring.

Principles for clearing native vegetation:

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna.

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora.

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

(j) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.