Department of Mines, Petroleum and Exploration

GOVERNMENT OF WESTERN AUSTRALIA

Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	11086/1
Permit type:	Purpose Permit
Applicant name:	Black Cat (Kal East) Pty Ltd
Application received:	30 April 2025
Application area:	260 hectares
Purpose of clearing:	Mineral production and associated activities
Method of clearing:	Mechanical Removal
Tenure:	Mining Leases 26/148, 26/197, 26/248, 26/357, 26/364, 26/409, 26/417, 26/440 and 26/635
Location (LGA area):	City of Kalgoorlie-Boulder
Colloquial name:	Fingals Project

1.2. Description of clearing activities

Black Cat (Kal East) Pty Ltd proposes to clear up to 260 hectares of native vegetation within a boundary of approximately 641.1 hectares, for the purpose of mineral production and associated activities (Black Cat, 2025a). The project is located approximately 45 kilometres southeast of Kalgoorlie, within the City of Kalgoorlie-Boulder.

The application is to allow for the recommencement of mining activities at the Fingals Project which includes the expansion of the existing Fingals, Bagus and Futi Bagus open pits and the construction of associated mine infrastructure (Black Cat, 2025b).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	4 August 2025
Decision area:	260 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 Mines, Petroleum and Exploration (DMPE) 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), 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 proposed clearing, to facilitate the recommencement of mining activities at the Fingals Project.

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;
- the loss of potentially suitable habitat for arid bronze azure butterfly (ABAB) (*Ogyris subterrestris petrina*); and
- the loss of potentially suitable habitat for inland hairstreak butterfly (*Jalmenus aridus*).

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 applicant has suitably demonstrated avoidance and minimisation measures (Section 3.1).

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;
- survey areas proposed to be cleared to identify potential critical habitat, ant colonies and ABAB individuals, and no clearing within 100 metres of ant colonies; and

- survey areas proposed to be cleared to identify potential critical habitat and inland hairstreak individuals, and no clearing within 50 metres of inland hairstreak host plants.

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)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Mining Act 1978* (WA)
- *Rights in Water and Irrigation Act 1914* (RIWI Act)

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, 2016b)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2020)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

Clearing has been reduced by utilising areas of existing and historic disturbance where possible (Black Cat, 2025a).

The applicant commits to:

- rehabilitation in accordance with the approved Mine Closure Plan; and
- following the existing Black Cat Environmental Management Measures regarding clearing and weed management (Black Cat, 2025a).

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.

3.2. Assessment of impacts on environmental values

In assessing the application, the Delegated Officer has had regard for the site characteristics (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 identified that the impacts of the proposed clearing present a risk to biological values (flora and fauna). The consideration of these impacts, and the extent to which they can be managed through conditions applied in line with sections 51H and 51I of the EP Act, is set out below.

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

Assessment

A flora and vegetation survey has been conducted over the eastern portion of the application area by Botanica (2021) on 22 November 2020. No conservation significant flora were located during the survey (Botanica, 2021). However, the following species requiring discussion, as suitable habitat occurs within the application area.

Species potentially occurring:

Eremophila arachnoides subsp. *tenera*, Priority 3, is typically found in salmon gum woodlands on clay loam soils (Western Australian Herbarium, 1998-). Suitable habitat for this taxon occurs within the application area (Botanica, 2021).

Of the 18 Western Australian Herbarium (1998-) *Eremophila arachnoides* subsp. *tenera* records, 17 are located within a 60 kilometre radius of each other, east of Kalgoorlie in the Coolgardie and Murchison bioregions (GIS Database). These records were collected between 1997 and 2025, with the majority being collected in 2019 (Western Australian Herbarium, 1998-; GIS Database). The application area is at the western extent of this distribution, with the nearest records being located approximately 6 kilometres south and 10 kilometres north of the site (Western Australian Herbarium, 1998-; GIS Database). The remaining record is located northeast of Laverton within the Great Victoria Desert bioregion, and was recorded in 2010 (Western Australian Herbarium, 1998-; GIS Database).

Given the presence of suitable habitat, nearby records, and the location within the taxon's known extent of occurrence, *Eremophila arachnoides* subsp. *tenera* is considered likely to occur within the application area (Botanica, 2021; Western Australian Herbarium, 1998–; GIS Database). However, as suitable habitat is widespread in the surrounding region

and the application area has been degraded by historical mining activities, the proposed clearing of suitable habitat is unlikely to be significant for the conservation of *Eremophila arachnoides* subsp. *tenera* (Botanica, 2021; GIS Database).

Phlegmatospermum eremaeum, Priority 3, inhabits stony loam (Western Australian Herbarium, 1998-). Potentially suitable habitat occurs within the application area (Botanica, 2021). As *Phlegmatospermum eremaeum* is known from 18 Western Australian Herbarium (1998-) records and is well represented in conservation reserves, the proposed clearing is unlikely to be significant to the conservation of *Phlegmatospermum eremaeum*, if it were to occur within the application area (GIS Database).

