

# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 3215/3  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: BHP Billiton Iron Ore Pty Ltd

### 1.3. Property details

Property: Iron Ore (Mount Newman) Agreement Act 1964, Mineral Lease 244SA (AML 70/244)  
Local Government Area: Shire of East Pilbara  
Colloquial name: Jindi Exploration Project

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
140		Mechanical Removal	Mineral exploration, geotechnical investigations, hydrological investigations, installation of meteorological masts and LiDAR stations and any associated activities

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 4 March 2021

## 2. Site Information

### 2.1. Existing environment and information

#### 2.1.1. Description of the native vegetation under application

**Vegetation Description** The vegetation of the application area is broadly mapped as the following Beard vegetation associations:

18: Low woodland; mulga (*Acacia aneura*); and  
82: Hummock grasslands, low tree steppe; snappy gum over *Triodia wiseana* (GIS Database).

A biological survey of the project area conducted by Onshore Environmental Consultants Pty Ltd and Biologic Environmental Science (hereafter referred to as Onshore and Biologic) in January 2009, identified fourteen vegetation types classified further into six broad groups (on the basis of canopy structure) for the project area:

#### 1. Low Forest B (associated with gorges)

**1A.** *Corymbia ferritcola*, *Eucalyptus leucophloia* ssp. *leucophloia*, *Acacia aneura* var. *tenuis*, *Acacia aneura* var. *major*, *Corymbia hamersleyana* Low Forest B over *Acacia hamersleyensis*, *Dodonaea viscosa* ssp. *mucronata*, *Eremophila tietkensisii*, *Astrotricha hamptonii*, *Hibiscus haynaldii* Open Low Scrub A over *Ptilotus obovatus*, *Indigofera fractiflexa*, *Sida* sp. Golden calyces glabrous (H.N. Foote 32) Open Dwarf Scrub D over *Eriachne mucronata*, *Aristida burbridgeae*, *Cymbopogon ambiguus*, *Themeda triandra* open tall grass over *Triodia pungens* open hummock grass.

#### 2. Woodland (associated with major drainage lines)

**2A.** *Eucalyptus camaldulensis* var. *obtusata*, *Eucalyptus victrix*, *Eucalyptus xerothermica* woodland over *Acacia coriacea* ssp. *pendens*, *Acacia citrinoviridis* Low Woodland B over *Petalostylis labicheoides*, *Stylobasium spathulatum*, *Gossypium robinsonii* Open Low Scrub B over *Tephrosia rosea* var. *glabrior*, *Stemodia grossa* Open Dwarf Scrub D over *Triodia pungens* open hummock grass over *Themeda triandra*, *Eulalia aurea* open tall grass.

#### 3. Low Woodland A (associated with medium-sized drainage lines and stony plains)

**3A.** *Eucalyptus xerothermica*, *Corymbia hamersleyana*, *Acacia aneura* var. *major* Low Woodland A over *Petalostylis labicheoides* Open Scrub over *Acacia pyrifolia*, *Rulingia luteiflora*, *Stylobasium spathulatum*, *Gossypium robinsonii* Low Scrub B over *Tephrosia rosea* var. *glabrior*, *Scaevola parvifolia* ssp. *pilbarae*, *Senna notabilis* Open Dwarf and Scrub D over *Themeda triandra* very open tall grass over *Triodia pungens* open hummock grass; and

**3B.** *Acacia aneura* var. *tenuis*, *Acacia aneura* var. *major* Low Woodland A over *Acacia synchronicia*, *Acacia tetragonophylla*, *Eremophila forrestii* ssp. *forrestii* Open Low Scrub A over *Eremophila cuneifolia*, *Senna stricta* Dwarf Scrub C over *Maireana triptera* Open Dwarf Scrub D over *Triodia wiseana*, *Triodia pungens* open hummock grass over *Enneapogon caeruleus*, *Enneapogon polyphyllus*, *Aristida contorta* very open low grass;

#### 4. Low Woodland B (associated with breakaway ridges/cliffs and minor drainage lines)

**4A.** *Eucalyptus leucophloia* ssp. *leucophloia*, *Acacia aneura* var. *tenuis*, *Corymbia ferritcola*, *Acacia citrinoviridis* Low Woodland B over *Dodonaea viscosa* ssp. *mucronata*, *Scaevola acacioides*, *Eremophila*

