GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 5692/2

File Number: DWERVT21073

Duration of Permit: From 29 November 2014 to 29 November 2031

PERMIT HOLDER

Shire of Esperance

LAND ON WHICH CLEARING IS TO BE DONE

Lot 50 on Deposited Plan 411486, Bandy Creek

AUTHORISED ACTIVITY

The permit holder must not clear more than 11.48 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. Period during which clearing is authorised

The permit holder must not clear any *native vegetation* after 29 November 2024.

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

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

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

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

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

3. Weed and dieback management

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

and *dieback*:

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

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

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

4. Revegetation and Rehabilitation - Retain vegetative material and topsoil

In relation to the area cross hatched red on Figure 2 of Schedule 1, the Permit Holder shall:

(a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.

(b) at an optimal time following clearing authorised under this Permit, *revegetate* and *rehabilitate* the cleared area(s) by:

(i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;

(ii) ripping the ground on the contour to remove soil compaction; and

(iii) laying the vegetative material and topsoil retained under condition 4(a) on the cleared area;

(iv) deliberately *planting* and/or *direct seeding native vegetation* that will result in a similar species composition, structure and density of *native vegetation* to pre-clearing vegetation types in that area; and

(v) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.

(c) within 24 months of laying the vegetative material and topsoil on the cleared area(s) in accordance with condition 4(b) of this Permit:

(i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and

(ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 4(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding native vegetation* that will result in a similar species composition, structure and density of *native vegetation* to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.

(d) Where additional *planting* or *direct seeding* of *native vegetation* is undertaken in accordance with condition 4(c)(ii) of this permit, the Permit Holder shall repeat

condition 4(c)(i) and 4(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of *native vegetation.*

(e) Where a determination is made by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 4(c)(i) and (ii) of this permit, that determination shall be submitted for the *CEO*'s consideration. If the *CEO* does not agree with the determination made under condition 4(c)(ii), the *CEO* may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 4(c)(ii).

5. Period in which revegetation and rehabilitation is authorised

Revegetation and *rehabilitation* required by condition 4 of this Permit must commence no later than 31 July 2027 and be completed by 29 August 2031.

6. Records that must be kept

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

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	(a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 2; and (f) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 3.
2.	In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 4 of this Permit:	(a) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical

No.	Relevant matter	Specifications
		coordinates in Eastings and Northings or decimal degrees; (b) a description of the *revegetation* and *rehabilitation* activities undertaken; (c) the date/s on which the *revegetation* and *rehabilitation* as undertaken; (d) the size of the area *revegetated* and *rehabilitated* (in hectares); (e) the species composition, structure and density of *revegetation* and *rehabilitation;* and (f) a copy of the *environmental specialist*'s report.

7. Reporting

(a) The Permit Holder must provide to the *CEO* on or before 30 June of each year, a written report:

(i) of records required under condition 6 of this Permit; and

(ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.

(b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the *CEO* on or before 30 June of each year.

(c) Prior to 29 August 2031, the Permit Holder must provide to the *CEO* a written report of records required under condition 6 of this Permit where these records have not already been provided under condition 7(a) of this Permit.

DEFINITIONS

In this permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*.
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
dieback	means the effect of *Phytophthora* species on native vegetation.

Term	Definition
department	means the department established under section 35 of the *Public Sector Management Act 1994* (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
direct seeding	The method of re-establishing vegetation by sowing seed directly onto the soil surface or into prepared soil, rather than planting tube stock.
environmental specialist	means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of two (2) years work experience relevant to the type of environmental advice that an environmental specialist is required to provide under this permit, or who is approved by the CEO as a suitable environmental specialist.
EP Act	*Environmental Protection Act 1986* (WA)
fill	means material used to increase the ground level, or to fill a depression
local provenance	means native vegetation seeds and propagating material from natural sources within 50 kilometres and the same IBRA subregion of the area cleared.
mulch	means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
rehabilitate/ed/ing/ion	means the re-establishment of a cover of local provenance native vegetation in an area using methods such as natural regeneration, direct seeding and/or planting, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
revegetate/ed/ing/ion	means actively managing an area containing native vegetation in order to improve the ecological function of that area.
optimal time	means the period from April to June for undertaking *direct seeding* and the period from May to July for undertaking *planting*.
weeds	means any plant – (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.

