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:	4677/6
Permit type:	Purpose permit
Applicant name:	BHP Iron Ore Pty Ltd
Application received:	17 February 2025
Application area:	235 hectares
Purpose of clearing:	Mineral exploration, hydrological investigations, construction and maintenance of communications towers, and associated infrastructure
Method of clearing:	Mechanical removal
Tenure:	*Iron Ore (Mount Newman) Agreement Act 1964*, Mineral Lease 244SA (AML 70/244)
Location (LGA area):	Shire of East Pilbara
Colloquial name:	Orebody 31 Exploration Drilling Programme

1.2. Description of clearing activities

BHP Iron Ore Pty Ltd proposes to clear up to 235 hectares of native vegetation within a boundary of approximately 476.93 hectares, for the purpose of mineral exploration, hydrological investigations, construction and maintenance of communications towers, and associated infrastructure (BHP, 2025b; 2025c). The project is located approximately 35 kilometres east of Newman, within the Shire of East Pilbara (BHP, 2025b; GIS Database). Under CPS 4677/5, the total cumulative area of land cleared to date is approximately 184.26 hectares, with approximately 70.48 hectares of rehabilitation activities (BHP, 2025a). There are 115.74 hectares remaining to be cleared under this clearing permit (BHP, 2025b).

Clearing permit CPS 4677/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Petroleum and Exploration (DMPE)) on 8 December 2011 and was valid from 31 December 2011 to 31 December 2021. The permit authorised the clearing of 102 hectares within a permit boundary of approximately 3,039 hectares, for the purpose of mineral exploration, hydrological investigations and associated infrastructure.

Amended permit CPS 4677/2 was granted on 5 June 2014, to increase the amount of clearing authorised to 200 hectares, decrease the permit boundary to approximately 3,010 hectares to avoid areas of environmental significance and change the permit expiry date to 30 November 2021 to align with other BHP permits.

Amended permit CPS 4677/3 was granted on 8 December 2016, to extend the permit duration to 30 November 2026 and extend the period in which clearing was authorised to 30 November 2021. The area of authorised clearing and permit boundary remained unchanged.

Amended permit CPS 4677/4 was granted on 1 February 2018, to change the authorised purpose of clearing to mineral exploration, hydrological investigations, construction and maintenance of communications towers and associated infrastructure. The area of authorised clearing and permit boundary remained unchanged.

Amended permit CPS 4677/5 was granted on 21 March 2019, to increase the area of authorised clearing to 300 hectares, amend the permit boundary and extend the permit duration and the period in which clearing is authorised by four years.

On 17 February 2025, the Permit Holder applied to amend CPS 4677/5 to:

- reduce the application area boundary from 3,011 hectares to 495.35 hectares to remove the area which overlaps with MS 1262 (formerly MS 1021) and where additional priority flora records have been identified;
- reduce the amount of authorised clearing from 300 hectares to 235 hectares;
- extend the permit duration to 30 November 2035;
- extend the clearing period to 30 November 2030;
- extend the final reporting date to 30 November 2035; and
- update the Permit Holder from BHP Billiton Iron Ore Pty Ltd to BHP Iron Ore Pty Ltd.

During the assessment, the Delegated Officer reduced the permit boundary to 476.93 hectares due to the increased *Acacia corusca* buffer from 10 metres to 50 metres, and the removal of the breakaway/cliff habitat. The reduced boundary is shown in Figure 1 (Section 1.5).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	24 March 2026
Decision area:	235 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed, and determined in accordance with sections 51KA(1) and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Mines, Petroleum and Exploration (DMPE) advertised the application for a public comment for a period of 21 days, and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (Appendix B), relevant datasets (Appendix H), additional information provided by the applicant (Appendix A), supporting information provided by the applicant including the results of flora and vegetation surveys, the clearing principles set out in Schedule 5 of the EP Act (Appendix C), proposed avoidance and minimisation measures (Section 3.1), relevant planning instruments and any other matters considered relevant to the assessment (Section 3.3).

