



Clearing Permit Decision Report

1. Application details and outcomes,

1.1. Permit application details

Permit number:	9337/3
Permit type:	Purpose permit
Applicant name:	APA Operations Pty Limited
Application received:	11 March 2026
Application area:	80 hectares
Purpose of clearing:	Gas pipeline
Method of clearing:	Mechanical removal
Tenure:	Miscellaneous Licence 37/248 Pipeline Licence 126
Location (LGA area):	Shire of Licence
Colloquial name:	King of the Hills Gas Pipeline

1.2. Description of clearing activities

APA Operations Pty Limited proposes to clear up to 80 hectares of native vegetation within a boundary of approximately 272.953 hectares, for the purpose of a gas pipeline. The project is located approximately 26 kilometres northwest of Leonora, within the Shire of Leonora.

Clearing permit CPS 9337/1 was granted by the Department of Mines, Industry Regulation and Safety (now the Department of Mines, Petroleum and Exploration (DMPE)) on 16 September 2021 and was valid from 9 October 2021 to 8 October 2026. The permit authorised the clearing of up to 80 hectares of native vegetation within a boundary of approximately 272.953 hectares, for the purpose of a gas pipeline.

DMPE initiated an amendment of CPS 9337/1 on 24 May 2022 to correct a clerical error on the permit. CPS 9337/2 was granted on 20 December 2022.

On 11 March 2026, the permit holder applied to amend CPS 9337/2 to extend the duration of the clearing permit. Pipeline Licence 126 was also added to the clearing permit.

Based on the most recent annual clearing report (reporting period 1 July 2024 to 30 June 2025, received 5 June 2025), no clearing of native vegetation has occurred under the permit.

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	6 October 2026
Decision area:	80 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 7 days, and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (Appendix A), relevant datasets (Appendix E), supporting information provided by the applicant including the results of a flora and vegetation survey (Appendix D), the clearing principles set out in Schedule 5 of the EP Act (Appendix B), 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 for a gas pipeline.

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;
- potential impacts to riparian vegetation and waterflows; and

- potential land degradation in the form of wind erosion.

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;
- avoid clearing watercourses where practicable, and ensure surface flows are maintained or reinstated downstream;
- commence construction no later than three months after undertaking clearing to reduce the risk of erosion;

The assessment has not changed since the assessment for CPS 9337/2. The Delegated Officer determined that the proposed amendments to extend the duration of the clearing permit is 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)
- *Petroleum and Geothermal Energy Resources Act 1967* (WA)
- *Petroleum Pipelines Act 1969* (WA)

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, 2014)
- Procedure: Native vegetation clearing permits (DWER, 2021)
- Technical guidance – Flora and Vegetation Surveys for Environmental Impact Assessment (EPA, 2016b)
- Technical guidance – Terrestrial Fauna Surveys for Environmental Impact Assessment (EPA, 2016a)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

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.

Evidence was submitted by the applicant, demonstrating that appropriate avoidance and mitigation measures have been actioned. 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.

The permit holder has committed to a number of additional environmental management and mitigation measures listed below (APA, 2021):

- vegetation clearing will be managed through internal ground disturbance procedures;
- clear delineation of the clearing areas with survey pegs and flagging tape to ensure no inadvertent clearing occurs
- rehabilitation of disturbed areas on completion of construction activities;
- weed hygiene practices will be implemented. Site weed control will be conducted as required;
- utilisation of dust control measures;
- night construction works will be avoided where practicable;
- vehicle movements will be confined to defined tracks and construction areas;
- pipeline alignment will be designed to avoid and/or minimise disturbance to ephemeral drainages as much as possible; and
- culverts or floodways will be installed where necessary to prevent blockage of ephemeral drainages.

3.2. Assessment of impacts on environmental values

A review of current environmental information (Appendix A) reveals that the assessment against the clearing principles has not changed from the clearing permit decision report CPS 9337/2.

