



1. Application details

1.1. Permit application details

Permit application No.: 6962/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Setoma Pty Ltd

1.3. Property details

Property: Lot 46 on Deposited Plan 93190, Eighty Mile Beach
Local Government Authority: Shire of Broome
DER Region: North West
DPaW District: West Kimberley
Localities: Eighty Mile Beach

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1,470		Mechanical Removal	Horticulture

1.5. Decision on application

Decision on Permit Application: Refused
Decision Date: 31 October 2016
Reasons for Decision: The clearing permit application to clear 1,470 hectares of native vegetation for the purpose of horticulture was received on 24 February 2016.

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*, and it has been concluded that the proposed clearing may be at variance to Principles (a), (b), (c), (g) and (j), is not at variance to Principle (e) and is not likely to be at variance to the remaining Principles.

The Delegated Officer determined that the proposed clearing may impact on rare and priority flora and significant habitat for the greater bilby (*Macrotis lagotis*; rare or likely to become extinct under the *Wildlife Conservation Act 1950*) and spectacled hare-wallaby (*Lagorchestes conspicillatus* subsp. *leichardti*; priority 3). The applicant was advised on 23 August 2016 that flora and fauna surveys of the application area would determine the extent of impacts to rare and priority flora and habitat for fauna. No survey information has been provided and therefore a precautionary approach has been taken in making this decision.

In making the decision to refuse the application, the Delegated Officer had regard to the applicant's advice of 9 September 2016 and submission dated 13 September 2016, the outstanding licence to take groundwater from the Department of Water, and outstanding development approval from the Shire of Broome.

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
One Beard vegetation association has been mapped within the application area. Beard vegetation association 699 is described as 'shrublands, pindan; <i>Acacia eriopoda</i> shrubland with scattered low bloodwood (<i>Eucalyptus dicromophloia</i>) and <i>Eucalyptus setosa</i> over soft and curly spinifex on sandplain'.	The applicant proposes to clear up to 1,470 hectares for the purpose of horticulture.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994); To: Completely degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).	Vegetation condition was determined during a site inspection (DER, 2016). Vegetation in a completely degraded (Keighery, 1994) condition occurs where an access track has been cleared around existing horticultural activities. The remainder of the vegetation is in a very good to excellent (Keighery, 1994) condition.

A site inspection undertaken by the Department of Environment Regulation (DER) and the Department of Parks and Wildlife (Parks and Wildlife) on 19 April 2016 found vegetation within the inspected area was broadly representative of the mapped Beard vegetation association, and the following vegetation communities were recorded (DER, 2016):

- Acacia shrubland;
- *Acacia* sp. shrubland with an overstorey of scattered *Corymbia* sp. with sparse spinifex understorey;
- Open spinifex grassland with *Corymbia* sp. overstorey;
- Spinifex grassland with scattered *Acacia* sp. (including *Acacia eriopoda*);
- Thickets of *Acacia* sp., and
- Very open woodland with an understorey of spinifex and *Seringia* sp. and overstorey of *Acacia* sp., *Terminalia* sp. and *Corymbia* sp.

Given the size of the application area, a portion of the area was observed during the site inspection conducted by DER and Parks and Wildlife. It is possible additional vegetation communities to those listed occur within the application area.

3. Assessment of application against clearing principles

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

Comments Proposed clearing may be at variance to this Principle

The applicant proposes to clear up to 1,470 hectares of native vegetation within Lot 46 on Deposited Plan 93190 (also known as Shelamar Pastoral Lease), Eighty Mile Beach, for the purpose of horticulture. The application area is located within the Dampierland Interim Biogeographic Regionalisation of Australia (IBRA) region, which is characterised by acacia thickets with scattered trees, grasslands, and savannahs over extensive plains, ranges and gorges (Bastin and ACRIS Management Committee, 2008). The vegetation within the application area is mapped as Beard vegetation association 699. A site inspection found vegetation to broadly represent the mapped Beard vegetation association, with vegetation in a very good to excellent (Keighery, 1994) condition (with the exception of an access track cleared within the application area) (DER, 2016).

No threatened or priority ecological communities (TEC or PEC) have been recorded within the local area (20 kilometre radius). The vegetation within the application area is not likely to represent a TEC or PEC.