The assessment identified that the proposed clearing may result in:

- potential local impacts to surrounding habitat for *Acacia corusca* and *Eremophila capricornica* that may lead to island effect and reduced recruitment viability of the population;
- potential local impacts to conservation significant flora that may be unknown within the application area;
- potential introduction and spread of weeds into adjacent vegetation, which could impact on the quality of the adjacent vegetation and its habitat values;
- potential clearing of suitable habitat for brush-tailed mulgara, western pebble-mound mouse, northern quoll, night parrot, greater bilby, long-tailed dunnart, gane's blind snake and great desert skink;
- potential clearing of suitable foraging habitat for Pilbara leaf-nosed bat;
- potential impacts to conservation significant fauna that may be unknown within the application area; and
- potential impacts on vegetation associated with a watercourse and disruption of surface water flows.

The applicant's proposal to reduce both the amount of authorised clearing and the application boundary greatly reduces the risk of the proposed clearing. After consideration of the available information, as well as the applicant's minimisation and mitigation measures (Section 3.1), the Delegated Officer determined the proposed clearing can be minimised and managed to be unlikely to lead to an unacceptable risk to environmental values.

The Delegated Officer decided to grant a clearing permit subject to conditions to:

- avoid, minimise to reduce the impacts and extent of clearing;
- watercourse management (avoid clearing riparian vegetation where practicable, and where a watercourse is to be impacted by clearing the Permit Holder shall ensure that the existing surface flow is maintained);
- watercourse management (restricted clearing to tracks only);
- take hygiene steps to minimise the risk of the introduction and spread of weeds;
- undertake slow, progressive one-directional clearing to allow terrestrial fauna to move into adjacent habitat ahead of clearing activity;
- fauna management (avoid identified active brush-tailed mulgara burrows with an exclusion buffer of 10 metres);
- fauna management (avoid identified active western pebble-mound mouse mounds with an exclusion buffer of 10 metres); and
- retain cleared vegetation and topsoil and respread this on a cleared area of equivalent size within the application area within 12 months of clearing to ensure vegetation and fauna habitat are not permanently lost.

The assessment has not changed since the assessment for CPS 4677/5, except in the case of principle (f). The Delegated Officer determined that the proposed reduction of the permit boundary, reduction of the amount of authorised clearing, extension of the permit duration, clearing period and final reporting date, and updating of the Permit Holder name are not likely to lead to an unacceptable risk to environmental values.

1.5. Site map

A site map of proposed clearing is provided in Figure 1 below.