3.2.1. Biological values (flora) - Clearing principle (a)

Assessment

Mattiske Consulting (2020) undertook a reconnaissance flora and vegetation survey of the application area and surrounds (approximately 84 hectares) between 24 and 28 March 2020, and no conservation significant flora were recorded during the survey. Based on habitat suitability, the following conservation significant flora species may potentially occur within the application area.

Stenanthemum patens, Priority 1, is a shrub that occurs on rocky hills and red-brown clay loam (WA Herbarium, 1998-). There are 18 Western Australian Herbarium (1998-) records distributed across the Murchison bioregion. The closest known record is within five kilometres of the application area (GIS Database). Suitable habitat for this taxon occurs within the application area (Mattiske Consulting, 2020). As the species is well represented within the region, the proposed clearing is unlikely to be significant to the conservation of *Stenanthemum patens* (GIS Database).

Grevillea inconspicua, Priority 4, is a spreading shrub that occurs in loam and gravel along drainage lines on rocky outcrops and creeklines (WA Herbarium, 1998-). There are 63 Western Australian Herbarium (1998-) records distributed across the Murchison bioregion. The closest known record is within 15 kilometres of the application area (GIS Database). Suitable habitat for this taxon occurs within the application area (Mattiske Consulting, 2020). As the species is well represented within the region, the proposed clearing is unlikely to be significant to the conservation of *Grevillea inconspicua* (GIS Database).

Eremophila simulans subsp. *megacalyx*, Priority 3, is a shrub that occurs in orange sand and sandy gravel laterite (WA Herbarium, 1998-). There are 11 Western Australian Herbarium (1998-) records distributed across the Murchison bioregion. The closest known record is within 20 kilometres of the application area (GIS Database). Suitable habitat for this taxon occurs within the application area (Mattiske Consulting, 2020). Given the distribution of known records within the region, the proposed clearing is unlikely to be significant to the conservation of the species (GIS Database).

The proposed clearing is limited to the pipeline corridor and, as a result, is unlikely to significantly reduce the availability of suitable habitat for these conservation significant flora species (Mattiske Consulting, 2020).

Conclusion

The proposed clearing is unlikely to impact the conservation status of any flora species provided clearing is limited and weed management occurs.

Conditions

The following management measures will be required as conditions on the clearing permit:

- avoid, minimise to reduce the impacts and extent of clearing; and
- take hygiene steps to minimise the risk of the introduction and spread of weeds.

3.2.2. Biological values (fauna) - Clearing principle (b)

Assessment

A level 2 vertebrate fauna assessment was undertaken by Terrestrial Ecosystems (2020) in spring 2019. The survey was carried out over the King of the Hills Project area which encompasses the application area. No conservation significant fauna species were recorded within the application area (Terrestrial Ecosystems, 2020). However, three conservation significant fauna species may occur infrequently within the two fauna habitat types recorded within the application area (detailed in Appendix A).

Peregrine falcon (*Falco peregrinus*), OS, is an aerial predator that inhabits a wide range of environments, particularly those associated with cliff faces and coastal areas (Menkhorst et al., 2019; Terrestrial Ecosystems, 2020). The closest known record is within five kilometres of the application area (GIS Database). Although the species may be observed infrequently within the application area, the proposed clearing is unlikely to have a significant impact on this species because individuals are highly mobile and will readily move away from disturbance. In addition to this, there is an abundance of suitable habitat in the immediate surrounds of the proposed area to be cleared (Terrestrial Ecosystems, 2020).

Princess parrot (*Polytelis alexandrae*), P4, is a medium sized, slender parrot that occurs irregularly across the inland arid areas of Australia (Commonwealth of Australia, 2008-). The species is thought to occupy arid shrublands dominated by Mulga, Desert Oak and spinifex (Terrestrial Ecosystems, 2020). Although the species may occur infrequently within the application area, the proposed clearing is unlikely to have a significant impact on this species as it will readily move away from disturbance. In addition to this, there is an abundance of suitable habitat in the immediate surrounds of the proposed area to be cleared (Terrestrial Ecosystems, 2020).