Elachanthus pusillus, Priority 2, inhabits gravelly or rocky loam soils within open Eucalyptus woodlands (Western Australian Herbarium, 1998-). Suitable habitat occurs within the application area, (Botanica, 2021). While records of Elachanthus pusillus are restricted to the Coolgardie bioregion, there are known records located within the Mount Manning Range Nature Reserve (Western Australian Herbarium, 1998-). the proposed clearing is unlikely to be significant to the conservation of *Elachanthus pusillus*, if it were to occur within the application area (GIS Database).

Species unlikely to occur due to absence of preferred habitat:

Ricinocarpos digynus, Priority 1, inhabits rocky clay loam on rocky hillslopes (Botanica, 2021; Western Australian Herbarium, 1998-). Marginal habitat for this species occurs within the application area (Botanica, 2021). The record of this species nearest to the application area was recorded on a sand dune, and most records of this species have been recorded in association with *Casuarina pauper* (GIS Database). As preferred habitat does not occur within the application area, this species in unlikely to occur within the application area, and is therefore unlikely to be impacted by the proposed clearing (Botanica, 2021).

Lepidium fasciculatum, Priority 3, is an annual herb that inhabits cracking clays or loams on plains or lake beds (Western Australian Herbarium, 1998-). The species mostly occurs in heavy clay depressions (RBGV, 2019). Although potentially suitable habitat occurs within the application area, preferred habitat does not occur (Botanica, 2021). As preferred habitat does not occur within the application area, this species in unlikely to occur within the application area, and is therefore unlikely to be impacted by the proposed clearing.

Species unlikely to occur as the application area is outside of the species distribution:

Eucalyptus websteriana subsp. *norsemanica*, Priority 1, inhabits rocky rises (Western Australian Herbarium, 1998-). Potentially suitable habitat occurs within the application area (Botanica, 2021). Based on database records, this species is known from four locations:

1. approximately seven kilometres northwest of Norseman;
2. approximately ten kilometres southwest of Coolgardie;
3. approximately 110 kilometres west of Norseman; and
4. approximately 20 kilometres southeast of the application area (GIS Database).

Most records of this species come from the first location, northwest of Norseman (GIS Database). As there is only one record in the vicinity of the application area, and the application area is outside of the known distribution of this species, *Eucalyptus websteriana* subsp. *norsemanica* is unlikely to occur within the application area, and is therefore unlikely to be impacted by the proposed clearing (GIS Database).

Eremophila xantholaemus, Priority 1, inhabits stony loam soils (Western Australian Herbarium, 1998-). Potentially suitable habitat occurs within the application area (Botanica, 2021). This species is known from four Western Australian Herbarium (1998-) records, all located north of the application area, east of Kalgoorlie. As the application area is outside of the known distribution of this species, *Eremophila xantholaemus* is unlikely to occur within the application area, and is therefore unlikely to be impacted by the proposed clearing (GIS Database).

Ptilotus procumbens, Priority 1, inhabits red clay soils (Western Australian Herbarium, 1998-). Potentially suitable habitat occurs within the application area (Botanica, 2021). All known records of the species are recorded to the northwest of the application area (GIS Database). As the application area is outside of the known distribution of this species, *Ptilotus procumbens* is unlikely to occur within the application area, and is therefore unlikely to be impacted by the proposed clearing (GIS Database).

Acacia websteri, Priority 1, inhabits red sand, clay or loam over low-lying areas and flats (Western Australian Herbarium, 1998-). Potentially suitable habitat occurs within the application area (Botanica, 2021). All known records of the species are recorded to the west of the application area (GIS Database). As the application area is outside of the known distribution of this species, *Acacia websteri* is unlikely to occur within the application area, and is therefore unlikely to be impacted by the proposed clearing (GIS Database).

Eucalyptus urna subsp. *xesta*, Priority 3, inhabits loamy soils on flats within open Eucalyptus woodlands (Western Australian Herbarium, 1998-). Suitable habitat occurs within the application area (Botanica, 2021). All known records of the species are recorded to the west of the application area (GIS Database). As the application area is outside of the known distribution of this species, *Eucalyptus urna* subsp. *xesta* is unlikely to occur within the application area, and is therefore unlikely to be impacted by the proposed clearing (GIS Database).

Eremophila succinea, Priority 3, inhabits clay or sand over clay (Western Australian Herbarium, 1998-). Potentially suitable habitat occurs within the application area (Botanica, 2021). All known records of the species are recorded to the southwest of the application area (GIS Database). As the application area is outside of the known distribution of this species, *Eremophila succinea* is unlikely to occur within the application area, and is therefore unlikely to be impacted by the proposed clearing (GIS Database).

Conclusion

There are no conservation significant flora likely to be significantly impacted by the proposed clearing.

Conditions

No flora management conditions required.

