Department of Energy, Mines, Industry Regulation and Safety

GOVERNMENT OF WESTERN AUSTRALIA

Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	10728/1
Permit type:	Purpose Permit
Applicant name:	Brightstar Resources Limited
Application received:	22 August 2024
Application area:	9.95 hectares
Purpose of clearing:	Mineral production
Method of clearing:	Mechanical Removal
Tenure:	Mining Lease 29/153
Location (LGA area/s):	Shire of Menzies
Colloquial name:	Menzies Gold Project

1.2. Description of clearing activities

Brightstar Resources Limited proposes to clear up to 9.95 hectares of native vegetation within a boundary of approximately 54 hectares, for the purpose of mineral production. The project is located approximately 1.7 kilometres to the south of the town of Menzies within the Shire of Menzies.

The application is to allow for mine expansion at the Menzies Gold Project.

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	6 February 2025
Decision area:	9.95 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed, and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) advertised the application for a public comment for a period of 21 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 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; and
- potential direct impacts to fauna of the region.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (see Section 3.1), the Delegated Officer determined the proposed clearing is unlikely to lead to appreciable land degradation and can be managed through permit conditions 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; and
- undertake slow, progressive one-directional clearing to allow terrestrial fauna to move into adjacent habitat ahead of the clearing activity.

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 (see 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)
- *Country Areas Water Supply Act 1947* (WA) (CAWS Act)
- *Mining Act 1978* (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, December 2014)
- *Procedure: Native vegetation clearing permits* (DWER, October 2021)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2020)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

The applicant plans for mine expansion to occur in previously disturbed areas that are adjacent to the existing mine in order to minimise vegetation disturbance (Brightstar Resources Limited, 2024).

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. Additionally, further management conditions have been placed on the clearing permit to mitigate and minimise potential impacts to environmental values.

3.2. Assessment of impacts on environmental values

In assessing the application, the Delegated Officer has had regard for the site characteristics (see Appendix A) and the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values.

The assessment against the clearing principles (see Appendix B) identified the impacts of the proposed clearing are limited and able to be managed to be environmentally acceptable with standard avoid and minimise, and hygiene management conditions, as well as a directional clearing condition to mitigate direct impacts to fauna.

3.3. Relevant planning instruments and other matters

The clearing permit application was advertised on 26 November 2024 by the Department of Energy, Mines, Industry Regulation and Safety 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, 2025). This claim has been determined by the Federal Court on behalf of the claimant group (Darlot). However, the mining tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

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

Other relevant authorisations required for the proposed land use include:

- A Mining Proposal / Mine Closure Plan approved under the *Mining Act 1978*.

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

End

Appendix A. Site characteristics

A.1. Site characteristics

<table>
<tr><th>Characteristic</th><th>Details</th></tr>
<tr><td>Local context</td><td>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 native veg and landscape of the Murchison bioregion and it is adjacent to existing Menzies Gold Project (GIS Database).</td></tr>
<tr><td>Ecological linkage</td><td>According to aerial imagery the application area does not form part of any formal or informal ecological linkages (GIS Database).</td></tr>
<tr><td>Conservation areas</td><td>The application area does not form part of any known or mapped conservation areas. The closest conservation area recorded as the ex Adelong pastoral Station. Located approximately 8 kilometres south-west from the application area (GIS Database).</td></tr>
<tr><td>Vegetation description</td><td>The vegetation of the application area is broadly mapped as the following Beard vegetation association:
251: Low woodland, Mulga shrublands and Allocasuarina cristata (GIS Database).

A flora and vegetation survey was conducted over the application area by Western Botanical during May and August, 2021. The following vegetation associations were recorded within the application area (Western Botanical, 2021):

<table>
<tr><th>Vegetation Association</th><th>Description</th></tr>
<tr><td>Greenstone hill Acacia sibirica shrublands</td><td>Hills and low rises of red earths on greenstone or basalt indurated by iron, supporting Acacia sibirica</td></tr>
<tr><td>Greenstone hill Acacia collegialis shrublands</td><td>Summits of greenstone and basalt hills dominated by Acacia collegialis.</td></tr>
<tr><td>Casuarina pauper - Acacia sibirica shrublands</td><td>Stoney rises and plains with moderate to abundant mixed mantles of greenstone, quartz and ironstone pebbles and cobbles, supporting prominent Casuarina pauper overstoreys with Acacia sibirica.</td></tr>
<tr><td>Maireana sedifolia shrublands (Calcyphytic pearl bluebush)</td><td>Stoney plains and slopes of greenstone hills supporting Maireana sedifolia</td></tr>
<tr><td>Maireana pyramidata (Sago bush) low shrubland</td><td>Alluvial plains with red earths or duplex soils on hardpan dominated by Maireana pyramidata.</td></tr>
<tr><td>Drainage tract Mulga shrublands</td><td>Narrow unincised linear drainage zones receiving concentrated run-on, supporting A. aneura tall shrublands.</td></tr>
</table>
</td></tr>
<tr><td>Vegetation condition</td><td>The vegetation survey (Western Botanical, 2021) and aerial imagery indicate the vegetation within the proposed clearing area ranges from excellent to a completely degraded (Trudgen, 1991) condition.