*latrobei* ssp. *latrobei*, *Hibiscus haynaldii* Open Low Scrub B over *Ptilotus obovatus*, *Eremophila jucunda* ssp. *pulcherrima*, *Sida* sp. *Shovellana Hill*, *Abutilon otocarpum* Open Dwarf Scrub C over *Triodia pungens* open hummock grass over *Themeda triandra*, *Eriachne mucronata*, *Cymbopogon ambiguus* open tall grass; and

**4B.** *Eucalyptus leucophloia* ssp. *leucophloia*, *Corymbia hamersleyana* Low Woodland B over *Petalostylis labicheoides*, *Acacia monticola* open scrub over *Petalostylis labicheoides*, *Rulingia luteiflora*, *Gossypium robinsonii* Open Low Scrub B over *Senna notabilis*, *Solanum phlomoides*, *Indigofera monophylla*, *Keraudrenia velutina* ssp. *elliptica* Open Dwarf Scrub D over *Triodia wiseana*, *Triodia* sp. *Shovelanna Hill* (S. van Leeuwen 3835), *Triodia pungens* open hummock grass.

**5. Open Low Woodland B (associated with hill slopes, undulating low hills and floodplains)**

**5A.** *Eucalyptus leucophloia* ssp. *leucophloia* Open Low Woodland B over *Acacia bivenosa* Open Low Scrub B over *Triodia wiseana* hummock grass;

**5B.** *Eucalyptus leucophloia* ssp. *leucophloia*, *Corymbia deserticola* ssp. *deserticola*, *Corymbia hamersleyana* Open Low Woodland B over *Hakea chordophylla* open scrub over *Acacia arida* Open Low Scrub B over *Corchorus lasiocarpus* ssp. *parvus*, *Indigofera monophylla*, *Halgania gustafsenii* var. *gustafsenii*, *Gompholobium karijini* Open Dwarf Scrub D over *Triodia* sp. *Shovelanna Hill* (S. van Leeuwen 3835) open hummock grass over *Amphipogon sericeus* very open low grass;

**5C.** *Acacia aneura* var. *tenuis*, *Acacia aneura* var. *intermedia*, *Acacia pruinocarpa* Open Low Woodland B over *Petalostylis labicheoides*, *Stylobasium spathulatum*, *Sida* sp. *spiciform panicles* (E. Leyland s.n. 14/8/90), *Eremophila forrestii* ssp. *forrestii* Open Low Scrub B over *Corchorus lasiocarpus* ssp. *parvus*, *Indigofera monophylla*, *Solanum phlomoides* Open Dwarf Scrub D over *Triodia wiseana*, *Triodia* sp. *Shovelanna Hill* (S. van Leeuwen 3835), *Triodia pungens* hummock grass over *Themeda triandra* very open tall grass;

**5D.** *Eucalyptus leucophloia* ssp. *leucophloia*, *Eucalyptus xerothermica*, *Acacia aneura* var. *tenuis* Open Low Woodland B over *Eucalyptus gamophylla* very open tree mallee over *Acacia inaequilatera*, *Petalostylis labicheoides* open scrub over *Acacia aneura* var. *tenuis*, *Petalostylis labicheoides*, *Acacia pruinocarpa* Open Low Scrub B over *Corchorus lasiocarpus* ssp. *parvus*, *Indigofera monophylla*, *Sida arenicola* Open Dwarf Scrub D over *Triodia* sp. *Shovelanna Hill* (S. van Leeuwen 3835), *Triodia wiseana*, *Triodia pungens* hummock grass; and

**5E.** *Eucalyptus leucophloia* ssp. *leucophloia* Open Low Woodland B over *Dampiera candicans*, *Gompholobium karijini*, *Corchorus lasiocarpus* ssp. *parvus* Dwarf Scrub D over *Triodia* sp. *Shovelanna Hill* (S. van Leeuwen 3835), *Triodia pungens* open hummock grass over *Eriachne lanata*, *Amphipogon sericeus* very open low grass.