3.2.2. Biological values (fauna) - Clearing Principles (a) and (b)

Assessment

Fauna habitats
A fauna and habitat survey has been conducted over the eastern portion of the application area by Botanica (2021) on 22 November 2020. Two broad fauna habitats have been identified within the eastern portion of the application area:

- *Eucalyptus* woodland on clay-loam plain; and
- *Eucalyptus* woodland on rocky slope (Botanica, 2021).

It is likely that these habitat descriptions also apply to the smaller, western portion of the application area (Black Cat, 2025b; GIS Database).

Representative photographs of these habitats are available in 0.

The following conservation significant fauna require consideration based on the availability of suitable habitat within the application area.

Arid bronze azure butterfly (ABAB)
Arid bronze azure butterfly (ABAB) (*Ogyris subterrestris petrina*), Critically Endangered, is threatened by clearing and habitat degradation (DBCA, 2025b). The ABAB has an obligate association with a sugar ant *Camponotus* sp. nr. *terebrans*, so critical breeding habitat for ABAB are areas which have colonies of the host ant (DBCA, 2025b). The host ant creates nests at the base of smooth-barked Eucalyptus trees (DBCA, 2025b).

Botanica (2022) completed a desktop assessment for ABAB, based on habitats identified in the Botanica (2021) survey. The following ten Eucalyptus species were identified in the survey of the Fingals project area (Botanica, 2021; 2022; Western Australian Herbarium, 1998-):

Taxa	Smooth barked at base?	Known ABAB host ant habitat? (DBCA, 2020b; 2025b)	Vegetation types where species occurs
Eucalyptus celastroides (mirret)	No	No	CLP-EW2, RS-EW1, RS-EW2
Eucalyptus ewartiana (Ewart's mallee)	No	No	Not listed
Eucalyptus gracilis (yorrell)	No	No	DD-CF1*
Eucalyptus griffithsii (Griffith's grey gum)	No	No	CLP-EW1
Eucalyptus lesouefii (Goldfields blackbutt)	No	No	CLP-EW1, RS-EW2
Eucalyptus ravida	Yes	No	CLP-EW2, RS-EW1
Eucalyptus salmonophloia (salmon gum)	Yes	Yes	CLP-EW2, RS-EW1
Eucalyptus salubris (gimlet)	Yes	Yes	DD-CF1*, RS-EW1
Eucalyptus stricklandii (Strickland's gum)	No	No	RS-EW1, RS-EW2
Eucalyptus transcontinentalis (redwood)	Yes	No	RS-EW1

*DD-CF1 vegetation type is unlikely to occur within the application area.

Salmon gum (*Eucalyptus salmonophloia*) and gimlet (*Eucalyptus salubris*) are known ABAB host ant habitat trees and these occur in vegetation types CLP-EW2 and RS-EW1, within the application area. While current literature has no mention of *Eucalyptus transcontinentalis* and *Eucalyptus ravida* as habitat for the host ant, these species are both smooth-barked and could therefore be potential habitat for the host ant (DBCA, 2020b; 2025b). Therefore, potentially suitable habitat trees occur within the CLP-EW2 and RS-EW1 vegetation types (Botanica, 2021; 2022). According to survey requirements, as there is woodland with smooth-barked eucalypts present within the application area, a desktop assessment is insufficient and an ant survey is required to determine if an ABAB survey is required (DBCA, 2020a).

Inland hairstreak
Inland hairstreak (*Jalmenus aridus*), Priority 2, is a butterfly species known from the Goldfields region (DBCA, 2025a). Preferred habitat for inland hairstreak consists of open woodland with *Senna*, *Eremophila*, *Scaveola* and *Maireana* shrubs (Eastwood et al., 2023). Hostplants for *Jalmenus aridus* larvae include *Acacia tetragonophylla* and *Senna artemisioides* subsp. *filifolia* (Eastwood et al., 2023). Botanica (2022) completed a desktop assessment for inland hairstreak, based on habitats identified in the Botanica (2021) survey. The host plants were detected within the survey area within the following vegetation types (Botanica, 2021; 2022):

Known host species (Eastwood et al., 2023)	Vegetation types where species occurs
Acacia tetragonophylla	DD-CF1*
Senna artemisioides subsp. *filifolia*	DD-CF1*, CLP-EW1, RS-EW1

*DD-CF1 vegetation type is unlikely to occur within the application area.

Given the host plant *Senna artemisioides* subsp. *filifolia* occurs within the application area, and the application and surrounding area meets the requirements for suitable habitat, a survey is required to determine whether the inland hairstreak is present within the application area (Eastwood et al., 2023).

