

# **Request to amend Native Vegetation Clearing Permit (CPS 9057/1)**

## **Lucky Bay Garnet Project**

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Prepared for Australian Garnet Pty Ltd

January 2026

# Request to amend Native Vegetation Clearing Permit (CPS 9057/1)

## Lucky Bay Garnet Project

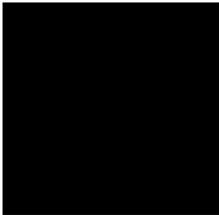
Australian Garnet Pty Ltd

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# 1 Introduction

Australian Garnet Pty Ltd (Australian Garnet) operates the Lucky Bay Garnet Project (the project), which is a heavy mineral sands deposit located at the southern margin of the Carnarvon Basin, approximately 40 kilometres (km) south of Kalbarri and 540 km north of Perth, in the Shire of Northampton.

The project includes an above-groundwater progressive open pit mine, with a mobile mining unit plant that feeds to a central processing area with associated plant infrastructure and utilities to produce a heavy mineral concentrate, including garnet and ilmenite final products.

Clearing for the project operates under several clearing permits, including CPS 9057/1, which was granted 18 June 2021 and permitted clearing of 71 hectares (ha) within a permit footprint of 134.72 ha on Mining Lease 70/1280, General Purpose Lease 70/253 and Miscellaneous Leases 70/167, 70/178 and 70/215 (see Figure 1.1).

## 1.1 Proposed amendment

The purpose of this amendment application is to request a review of the timeframe of Condition 4 of CPS 9057/1, which does not authorise clearing after 13 July 2026, despite the expiry of the permit being in 2035. The original reason for the condition being included on the clearing permit could not be identified from the Decision Report and is assumed to relate to the currency of survey records.

**This amendment application seeks consideration by the Department of Mines, Petroleum and Exploration (DMPE) to either remove condition 4, or extend the date in condition 4 to 13 July 2035, to align with the expiry of the clearing permit.**

This will provide Australian Garnet flexibility to absorb normal delays in the implementation of the mining schedule.

This supporting document provides a summary of flora and fauna surveys undertaken over the CPS 9057/1 area (including updated surveys) and provides an updated assessment against clearing principles for consideration by DMPE.

### 1.1.1 Clearing to date

The project has an approximate Life of Mine of 15 years from the Menari deposit. Mining of this deposit is approved via a Mining Proposal granted under the *Mining Act 1978* (RegID 102866). While mining has been focused on the southern portion of the Menari deposit, to which CPS 9057/1 relates, the rate of progression of the mining front has not met the initial trajectory anticipated when the clearing permit was applied for. Therefore, the extent of disturbance conducted under the permit to date is less than originally projected.

The Annual Report under CPS 9057/1 for the 2024/2025 reporting period (as of 30 June 2025) is attached to this application as Appendix A, addressing compliance with all requirements to keep records under conditions 6, 7 and 9, and describes the following:

- Total previous native vegetation clearing reported: 11.87 ha.
- Total 'new' native vegetation clearing reported in 2024/2025: 3.20 ha.
- Remaining area of native vegetation clearing permitted: 55.93 ha.