Fork-tailed swift (*Apus pacificus*), MI, is a medium to large size swift that is an almost exclusively aerial species and typically only lands to breed (Terrestrial Ecosystems, 2020). The species may be infrequently seen in the application area particularly within Mulga woodland; however, the proposed clearing is unlikely to have a significant impact on this species as it will readily

move away from disturbance. In addition to this, there is an abundance of suitable habitat in the immediate surrounds of the proposed area to be cleared (Terrestrial Ecosystems, 2020).

Conclusion

The proposed clearing is unlikely to impact the conservation status of any fauna species.

Conditions

No fauna management conditions are required.

3.3. Relevant planning instruments and other matters

The amendment application was advertised on 16 June 2026 by the Department of Mines, Petroleum and Exploration inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim (WCD2022/002) over the area under application (DPLH, 2026). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. The mining tenure and petroleum title have 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 one registered Aboriginal Sites of Significance within the application area (DPLH, 2026). 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.

Other relevant authorisations required for the proposed land use include:

- An Environment Plan approved under the *Petroleum Pipelines Act 1969*

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. Site characteristics

A.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. It is surrounded by the landscape and vegetation of the Murchison bioregion. The gas pipeline is part of the King of the Hills Gas Pipeline project operated by APA Operations Pty Ltd.						
Ecological linkage	According to available databases, the application area does not contain any known or mapped ecological linkages (GIS Database).						
Conservation areas	The nearest conservation area is the former Bulga Downs & Cashmere Downs Pastoral lease located approximately 79 kilometres west of the application area (GIS Database).						
Vegetation description	The vegetation of the application area is broadly mapped as the following Beard vegetation associations: • 18: Low woodland; mulga (<i>Acacia aneura</i>); and • 28: Open low woodland; mulga (GIS Database). A flora and vegetation survey was conducted over the application area by Mattiske Consulting Pty Ltd during February 2020. The following vegetation units were recorded within the application area (Mattiske Consulting, 2020): • A1: Low woodland of <i>Acacia caesaneura</i> over mid open shrubland of <i>Acacia quadrimarginea</i>, <i>Acacia craspedocarpa</i> and <i>Eremophila margarethae</i> over low isolated clumps of <i>Ptilotus obovatus</i>, Maireana shrubs and other mixed shrubs on red/orange clay in drainage lines. • A2: Low Open Woodland of <i>Acacia caesaneura</i>, <i>Acacia craspedocarpa</i> - <i>Acacia tetragonophylla</i> over <i>Hakea preissii</i>, <i>Eremophila forrestii</i> subsp. <i>forrestii</i>, <i>Teucrium teucriiflorum</i>, <i>Ptilotus obovatus</i>, <i>Solanum lasiophyllum</i> over <i>Aristida contorta</i>, • A7: Low Open Woodland of <i>Acacia aneura</i> and other <i>Acacia</i> spp. over mixed shrubs over mixed chenopods, annual herbs and grasses on flats and lower slopes with calcrete soils. • A13: Low woodland of <i>Acacia burkittii</i> over shrubland of <i>Eremophila margarethae</i>, <i>Scaevola spinescens</i>, <i>Senna artemisioides</i> subsp. <i>x helmsii</i>, and <i>Psydrax</i> spp. mid sparse shrubland on hard red clay flats. • C1: Open Chenopod Shrubland with <i>Atriplex</i> sp., <i>Maireana planifolia</i> and mixed <i>Sclerolaena</i> species with occasional emergent <i>Hakea preissii</i> and patches of <i>Acacia aneura</i> on calcrete soils. • E1: Open Woodland of <i>Eucalyptus camaldulensis</i> var. <i>obtusa</i> with pockets of Casuarina and <i>Acacia caesaneura</i> over <i>Grevillea nematophylla</i> <i>Bossiaea walkeri</i> over mixed grasses and annual herbs on sandy soils in creeklines. • D: Disturbed Land • CL: Cleared Land Representative photos are available in Appendix D.						
Vegetation condition	Vegetation surveys of the application area found the vegetation to be in Excellent, Very Good, Good and Completely Degraded condition (Trudgen, 1991). The full Trudgen (1991) condition rating scale is provided in Appendix C.						
Climate and landform	The climate of the Eastern Murchison subregion is described as arid, with the nearest weather station recording an average rainfall of approximately 236.4 millimetres per year (BoM, 2026; CALM, 2002).						
Soil description	The soils in the application area are in the majority mapped as red shallow loam and red sandy earth. Some areas of the application area feature red deep sandy duplex (DPIRD, 2026).						
Land degradation risk	The application area lies within the Jundee, Monk and Wilson land systems (GIS Database). These systems have been mapped and described as (Pringle et al., 1994): <table><tr><th>Land system</th><th>Description</th><th>Degradation and erosion risk</th></tr><tr><td>Jundee land system</td><td>Hardpan plains with ironstone gravel mantles, supporting mulga shrublands.</td><td>Impedance to natural sheet flows can initiate soil erosion and cause water starvation and consequent loss of vigour in vegetation downslope.</td></tr></table>	Land system	Description	Degradation and erosion risk	Jundee land system	Hardpan plains with ironstone gravel mantles, supporting mulga shrublands.	Impedance to natural sheet flows can initiate soil erosion and cause water starvation and consequent loss of vigour in vegetation downslope.
Land system	Description	Degradation and erosion risk					
Jundee land system	Hardpan plains with ironstone gravel mantles, supporting mulga shrublands.	Impedance to natural sheet flows can initiate soil erosion and cause water starvation and consequent loss of vigour in vegetation downslope.					