END OF CONDITIONS

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Caitlin Conway
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

2 April 2026

SCHEDULE 1

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

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

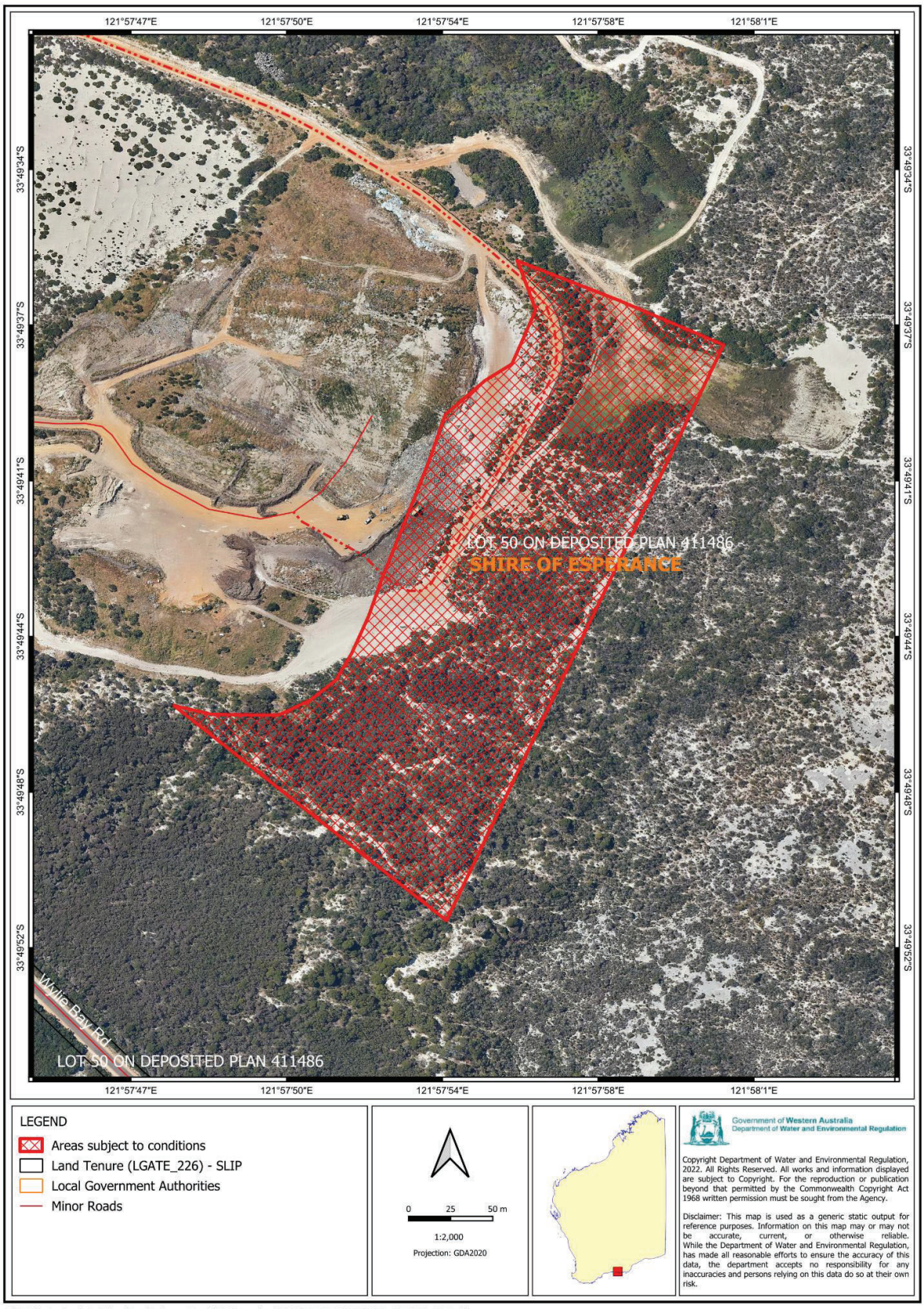

Figure 2: Map of the boundary of the area within which conditions apply

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 5692/2
Permit type:	Area permit
Applicant name:	Shire of Esperance
Application received:	03 February 2026
Application area:	11.48 hectares of native vegetation
Purpose of clearing:	Rehabilitation and expansion of the Wylie Bay Landfill site
Property:	Lot 50 on Deposited Plan 411486, Bandy Creek
Location (LGA area/s):	Shire of Esperance
Localities (suburb/s):	Bandy Creek

1.2. Description of clearing activities

An application to amend CPS 5692/1 was submitted to the Department of Water and Environmental Regulation (the department) on 03 February 2026 (Shire of Esperance, 2026). The purpose of the amendment is to:

- extend the duration of the clearing permit by an additional two years to allow sufficient time for the revegetation and rehabilitation works required under the permit to commence and be completed; and
- amend Condition 4 of the clearing permit to extend the timeframe permitted for revegetation and rehabilitation activities to commence.