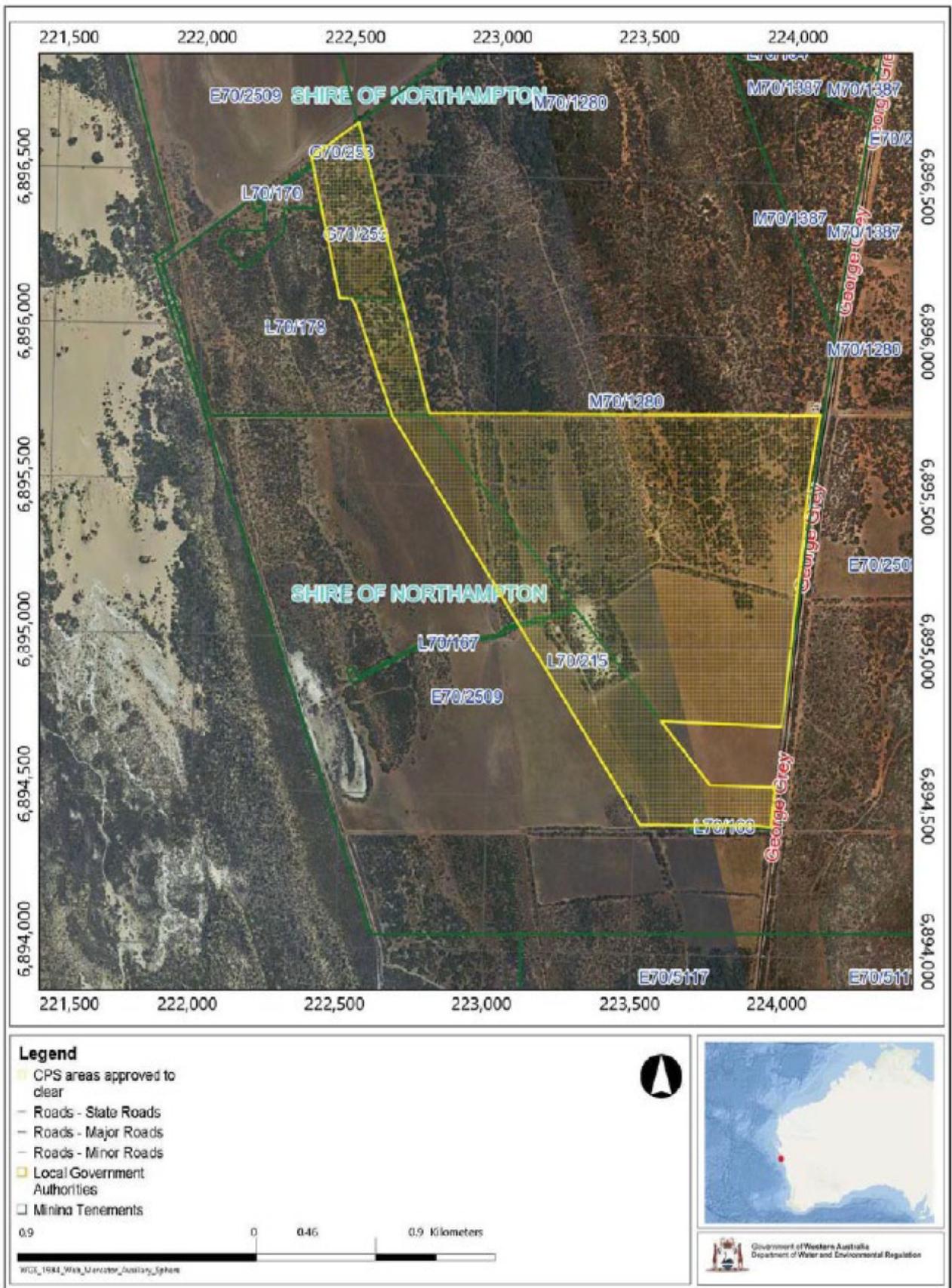


Figure 1.1 Map of the boundary of the area within which clearing may occur (CPS 9057/1)

## 2 Environmental survey outcomes

Multiple ecological surveys have been conducted at the project site historically to inform clearing activities.

At the time of the original permit application, no threatened flora, priority flora, threatened ecological communities (TECs) or priority ecological communities (PECs) were identified, as informed by data and findings from:

- A Level 1 flora and fauna Survey conducted in September 2008 by Ecoscape Environmental Services (Ecoscape, 2008).
- A Level 2 flora and vegetation Survey conducted by Onshore Environmental in October 2013 (Onshore 2013).
- A Level 1 fauna and habitat assessment conducted by Bamford Consulting Ecologists in September 2013 (Bamford, 2013).

Since 2013, several follow-up surveys have been completed over areas adjacent or intersecting CPS 9057/1:

- A detailed flora and vegetation survey (Onshore 2022a, Appendix B) and a detailed vertebrate fauna survey by Onshore Environmental (Onshore 2022b, Appendix C) were completed in 2021.
- A short range endemic (SRE) Survey by Bennelongia Environmental Consultants completed in 2023 (Bennelongia 2023, Appendix D).
- A targeted threatened and priority flora survey conducted by Botany Lens in 2025 (Botany Lens 2025, Appendix E).

Survey results from 2013 onwards are summarised below, and, to the extent they are relevant to the CPS 9057/1 area, used in an updated assessment against the clearing principles presented in Chapter 3. Copies of the most recent survey reports not previously provided to DMPE for CPS 9057/1 are provided as Appendix B, Appendix C, Appendix D and Appendix E.