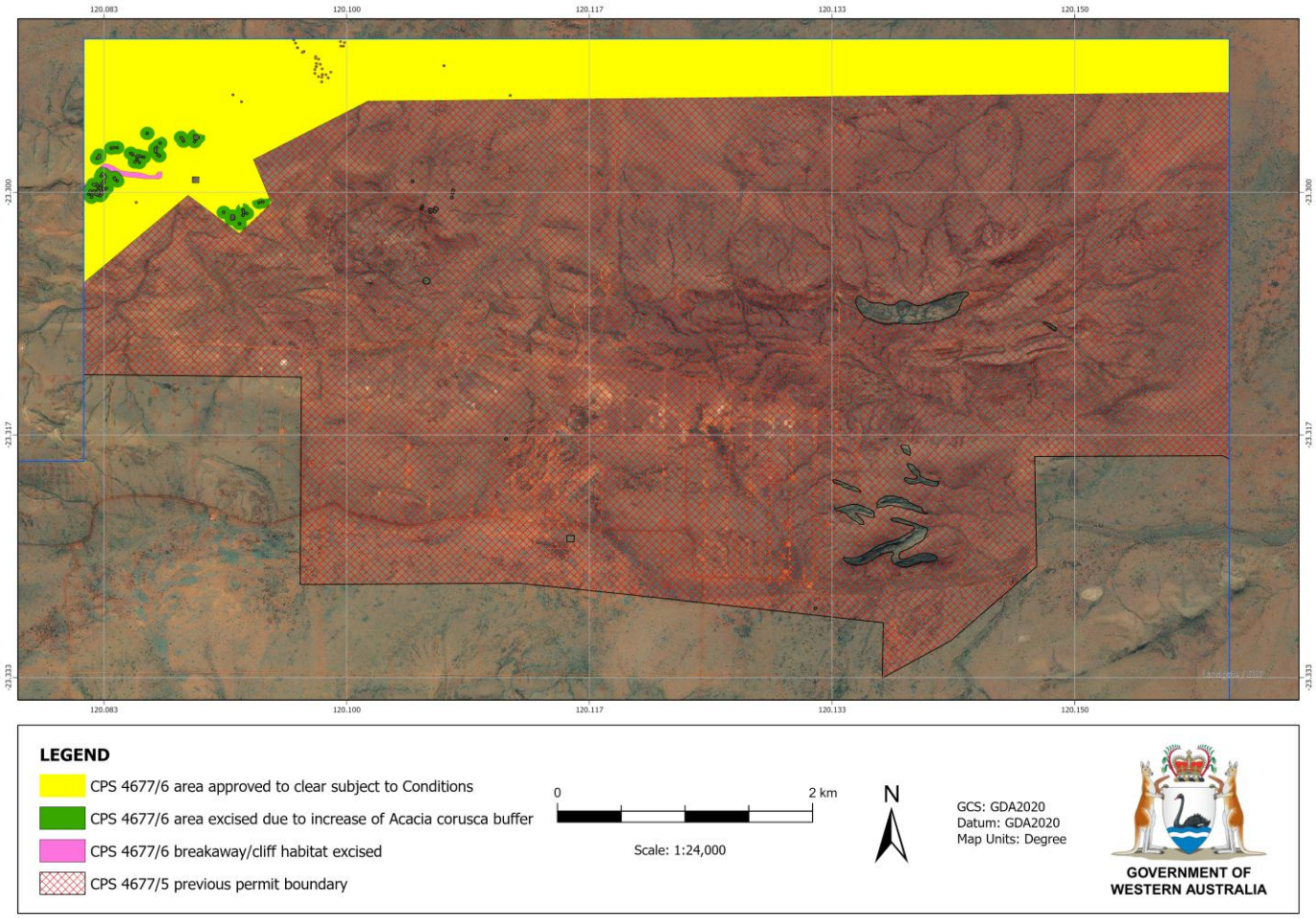

Figure 1. Map of the application area. The areas shaded yellow indicate the areas within which conditional authorised clearing can occur under the granted clearing permit. The areas shaded green and pink were excised from the application area during the assessment. The area cross-hatched red indicates the area approved to clear under the previous permit, CPS 4677/5.

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)
- *Iron Ore (Mount Newman) Agreement Act 1964*
- *Rights in Water and Irrigation Act 1914* (RIWI Act)

Relevant agreements (treaties) considered during the assessment include:

- Japan-Australia Migratory Bird Agreement
- China-Australia Migratory Bird Agreement
- Republic of Korea-Australia Migratory Bird Agreement

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2014)

- *Procedure: Native vegetation clearing permits* (DWER, October 2021)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2020)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

To minimise environmental impacts in the reduced permit boundary, the applicant has proposed to reduce the area of authorised clearing to 235 hectares (BHP, 2025b).

Furthermore, the applicant outlined the following management commitments and operational measures for the proposed clearing (BHP, 2025b):

- Any remaining disturbance within the boundary of MS 1262 (formerly MS 1021) will be rehabilitated in accordance with MS 1262.
- Clearing has been minimised by restricting activities to the minimum required for safety and equipment access.
- Populations of significant flora have been avoided using the BHP Project Environmental and Heritage Review (PEAHR) procedure.
- New populations of priority flora identified will be avoided using a 10 metre buffer, where practicable.
- Any new records of *Acacia corusca* identified will be avoided using a 50 metre buffer, where practicable (BHP, 2026).
- Control of established weed populations will be carried out according to BHP's standard Weed Control and Management Procedures.
- If active mulgara burrows are identified, they will be avoided using a 10 metre buffer, where practicable.
- If active western pebble-mound mouse mounds are identified, they will be avoided using a 10 metre buffer, where practicable.
- Where practicable, existing cleared tracks will be used to cross the unnamed non-perennial minor drainage lines. If it is necessary for new crossings to be installed, clearing will be kept to a bare minimum and will be constructed flat and level to the surface (i.e. a simple clearing with no bunds) to maintain the natural surface flow.

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

A review of current environmental information (Appendix B) reveals that the assessment against the clearing principles has not changed significantly from previous decision reports, except in the case of principle (f). However, potential impacts have been reduced due to the reduction in permit boundary, reduction in the amount of authorised clearing, exclusion buffers around conservation significant flora (*Acacia corusca* and *Eremophila capricornica)*, and removal of breakaway/cliff significant fauna habitat from the permit boundary (Section 1.5). Potential impacts of the proposed clearing to flora and fauna are discussed in Sections 3.2.1 and 3.2.2.

