



Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	2271/5
Permit type:	Purpose Permit
Applicant name:	Western Areas Limited
Application received:	10 February 2023
Application area:	21.02 hectares
Purpose of clearing:	Mineral Exploration and Mine Infrastructure
Method of clearing:	Mechanical Removal
Tenure:	Mining Leases 77/545, 77/582, 77/911
Location (LGA area/s):	Shire of Kondinin
Colloquial name:	Forrestania Nickel Project

1.2. Description of clearing activities

Western Areas Limited proposes to clear up to 21.02 hectares of native vegetation within a boundary of approximately 268 hectares, for the purpose of mineral exploration and mine infrastructure.

The application is to allow for the development of borrow pits to support paste fill plant operations and other mining infrastructure projects (Western Areas, 2021).

Clearing permit CPS 2271/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 17 April 2008 and was valid from 17 May 2008 to 30 June 2013. The permit authorised the clearing of up to 15 hectares of native vegetation, for the purpose of mineral exploration and mine infrastructure.

CPS 2271/2 was granted on 11 April 2013, amending the permit to extend the permit duration to 30 June 2018. The amount of clearing authorised and the permit boundaries remained unchanged.

CPS 2271/3 was granted on 12 June 2014, amending the permit to increase the permit boundary to approximately 268 hectares, extend the duration of the permit to 30 June 2023, and update the Permit Holder name from Western Areas NL to Western Areas Limited.

CPS 2271/4 was granted on 5 April 2022, amending the permit to increase the amount of clearing by 6.02 hectares.

On 10 February 2023, the Permit Holder applied to amend CPS 2271/4 to extend the permit duration to 30 June 2028. The amount of clearing authorised and the permit boundaries remain unchanged.

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	4 May 2023
Decision area:	21.02 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was made in accordance with section 51E of the *Environmental Protection Act 1986* (EP Act) and was received by the Department of Mines, Industry Regulation and Safety (DMIRS) on 10 February 2023. DMIRS advertised the application for a public comment for a period of 7 days, and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics, relevant datasets, supporting information provided by the applicant including the results of a flora and vegetation survey and fauna survey, the clearing principles set out in Schedule 5 of the EP Act, and any other matters considered relevant to the assessment. The assessment identified that the proposed clearing will have negligible impact on habitat for flora, fauna and ecological communities, or conservation areas.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures, the Delegated Officer determined that the proposed clearing is not likely to lead to an unacceptable risk to the environment. The Delegated Officer decided to grant a clearing permit with staged clearing, avoid/minimise, weed, and flora management conditions.

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)
- *Conservation and Land Management Act 1984* (WA) (CALM Act)
- *Mining Act 1978* (WA)

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 2019)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

The applicant has advised that all activities will adhere to their internal procedures for ground disturbance and vehicle hygiene. The proposed clearing will be undertaken in a progressive manner to avoid unnecessary clearing. The applicant has stated that all conservation significant flora and fauna species will be avoided where possible (Western Areas, 2021).

The applicant has demonstrated that reasonable efforts have been taken to avoid and minimise potential impacts of the clearing on environmental values.

3.2. Assessment of impacts on environmental values

The permit holder has advised that as of 30 June 2022, 9.23 hectares of native vegetation have been cleared pursuant to clearing permit 2271/4 (Western Areas, 2022). The proposed amendment involves extending the permit duration by a further five years, until 30 June 2028 to continue with mineral exploration, borrow pits, and mining infrastructure. No changes are proposed to the permit boundary or amount of authorised clearing.

No new biological information has been provided in support of the amendment application. However, a recent reconnaissance flora and vegetation survey was undertaken in September 2021 and submitted to the Department in support of the amendment (2271/4) granted on 5 April 2022, amending the permit to increase the amount of clearing by 6.02 hectares (Western Areas, 2021).

The recent flora and vegetation survey did not identify any threatened flora within the application area (Botanica Consulting, 2021). Two priority flora taxa were recorded within the application area, *Microcorys* sp. Forresteria (Priority 4) and *Rinzia triplex* (Priority 3). No direct impacts to Priority flora are expected from the proposed amendment. Potential impacts to *Microcorys* sp. Forresteria and *Rinzia triplex* from the proposed clearing may be managed through updating the existing flora management condition to include *Rinzia triplex*.