### 2.1 Flora and vegetation surveys

#### Onshore (2013)

A Level 2 flora and vegetation survey by Onshore (2013) described and mapped the vegetation and flora in a study area covering a large area of 1,736 ha. Only a small portion of the survey study area is relevant to the area covered by CPS 9057/1.

Within the overall study area, vegetation was categorised into 19 vegetation associations (VA). None of the VAs were affiliated with any Commonwealth listed TECs; however, VA 4 does show similarities to the State listed PEC 'Coastal sands dominated by *Acacia rostellifera*, *Eucalyptus oraria* and *Eucalyptus obtusiflora*' (Priority 1). There is a pocket of VA 4 north of the clearing permit area, but none within the permit boundary. The 2013 survey recorded a total number of 151 plant taxa (including varieties and subspecies) from 54 families and 116 genera. Species representation was greatest among the Poaceae, Asteraceae, Fabaceae, Chenopodaceae and Myrtaceae families. There were four priority flora taxa found; *Melaleuca huttensis*, *Cryptandra glabriflora*, *Anthocercis intricata* and *Beyeria cinerea* subsp. *cinerea*<sup>1</sup>, however none were found within clearing permit areas, with the closest record being an occurrence of *Melaleuca huttensis* around 1.1 km north-east of the clearing permit area.

<sup>1</sup> After revisiting the site in 2021 and re-examining multiple specimens collected in both 2013 and 2021, the identification of *B. cinerea* subsp. *cinerea* was revised to *Beyeria cinerea* subsp. *borealis* (Onshore 2022). This subspecies is not listed as a Priority flora taxon by DBCA.

## Onshore (2022a)

In 2021, another flora and vegetation survey was conducted by Onshore Environment (Onshore 2022a, Appendix B). As with the Onshore 2013 survey, the study area for the 2021 survey covered a large area (1,589 ha) with only a small portion relevant to the area covered by clearing permit CPS 9057/1.

No threatened flora taxa protected by the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), or the *Biodiversity Conservation Act 2016* (BC Act) were recorded within the survey area, and while the desktop assessment identified six threatened flora taxa listed under the BC Act and EPBC Act, and 39 state-listed priority flora taxa likely to occur within the broader Lucky Bay Garnet Project area, only *Frankenia confusa* (P4) was identified within the CPS 9057/1 footprint<sup>2</sup>.

The assessment also noted from searches of federal and state threatened flora databases that a population of the threatened orchid *Caladenia. bryceana* subsp. *cracens* (Northern Dwarf Spider Orchid, listed under the BC Act and EPBC Act) was located less than 1.5 km from suitable habitat within the survey area. Although the nearby known population was surveyed in 2021 during the appropriate flowering period, poor seasonal conditions resulted in no plants being found. Onshore (2022) recommended conducting targeted searches for the orchid at the study site during flowering periods when seasonal conditions are optimal.

## Botany Lens (2024)

Subsequently, Botany Lens (2024) conducted a targeted survey for conservation-significant flora, including a specific search for *C. bryceana* subsp. *cracens* immediately adjacent and north of the CPS 9057/1 area, where suitable habitat was identified. The survey did not cover the CPS 9057/1 area specifically, but the results are summarised here for context. The field survey did not identify the orchid species, but documented two priority 3 (P3) flora taxa, one of which had previously been documented in the 2013 flora and vegetation survey (Onshore, 2013). The species recorded were *Bossiaea calcicola* (P3) and *M. huttensis* (P3), and both were exclusively found within the remnant vegetation that has remained uncleared since at least 1982 (Botany Lens 2024).