Surveys over the application area were undertaken over 10 years ago. No new surveys are anticipated by BHP in the near future, however, the applicant has specified that new surveys will be conducted if the permit is amended in five years' time (BHP, 2026).

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

Assessment

Acacia corusca (P1) and *Eremophila capricornica* (P1) are flora species of conservation significance that were recorded within 50 metres of the application area (BHP, 2025b). These locations can be seen in Appendix F.

Acacia corusca

Acacia corusca was recorded (as *Acacia* sp. nov [reticulate/anastomosing]) during a survey undertaken in October 2013 by Onshore Environmental (2014b) and was excluded from the permit boundary in CPS 4677/2 with 10 metre buffers. This was the first record of this species (Onshore Environmental, 2014b; Bull et al., 2019). *Acacia corusca* was then targeted in a survey undertaken in March and August 2015 by Onshore Environmental (2015), where a total of three populations were found within the permit boundary of CPS 4677/5. The extent of occurrence (EOO) of this species is restricted to less than three square kilometres to the north of BHP's Orebody 31 mine (Onshore Environmental, 2015). Two populations (totalling 462 individuals) of *Acacia corusca* remain within 50 metres of the proposed clearing (see area excised in Section 1.5), with the third population (105 individuals) approximately 0.6 kilometres south of the application area, removed due to the proposed reduction of the permit boundary for this amendment (Onshore Environmental, 2014b).

Acacia corusca is very restricted, and these three populations are the only populations known to exist (Onshore Environmental, 2015). Individuals were concentrated around the breakaway slopes of relatively low undulating hills and along adjacent minor drainage lines dissecting the low hills, within red to orange sandy loam (Onshore Environmental, 2015). *Acacia corusca* occurs along a fault line at the intersection of two geological formations that occur within the Hamersley Group BIFs; Boolgeeda Iron Formation and Woongarra Rhyolite (Onshore Environmental, 2015). If habitat of *Acacia corusca* were cleared, it would likely lead to significant impacts to the persistence of the species.

Eremophila capricornica

Eremophila capricornica was targeted in a survey undertaken in July 2020 by Biologic (2021), with the proposed amendment excluding known locations within the application area with a 10 metre buffer. The species has a very restricted distribution, however, is locally abundant at most known locations (Biologic, 2021). Individuals were observed from a variety of habitats, ranging from low rocky slopes, plains and hardpans (Biologic, 2021).

***Rhagodia* sp. Hamersley (M. Trudgen 17794)**

Rhagodia sp. Hamersley (M. Trudgen 17794) was removed from the permit boundary in CPS 4677/2 with 10 metre buffers, and is no longer a conservation significant species (BHP, 2025b; WAH, 1998-).

Other conservation significant flora

There are records of 24 other priority flora species within the local surrounds of the application area (50 kilometres) (GIS Database). Suitable habitat for these species occurs within the application area, with at least seven species that may be associated with watercourses (WAH, 1998-; GIS Database). Many records for these priority species have been recorded outside the application area.

Of these 24 priority species, four species may not have been considered during previous survey effort (as listed in Appendix B.3):

- *Euphorbia inappendiculata* var. *inappendiculata* (P3)
- *Streptoglossa* sp. Cracking clays (S. van Leeuwen et al. PBS 7353) (P3)
- *Eremophila youngii* subsp. *lepidota* (P4)
- *Goodenia berringbinensis* (P4)

There appears to be minimal suitable habitat in the application area for *Streptoglossa* sp. Cracking clays (S. van Leeuwen et al. PBS 7353), therefore occurrence is unlikely. *Euphorbia inappendiculata* var. *inappendiculata* and *Goodenia berringbinensis* may be associated with watercourses (WAH, 1998-). There is suitable habitat in the application area for these two species and *Eremophila youngii* subsp. *lepidota*, however, habitat extends into the surrounding area, and they have been recorded across several Interim Biogeographic Regionalisation for Australia (IBRA) bioregions (GIS Database). All four species not considered during previous survey effort occur in Gascoyne and Pilbara bioregions, with *Eremophila youngii* subsp. *lepidota* occurring in an additional two bioregions and *Goodenia berringbinensis* occurring in an additional four (GIS Database). Priority flora within the local surrounds are unlikely to be significantly impacted at a regional or species level, however if they do occur, there may be some local impacts. Watercourse management can manage risks for *Euphorbia inappendiculata* var. *inappendiculata* and *Goodenia berringbinensis*.