Characteristic	Details		
	Monk land system	Hardpan plains with occasional sandy banks, supporting mulga tall shrublands and wanderrie grasses.	Drainage tracts are mildly susceptible to water erosion.
	Wilson land system	Large creeks with extensive distributary fans, supporting mulga and halophytic shrublands.	This land system is second only to Monitor land system in terms of the proportion of its area that is now severely degraded and eroded. The drainage tracts, alluvial fans and hardpan plains are most extensively eroded.
Waterbodies	The desktop assessment and aerial imagery indicated that two minor, non-perennial watercourses transect the area proposed to be cleared (GIS Database).		
Hydrogeography	The nearest Public Drinking Water Source Area is Leonora Water Reserve located approximately seven kilometres east of the application area (GIS Database). The application area is located within the Goldfields Ground Water Area proclaimed under the <i>Rights in Water and Irrigation Act 1914</i> (GIS Database). The mapped groundwater salinity is 1,000-3,000 milligrams per litre total dissolved solids which is described as brackish (GIS Database).		
Flora	There are no conservation significant flora species that occur within the application area (GIS Database). According to available datasets, there are four conservation significant flora species that occur within 20 kilometres of the application area (GIS Database).		
Ecological communities	The application area is not within a Priority or Threatened Ecological Community (GIS Database). The closest Threatened Ecological Community is the Sturt Meadows Calcrete located approximately 12 kilometres west of the application area (GIS Database).		
Fauna	There are no records of conservation significant fauna that have been recorded within the application area (GIS Database). There are three records of conservation significant fauna that have been recorded within the local surrounds (20 kilometres) (GIS Database).		
Fauna habitat	The Level 2 Vertebrate Fauna survey undertaken by Terrestrial Ecosystems (2020) identified two broad fauna habitats within the application area: - open mulga woodland over mixed shrubs and scattered grasses or bare ground; and - woodland of large eucalypts over mixed shrubs and scattered grasses along the ephemeral creekline that runs north-south through the project area.		