The application area is not located within a Threatened Ecological Community, the flora and vegetation survey also concluded the vegetation types present were not representative of any Threatened or Priority Ecological Communities (Botanica Consulting, 2021). No conservation significant fauna or evidence of their presence was recorded within the application area during a recent (September 2021) basic fauna survey (Botanica Consulting, 2021; Western Areas, 2021). A number of conservation significant fauna species were determined to possibly occur within the application area based on potentially suitable habitat (Botanica, 2021). It is unlikely that the vegetation within the application area will provide significant habitat for any conservation significant fauna species.

The nearest conservation area is the Lake Cronin Nature Reserve which is located approximately 2.7 kilometres northeast of the application area (GIS Database). The application area is also located within the Lake Cronin Area, which is listed as an Environmentally Sensitive Area (Register of National Estate) (GIS Database). This ESA is the buffer zone around Lake Cronin (GIS Database). The proposed clearing is not likely to impact on the environmental values of Lake Cronin Nature Reserve given the distance between the proposed clearing and the nature reserve.

There are no permanent or ephemeral watercourses or wetlands within the application area (GIS Database). The proposed clearing is not likely to impact surface water quality, groundwater quality or lead to increase in flooding.

The vegetation associations, fauna habitats and landform types present within the application area, are well represented in surrounding areas (Botanica Consulting, 2021; Western Areas, 2021; GIS Database). The increase in permit duration by five years is unlikely to result any significant change to the environmental impacts of the proposed clearing.

The area provides an eastward connection between southwest forests and inland deserts (Gondwana Link) as well as linking the north-west passage to Shark Bay (Western Areas, 2021). The area directly adjacent to the application area has been previously heavily disturbed from historical mining activities and large expanses of similar habitat surrounds the rest of the

application area (GIS Database). The proposed clearing of 21.02 hectares is not expected to significantly impact this ecological linkage.

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*. Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in previous versions of the decision report.

3.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 8 March 2023 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

The permit area is within the South West Native Title Settlement area (DPLH, 2023). This settlement resolves Native Title rights and interests over an area of approximately 200,000 square kilometres within the south west of Western Australia. 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, 2023). 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 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.

Other relevant authorisations that may be required for the proposed land use include:

- A Programme of Work issued under *Mining Act 1978*.
- A Mining Proposal / Mine Closure Plan issued under *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