Two priority 3 flora species have been recorded within 20 kilometres of the application area (*Lawrencia* sp. Anna Plains (N.T. Burbidge 1433) and *Seringia katatona*). During a site inspection, *Seringia katatona* was recorded within the application area (DER, 2016). Parks and Wildlife (2016) advised that an additional two priority 3 flora species, *Tribulopsis marliesiae* and *Pterocaulon intermedium*, may also occur within the application area based on the presence of suitable habitat.

Lawrencia sp. Anna Plains (N.T. Burbidge 1433) is known from five records across four locations; three in the Shire of Broome and one in the Shire of Upper Gascoyne. This species is found on gravel flats and the margins of semi-saline drainage depressions (Western Australian Herbarium, 1998-), but has also been recorded on plains and road verges. Parks and Wildlife (2016) advised that the application area may provide suitable habitat for this species. Given the limited number of records of this species, any further records of this species may be significant. A targeted survey would be required to determine the level of impact to this species.

Seringia katatona is known from 24 records across the Shires of Derby-West Kimberley, Broome and East Pilbara. Given the number of records and moderate distribution of this species, the proposed clearing is not likely to impact the conservation of this species.

Tribulopsis marliesiae is known from six records, with five in the Shire of Broome and one in the Shire of Derby-West Kimberley. This species is known to occur within shrubland vegetation over red and brown sand. Given the limited number of records, the proposed clearing may impact the conservation of this species if it occurs within the application area.

Pterocaulon intermedium is known from 22 records across the town of Port Hedland and the Shires of Broome, Derby-West Kimberley and Wyndham-East Kimberley. Given its moderate distribution and number of known records, the proposed clearing is not likely to impact the conservation of this species if it is present. However, only one known record of this species occurs within 120 kilometres of the application area, and depending on its extent within surrounding areas the proposed clearing may impact this species on a local scale.

Parks and Wildlife (2016) advised that one rare flora species ranked as critically endangered under the *Wildlife Conservation Act 1950* (WC Act) may occur within the application area. During a site inspection, a flora specimen was sampled within the application area that Parks and Wildlife (2016) advised may belong to this species. This rare flora species is known from three records within the Shire of Broome over red pindan sand, coastal sites, and relict desert dune swales (Western Australian Herbarium, 1998-). Given the presence of suitable habitat and potential identification within the application area, this rare flora species may occur within the application area. All occurrences of this species are considered to be significant to its conservation (DEC, 2010).

Two threatened, one priority, one other specially protected fauna and seven migratory fauna species (bird species protected under international agreement) have been recorded within 20 kilometres of the application area (Parks and Wildlife, 2007-). While the curlew sandpiper (*Calidris ferruginea*; rare or likely to become extinct under the *Wildlife Conservation Act 1950* [WC Act], critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* [EPBC Act]) has been recorded in the local area (20 kilometre radius), the application area does not contain any wetlands or watercourses and is not likely to support this species (Parks and Wildlife, 2016).

The greater bilby (*Macrotis lagotis*; rare or likely to become extinct under the WC Act, vulnerable under the EPBC Act), peregrine falcon (*Falco peregrinus*; other specially protected fauna under the WC Act) and the spectacled hare-wallaby (*Lagorchestes conspicillatus* subsp. *leichardti*; priority 3) have been recorded within 20 kilometres of the application area. Parks and Wildlife advised that the habitat within the application area is likely to support these species (Parks and Wildlife, 2016), and suitable habitat for these species was recorded within the application area during a site inspection (DER, 2016). Parks and Wildlife (2016) advised that use of the application area by the greater bilby has been confirmed.

With the exception of the rainbow bee-eater (*Merops ornatus*), which was detected within the application area during a site inspection (DER, 2016) and may utilise the application area for breeding and foraging, migratory bird species are unlikely to be dependent on habitat within the application area.

Given the size of the application area and potential presence of (and habitat for) conservation significant flora and fauna species within the application area, the proposed clearing may be at variance to this Principle. A flora survey targeting rare and priority flora taxa, undertaken at the appropriate time of year by a suitably qualified botanist would be required to assess the potential impacts to rare and priority flora. A targeted fauna survey would be required to assess the potential impacts to habitat for the greater bilby and spectacled hare-wallaby.