Western rosella (inland)
Western rosella (inland) (*Platycercus icterotis xanthogenys*), Priority 4, inhabits drier eucalypt and sheoak woodlands and scrubs, especially those containing wandoo (*Eucalyptus wandoo*), flooded gum, salmon gum (*Eucalyptus salmonophloia*), tall mallee and rock sheoak (*Allocasuarina huegeliana*) (Birdlife Australia, 2017; DEC, 2009). The species nests in tree hollows, and prefers *Casuarinas* for foraging (Garnett & Crowley, 2000b). The taxon has a widespread distribution, across the Wheatbelt and Goldfields regions (DEC, 2009).

Suitable foraging habitat, and potentially suitable breeding habitat occur within the application area (Botanica, 2021). However, given that suitable habitat is widespread in the surrounding area, the application area has been degraded by historical mining

activities, and the taxon is wide ranging and mobile, the proposed clearing of suitable habitat is unlikely to be significant for the conservation of western rosella (inland) (Botanica, 2021).

Malleefowl
Malleefowl (*Leipoa ocellata*), Vulnerable, occur within arid and semi-arid woodlands (CALM, n.d.). The nearest malleefowl record is 14.7 kilometres from the application area (GIS Database). As breeding habitat for malleefowl requires a sandy substrate and a dense shrub layer, malleefowl are unlikely to nest within the application area (DCCEEW, 2024). This is due to the application area consisting of rocky or clayey soils, and habitat consisting of mostly open woodlands (Botanica, 2021). Malleefowl may pass through the application area during dispersal.

Grey falcon
The grey falcon (*Falco hypoleucos*), Vulnerable, occurs at low densities across much of arid and semi-arid Australia (TSSC, 2019). The species has been observed in open woodlands (TSSC, 2019). Botanica (2021) states that suitable habitat occurs within the application area, and the grey falcon possibly occurs within the application area. Breeding habitat are the old nests of other birds, particularly raptors of corvids (TSSC, 2019). Nests chosen are usually in the tallest trees in the landscape (TSSC, 2019). Clearing is a major threat to the species, by creating a nest shortage, and lowering prey density (TSSC, 2019). As the species is wide-ranging, and suitable habitat is abundant in the surrounding area, impacts to this species due to the proposed clearing are unlikely to be significant.

Carnaby's cockatoo
Carnaby's cockatoo (*Zanda latirostris*), Endangered, usually occurs in the Southwest, Swan Coastal Plain, Southern Coast and Wheatbelt, with most records occurring south of 29°S and west of 120°E (Commonwealth of Australia, 2008; IUCN, 2022). However, there have been four recent (2016-2018) records of Carnaby's cockatoos in Kalgoorlie (GIS Database).

Carnaby's cockatoo breeding habitat includes Eucalyptus trees capable of producing suitable breeding hollows; this includes salmon gum, which is present within the application area (Botanica, 2021; 2022; Commonwealth of Australia, 2022).

The distribution of Carnaby's cockatoos has become more restricted in the past 50 years, with the distribution moving further southwest (Commonwealth of Australia, 2008). As there are only four other Carnaby's cockatoo records within the Coolgardie bioregion – all being greater than 25 years old – and none in the Murchison bioregion, it is believed that the aforementioned occurrences of Carnaby's cockatoos in Kalgoorlie were extraordinary (GIS Database). Therefore, it is unlikely that Carnaby's cockatoos occur within the application area, despite the presence of suitable habitat.

Chuditch
Chuditch (*Dasyurus geoffroii*), Vulnerable, previously occurred throughout arid and semi-arid Australia, but is now restricted to south-west Western Australia (Commonwealth of Australia, 2008). Within their current range chuditch occur within jarrah forests and woodlands in south-western corner of Western Australia, woodlands, mallee shrublands and heaths along the south coast of Western Australia east to Ravensthorpe, and drier woodlands and mallee shrubland within the Wheatbelt and Goldfields region (DEC, 2012). The application area is located at the edge of this species known distribution and suitable habitat range (Commonwealth of Australia, 2008). It is unlikely that habitat within the application area is critical for chuditch.

Conclusion

The following species may be impacted by the proposed clearing:

Arid bronze azure butterfly (ABAB): As suitable habitat for the ABAB host ant was detected during the biological survey, a survey to detect whether the host ant is present in large numbers is recommended, to determine whether the application area includes critical breeding habitat for ABAB.

Inland hairstreak: As preferred habitat and flora host species occur within the application area, surveys for species' critical habitat are required.

The following species are unlikely to be impacted by the proposed clearing:

Western rosella (inland): Tree hollows, which may occur within the application area represent breeding habitat for this taxon. Loss of this habitat is unlikely to be significant, given that the rosella is wide ranging and mobile.

Malleefowl: As malleefowl breeding is unlikely to occur within the application area, and malleefowl is more likely to use the application for dispersal only, it is unlikely that malleefowl will be significantly impacted by the proposed clearing.

Grey falcon: As the species is wide-ranging, and suitable habitat is abundant in the surrounding area, impacts to this species due to the proposed clearing are unlikely to be significant.