Characteristic	Details
Local context	The area proposed to be cleared is part of an expansive tract of native vegetation in the extensive land use zone of Western Australia (GIS Database). It is surrounded by large expanses of similar habitat with historical mining disturbances (Western Areas, 2021; GIS Database). The application area is located on the border of the Coolgardie and Mallee IBRA (Interim Biogeographic Regionalisation for Australia) (GIS Database).
Ecological linkage	The area provides an eastward connection between southwest forests and inland deserts (Gondwana Link) as well as linking the north-west passage to Shark Bay (Western Areas, 2021).
Conservation areas	The nearest conservation area is the Lake Cronin Nature Reserve (R 36526) which is located approximately 2.7 kilometres northeast of the amendment area (GIS Database). The area is also located within the Lake Cronin Area, which is listed as an Environmentally Sensitive Area (Register of National Estate) (GIS Database). This ESA is the buffer zone around Lake Cronin (GIS Database).
Vegetation description	<p>The vegetation of the application area is broadly mapped as the following Beard vegetation associations:</p> <p>511: Medium woodland; salmon gum & morrel; and 2048: Shrublands; scrub-heath in the Mallee Region (GIS Database).</p> <p>A flora and vegetation survey was conducted over the application area by Botanica Consulting during September, 2021. The following four vegetation associations were recorded within the application area (Botanica Consulting, 2021):</p> <ul style="list-style-type: none"> • CLP-EW1: Eucalypt Woodland (MVG 5) - Low woodland of <i>Eucalyptus salmonophloia</i> over low open heathland of <i>Melaleuca adnata</i>, <i>M. calyptroides</i>, <i>M. eleuterostachya</i> on clay-loam plain; • SPL-MWS1: Mallee Woodland and Shrubland (MVG 14) - Open mallee shrubland of <i>Eucalyptus tenera</i>/<i>E. pileata</i> over low heathland of <i>Melaleuca adnata</i>, <i>M. calyptroides</i>, <i>M. lateriflora</i> and low open shrubland of <i>Acacia deficiens</i>/<i>A. intricata</i> on sand-loam plain; • SP-H1: Heathland (MVG 18) - Mid heathland of <i>Allocasuarina campestris</i>/<i>Allocasuarina corniculata</i>, <i>Acacia eremophila</i>/<i>Acacia fragilis</i> and <i>Melaleuca cordata</i>/<i>Melaleuca hamata</i> on sandplain; and • SP-H2: Heathland (MVG 18) - Low heathland of <i>Banksia sessilis</i>/<i>Hakea platysperma</i> and <i>Verticordia chrysantha</i>, <i>Verticordia roei</i> and <i>Grevillea incrassata</i> on sandplain.
Vegetation condition	<p>The vegetation survey (Botanica Consulting, 2021) indicate the vegetation within the proposed clearing area is in Very Good (Trudgen, 1991) condition, described as:</p> <ul style="list-style-type: none"> • vegetation structure altered by obvious signs of disturbance, for example by repeated fires, the presence of some more aggressive weeds, dieback, logging and grazing. Disturbance within the survey area was a result of existing mining infrastructure and exploration gridlines (Botanica Consulting, 2021). <p>The full Trudgen (1991) condition rating scale is provided in Appendix B.</p>
Climate and landform	The application area is located in an arid to semi-arid zone with an average annual rainfall (Ora Banda station) of 341.0 millimetres (BoM, 2023).
Soil description	<p>The soils of the application area are broadly mapped as the following soil types:</p> <ul style="list-style-type: none"> • 266h9: Ms8 atlas system. Gently undulating plains with broad shallow drainage depressions (DPIRD, 2023).
Land degradation risk	The soils mapped within the application area are mildly susceptible to erosion (GIS Database). The light sands over laterite in the elevated areas within the application are may be prone to wind erosion and may become seasonally waterlogged.
Waterbodies	The desktop assessment and aerial imagery indicated that no watercourses transect the area proposed to be cleared (GIS Database).
Hydrogeography	The application area is located within the Kondinin-Ravensthorpe Groundwater Area, which is legislated by the <i>RIWI Act 1914</i> . The mapped groundwater salinity is 14,000-35,000 milligrams per litre total dissolved solids which is described as highly saline (GIS Database).
Flora	The flora and vegetation survey did not identify any threatened flora within the application area (Botanica Consulting, 2021). Two priority flora taxa were recorded within the application area, <i>Microcorys</i> sp. Forrestania (Priority 4) and <i>Rinzia triplex</i> (Priority 3).

Characteristic	Details
Ecological communities	The application area is not located within a Threatened Ecological Community, the flora and vegetation survey also concluded the vegetation types present were to representative of any Threatened or Priority Ecological Communities (Botanica Consulting, 2021).
Fauna	No conservation significant fauna or evidence of their presence was recorded within the amendment area during a recent (September 2021) basic fauna survey (Botanica Consulting, 2021; Western Areas, 2021). A number of conservation significant fauna species were determined to possibly occur within the amendment area based on potentially suitable habitat (Botanica Consulting, 2021).

Appendix B. Vegetation condition rating scale

Vegetation condition is a rating given to a defined area of vegetation to categorise and rank disturbance related to human activities. The rating refers to the degree of change in the vegetation structure, density and species present in relation to undisturbed vegetation of the same type. The degree of disturbance impacts upon the vegetation's ability to regenerate. Disturbance at a site can be a cumulative effect from a number of interacting disturbance types.

Considering its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Trudgen, M.E. (1991) *Vegetation condition scale* in National Trust (WA) 1993 Urban Bushland Policy. National Trust of Australia (WA), Wildflower Society of WA (Inc.), and the Tree Society (Inc.), Perth.

Measuring vegetation condition for the Eremaean and Northern Botanical Provinces (Trudgen, 1991)

Condition	Description
Excellent	Pristine or nearly so, no obvious signs of damage caused by human activities since European settlement.
Very good	Some relatively slight signs of damage caused by human activities since European settlement. For example, some signs of damage to tree trunks caused by repeated fire, the presence of some relatively non-aggressive weeds, or occasional vehicle tracks.
Good	More obvious signs of damage caused by human activity since European settlement, including some obvious impact on the vegetation structure such as that caused by low levels of grazing or slightly aggressive weeds.
Poor	Still retains basic vegetation structure or ability to regenerate it after very obvious impacts of human activities since European settlement, such as grazing, partial clearing, frequent fires or aggressive weeds.
Very poor	Severely impacted by grazing, very frequent fires, clearing or a combination of these activities. Scope for some regeneration but not to a state approaching good condition without intensive management. Usually with a number of weed species present including very aggressive species.
Completely degraded	Areas that are completely or almost completely without native species in the structure of their vegetation; i.e. areas that are cleared or 'parkland cleared' with their flora comprising weed or crop species with isolated native trees or shrubs.