The amended permit also contains minor changes to reflect current department standards.

The proposed amendment seeks only to extend the duration of the permit by a further two years with the amount of clearing authorised unchanged. A total of 7.014 hectares has been cumulatively cleared under CPS 5692/1. No clearing is permitted to occur after the 29 November 2024 (Shire of Esperance, 2026).

1.3. Decision on application

Decision:	Granted
Decision date:	2 April 2026
Decision area:	11.48 hectares of native vegetation, as depicted in Section 1.5, below.

1.4. Reasons for decision

This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department advertised the application for 7 days and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (see Appendix C), relevant datasets (see Appendix H.1), relevant planning instruments and any other matters considered relevant to the assessment (see Section 3).

The Delegated Officer further noted that, as all required clearing has already been completed and the Shire of Esperance is not proposing any additional clearing, a detailed assessment against the ten clearing principles outlined in Schedule 5 of the EP Act 1986 was not required for this amendment application.

1.5. Site map

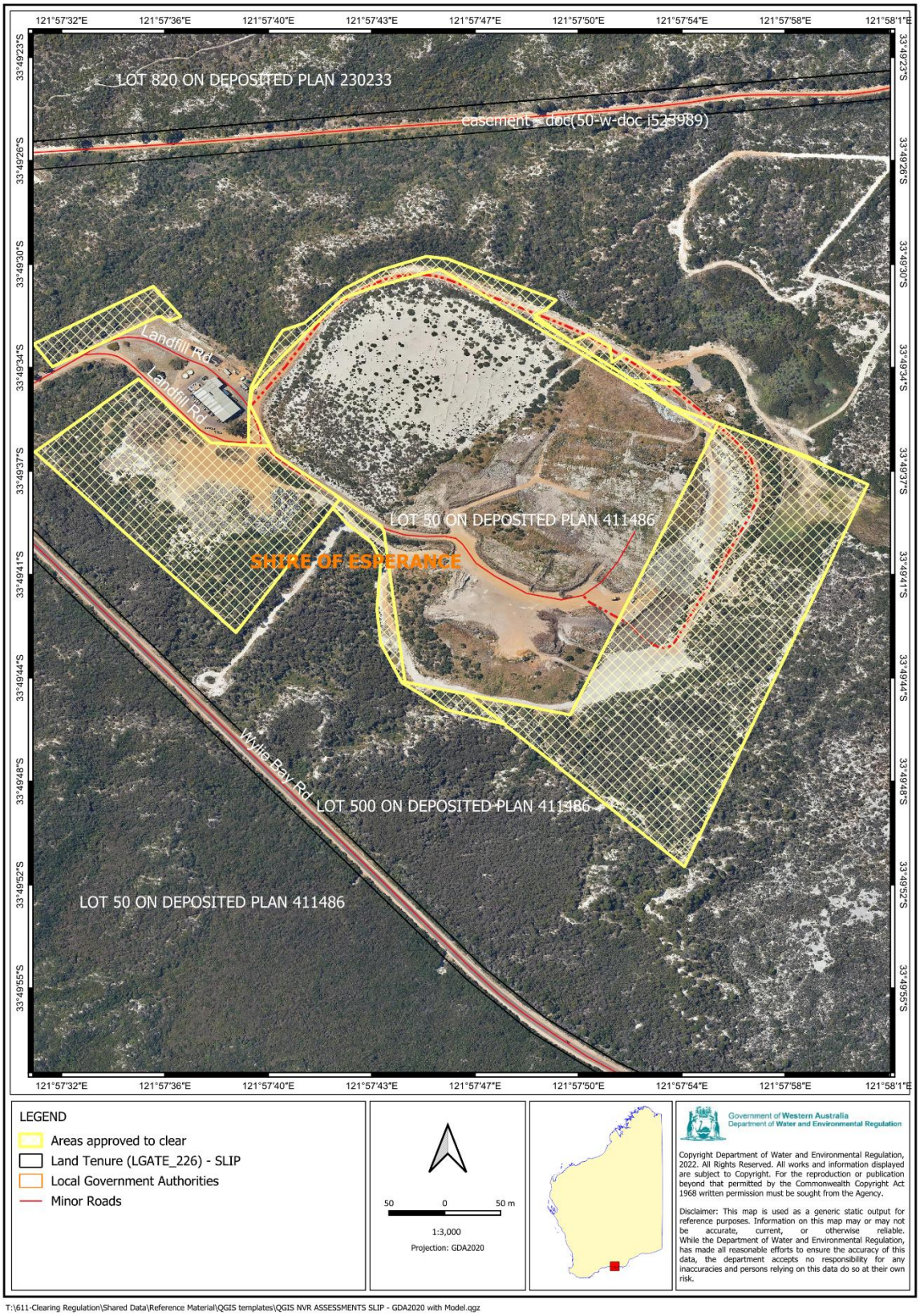

Figure 1 Map of the application area

The area crosshatched yellow indicate the area authorised to be cleared under the granted clearing permit.

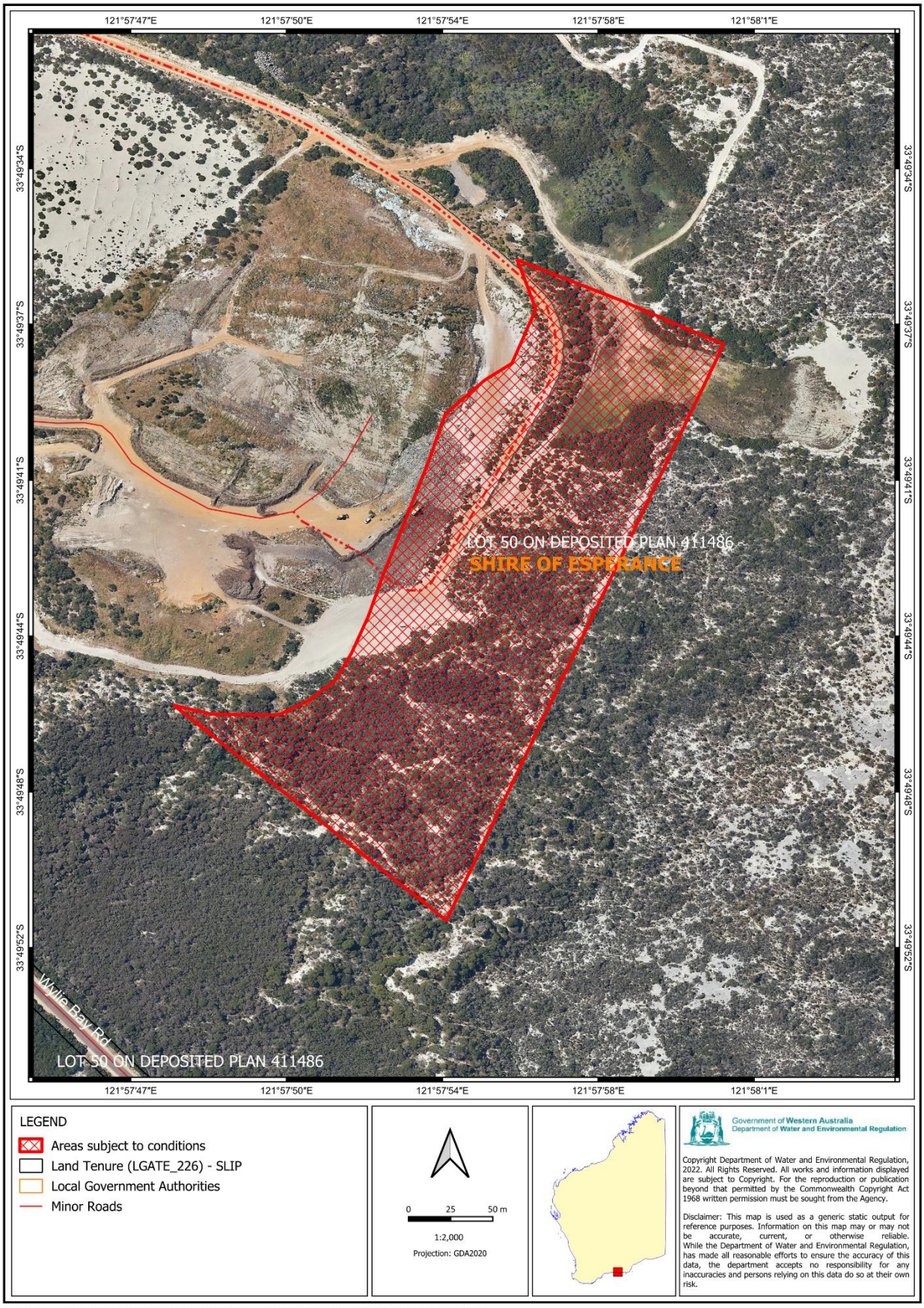

Figure 2 Map of the revegetation/rehabilitation area

The area crosshatched red indicates the area subject to revegetation and rehabilitation conditions.