Carnaby's cockatoo and chuditch: As there are limited records in the local area, and the application area is outside of the usual range of the species, it is unlikely that Carnaby's cockatoos or chuditch occur within the application area.

For the reasons set out above, it is considered that the potential impacts of the proposed clearing on arid bronze azure butterfly and inland hairstreak can be managed using the below conditions, to be environmentally acceptable. Other species discussed above are unlikely to be impacted by the proposed clearing.

Conditions

To address the above impacts, the following management measures will be required as conditions on the clearing permit:

- A fauna management (ABAB) condition requiring areas proposed to be cleared to be surveyed to identify potential critical habitat, ant colonies and ABAB individuals, and no clearing within 100 metres of ant colonies; and

- A fauna management (inland hairstreak) condition requiring areas proposed to be cleared to be surveyed to identify potential critical habitat and inland hairstreak individuals, and no clearing within 50 metres of inland hairstreak host plants.

3.3. Relevant planning instruments and other matters

The clearing permit application was advertised on 11 July 2025 by the Department of Mines, Petroleum and Exploration inviting submissions from the public. No submissions were received in relation to this application.

There are two native title claims (WC2017/007 - Marlinyu Ghoorlie and WC2020/005 - Kakarra Part A) over the area under application (DPLH, 2025). These claims have been registered with the National Native Title Tribunal on behalf of the claimant groups. 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 are no registered Aboriginal Sites of Significance 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.

It is noted that the proposed clearing may impact on arid bronze azure butterfly, which is a protected matter under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). The proponent may be required to refer the project to the (Commonwealth) Department of Climate Change, Energy, the Environment and Water for environmental impact assessment under the EPBC Act. The proponent is advised to contact the Department of Climate Change, Energy, the Environment and Water for further information regarding notification and referral responsibilities under the EPBC Act.

Other relevant authorisations required for the proposed land use include:

- A Programme of Work approved under the *Mining Act 1978*
- 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 application area is part of an expansive tract of native vegetation in the extensive land use zone of Western Australia. It is part of the Great Western Woodlands (GIS Database). It is located within the Eastern Goldfield subregion of the Coolgardie bioregion (GIS Database).

The application area is within the Mt Monger Pastoral Lease. It is also surrounded by predominantly nickel and goldmining operations. Approximately 98% of the local area (50 kilometre radius from the application area) remains uncleared (GIS Database).</td></tr>
<tr><td>Ecological linkage</td><td>The application area is not known to be an important ecological linkage (GIS Database).</td></tr>
<tr><td>Conservation areas</td><td>The application area is not located within any DBCA legislated conservation areas (GIS Database). The nearest legislated conservation area is the Majestic Timber Reserve located approximately 1.2 kilometres northeast of 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 associations:
9: Woodland of gimlet, redwood etc.; and
468: Woodland of gimlet, redwood etc. (GIS Database).

A reconnaissance flora and vegetation survey was conducted over eastern portion of the application area by Botanica (2021) on 22 November 2020. The following vegetation associations were recorded within the application area:
Eucalyptus stricklandii low woodland over Melaleuca sheathiana shrubland (RS-EW2);
Eucalyptus ravida low open woodland over Maireana triptera low open shrubland (CLP-EW2);
Eucalyptus lesouefii low open woodland over Senna artemisioides subsp. filifolia and Maireana triptera low open shrubland (CLP-EW1);
Eucalyptus lesouefii, E. salmonophloia and E. salubris woodland over Tecticornia disarticulata low open shrubland (RS-EW1); and
cleared land (Botanica, 2021).
Based on aerial imagery, available datasets and information from the applicant, it is likely that these vegetation descriptions also apply to the western portion of the application area (Black Cat, 2025b; GIS Database).</td></tr>
<tr><td>Vegetation condition</td><td>The vegetation survey (Botanica, 2021) indicates the vegetation within the proposed clearing area is in good or completely degraded (Keighery, 1994) condition, described as:
Good: Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it.
Completely degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species. These areas are often described as ‘parkland cleared’ with the flora comprising weed or crop species with isolated native trees or shrubs.
The full Keighery (1994) condition rating scale is provided in Appendix C.</td></tr>
<tr><td>Climate and landform</td><td>The climate of the Eastern Goldfields subregion is described as arid to semi-arid, with the nearest weather station (Woolibar) recording an average rainfall of approximately 255 millimetres per year (BoM, 2025; CALM, 2002).
The application area is mapped at elevations of 370-420 metres Australian height datum (GIS Database). Land system mapping broadly describes the application area as level to undulating plains (DPIRD, 2025).</td></tr>
<tr><td>Soil description</td><td>The soils within the application area are broadly mapped as the following (DPIRD, 2025):
<table>
<tr><th>System</th><th>Description</th></tr>
<tr><td>265Co – Coolgardie system</td><td>Uplands and undulating plains associated with ultramafic greenstones, supporting eucalypt woodlands and halophytic shrublands.</td></tr>
<tr><td>265Gm – Gumland system</td><td>Extensive pedeplains supporting eucalypt woodlands with halophytic and non-halophytic shrub understoreys.</td></tr>
<tr><td>265Mn – Monger system</td><td>Low rises, breakaways and very gently undulating plains with ironstone gravel mantles, supporting eucalypt woodlands, dissected by saline alluvial tracts, supporting halophytic shrublands.</td></tr>
</table>
Soils systems within the application area represent part of the Kambalda zone of the Kalgoorlie Province (DPIRD, 2025; Tille, 2006).</td></tr>
</table>