Methodology References:
Bastin and ACRIS Management Committee (2008)
DEC (2010)
DER (2016)
Keighery (1994)
Parks and Wildlife (2007-)
Parks and Wildlife (2016)
Western Australian Herbarium (1998-)

GIS Database:
- SAC bio datasets (Accessed May 2016)

(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 indigenous to Western Australia.

Comments **Proposed clearing may be at variance to this Principle**
One vegetation type has been mapped over the application area, being 'shrublands, pindan; *Acacia eriopoda* shrubland with scattered low bloodwood (*Eucalyptus dicromophloia*) and *Eucalyptus setosa* over soft and curly spinifex on sandplain' (Shepherd et al., 2001). Within this broad vegetation type a number of fauna habitats are may occur, with various shrubland and woodland habitats observed (DER, 2016). The application area also contains recently burnt areas (four years post-fire) and long-unburnt areas (DER, 2016), which increases the diversity of fauna habitat types available.

Based on available vegetation mapping, the broad vegetation type that occurs within the application area is well represented within surrounding areas, and does not contain any habitat features that are limited within the landscape such as gorges, gullies or caves. The clearing of 1,470 hectares will cause habitat fragmentation that will impede fauna movement on a local scale.

Parks and Wildlife (2016) advised that the greater bilby is known to utilise the application area. Suitable habitat for this species occurs within the application area (DER, 2016). The greater bilby once occurred across 70 per cent of mainland Australia, but has now disappeared from at least 80 per cent of its historical range and occurs in fragmented populations in south-western Queensland, drier areas of the Northern Territory, and northern Western Australia (Pavey, 2006; Narayan et al., 2014; Parks and Wildlife, 2016). There are less than 10,000 mature individuals estimated to be left in the wild (Parks and Wildlife, 2016).

In Western Australia, the greater bilby occurs in parts of the Gibson Desert and Great Sandy Desert bioregions, parts of the Pilbara bioregion, the Dampierland bioregion (within which the application area is located) along Eighty Mile Beach and north to Beagle Bay, and in the Central Kimberley and Ord-Victoria Plains bioregions south of the Fitzroy and Margaret Rivers. The distribution of the greater bilby is highly fragmented in Western Australia (Pavey, 2006).

Based on the presence of nearby records, the presence of suitable habitat within the application area (DER, 2016) and advice received from Parks and Wildlife (2016), the application area is likely to contain habitat that supports this species. The greater bilby is nomadic (Parks and Wildlife, 2016), and reported movement and home range estimates of the greater bilby varies between studies (Pavey, 2006) that may reflect a difference in available resources in different parts of Australia. Parks and Wildlife (2016) advised that the primary threats to this species are habitat loss and modification and impacts from introduced fauna species, and that populations of greater bilby between Port Hedland and Broome are threatened by increased land clearing, habitat fragmentation, inappropriate fire regimes, introduced species and cattle grazing. Parks and Wildlife (2016) advised that the proposed clearing may have a significant impact on this species.

The proposed clearing activities may cause direct mortality to bilbies (including pouched young) and the exposure or collapse of burrows. A targeted survey would be required to assess the potential impacts to the greater bilby. In order to determine whether the proposed clearing will impact the species via habitat fragmentation, Parks and Wildlife (2016) advised that the targeted survey must assess how bilbies use the surrounding area.

The spectacled hare-wallaby is uncommon in Western Australia and exists in patchily distributed populations within the Pilbara and Kimberley regions (Winter et al., 2008). Parks and Wildlife (2016) advised that the application area contains suitable habitat for this species in the form of spinifex grassland and open woodland. If this species occurs within the local area, the proposed clearing will lead to a reduction in food availability and may increase competition with other fauna species. Given the patchy distribution of the spectacled hare-wallaby, the application area may provide significant habitat for the local population if it occurs in this area.

Priority 3 fauna species are poorly known and in need of further survey, and Parks and Wildlife (2016) recommended that searching for signs of the spectacled hare-wallaby should be incorporated into any targeted fauna survey undertaken within the application area.