The full Trudgen (1991) condition rating scale is provided in Appendix C.</td></tr>
<tr><td>Climate and landform</td><td>The application area is located in an arid zone with an annual average rainfall (Menzies) of 252.2 millimetres (BoM, 2025).</td></tr>
<tr><td>Soil description</td><td>The soil in the application area is mapped as red shallow loam, calcareous loamy earth, red shallow sand, red shallow sandy duplex, and red/brown non-cracking clay (DPIRD, 2025).</td></tr>
<tr><td>Land systems and degradation risk</td><td>The application area falls within the Moriarty system and Graves system. These land systems are described below (Pringle et al., 1994):
Graves Land system: Basalt and greenstone rises and low hills, supporting eucalypt woodlands with prominent saltbush and bluebush understoreys. Alluvial plains are susceptible to water erosion where perennial shrub cover is substantially reduced, or the soil surface is disturbed.
Moriarty Land System: Low greenstone rises and stony plains, supporting chenopod shrublands with patchy eucalypt overstoreys. Slopes of low rises without protective stone mantles, alluvial plains and narrow drainage tracts are moderately susceptible to water erosion, particularly if perennial shrub cover is substantially reduced, or the soil surface is disturbed.</td></tr>
<tr><td>Waterbodies</td><td>The desktop assessment and aerial imagery indicated that no watercourses transect the area proposed to be cleared (GIS Database).</td></tr>
<tr><td>Hydrogeography</td><td>The application area falls within the Goldfields groundwater area which is legislated by the RIWI Act 1914. The mapped groundwater salinity is 3,000-7,000 milligrams per litre total dissolved solids, which is described as brackish to saline quality (GIS Database).</td></tr>
<tr><td>Flora</td><td>A detailed flora and vegetation assessment was conducted by Western Botanical (2021) in the application area. All recorded flora taxa were collected at least once for identification or verification using the resources of the WA Herbarium and Western Botanical’s reference herbarium. No Threatened or Priority flora were encountered across the application area.</td></tr>
</table>

Characteristic	Details
Ecological communities	No Threatened Ecological Communities or Priority Ecological Communities were found within the application area (Western Botanical, 2021). The nearest recorded Priority Ecological Community is located approximately 58 kilometres west of the application area (GIS Database).
Fauna	No threatened species of fauna are likely to be present in the project area, but one specially protected species may infrequently be present and there is a low possibility that two migratory species of birds identified under the EPBC Act 1999 potentially occur in the project area or surrounds (Terrestrial Ecosystems, 2022). These species have been further assessed in Appendix A.2.
Fauna habitat	The following fauna habitats have been identified within the application area (Terrestrial Ecosystems, 2022):

Fauna Habitat	Vegetation Association	Description
Casuarina woodland	*Casuarina pauper* - *Acacia sibirica* shrublands	Stoney rises and plains with moderate to abundant mixed mantles of greenstone, quartz and ironstone pebbles cobbles, supporting prominent *Casuarina pauper* overstoreys with *Acacia sibirica*.
Bushy shrubland	*Maireana sedifolia shrublands (Calcyphytic pearl bluebush)*	Stoney plains and slopes of greenstone hills supporting *Maireana sedifolia*.
Bushy shrubland	Maireana pyramidata (Sago bush) low shrubland	Alluvial plains with red earths or duplex soils on hardpan dominated by *Maireana pyramidata*.