Characteristic	Details
	Soil testing has been conducted at the Fingals site, identifying two soil types: • SMU1: gravelly loamy sand; and • SMU2: calcareous loam and clay (Black Cat, 2025b).
Land degradation risk	The land systems located within the application area can be susceptible to wind and water erosion when shrubs are removed (Waddell et al., 2023). Soils within the application area can be unstable when wet (Black Cat, 2025b).
Waterbodies	The desktop assessment indicates that one minor, ephemeral watercourse intersects the clearing area boundary. This watercourse flows towards the south, draining into a non perennial lake approximately 20 kilometres south of the application area (GIS Database).
Hydrogeography	The application area is not within any mapped Public Drinking Water Source Areas (PDWSA) or legislated surface water areas. The nearest PDWSA is the Broad Arrow Dam Catchment Area located approximately 76 kilometres to the northwest of the application area (GIS Database). The application area is located within the Goldfields Groundwater Area proclaimed under the *Rights in Water and Irrigation Act 1914* (GIS Database). The groundwater salinity of the permit area has been broadly mapped as being 14,000-35,000 milligrams per litre total dissolved solids, which is considered saline to hypersaline (Black Cat, 2025b; GIS Database).
Flora	The desktop assessment located 40 conservation significant flora species recorded within a 50 kilometre radius of the application area (GIS Database). The nearest record is located less than seven kilometres from the application area (GIS Database).
Ecological communities	The biological survey did not record any threatened ecological communities (TECs) or priority ecological communities (PECs) within the application area (Botanica, 2021). There are no TECs known to occur within the Coolgardie bioregion (DBCA, 2023). There are two PECs recorded within a 50 kilometre radius of the application area (GIS Database). These are the Emu Land System PEC and the Mount Belches Banded Iron Formation (BIF) PEC (GIS Database). As the application area is not mapped as BIF or the Emu land system, it is unlikely these PECs occur within the application area (GIS Database).
Fauna	The desktop assessment located 17 conservation significant fauna species recorded within a 50 kilometre radius of the application area (GIS Database). The nearest record is located approximately 14.3 kilometres from the application area (GIS Database).
Fauna habitat	A basic fauna and habitat survey was conducted over eastern portion of the application area by Botanica (2021) on 22 November 2020. The following vegetation associations were recorded within the application area: • *Eucalyptus* woodland on clay-loam plain; • *Eucalyptus* woodland on rocky slope; and • cleared land (Botanica, 2021). It is likely that these habitat descriptions also apply to the western portion of the application area (Black Cat, 2025b). Representative photographs of these habitats are available in 0.

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 - Coolgardie	12,912,204.35	12,648,491.39	~98	2,114,349.37	16.37
Beard vegetation associations - State					
9	240,509.33	235,161.94	~98	18,984.28	7.89
468	592,022.32	583,902.76	~99	135,197.44	22.84
Beard vegetation associations - Bioregion (Coolgardie)					
9	240,441.99	235,100.97	~98	18,984.28	7.90
468	583,357.71	575,360.61	~99	130,719.16	22.41

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 (Botanica, 2021).

Likelihood of occurrence for these species was determined using species habitat preferences, age and location of known records and species distribution (Botanica, 2021; Western Australian Herbarium, 1998-; Williams, 2022; GIS Database).