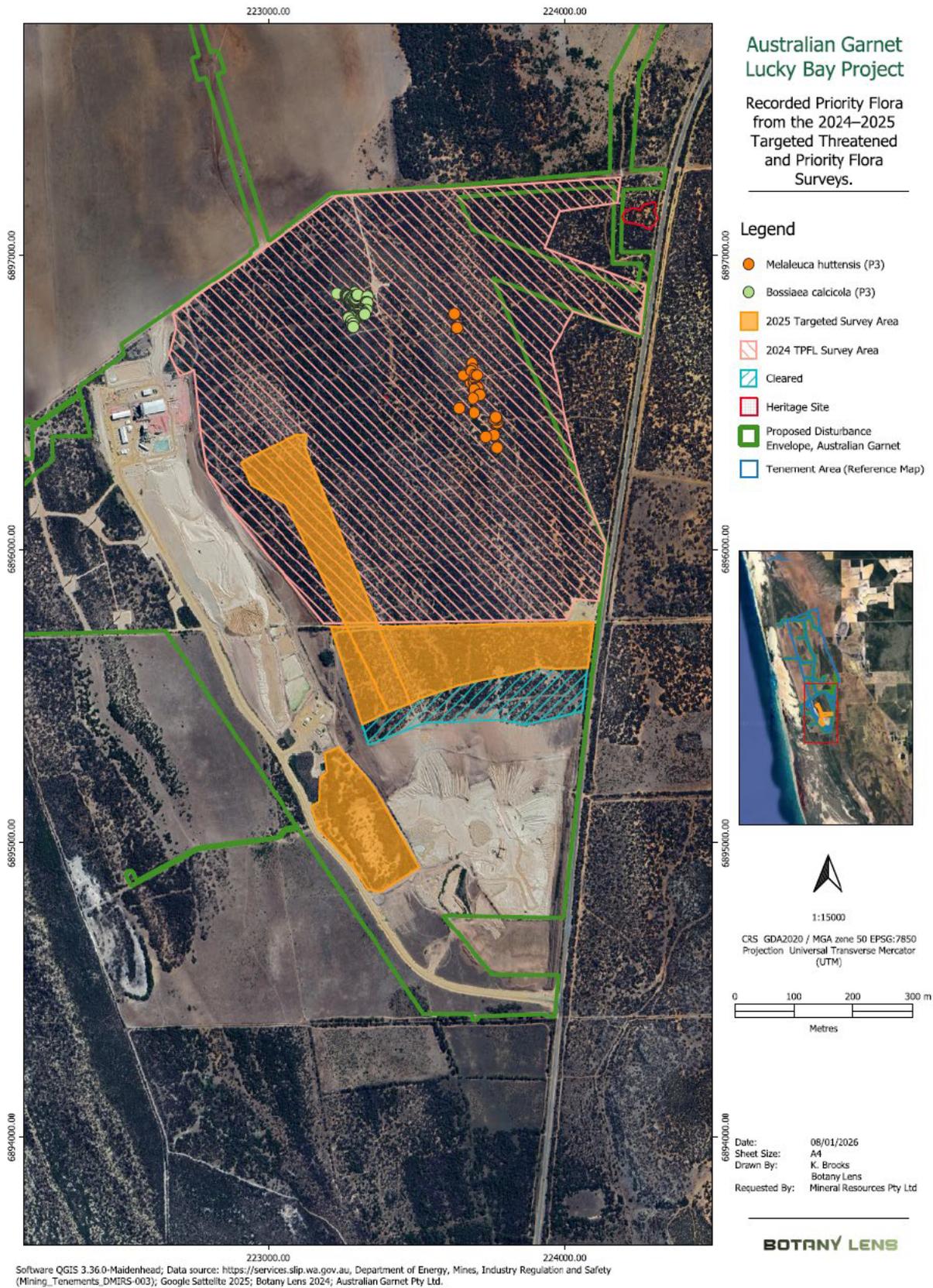
## Botany Lens (2025)

A targeted survey for conservation-significant flora was conducted under favourable seasonal conditions by Botany Lens in September 2025 (Botany Lens 2025, Appendix E). The survey was designed to support environmental approvals for the ongoing operation of the Lucky Bay Garnet Project and focused on areas not yet cleared under CP S9057/1, as identified in Figure 2.1 below.

The desktop assessment identified a substantial number of conservation-significant flora records within a 40 km radius of the project area, including 21 Threatened taxa and 113 Priority taxa; however based on habitat suitability and proximity to known records, six Threatened and 19 Priority taxa were assessed as 'likely' to occur within the study area, and no Threatened or Priority flora were recorded during the survey. It was noted that several taxa assessed as 'likely' to occur were outside their flowering period, limiting detectability. Visibility was further constrained by dense vegetation, tangled fallen trees, annual weeds, and stoloniferous native grass. These conditions represent poor habitat for small herbaceous species such as orchids, reducing the likelihood of their occurrence.