**6. Very Open Tree Mallee (associated with hill crests, mid/lower hill slopes and calcrete plains that support mallees)**

**6A.** *Eucalyptus leucophloia* ssp. *leucophloia*, *Corymbia hamersleyana* Open Low Woodland B over *Eucalyptus kingsmillii* ssp. *kingsmillii*, *Eucalyptus gamophylla* very open tree mallee over *Petalostylis labicheoides*, *Codonocarpus cotinifolius* Open Low Scrub B over *Corchorus lasiocarpus* ssp. *parvus*, *Sida* sp. *Golden calyces glabrous* (H.N. Foote 32), *Dampiera candicans* Open Dwarf Scrub D over *Triodia pungens*, *Triodia wiseana*, *Triodia* sp. *Shovelanna Hill* (S. van Leeuwen 3835) open hummock Grass;

**6B.** *Eucalyptus leucophloia* ssp. *leucophloia*, *Acacia aneura* var. *tenuis*, *Acacia citrinoviridis* Open Low Woodland B over *Eucalyptus pilbarensis* very open tree mallee over *Scaevola acacioides*, *Acacia bivenosa*, *Eremophila latrobei* ssp. *latrobei* Open Low Scrub B over *Triodia* sp. *Shovellana Hill* hummock grass; and

**6C.** *Eucalyptus socialis* ssp. *eucentrica* very open tree mallee over *Acacia bivenosa*, *Petalostylis labicheoides* Open Low Scrub B over *Solanum phlomoides*, *Haloragis maierae*, *Haloragis gossei* var. *gossei* Open Dwarf Scrub D over *Triodia wiseana* hummock grass.

<b>Clearing Description</b>	Jindi Exploration Project BHP Billiton Iron Ore Pty Ltd (hereafter referred to as BHP Billiton) proposes to clear up to 140 hectares of native vegetation within a total boundary of approximately 4,644 hectares, for the purposes of mineral exploration, geotechnical investigations, hydrological investigations, installation of meteorological masts and LiDAR stations and any associated activities. The project is located approximately 54 kilometres north-west of Newman, in the Shire of East Pilbara.
<b>Vegetation Condition</b>	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).  To:  Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).
<b>Comment</b>	The vegetation condition was derived from information provided by Onshore and Biologic (2009).  Clearing permit CPS 3215/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 17 September 2009 and was valid from 17 October 2009 to 30 November 2014. The permit authorised the clearing of up to 140 hectares of native vegetation within a boundary of approximately 4,688 hectares, for the purpose of mineral exploration.  CPS 3215/2 was granted on 10 July 2014, amending the permit to extend the permit duration by ten years to 30 November 2024. An additional five years was added to the permit end date to allow for rehabilitation, however no clearing is permitted beyond 30 November 2024. The area of clearing authorised and the permit boundaries remained unchanged.  On 4 January 2021, the Permit Holder applied to amend CPS 3215/2 to include additional purposes for which clearing is authorised and to remove permit conditions 4, 8a, 8b(i) and 8b(ii).

### 3. Assessment of application against Clearing Principles

#### Comments

The permit holder has applied to add additional purposes for which clearing is authorised and to remove permit conditions 4, 8a, 8b(i) and 8b(ii).

The authorised purpose of clearing under CPS 3215/1 and 3215/2 was 'mineral exploration'. BHP Billiton (2021) is seeking to add 'geotechnical investigations, hydrological investigations, installation of meteorological masts and LiDAR stations and any associated activities' as purposes for which clearing is authorised. No additional clearing or changes to the permit boundary are required to accommodate these purposes.

BHP Billiton (2021) has applied to remove permit condition 4 which excludes clearing from several discrete areas within the permit boundary. The purpose of these exclusion zones is to protect gorge habitat which was previously identified as being of high value to conservation significant fauna species (Onshore and Biologic, 2009). BHP Billiton has reduced its permit boundary by approximately 44 hectares to remove the exclusion areas from the permit boundary altogether, thereby making condition 4 redundant. The gorge habitat areas will not be adversely impacted by this change.

The permit holder has also applied to remove permit condition 8a which requires a botanist to undertake a targeted flora survey of the permit area for the presence of rare and priority flora, prior to undertaking any clearing authorised under the permit. BHP Billiton (2021) advise that the requirements of this condition have been satisfactorily fulfilled, hence the condition is no longer required. Related to the removal of condition 8a, BHP Billiton (2021) have requested the removal of conditions 8b(i) and 8b(ii). Condition 8b(i) requires provision of the results of the targeted flora survey in a report to the CEO, a requirement that has also been satisfactorily fulfilled. Condition 8b(ii) requires no clearing within 50 metres of identified rare flora, unless approved by the CEO. BHP Billiton (2021) advise that no rare flora was identified in the targeted flora survey, hence the condition is no longer required. DMIRS has considered the requested removal of parts of condition 8 as outlined above, and notes the following:

- The application area was initially subject to a Level 2 flora and vegetation survey by Onshore and Biologic (2009) in January 2009. Follow up targeted surveys of the application areas for conservation significant flora were undertaken between February and May 2011, as required by condition 8a (Onshore Environmental Consultants Pty Ltd, 2012);
- The results of Onshore's targeted flora survey were provided to the CEO as required by condition 8b(i). No currently listed Threatened flora species have been recorded in the application area. The Hamersley Lepidium (*Lepidium catapycnon*) is present in the application area and is currently listed as a Priority 4 species (Western Australian Herbarium, 1998-). It was previously listed as Declared Rare Flora when recorded in the application area by Onshore and Biologic (2009) and Onshore Environmental Consultants Pty Ltd (2012). Impacts to *Lepidium catapycnon* under this permit will now be managed by existing permit condition 8b(iii) which requires no clearing of identified priority flora, or within 10 metres of identified priority flora, unless approved by the CEO.
- Ten priority flora species have previously been recorded in the Jinidi study area, which includes the amendment application area and surrounding areas (Onshore Environmental Consultants Pty Ltd, 2012). Of these, some species have since undergone taxonomic review and are known by different names and/or have had their conservation status downgraded (Western Australian Herbarium, 1998-). This includes *Grevillea* sp. Turee (P1); now known as *Grevillea saxicola* (P3), *Brunonia* sp. Long hairs (P3); no longer priority-listed and *Indigofera gilesii* subsp. *gilesii* (P3); now known as *Indigofera gilesii* (P3). The remaining priority flora species recorded in the Jinidi study area remain unchanged and include: *Isotropis parviflora* (P2), *Acacia subtiliformis* (P3), *Triodia* sp. Mt Ella (P3), *Rostellularia adscendens* var. *latifolia* (P3), *Rhagodia* sp. Hamersley (P3), *Goodenia* sp. East Pilbara (P3) and *Goodenia nuda* (P4). BHP Billiton (2021) has not requested removal of condition 8b(iii) which manages impacts to priority flora. It is recommended that this condition continue to apply to ensure the conservation status of priority flora is not adversely affected by clearing under this permit.

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 decision reports CPS 3215/1 and 3215/2.

#### Methodology

BHP Billiton (2021)  
Onshore and Biologic (2009)  
Onshore Environmental Consultants Pty Ltd (2012)  
Western Australian Herbarium (1998-)

GIS Database:

- DPaW Tenure
- Hydrography, Lakes
- Hydrography, Linear
- IBRA Australia

- Imagery
- Landsystem Rangelands
- Pre-European Vegetation
- Public Drinking Water Source Areas
- Soils, Statewide
- Threatened and Priority Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffers
- Threatened and Priority Flora
- Threatened Fauna

## Planning Instrument, Native Title, previous EPA decision or other matter.

### Comments

There is one native title claim (WC2005/06) over the area under application (DPLH, 2021). This claim has been determined by the Federal Court on behalf of the claimant group. However, the mining tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

There are several registered Aboriginal Sites of Significance within the application area (DPLH, 2021). 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.

The amendment application was advertised on 18 January 2021 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

**Methodology** DPLH (2021)

## 4. References

- BHP Billiton (2021) Application for an amendment to a clearing permit (Form C4) – CPS 3215/2. Western Australia.
- DPLH (2021) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 24 February 2021).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Onshore and Biologic (2009) Biological Survey. South Parmelia Exploration Leases. Report prepared for BHP Billiton Iron Ore Pty Ltd, by Onshore Environmental Consultants Pty Ltd and Biologic Environmental Science, Western Australia.
- Onshore Environmental Consultants Pty Ltd (2012) Flora and Vegetation Review – Jinidi Iron Ore Project (May 2012). Report prepared for BHP Billiton Iron Ore Pty Ltd, by Onshore Environmental Consultants Pty Ltd, Western Australia.
- Western Australian Herbarium (1998-) FloraBase - the Western Australian Flora. Department of Biodiversity, Conservation and Attractions. <https://florabase.dpaw.wa.gov.au/> (Accessed 23 February 2021).

## 5. Glossary

### Acronyms:

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

<b>GIS</b>	Geographical Information System
<b>ha</b>	Hectare (10,000 square metres)
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>IUCN</b>	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
<b>PEC</b>	Priority Ecological Community, Western Australia
<b>RIWI Act</b>	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
<b>TEC</b>	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 indigenous to Western Australia.
- (c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare 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 clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.