A.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 - Murchison	28,120,586.77	28,044,823.42	99.73	2,185,987.96	7.77
Beard vegetation associations - State					
Veg Assoc No. 18	19,892,306.46	19,843,148.07	99.75	1,317,179.00	6.62
Veg Assoc No. 28	395,895.08	392,171.83	99.06	-	-
Beard vegetation associations - Bioregion					
Veg Assoc No. 18	12,403,172.30	12,363,252.47	99.68	614,964.13	4.96
Veg Assoc No. 28	224,291.84	220,583.71	98.35	-	-

Government of Western Australia (2019)

A.3. Flora analysis table

With consideration for the site characteristics set out above, relevant datasets (Appendix E.1), and biological survey information, impacts to the following conservation significant flora required further consideration.

Species name	Conservation status	Suitable habitat features? [Y/N]	Suitable soil type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Likelihood of occurrence
<i>Calandrinia quartzitica</i>	P1	N	N	<5	18	Possible – discussed in Section 3.2.1
<i>Stenanthemum patens</i>	P1	Y	Y	<5	11	Possible – discussed in Section 3.2.1
<i>Grevillea inconspicua</i>	P4	Y	Y	<15	63	Possible – discussed in Section 3.2.1
<i>Eremophila simulans</i> subsp. <i>megacalyx</i>	P3	Y	Y	<20	11	Possible – discussed in Section 3.2.1

T: threatened, CR: critically endangered, EN: endangered, VU: vulnerable, P: priority

A.4. Fauna analysis table

The following conservation significant fauna species have been recorded within 20 kilometres of the application area (Terrestrial Ecosystems, 2020; GIS Database).

Species name	Conservation status	Suitable habitat features ? [Y/N]	Distance of closest record to application area (km)	Number of known records (local area)	Likelihood of occurrence
Peregrine falcon (<i>Falco peregrinus</i>)	OS	N	<5	1	Possible – discussed in Section 3.2.2
Malleefowl (<i>Leipoa ocellata</i>)	VU	N	<20	1	Unlikely
Princess parrot (<i>Polytelis alexandrae</i>)	P4	Y	-	-	Possible – discussed in Section 3.2.2
Fork-tailed swift (<i>Apus pacificus</i>)	MI	Y	-	-	Possible – discussed in Section 3.2.2

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

Appendix B. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
<u>Principle (a):</u> “Native vegetation should not be cleared if it comprises a high level of biodiversity.” <u>Assessment:</u> The area proposed to be cleared may contain suitable habitat for conservation significant flora.	Not likely to be at variance (as per CPS 9337/3)	Yes <i>Refer to Section 3.2.1, above.</i>
<u>Principle (b):</u> “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.” <u>Assessment:</u> The area proposed to be cleared does not contain critical habitat for conservation significant fauna.	Not likely to be at variance (as per CPS 9337/3)	Yes <i>Refer to Section 3.2.2, above.</i>