The field survey confirmed the *Frankenia* species previously identified by Onshore (2022) as *F. confusa* (P4) within the claypan of CPS 9057/1 to be the widespread and highly variable taxon *Frankenia pauciflora*, with confirmation provided by botanists at the Western Australian Herbarium.

<sup>2</sup> Botany Lens' targeted survey in 2025 re-identified the species in the claypan to be the widespread *Frankenia pauciflora*.



**Figure 2.1 Targeted survey area and priority flora recorded in 2024-2025, with clearing to date**

### 2.1.1 All flora/vegetation surveys

Taking into account all flora and vegetation surveys to date, no threatened or priority flora taxa have been recorded within the CPS 9057/1 area, other than the initial record of *F. confusa* (P4) (Onshore 2022), which has since been re-identified as the widespread *F. pauciflora* (Botany Lens 2025, Appendix E).

## 2.2 Fauna and habitat assessment

### 2.2.1 Terrestrial fauna

#### **Bamford (2013)**

Bamford Consulting Ecologists was commissioned in 2013 to conduct a Level 1 fauna assessment (desktop review and site inspection) on a study area of 1,176 ha (Bamford 2013). As with Onshore (2013) and Onshore (2022), only a small portion of the study area is relevant to the CPS 9057/1 area.

The desktop survey identified an assemblage of 187 vertebrate fauna species potentially occurring in the study area (10 frog, 64 reptile, 87 bird, 14 native mammal and eight introduced mammal species). However, as the study area was extensively cleared, many of the species expected to be present probably only occur infrequently and may not be dependent on the study area for habitat functions. A total of 30 fauna species were recorded during the field survey: four reptiles, 23 bird, two native mammal and four introduced mammal species. Of nine conservation-listed species (under the BC Act and/or EPBC Act) identified as potentially occurring within the study area, none were recorded during the field survey.

During field investigations, three vegetation and substrate associations (VSAs) that provide habitat for fauna were identified:

- VSA 1: Pasture.
- VSA 2: *Acacia rostellifera* shrubland to tall shrubland on yellow-brown sands.
- VSA 3: *Melaleuca cardiophylla* shrubland to tall shrubland on shallow grey sands over limestone, with extensive limestone outcropping.

Of these, remnant vegetation within the CPS 9057/1 area is made up of VSA1 and VSA2, which generally corresponds to VAs 5, 6a and 6B defined by Onshore 2013. The field survey conducted by Botany Lens in 2024 (discussed in Section 2.1) reported vegetation to be in a condition consistent with that described in Onshore 2013, indicating vegetation and habitat condition is unlikely to have changed significantly since 2013.

#### **Onshore (2022b)**

Onshore Environmental Consultants Pty Ltd were commissioned in 2021 to undertake a detailed vertebrate fauna survey (Onshore 2022b, Appendix C). As with earlier surveys, the study area spanned across a number of locations and only a small portion of the study area is relevant to the CPS 9057/1 area (being the remnant vegetation in the clay pan area, which formed part of "Survey C" in Onshore (2022)).

No vertebrate fauna species listed under the EPBC Act or scheduled under the BC Act were recorded from the study area. One Priority fauna species, as recognised by DBCA, was recorded from the study area; Zuytdorp Slider (*Lerista humphriesi*) (P3). A total of eight individuals were recorded from pit-fall traps at all four trap sites (although trap sites were not in what is now the CPS 9057/1 remnant vegetation area). Three additional conservation significant fauna species identified from the database searches have the potential to occur within the study area; Fork-tailed Swift (*Apus pacificus*), Peregrine Falcon (*Falco peregrinus*) and Grey Falcon (*Falco hypoleucos*). While all three may occasionally fly over the wider study area or utilise habitats for foraging, they were concluded to be unlikely to breed within the study area due to the absence of suitable breeding habitat.

## 2.2.2 Short range endemic species

### Bamford (2013)

During the Bamford 2013 survey, an isopod (slater) species, *Buddelundia* '81', was collected. This was the first known example of an undescribed species and is likely to be a short range endemic (SRE). It was recorded only in areas of native vegetation where limestone was present on the surface and was therefore suspected to be restricted to VSA 3, which is not in the CPS 9057/1 area.