The peregrine falcon (*Falco peregrinus*; other specially protected fauna under the WC Act), may use taller trees within the application area for nesting and may forage within the application area. The proposed clearing is not likely to impact the conservation of this species on a local or regional scale.

Based on the potential for the application area to provide significant habitat for threatened and priority fauna, the proposed clearing may be at variance to this Principle. A targeted fauna survey would be required to assess the potential impacts to these fauna species.

Methodology References:
DER (2016)
Narayan et al. (2014)
Parks and Wildlife (2016)
Pavey (2006)
Shepherd et al. (2001)
Winter et al. (2008)

GIS Database:
- Pre-European vegetation

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

Comments Proposed clearing may be at variance to this Principle

During a site inspection, a flora species was collected within the application area that Parks and Wildlife advised may be a rare flora species ranked as critically endangered under the WC Act (DER, 2016; Parks and Wildlife, 2016). While identification could not be verified given the absence of flowering individuals at the time of collection, Parks and Wildlife (2016) advised that all other diagnostic characters indicate that the specimen collected within the application area is this species. This rare flora species is known from three records within the Shire of Broome over red sand in pindan, coastal sites, and relict desert dune swales (Western Australian Herbarium, 1998-). Suitable habitat for this species occurs within the application area (DER, 2016). Given the presence of suitable habitat and potential identification within the application area, this rare flora species may occur within the application area. Areas of suitable habitat that may contain undiscovered populations of this rare flora are considered to be critical habitat for this species (DEC, 2010).

Threats to this rare flora species include hydrological changes, inappropriate fire regimes, lack of tenure security, weed invasion, and disturbance of habitat from recreational land use and development (DEC, 2010). Should this rare flora occur within the application area, the proposed clearing may have a significant impact on the conservation of this species.

Based on the above, the proposed clearing may be at variance to this Principle. A flora survey targeting rare flora, undertaken at the appropriate time of year by a suitably qualified botanist would be required to assess the potential impacts to rare flora and native vegetation necessary for its continued existence.

Methodology References:
 DEC (2010)
 DER (2016)
 Parks and Wildlife (2016)
 Western Australian Herbarium (1998-)

(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.

Comments **Proposed clearing is not likely to be at variance to this Principle**
 No flora surveys have been conducted within the application area. According to available databases, there are no known threatened ecological communities (TECs) within the local area (20 kilometre radius). The nearest TEC is the 'species-rich faunal community of the intertidal mudflats of Roebuck Bay', located approximately 84 kilometres north of the application area.

TECs in the Dampierland IBRA region endorsed by the Minister for Environment include monsoon vine thickets on coastal sand dunes of Dampier Peninsula (also listed under the EPBC Act), and four assemblages associated with several organic and/or mound springs in the region. According to available databases, no springs are mapped within the application area. The application area is not likely to comprise the whole or a part of, or be necessary for the maintenance of any TEC.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Databases:
 - SAC bio datasets (Accessed May 2016)

(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.

Comments **Proposed clearing is not at variance to this Principle**
 The application area falls within the Dampierland IBRA bioregion, in which approximately 99 per cent of the pre-European vegetation remains (Government of Western Australia, 2014).

The vegetation within the application area has been mapped as Beard vegetation association 699. Approximately 99 per cent of this Beard vegetation association remains at both a state and bioregional level (Government of Western Australia, 2014). Given the amount of remnant vegetation within the state and bioregion, the application area is not located within an area that has been extensively cleared.

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in Parks and Wildlife Managed Lands (%)
IBRA Bioregion* - Dampierland	8,343,939	8,319,872	99	1
Shire* - Shire of Broome	5,469,337	5,436,103	99	1
Beard Vegetation Association in Bioregion*				
699	1,976,314	1,974,958	99	0

Given the application area does not occur within an extensively cleared area, the proposed clearing is not at variance to this Principle.

Methodology References:
 *Government of Western Australia (2014)
 Parks and Wildlife (2016)

GIS Database:
 - IBRA WA (Regions - Sub Regions)
 - Pre-European Vegetation

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

Comments **Proposed clearing is not likely to be at variance to this Principle**
 Vegetation within the application area is mapped as Beard vegetation association 699, described as shrublands, pindan; *Acacia eriopoda* shrubland with scattered low bloodwood (*Eucalyptus dicromophloia*) and *Eucalyptus setosa* over soft and curly spinifex on sandplain (Shepherd et al., 2001). During a site inspection, vegetation within the application area was observed to broadly represent the mapped vegetation association (DER, 2016).