2 Background

The current Purpose Permit CPS 5692/1, granted to the Shire of Esperance on 30 October 2014, authorises the mechanical clearing of 11.48 hectares of native vegetation for the rehabilitation of the Wylie Bay Landfill site and the future expansion of waste management facilities. According to the permit conditions, the Shire of Esperance was authorised to undertake clearing until 29 November 2024 under CPS 5692/1. The Shire has not sought to extend the duration of the authorised clearing period, as all required clearing activities have already been completed.

Details of the assessment against the clearing principles for this area are provided in the Clearing Permit Decision Report CPS 5692/1 available from 5692 - Permit Plan and Decision Report.pdf. Following this assessment, the department approved the permit subject to several conditions.

Condition 4 requires the permit holder to revegetate portions of the clearing area not required for community drop-off and recycling operations, nor for landfill closure and maintenance activities. This condition specifies that revegetation and rehabilitation works must commence no later than 31 July 2025 and be completed by 29 August 2029.

The Shire has advised the department that Phase two of the Wylie Bay Sanitary Landfill Site (L6882/1997/13) has remained operational longer than anticipated, resulting in closure and capping works falling behind the original schedule. Consequently, revegetation and rehabilitation works are unlikely to commence until approximately 24 months after the original start date (Shire of Esperance, 2026). Clearing undertaken under CPS 5692/1 was intended to provide capping and cover material for the landfill, and suitable sand remains on site for future use.

Given these delays, the Shire is unable to meet the requirement to commence revegetation and rehabilitation works by 31 July 2025. Accordingly, the Shire is seeking a two-year extension to the permit duration to allow the remaining revegetation obligations to be implemented in accordance with the clearing permit conditions (Shire of Esperance, 2026).

3 Assessment

As described in the decision report for CPS 5691/1, the department considered the clearing was not likely to be at variance with all clearing principles, except principle (g): ‘Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation’. It is noted the majority of this area in which revegetation of cleared area was required to occur was not cleared and contains remnant vegetation, as the applicant has minimised the amount of clearing conducted in this area. Noting the extent of clearing that has taken place in this area, the Delegated Officer considered that land degradation impacts are minimal in this area, and delaying the time until revegetation occurs will not result in unacceptable environmental impacts.

4 Relevant planning instruments and other matters

The applicant did not commence revegetation and rehabilitation by the date specified in CPS 5692/1 (31 July 2025). However, the existing non-compliance with Condition 4 does not preclude the granting of the proposed amendment (DWER, 2026).

End

Appendix C. Site characteristics

C.1. Site characteristics

Characteristic	Details
Local context	The application area is within the Esperance Sand Plains Bioregion. This bioregion has approximately 50 per cent of its native vegetation cleared, largely for the purpose of agriculture. This area is surrounded by remnant vegetation and the coastline. Spatial data and aerial imagery indicate that the local area (20 kilometres radius of the application area) retains approximately 39 per cent of the original native vegetation cover.
Ecological linkage	The application area is within the south coast macro corridor (strategic Zone A) and not part of any other formal ecological linkages.
Conservation areas	The closest mapped conservation area is Mullet Lake Nature Reserve located approximately 1.4 kilometres from the application area.
Vegetation description	The application area is mapped as Beard vegetation association 42 and 129, both of which are well represented in the Esperance Plains Bioregion with 95 per cent of the pre-European extent of the vegetation association 42 and 96 per cent of the pre-European extent of vegetation association 129 currently remaining. The application area comprised of mallee and acacia shrubland (DWER, 2014).
Vegetation condition	The condition of the vegetation within the application area was established through aerial photography, and it was determined that the appllication area comprised of native vegetation in a degraded to excellent (Keighery 1994) condition (DWER, 2014). The full Keighery (1994) condition rating scale is provided in Appendix D.
Climate and landform	The application area is located approximately 570 metres north of the coastal waterline. The application area is located at sea level, within flat terrain. Chief soils seem to be calcareous sands on the recent dunes fronting the coast, and siliceous sands on the older dunes and lunettes (Northcote et al. 1960-68). Majority of the application area was within the Esperance, Ravensthorpe and Salmon Gums landform system, which was described as level plain with moderately inclined dune ridges and associated swales with occasional swamps Calcareous deep sands associated pale deep sands and minor calcareous shallow sands (DPIRD, 2019).
Soil description	The soil within the application area was mapped as sandy soils.
Land degradation risk	The sandy soils within the application area are at high risk of wind erosion (DPIRD, 2019). The application area has a low salinity risk.
Waterbodies	The desktop assessment and aerial imagery indicated that no watercourses or wetlands occur within the application area. The Lake Warden wetland suite, which is a RAMSAR and ANCA listed wetland, occurs 1.8 kilometres north of the application area
Hydrogeography	The application area is mapped within a proclaimed Esperance Groundwater Area and not within any proclaimed Surface Water Area.
Flora	Several priority flora species are recorded from the local area. No threatened flora are recorded from the local area. The previous assessment determined that the area under application is unlikely to comprise suitable habitat for these priority flora species (DWER, 2015). Given no further clearing is proposed, no likelihood of any additional impacts on flora from this amendment is likely to occur.