Assessment against the clearing principles	Variance level	Is further consideration required?
<u>Principle (c):</u> <i>"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."</i> <u>Assessment:</u> The area proposed to be cleared is unlikely to contain flora species listed under the BC Act.	Not likely to be at variance (as per CPS 9337/3)	No
<u>Principle (d):</u> <i>"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."</i> <u>Assessment:</u> There are no known Threatened Ecological Communities within the application area (GIS Database).	Not likely to be at variance (as per CPS 9337/3)	No
Environmental value: significant remnant vegetation and conservation areas		
<u>Principle (e):</u> <i>"Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared."</i> <u>Assessment:</u> The extent of native vegetation in the local area is consistent with the national objectives and targets for biodiversity conservation in Australia (Commonwealth of Australia, 2001). 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 9337/3)	No
<u>Principle (h):</u> <i>"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> <u>Assessment:</u> Given the distance to the nearest conservation area (GIS Database), the proposed clearing is not likely to have an impact on the environmental values of any nearby conservation areas.	Not likely to be at variance (as per CPS 9337/3)	No
Environmental value: land and water resources		
<u>Principle (f):</u> <i>"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."</i> <u>Assessment:</u> There are no permanent watercourses or wetlands within the area proposed to be cleared (GIS Database). There are two minor, non-perennial watercourses within the application area. Vegetation type E1 is growing in association with these drainage lines, including Sullivan's Creek (Mattiske Consulting, 2020). The potential impacts to vegetation can be managed with the continued implementation of a riparian vegetation management condition.	At variance (as per CPS 9337/3)	No
<u>Principle (g):</u> <i>"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."</i> <u>Assessment:</u> The application area lies within the Jundee, Monk and Wilson land systems (GIS Database). These land systems are susceptible to erosion when surfaces are disturbed. Vegetation within the Wilson land system is severely degraded and eroded (Pringle et al., 1994). The proposed clearing of up to 80 hectares of native vegetation may cause appreciable land degradation potential impacts from erosion may be minimised by the continued implementation of a staged clearing condition. The application area lies within a contaminated site that has not been fully investigated (GIS Database). Advice from the Department of Water and Environmental Regulation (2026) concluded that mining and processing activities	May be at variance (as per CPS 9337/3)	No

Assessment against the clearing principles	Variance level	Is further consideration required?
associated with the King of the Hills Gold Mine are undertaken on the north-eastern portion of the Mining Lease 37/330 approximately one kilometres from the vegetation clearing. As a result, there is no reason to suspect that any contamination associated with the mine could extend to the area proposed to be cleared (DWER, 2026).		
<u>Principle (i):</u> "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." <u>Assessment:</u> There are no permanent watercourses, wetlands or Public Drinking Water Source Areas within the application area (GIS Database). As a result, the proposed clearing is unlikely to cause deterioration in the quality of surface or underground water.	Not likely to be at variance (as per CPS 9337/3)	No
<u>Principle (j):</u> "Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding." <u>Assessment:</u> There are no permanent water courses or waterbodies within the application area (GIS Database). Seasonal drainage lines are common in the region and temporary localised flooding may occur briefly following heavy rainfall events. However, the proposed clearing is unlikely to increase the incidence or intensity of natural flooding events.	Not likely to be at variance (as per CPS 9337/3)	No

Appendix C. 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.
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 D. Photographs of the vegetation

The following photographs represent the some of the vegetation communities identified by Mattiske Consulting (2021).



Figure 1. Vegetation community A1



Figure 2. Vegetation community A2



Figure 3. Vegetation community A13



Figure 4. Vegetation community C1



Figure 5. Vegetation community E1

Appendix E. Sources of information

E.1. GIS datasets

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

- Cadastre (Polygon) (LGATE-217)
- Clearing Instruments Activities (Areas Approved to Clear) (DWER-076)
- Clearing Regulations - Environmentally Sensitive Areas (DWER-046)
- Clearing Regulations - Schedule One Areas (DWER-057)
- Contaminated Sites Database - Restricted (DWER-073)
- DBCA - Lands of Interest (DBCA-012)
- DBCA - Legislated Lands and Waters (DBCA-011)
- DBCA Fire History (DBCA-060)
- Geographic Names (GEONOMA) (LGATE-013)
- Groundwater Salinity Statewide (DWER-026)
- IBRA Vegetation Statistics
- 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 Title (Determination) (LGATE-066)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)
- 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)
- Soil Landscape Mapping - Project Areas (DPIRD-070)
- Townsites (LGATE-248)
- WA Now Aerial Imagery
- WRIMS - Groundwater Areas (DWER-085)
- WRIMS - Surface Water Areas (DWER-082)

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)

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Glossary

Acronyms:

BC Act	<i>Biodiversity Conservation Act 2016</i> , 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	<i>Environmental Protection Act 1986</i> , Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (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	<i>Rights in Water and Irrigation Act 1914</i> , 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.