### Bennelongia (2023)

To further explore the potential conservation values of SRE species in the area, including *Buddelundia* '81', Bennelongia Environmental Consultants were commissioned to conduct a SRE survey in 2023 (Appendix D). The desktop review indicated that several potential (likely) SRE species could be found in the wider Project area, including several species of the millipede *Antichiropus* and two species of the land snail *Bothriembryon*. Additionally, the desktop review recovered two species listed as critically endangered or extinct as occurring near the Project. The field survey collected 530 samples identifiable to 34 species belonging to SRE Groups (i.e. invertebrate groups with a high proportion of SRE species). Of the 34 species found, 17 were considered widespread or likely to have widespread distributions.

The survey results also indicated that the VSA 3 vegetation system is likely important for supporting the local SRE fauna, with the slater *Buddelundia* 'BIS497', appearing to occur only within this vegetation, which does not coincide with the CPS 9057/1 area.

Activities such as clearing, loss of habitat, and interruptions in habitat connectivity have the potential to affect the species' populations, however, the significance of these potential impacts is expected to be minor as VSA 3 appears to be moderately widespread in the region. VSA 3 also closely corresponds to VA 12 and 13, mapped by Onshore 2013, and also sitting outside the CPS 9057/1 area.

## 2.2.3 All fauna surveys

Taking into account all fauna surveys to date, no conservation-listed species (under the BC Act and/or EPBC Act) or significantly restricted SRE have been recorded in the CPS 9057/1 area. Vegetation types observed and recorded in recent surveys do not indicate that any change in habitat condition since 2013.

### 3 Assessment against 10 clearing principles

Under Schedule 5 of the *Environmental Protection Act 1986* (EP Act), there are 10 principles that are designed to guide decisions regarding the clearing of native vegetation. These principles aim to protect biodiversity, ecological communities, and environmental values.

An updated assessment against the 10 clearing principles, to support the proposed amendment to CPS 9057/1 to unconstrain the timeframe in which clearing can be conducted is provided in Table 3.1 below.

**Table 3.1** Clearing principles assessment

Clearing Principle	Outcome	Discussion and Potential Impacts	Additional Management and Mitigation Measures
a) Native vegetation should not be cleared if it comprises a high level of biological diversity.	Not likely to be at variance	<p>Flora and fauna surveys did not identify any threatened or priority flora or fauna or ecological communities within the application area (Onshore 2013; Bamford 2013).</p> <p>The application area largely comprises <i>Acacia rostellifera</i> shrubland in a completely degraded to good (Keighery 1994) condition and is not likely to contain a high level of biodiversity.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome; field surveys conducted since 2013 do not suggest changes or increases in biological diversity within remnant vegetation in the CPS 9057/1 footprint.</p>	Existing condition for weed hygiene management measures to protect high diversity vegetation.
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.	Not likely to be at variance	<p>The application area contains suitable habitat for five species of conservation listed fauna.</p> <p>Noting the extent of equally suitable or higher quality habitat for these species within the local area, the application area is not likely to contain significant habitat for these species.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome; fauna surveys and habitat assemblages recorded in surveys since 2013 have not identified significant habitat for fauna indigenous to WA within the CPS 9057/1 footprint.</p>	Existing conditions to undertake slow, directional clearing and progressive rehabilitation to reinstate ecological linkages.
c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.	Not likely to be at variance	<p>The application area is unlikely to contain any threatened flora species noting the findings of a Level 2 Flora and Vegetation survey, and the largely degraded to good (Keighery 1994) condition of the application area, which has been subject to historical cattle grazing and largely comprises <i>Acacia rostellifera</i> regrowth.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome, as the permit boundary is not changing and updated survey information has not identified additional rare flora within the permit boundary.</p>	Existing condition for weed hygiene management measures to protect rare flora.