A.2. Fauna analysis table

Species name	Conservation status	Suitable habitat features?	Suitable vegetation type?	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify?
Polytelis alexandrae (Princess Parrot) - May very infrequently be seen in the region.	Priority 4	No	No	178	140	Yes
Apus pacificus (Fork-tailed Swift) - May very infrequently be seen in the area, however, clearing vegetation is unlikely to impact on this species.	Migratory	No	No	74	410	Yes
*Charadrius veredus (*Oriental Plover*)* - Unlikely to be present in the project area so the potential for impact on this species is low.	Migratory	No	No	85	522	Yes
Falco peregrinus (Peregrine Falcon) - May infrequently be seen in the area; however, clearing vegetation is unlikely to impact on this species.	Other specially protected	No	Yes	52	1,756	Yes

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

Appendix B. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
Principle (a): *"Native vegetation should not be cleared if it comprises a high level of biodiversity."* Assessment: There was no record of conservation significant flora, fauna, habitats, or vegetation associations in the application area (Terrestrial ecosystems, 2022; Western Botanical, 2021; GIS Database). The vegetation associations identified in the application area do not form part of any known or mapped Priority Ecological Communities (Western Botanical, 2021; GIS Database).	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Due to the highly disturbed nature of the Menzies Gold Project, weed invasion is common across many parts of the application area. One weed species is listed as a Weed of National Significance and a Declared Pest, the *Cylindropuntia pallida* (Opuntioid Cactus, Hudson Pear), and the *Rumex vesicarius* (Ruby Dock) is listed as a Declared Pest. Weeds have the potential to significantly change the dynamics of a natural ecosystem and lower the biodiversity of an area. Potential impacts to the biodiversity as a result of the proposed clearing may be minimised by the implementation of a weed management condition.		
Principle (b): *"Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna."* Assessment: The area proposed to be cleared is unlikely to contain foraging, roosting, breeding, critical, significant habitat for conservation significant fauna (Terrestrial Ecosystems, 2022).	Not likely to be at variance	No
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: There were no records of threatened flora in the application area (Western Botanical, 2021; GIS database). Additionally, the area proposed to be cleared is unlikely to contain significant habitat for threatened flora (Western Botanical, 2021).	Not likely to be at variance	No
Principle (d): *"Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community."* Assessment: The application area proposed to be cleared does not intercept any mapped or known ecological communities and the vegetation associations identified in the application area do not form part of any known or mapped Threatened Ecological Communities (Western Botanical, 2021; GIS Database).	Not likely to be at variance	No
Environmental value: significant remnant vegetation and conservation areas		
Principle (e): *"Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared."* Assessment: The application area falls within the Murchison Bioregion of the Interim Biogeographic Regionalisation for Australia (GIS Database). Over 99 per cent of the pre-European vegetation still exists in the Murchison Bioregion (Government of Western Australia, 2019). The application area is broadly mapped as Beard vegetation association 251 (GIS Database). This vegetation association has not been extensively cleared as over 99 per cent of the pre-European extent of this vegetation association remains uncleared at both the state and bioregional level (Government of Western Australia, 2019).	Not at variance	No
Principle (h): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area."* Assessment: Given the distance to the nearest conservation area, the proposed clearing is not likely to have an impact on the environmental values of adjacent or nearby conservation areas (GIS Database).	Not likely to be at variance	No
Environmental value: land and water resources		
Principle (f): *"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."* Assessment: Given no water courses or wetlands are recorded within the application area, the proposed clearing is unlikely to have an impact on vegetation growing in or in	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
association with an environment associated with a watercourse or wetland (GIS Database).		
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The mapped soils in the application area are only moderately susceptible to water erosion in areas containing alluvial plains and drainage tracts (Pringle et al., 1994). Noting the absence of these features in the application area the proposed clearing is not likely to cause appreciable land degradation.	Not likely to be at variance	No
Principle (i): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water."* Assessment: Given that a Public Drinking Water Source Area has been recorded within the application area, advice was sought from the Department of Water Environmental Regulation (DWER), and DEMIRS was advised the proposed clearing is compatible within the Priority 1 area of the Menzies Water Reserve (DWER, 2024). The proposed clearing is unlikely to cause deterioration in the quality of surface or underground water as long as the conditions listed in the Water Quality Protection note are complied with (DWER, 2021).	Not likely to be at variance	No
Principle (j): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."* Assessment: Given no permanent water courses or wetlands are recorded within the application area, the proposed clearing is unlikely to contribute to cause, or exacerbate, the incidence or intensity of flooding (GIS database).	Not likely to be at variance	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 the location of the application area, 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 Fauna Habitats and Associated Vegetation

Figure 1: Bushy Shrubland Fauna Habitat (Terrestrial Ecosystems, 2022)

Figure 2: Casuarina woodland Fauna Habitat (Terrestrial Ecosystem, 2022)