Species name	Conservation status	Suitable habitat features? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify? [Y, N, N/A]	Likelihood of occurrence
Eremophila arachnoides subsp. *tenera*	P3	Y	<7	18	Y	Likely – discussed in Section 3.2.1
Phlegmatospermum eremaeum	P3	Y	<41	18	Y	Possible – discussed in Section 3.2.1
Elachanthus pusillus	P2	Y	<46	7	Y	Possible – discussed in Section 3.2.1
Ricinocarpos digynus	P1	Y	<33	10	Y	Unlikely – discussed in Section 3.2.1
Lepidium fasciculatum	P3	Y	<45	13	N	Unlikely – discussed in Section 3.2.1
Eucalyptus websteriana subsp. *norsemanica*	P1	Y	<20	15	Y	Unlikely – discussed in Section 3.2.1
Eremophila xantholaemus	P1	Y	<28	4	Y	Unlikely – discussed in Section 3.2.1
Ptilotus procumbens	P1	Y	<41	5	Y	Unlikely – discussed in Section 3.2.1
Acacia websteri	P1	Y	<42	21	Y	Unlikely – discussed in Section 3.2.1
Eucalyptus urna subsp. *xesta*	P3	Y	<45	25	Y	Unlikely – discussed in Section 3.2.1
Eremophila succinea	P3	Y	<46	10	Y	Unlikely – discussed in Section 3.2.1
Austrostipa vickeryana	P3	N	<45	9	Y	Unlikely
Tecticornia flabelliformis	P2	N	<14	7	Y	Unlikely
Calandrinia lefroyensis	P1	N	<18	11	Y	Unlikely
Eucalyptus kruseana	P4	N	<21	29	Y	Unlikely
Austrostipa turbinata (formerly *Austrostipa* sp. Carlingup Road)	P3	N	<24	25	Y	Unlikely
Eremophila praecox	P2	N	<26	52	Y	Unlikely
Frankenia glomerata	P4	N	<29	69	Y	Unlikely
Cyathostemon divaricatus	P1	N	<30	7	Y	Unlikely
Eucalyptus x *brachyphylla*	P4	N	<30	24	Y	Unlikely
Ptilotus rigidus	P1	N	<32	21	Y	Unlikely
Eucalyptus jutsonii subsp. *jutsonii*	P4	N	<33	36	Y	Unlikely
Xanthoparmelia xanthomelanoides	P2	N	<33	7	Y	Unlikely
Melaleuca coccinea	P3	N	<35	35	Y	Unlikely

Species name	Conservation status	Suitable habitat features? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify? [Y, N, N/A]	Likelihood of occurrence
Xanthoparmelia dayiana	P3	N	<35	5	Y	Unlikely
Styphelia rectiloba	P3	N	<37	7	Y	Unlikely
Goodenia salina	P2	N	<39	14	Y	Unlikely
Isolepis australiensis	P3	N	<39	10	Y	Unlikely
Thryptomene planiflora	P1	N	<39	23	Y	Unlikely
Alyxia tetanifolia	P3	N	<42	14	Y	Unlikely
Allocasuarina eriochlamys subsp. *grossa*	P3	N	<44	29	Y	Unlikely
Lepidosperma sp. Kambalda (A.A. Mitchell 5156)	P2	N	<44	2	Y	Unlikely
Acacia crenulata	P3	N	<45	25	Y	Unlikely
Pterostylis xerampelina	P1	N	<45	15	Y	Unlikely
Stackhousia muricata subsp. Perennial (W.R. Barker 3641)	P3	N	<46	50	Y	Unlikely
Stylidium choreanthum	P3	N	<46	30	Y	Unlikely
Acacia kerryana	P2	N	<47	16	Y	Unlikely
Chrysocephalum apiculatum subsp. *norsemanense*	P3	N	<47	18	Y	Unlikely
Cyathostemon verrucosus	P3	N	<47	22	Y	Unlikely
Calandrinia quartzitica	P1	N	<48	18	Y	Unlikely
Tecticornia mellarium	P1	N	<48	21	Y	Unlikely

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

A.4. Fauna 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 fauna required further consideration (Botanica, 2021; GIS Database).

Likelihood of occurrence for these species was determined using species habitat preferences, age and location of known records and species distribution (Birdlife Australia, 2017; 2025; Botanica, 2021; Commonwealth of Australia, 2008; 2022; DBCA, 2025a; 2025b; DEC, 2009; 2012; Eastwood et al., 2023; Garnett & Crowley, 2000a; 2000b; IUCN, 2022; 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)	Are surveys adequate to identify [Y/N]?	Likelihood of occurrence
Leipoa ocellata (malleefowl)	VU	Y	14.7	35	Y	Possible – discussed in Section 3.2.2
Jalmenus aridus (inland hairstreak)	P2	Y	34.7	76	N	Possible – discussed in Section 3.2.2
Ogyris subterrestris petrina (arid bronze azure butterfly)	CR	Y	44.5	17	N	Possible – discussed in Section 3.2.2
Platycercus icterotis xanthogenys (western rosella (inland))	P4	Y	17.5	1	Y	Possible – discussed in Section 3.2.2
Falco hypoleucos (grey falcon)	VU	Y	~107	0	Y	Possible – discussed in Section 3.2.2