There are no wetlands or watercourses mapped within the application area, and none were observed during the site inspection (DER, 2016).

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology References:
DER (2016)
Shepherd et al. (2001)

GIS Database:
- Hydrography, linear

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

Comments Proposed clearing may be at variance to this Principle

The Deputy Commissioner of Soil and Land Conservation (DCSLC) advised that the application area occurs within the Nita and Yeeda land systems (DCSLC, 2016). The Nita land system supports shrubby hard and soft spinifex with occasional trees (acacia shrublands) over red shallow sands and stony soils (DCSLC, 2016). The Yeeda land system contains deep red and yellow sands, pindan with shrubby spinifex grasslands and tall pindan woodlands, with slope gradients of one to two per cent (DCSLC, 2016).

A site inspection found vegetation and soil types within the application area to be representative of these descriptions (DER, 2016).

The application area contains normal phase and loamy phase Cockatoo sands, which are described as:

- normal phase: red to dark red loamy sand to clayey sand grading to sandy loam or light sandy clay loam subsoils from 1-2 metres; and
- loamy phase: dark reddish brown to dusky red topsoil with a texture of loamy sand or clayey sand (DCSLC, 2016).

These soil types are moderately susceptible to wind erosion following clearing (Van Vreeswyk et al., 2004; DCSLC, 2016). There are no watercourses or wetlands mapped within the application area. The application area contains mild slopes and sheet flow of surface water may occur following periods of heavy rainfall. The removal of vegetation over sandy soils increases the risk of water erosion following rainfall (DCSLC, 2016). Based on the size of the application area, wind and/or water erosion may cause appreciable land degradation if sufficient time elapses between clearing and the implementation of horticulture activities. Land degradation via wind and water erosion may be minimised by the utilisation of cleared areas within an appropriate period of time following clearing activities.

The proposed clearing is not likely to cause land degradation via waterlogging, salinity or eutrophication (DCSLC, 2016).

The Deputy Commissioner of Soil and Land Conservation advised that the risk of wind and water erosion can be managed by careful surface water and irrigation management that includes retaining a buffer of native vegetation within and around flow lines, and the implementation of strategically placed wind breaks where cleared land is exposed to prevailing winds (DCSLC, 2016).

Based on the potential for wind and water erosion to occur, the proposed clearing may be at variance to this Principle.

Methodology References:
DCSLC (2016)
DER (2016)
Van Vreeswyk et al. (2004)

(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.

Comments Proposed clearing is not likely to be at variance to this Principle

The application area does not lie within any conservation areas or Parks and Wildlife managed lands. The nearest conservation areas are the Anna Plains former pastoral lease and Eighty Mile Beach marine park, which are located approximately 16 and 17 kilometres west of the application area, respectively. The proposed clearing is not likely impact the environmental values of the former pastoral lease or marine park.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Databases:
- Parks and Wildlife tenure

(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.

Comments Proposed clearing is not likely to be at variance to this Principle

There are no watercourses or wetlands mapped within the application area. The application area contains mildly sloping terrain, and sheet flow may occur following heavy rainfall. The proposed clearing is not likely to impact the flow or quality of surface water outside the proposed clearing footprint.

Mapped groundwater salinity within the application area is low (less than 500 milligrams per litre total dissolved solids). The clearing of 1,470 hectares is not likely to cause deterioration in the quality of groundwater.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- Groundwater salinity, statewide
- Hydrography, linear

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

Comments Proposed clearing may be at variance to this Principle

Mean annual rainfall at Anna Plains weather station, located approximately 30 kilometres south-west of the application area, is approximately 412 millimetres (BoM, 2016). The Dampierland bioregion has a semi-arid to tropical monsoonal climate, receiving much of its rainfall during summer months (Bastin and ACRIS Management Committee, 2008). The application area receives the majority of its rainfall between December and March (BoM, 2016). It is likely that during times of intense rainfall there may be some localised flooding.