Appendix C. Sources of information

C.1. GIS databases

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

- Aboriginal Heritage Places (DPLH-001)
- Clearing Regulations – Schedule One Areas (DWER-057)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Environmentally Sensitive Areas (DWER-046)
- 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 Statistics
- Remnant Vegetation, All Areas
- 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 Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

C.2. References

- Bureau of Meteorology (BoM) (2023) Bureau of Meteorology Website – Climate Data Online, Ora Banda Weather Station. Bureau of Meteorology. <http://www.bom.gov.au/climate/data/> (Accessed 31 March 2023).
- Botanica Consulting (2021) Flora/Vegetation and Fauna Assessment. Lounge Lizard Sand Pits. Prepared For Western Areas Limited. Botanica Consulting, October 2021.
- Department of Environment Regulation (DER) (2014) *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: 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) (2023) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 31 March 2023).
- Department of Primary Industries and Regional Development (DPIRD) (2023) NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://dpird.maps.arcgis.com/apps/webappviewer/index.html?id=662e8cbf2def492381fc915aaf3c6a0f> (Accessed 31 March 2023).
- Department of Water and Environmental Regulation (DWER) (2021) Procedure: Native vegetation clearing permits. Joondalup. Available from: https://www.wa.gov.au/system/files/2021-10/Procedure_Native_vegetation_clearing_permits.pdf
- Environmental Protection Authority (EPA) (2016) Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment. Available from: 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) (2016) Technical Guidance – Terrestrial Fauna Surveys. Available from: https://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/Tech%20guidance-%20Terrestrial%20Fauna%20Surveys-Dec-2016.pdf
- 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.
- Western Areas (2021) Forrestania Nickel Operation. CPS 2271/4 Amendment Application – Supporting Document. Western Areas Limited, November 2021.
- Western Areas (2022) Clearing Permit Annual Report. CPS 2271/4 – Flying Fox Mineral Exploration and Mining Infrastructure. Unpublished report prepared by Western Areas Ltd, July 2022.

4. Glossary

Acronyms:

BC Act	<i>Biodiversity Conservation Act 2016</i> , Western Australia
BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DCCEEW	Department of Climate Change, Energy, the Environment and Water, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia
DMP	Department of Mines and Petroleum, Western Australia (now DMIRS)
DoEE	Department of the Environment and Energy (now DCCEEW)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	<i>Environmental Protection Act 1986</i> , Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (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	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
TEC	Threatened Ecological Community

Definitions:

{DBCA (2019) 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 that subset of 'Specially Protected Fauna' listed under schedules 1 to 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for Threatened Fauna.

Threatened flora is that subset of 'Rare Flora' listed under schedules 1 to 3 of the *Wildlife Conservation (Rare Flora) Notice 2018* for Threatened Flora.

The assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below.

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. Published under schedule 1 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for critically endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for critically endangered flora.

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. Published under schedule 2 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for endangered flora.

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. Published under schedule 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for vulnerable fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for vulnerable flora.

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).

Published as presumed extinct under schedule 4 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for extinct fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for extinct flora.

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. If listing of a species as extinct in the wild occurs, then a schedule will be added to the applicable notice.

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).
- Includes birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and 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.
- Published as migratory birds protected under an international agreement under schedule 5 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.
- CD Species of special conservation interest (conservation dependent fauna)**
Fauna of special conservation need being species 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).
- Published as conservation dependent fauna under schedule 6 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.
- OS Other specially protected species**
Fauna 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).
- Published as other specially protected fauna under schedule 7 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.
- P Priority species:**
- Possibly threatened species that do not meet survey criteria, 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 priority for survey and evaluation of conservation status so that consideration can be given to their declaration as threatened fauna or flora.
- Species that are adequately known, are rare but not threatened, or meet criteria for near threatened, or that have been recently removed from the threatened species or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species require regular monitoring.
- Assessment of Priority codes 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**
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, e.g. 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 and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey.
- P2 Priority Two - Poorly-known species**
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, e.g. 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 and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.
- P3 Priority Three - Poorly-known species**
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. Such species are in need of 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 Conservation Dependent.

(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.

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.