Clearing Principle	Outcome	Discussion and Potential Impacts	Additional Management and Mitigation Measures
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 (TEC).	Not likely to be at variance	<p>The application area does not contain vegetation that is representative of any known threatened ecological communities.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome, as the permit boundary is not changing, and updated survey information has not identified new TECs.</p>	No additional measures are proposed.
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.	Not likely to be at variance	<p>The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30% of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001).</p> <p>DWER notes the cumulative clearing associated with nearby mining proposals, and agriculture to the east of the application area. However, as shown in Appendix C, the mapped vegetation type, Bioregion and local area all retain greater than the 30% threshold. Therefore, the application area is not within an extensively cleared area.</p> <p>DWER notes the value of the vegetation under application as a stepping stone for fauna movement. The applicant will be required to revegetate temporary cleared areas to the current vegetation condition and structure, which will minimise this impact.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome, as the permit boundary is not changing, nor the extent of existing approved clearing under CPS 9057/1 is not proposed to increase. In addition, the remnant vegetation within the clay pan area of CPS 9057/1 is not part of the footprint proposed for development under the approved Mining Proposal for the site.</p>	No additional measures are proposed.
f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.	At variance	<p>The application area contains a mapped inland flat depression which is subject to inundation during seasonally high rainfall. This area contains planted and rehabilitated low woodland of <i>Eucalyptus camaldulensis</i>, <i>Eucalyptus sargentii</i> and <i>Casuarina obesa</i>, in a degraded condition (Onshore 2013).</p> <p>The applicant has advised that of the five hectares of vegetation mapped in and around the depression, the proposed clearing will be limited to around two hectares in this area, as the mine design only impacts vegetation on the eastern side of the depression.</p> <p>Given the limited extent of impacts to degraded riparian vegetation, the proposed clearing is unlikely to significantly impact on the extent of riparian habitat within the local area.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome, as the permit boundary is not changing and there is no new information available that would change the assessment. In addition, the remnant vegetation within the clay pan area of CPS 9057/1 is not part of the footprint proposed for development under the approved Mining Proposal for the site.</p>	No additional measures are proposed.

Clearing Principle	Outcome	Discussion and Potential Impacts	Additional Management and Mitigation Measures
g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.	May be at variance	<p>The sandy soils mapped within the application area are susceptible to wind erosion, with the 10-30 per cent of the mapped soils identified as having a high to extreme risk of wind erosion. Noting the size of the application area, the proposed clearing may result in wind erosion and appreciable land degradation.</p> <p>The applicant has provided a dust management plan which outlines measures to reduce the risk of wind erosion, including:</p> <ul style="list-style-type: none"> <li>• use of various surface treatments on exposed or disturbed soils to stabilise soils</li> <li>• wetting down unsealed areas to suppress dust generation</li> <li>• planting of long term tree lined shelter belts</li> <li>• screening along the boundary of the site as a barrier.</li> </ul> <p><b>This amendment:</b> There are no changes to this assessment outcome, as the permit boundary or total footprint of authorised clearing is not changing. There is no new information available that indicates that the assessment should be amended.</p>	No additional measures are proposed.
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 areas.	Not likely to be at variance	<p>Given the distance to the nearest conservation areas, the proposed clearing is not likely to impact on the environmental values of any conservation areas.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome, as the permit boundary and extent of authorised clearing is not changing and the project is not anticipated to impact on the environmental values of any conservation areas.</p>	No additional measures are proposed.
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.	Not likely to be at variance	<p>Given no permanent watercourses or wetlands are recorded within the application area, the proposed clearing is unlikely to impact surface or groundwater quality.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome, as the permit boundary and extent of authorised clearing is not changing, and there are no new activities associated with the project that would have the potential to change the risk to surface or underground water quality.</p>	No additional measures are proposed.
j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence of flooding.	Not likely to be at variance	<p>Noting the highly permeable mapped soils relatively flat topography, and lack of permanent nearby watercourses, the proposed clearing is unlikely to contribute to cause or exacerbate the incidence or intensity of flooding.</p> <p><b>This amendment:</b> There are no changes to this assessment outcome, as the permit boundary or extent of authorised clearing is not changing, and there is no reason to suggest that the clearing could cause, increase or exacerbate the incidence of flooding.</p>	No additional measures are proposed.

## 4 Conclusion

The proposed unconstraining of condition 4 of CPS 9057/1 is not expected to result in any additional impact on local ecological values or increases in the likelihood of variances against any of the clearing principles.

No changes to the permit boundary or permit clearing area are being sought under the amendment and updated biological survey results have not identified any new risks to ecological values relevant to clearing activities within CPS 9057/1.

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