The removal of 1,470 hectares of native vegetation will increase the risk of localised flooding following periods of heavy rainfall. The soil type within the application area is mapped as gently undulating sandplain with small rocky sandstone residuals, and chief soils of red earthy sands (Northcote et al., 1960-68). These soils are permeable to rainfall, and while increased localised flooding may occur following periods of heavy rainfall, it is likely to be temporary. Any increase in localised flooding is not likely to impact adjacent native vegetation.

Based on the above, the proposed clearing may be at variance to this Principle. An increase in localised flooding is not likely to have a significant environmental impact.

Methodology References:
Bastin and ACRIS Management Committee (2008)
BoM (2016)
Northcote et al. (1960-68)

Planning instruments and other relevant matters.

Comments The application area occurs within the Canning-Kimberley Groundwater Area. An application to renew an existing licence to take groundwater is under assessment by the Department of Water (DoW, 2016). DoW advised that the applicant has also applied to increase their water licence application (DoW, 2016).

The Deputy Commissioner of Soil and Land Conservation advised that the soil types mapped within the application area have a moderate to high capability for the proposed land use of horticulture (DCSLC, 2016).

The Shire of Broome advised that the proposed horticultural land-use is consistent with the land-use objectives of the Shire's Local Planning Scheme, under which the subject land is zoned 'general agriculture'. Development approval is required for an 'agriculture - intensive' land use (Shire of Broome, 2016). Development approval has not been obtained by the applicant (Shire of Broome, 2016).

The clearing permit application was advertised on 14 March 2016 by DER inviting submissions from the public. One submission was received, raising the following concerns:

- The size of the proposed clearing is likely to have a high environmental impact;
- The potential for conservation significant fauna, including the greater bilby, to use habitat within the application area;
- The potential for rare and priority flora species to occur within the application area;
- The absence of flora and fauna surveys; and
- The potential for land degradation via salinity and wind and water erosion (Submission, 2016).

The potential impacts considered in the submission have been addressed in the above assessment. The submission also noted that the proposed clearing may impact Matters of National Environmental Significance, but that the applicant has not referred the project under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (Submission, 2016). It is noted that the proposed clearing may warrant referral under the EPBC Act.

On 23 August 2016, a DER Delegated Officer wrote to the applicant, advising that a preliminary assessment of the application identified potential environmental impacts to rare and priority flora and fauna and land degradation, and noting that a licence to take groundwater from DoW and development approval from the Shire of Broome had not been obtained. The Delegated Officer invited Setoma Pty Ltd to provide targeted flora and fauna surveys, an amended licence to take groundwater, and development approval within 30 days.

On 9 September 2016 and 13 September 2016, the applicant advised that they intend to provide the relevant information and surveys in due course and that surveys may not be conducted until next year (DER Ref: A1163605 and A1182419). No further information has been received.

Having regard to the period of time to provide the information required to inform the assessment, the decision maker has decided to determine this application based on the information currently available. The Department will retain the assessment on file and should the applicant submit a fresh application with the additional survey information, the application will be assessed based on any new information.

Methodology References:
DCSLC (2016)
DoW (2016)
Roper River (2016)
Shire of Broome (2016)
Submission (2016)

4. References

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- Department of Water (DoW) (2016) Advice received from the Department of Water on 6 April 2016. DER REF: A1101798.
- Deputy Commissioner of Soil and Land Conservation (DCSLC) (2016) Advice received from the Deputy Commissioner of Soil and Land Conservation on 23 May 2016. DER REF: A1102751.
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- Submission (2016) Submission regarding CPS 6962/1 received on 21 March 2016. DER REF: A1068663.
- Van Vreeswyk, A.M.E., Payne, A.L., Leighton, K.A. and Hennig, P. (2004) Technical Bulletin - An Inventory and Condition Survey of the Pilbara Region, Western Australia, No. 92. Department of Agriculture, Perth, Western Australia.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/>. Accessed May 2016.
- Winter, J., Woinarski, J. and Burbidge, A. (2008) *Lagorchestes conspicillatus*. The IUCN Red List of Threatened Species 2008: e.T11161A3258306. url: <http://dx.doi.org/10.2305/IUCN.UK.2008.RLTS.T11161A3258306.en>. Accessed May 2016.