Species name	Conservation status	Suitable habitat features? [Y/N]	Distance of closest record to application area (km)	Number of known records (local area)	Are surveys adequate to identify [Y/N]?	Likelihood of occurrence
Zanda latirostris (Carnaby's cockatoo)	EN	Y	44.5	4	Y	Unlikely – discussed in Section 3.2.2
Dasyurus geoffroii (chuditch)	VU	Potential	28.3	1	Y	Unlikely – discussed in Section 3.2.2
Calidris alba (sanderling)	MI	N	33.7	1	Y	Unlikely
Calidris acuminata (sharp-tailed sandpiper)	MI	N	26.0	5	Y	Unlikely
Charadrius cucullatus (hooded plover)	P4	N	27.9	1	Y	Unlikely
Amytornis textilis textilis (western grasswren)	P4	N	24.2	1	Y	Unlikely
Tringa glareola (wood sandpiper)	MI	N	38.2	3	Y	Unlikely
Plegadis falcinellus (glossy ibis)	MI	N	48.2	1	Y	Unlikely
Calidris ferruginea (curlew sandpiper)	CR & MI	N	48.2	1	Y	Unlikely
Tringa nebularia (common greenshank)	MI	N	40.9	2	Y	Unlikely
Tringa brevipes (grey-tailed tattler)	P4 & MI	N	44.4	1	Y	Unlikely
Calidris ruficollis (red-necked stint)	MI	N	14.3	2	Y	Unlikely
Actitis hypoleucos (common sandpiper)	MI	N	34.5	1	Y	Unlikely

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		
Principle (a): *"Native vegetation should not be cleared if it comprises a high level of biodiversity."* Assessment: The area proposed to be cleared contains suitable habitat for conservation significant flora and fauna.	May be at variance	Yes *Refer to Section 3.2.1and Section 3.2.2, above.*
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 may contain critical habitat for conservation significant fauna.	May be at variance	Yes *Refer to Section 3.2.2, above.*
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."*	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Assessment: There are no known records of threatened flora within a 50 kilometre radius of the application area (GIS Database). The flora survey of the application area did not record any species of threatened flora (Botanica, 2021).		
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 survey of the application area did not detect any Threatened Ecological Communities (TECs) (Botanica, 2021). Additionally, there are no TECs known to occur within the Coolgardie bioregion (DBCA, 2023). Therefore, TECs are unlikely to occur within the application area.	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 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; Appendix A.2). The vegetation proposed to be cleared is not considered to be part of a significant ecological linkage in the local area.	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 native vegetation is continuous surrounding the nearest conservation area (the Majestic Timber Reserve), the proposed clearing is not likely to have an impact on the environmental values of 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: According to available databases, the application area intersects one minor non-perennial watercourse (GIS Database). Watercourses in the area only flow following periods of heavy rainfall (Black Cat, 2025b). One vegetation type was identified within the vegetation survey growing in association with drainage lines, however this vegetation type did not occur within the application area (Botanica, 2021). Therefore, it is unlikely that the application area contains riparian vegetation (Black Cat, 2025b; Botanica, 2021; GIS Database).	Not likely to be at variance	No
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The surveyed soils are generally non-dispersive and contain a considerable gravel content (Black Cat, 2025b). Non-dispersive soils are generally not susceptible to erosion (DTMR, 2023). Therefore, the proposed clearing is unlikely to lead to appreciable land degradation due to erosion.	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: **Surface water** The proposed clearing area is not located within a Public Drinking Water Source Area (GIS Database). There are no permanent watercourses or wetlands within the area proposed to clear, however, there is a non-perennial watercourse within the application area (GIS Database). The proposed clearing is unlikely to result in significant changes to surface water quality.	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Groundwater The average annual rainfall at the nearest weather station, Woolibar, is 255 millimetres (BoM, 2025). Average annual evaporation is between 2,400 and 2,800 millimetres per year, exceeding rainfall (BoM, 2006). As evaporation rates exceed rainfall, groundwater recharge is likely to be minimal (Black Cat, 2025b). Therefore, the proposed clearing is unlikely to result in the deterioration of groundwater quality.		
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: The average annual rainfall at the nearest weather station, Woolibar, is 255 millimetres (BoM, 2025). Average annual evaporation is between 2,400 and 2,800 millimetres per year, exceeding rainfall (BoM, 2006). The Kalgoorlie area receives evenly distributed but unreliable annual rainfall, with low pressure systems and cold fronts from the southwest generating winter rainfall, and intense thunderstorms or ex-tropical cyclones generating summer rainfall (Milewski, 1992). Flooding may occur following intense rainfall events, however the incidence or intensity of flooding is not likely to be significantly influenced by the proposed vegetation clearing.	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 its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.

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

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

Appendix D. Representative photographs of recorded fauna habitats

Eucalyptus woodland on clay-loam plain

(Botanica, 2021)

Eucalyptus woodland on rocky slope

(Botanica, 2021)

Appendix E. Sources of information

E.1. GIS datasets

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

- 10 metre contours (DPIRD-073)
- Cadastre (Polygon) (LGATE-217)
- 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)
- EPA Referred Schemes Pending (DWER-121)
- EPA Referred Significant Proposals (DWER-120)

- EPA Referred Significant Proposals Pending (DWER-103)
- IBRA Vegetation Statistics
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)
- Regional Parks (DBCA-026)
- Reserves (LGATE-227)
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Mapping - Best Available (DPIRD-027)
- Townsites (LGATE-248)
- 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)

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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 (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	*Environmental Protection Act 1986*, Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (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	*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:

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.