Figure 3: Shrubland Fauna Habitat (Terrestrial Ecosystems, 2022)

Appendix E. Sources of information

E.1. GIS databases

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

- Aboriginal Heritage Places (DPLH-001)
- Clearing Regulations - Environmentally Sensitive Areas (DWER-046)
- Clearing Regulations - Schedule One Areas (DWER-057)
- DBCA - Lands of Interest (DBCA-012)
- DBCA - Legislated Lands and Waters (DBCA-011)
- DBCA Fire History (DBCA-060)
- Esri World Imagery
- Groundwater Salinity Statewide (DWER-026)
- Hydrographic Catchments – Catchments (DWER-028)
- Hydrography – Inland Waters – Waterlines
- Hydrography, Linear (DWER-031)
- IBRA Vegetation Statistics
- Native Title (ILUA) (LGATE-067)
- Pre-European Vegetation (DPIRD-006)
- RIWI Act, Groundwater Areas (DWER-034)

- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Mapping – Best Available (DPIRD-027)
- Soil Landscape Mapping – Rangelands (DPIRD-064)
- WA Now Aerial Imagery

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)

E.2.References

Brightstar Resources Limited (2024) Clearing permit application form, CPS 10278/1, received 22 August 2024.

Bureau of Meteorology (BoM) (2025) Bureau of Meteorology Website – Climate Data Online, Menzies Station. Bureau of Meteorology. https://reg.bom.gov.au/climate/data/ (Accessed 20 January 2025).

Department of Environment Regulation (DER) (2014) *A guide to the assessment of applications to clear native vegetation*. Perth. https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide2_assessment_native_veg.pdf

Department of Planning, Lands and Heritage (DPLH) (2025) Aboriginal Cultural Heritage Inquiry System. Department of Planning, Lands and Heritage. https://espatial.dplh.wa.gov.au/ACHIS/index.html?viewer=ACHIS (Accessed 23 January 2025).

Department of Primary Industries and Regional Development (DPIRD) (2025) NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. https://dpird.maps.arcgis.com/apps/webappviewer/index.html?id=662e8cbf2def492381fc915aaf3c6a0f (Accessed 21 January 2025).

Department of Water and Environmental Regulation (DWER) (2021) Procedure: Native vegetation clearing permits. Joondalup. https://www.wa.gov.au/system/files/2023-06/procedure-native-vegetation-clearing-permits.pdf

Department of Water and Environmental Regulation (DWER) (2024) Advice received in relation to Clearing Permit Application CPS 10278/1. Department of Water and Environmental Regulation, Western Australia, November 2024.

Environmental Protection Authority (EPA) (2016) Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment. http://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/EPA%20Technical%20Guidance%20-%20Flora%20and%20Vegetation%20survey_Dec13.pdf

Environmental Protection Authority (EPA) (2020) Technical Guidance – Terrestrial Fauna Surveys. https://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/2020.09.17%20-%20EPA%20Technical%20Guidance%20-%20Vertebrate%20Fauna%20Surveys%20-%20Final.pdf

Government of Western Australia (2019) 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions. https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics

Pringle, H J, Gilligan, S A, and van Vreeswyk, A M. (1994) *An inventory and condition survey of rangelands in the north-eastern Goldfields, Western Australia*. Department of Primary Industries and Regional Development, Western Australia, Perth. Technical Bulletin 87. https://library.dpird.wa.gov.au/tech_bull/5

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.

Terrestrial Ecosystems (2022) Basic Vertebrate Fauna Survey and Risk Assessment, Menzies Mining Project, completed for Kingswest Resources by Terrestrial Ecosystems, March 2022.

Western Botanical (2021) Detailed Flora and Vegetation Assessment of the Menzies Gold Project completed for Kingswest Resources by Western Botanical, December 2021.

4. Glossary

Acronyms:

BC Act	*Biodiversity Conservation Act 2016,* Western Australia
BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DCCEEW	Department of Climate Change, Energy, the Environment and Water, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
DEMIRS	Department of Energy, Mines, Industry Regulation and Safety
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia (now DEMIRS)
DMP	Department of Mines and Petroleum, Western Australia (now DEMIRS)
DoEE	Department of the Environment and Energy (now DCCEEW)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)

DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	*Environmental Protection Act 1986*, Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Federal Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia
IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	*Rights in Water and Irrigation Act 1914*, Western Australia
TEC	Threatened Ecological Community

Definitions:

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

T **Threatened species:**

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:

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:

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.

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.