Characteristic	Details
Ecological communities	A portion of the application area is mapped within the Proteaceae dominated kwongkan shrublands of the southeast coastal floristic province of Western Australia, which is a Priority three Priority Ecological community. No additional clearing is proposed.
Fauna	Several conservation significant fauna species were recorded from the local area. However as mentioned above under flora, given no further clearing is proposed, no likelihood of any additional impacts on fauna from this amendment is likely to occur.

Appendix D. Vegetation condition rating scale

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

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

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

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

Appendix H. Sources of information

H.1. GIS databases

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

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Aboriginal Heritage Places (DPLH-001)
- Cadastre (LGATE-218)
- Cadastre Address (LGATE-002)
- Contours (DPIRD-073)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- Flood Risk (DPIRD-007)
- Groundwater Salinity Statewide (DWER-026)
- Hydrography – Inland Waters – Waterlines
- Hydrological Zones of Western Australia (DPIRD-069)
- IBRA Vegetation Statistics
- Imagery
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Native Title (ILUA) (LGATE-067)
- Offsets Register – Offsets (DWER-078)
- Pre-European Vegetation Statistics
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)
- Remnant Vegetation, All Areas
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Land Quality – Flood Risk (DPIRD-007)
- Soil Landscape Land Quality – Phosphorus Export Risk (DPIRD-010)
- Soil Landscape Land Quality – Subsurface Acidification Risk (DPIRD-011)
- Soil Landscape Land Quality – Water Erosion Risk (DPIRD-013)
- Soil Landscape Land Quality – Water Repellence Risk (DPIRD-014)
- Soil Landscape Land Quality – Waterlogging Risk (DPIRD-015)
- Soil Landscape Land Quality – Wind Erosion Risk (DPIRD-016)
- Soil Landscape Mapping – Best Available
- Soil Landscape Mapping – Systems
- Wheatbelt Wetlands Stage 1 (DBCA-021)

Restricted GIS Databases used:

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

H.2. References

Shire of Esperance (2026) *Clearing permit application CPS 5692/2*, received 03 February 2026 (DWER Ref: DWERDT1269272).

Commonwealth of Australia (2001) *National Objectives and Targets for Biodiversity Conservation 2001-2005*, Canberra.

Department of Environment Regulation (DER) (2013). *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide2_assessment_native_veg.pdf.

Department of Primary Industries and Regional Development (DPIRD) (2019). *NRInfo Digital Mapping. Department of Primary Industries and Regional Development.* Government of Western Australia. URL: https://maps.agric.wa.gov.au/nrm-info/ (accessed 16 March 2026).

Department of Water and Environmental Regulation (DWER) (2019). *Procedure: Native vegetation clearing permits*. Joondalup. Available from: https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits_v1.PDF.

Department of Water and Environmental Regulation (DWER) (2015) clearing permit and decision report for CPS 5692/1 available from 5692 - Permit Plan and Decision Report.pdf

Department of Water and Environmental Regulation (DWER) (Assurance Services) (2026) *advice for clearing permit application CPS 5692/2*, received 6 March 2026 (DWER Ref: DWERDT1293835).

Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68) *Atlas of Australian Soils*, Sheets 1 to 10, with explanatory data. CSIRO and Melbourne University Press: Melbourne.

Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.