Introduced flora

One weed species, *Cenchrus ciliaris* (buffel grass), was recorded within the application area (BHP, 2025b). The species is not listed as a Weed of National Significance (WoNS) or a declared pest plant in Western Australia under the *Biosecurity and Agriculture Management Act 2007* (DPIRD, 2026). However, weeds have potential to outcompete native flora and reduce biodiversity of an area.

Conclusion

The clearing activities are not anticipated to result in significant adverse impacts to *Acacia corusca* and *Eremophila capricornica* due to the reduced boundary of the application area, as:

- the applicant has increased the exclusion buffer for *Acacia corusca* from 10 metres to 50 metres, aligning with MS 1262, to reduce species level impacts; and
- the applicant has added a 10 metre exclusion buffer for *Eremophila capricornica* to reduce local and regional impacts.

Based on the above assessment, the proposed clearing will result in:

- potential local impacts to surrounding habitat for *Acacia corusca* and *Eremophila capricornica* that may lead to island effect and reduced recruitment viability of the population;
- potential local impacts to conservation significant flora that may be unknown within the application area; and
- potential introduction and spread of weeds into adjacent vegetation, which could impact on the quality of the adjacent vegetation and its habitat values.

The survey information is sufficient for this assessment with environmental risks reviewed. However, given surveys were undertaken over 10 years ago, the uncertainty of species occurrence is higher and a new flora and vegetation survey may be required for any future amendment applications by the Permit Holder.

Conditions

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

- take hygiene steps to minimise the risk of the introduction and spread of weeds;
- watercourse management (avoid riparian vegetation);
- watercourse management (restricted clearing to tracks only within the two minor watercourses and a buffer of 10 metres); and
- retain cleared vegetation and topsoil and respread this on a cleared area of equivalent size within the application area within 12 months of clearing to ensure vegetation is not permanently lost.

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

Assessment

Mulgara

There are four records of brush-tailed mulgara (*Dasycercus blythi*, P4) within the application area (Appendix F; BHP, 2025b). The species preferred vegetation type of hummock grasslands (*Triodia* spp.) is present in the application area; therefore the species has the potential to utilise the area (BHP, 2025b). Crest-tailed mulgara (*Dasycercus cristicauda*, P4) are unlikely to occur within the Pilbara and records are potentially associated with the brush-tailed mulgara, given brush-tailed mulgara and crest-tailed mulgara share similar physical characteristics and behaviours (Menkhorst and Knight, 2011; GIS Database). It is unlikely that crest-tailed mulgara will occur within the application area (Menkhorst and Knight, 2011). There are over 50 records of mulgara within the local surrounds (50 kilometres) (GIS Database). The applicant has proposed to avoid active mulgara burrows by 10 metres, where practicable (BHP, 2025b).

Fork-tailed swift

There is one record of fork-tailed swift (*Apus pacificus*, MI) in the application area (Appendix F), though the species is largely aerial in the Pilbara and has a broad distribution across Western Australia (BHP, 2025b; Biologic, 2014b). The species may forage sporadically over the application area but are not reliant on terrestrial habitat (BHP, 2025b).

Western pebble-mound mouse

Western pebble-mound mouse (*Pseudomys chapmani*, P4) has been recorded within the previous permit boundary (Biologic, 2014b). This species is found in arid areas of pebbly soils, with vegetation of hummock grasslands and *Acacia* woodland (ALA, n.d.-b). The hillcrest/hillslope and stony plain habitats along with hummock grasslands and *Acacia* woodland provide potential suitable habitat in the application area (ALA, n.d.-b; BHP, 2025b). Western pebble-mound mouse is also restricted to the Pilbara, therefore their presence is likely in the application area (BHP, 2025b). Although, the species preferred habitat is common within the local surrounds (50 kilometres), so the proposed clearing is unlikely to significantly impact this species (Biologic, 2014b). The applicant has proposed to avoid active western pebble-mound mouse mounds by 10 metres, where practicable (BHP, 2025b).

Northern quoll

Northern quoll (*Dasyurus hallucatus*, EN) can be found in a variety of habitats, with a preference for complex rocky areas in the Pilbara (DNREAS, 2010; Northover et al., 2023). Within the application area, habitat critical to survival for northern quoll is breakaway/cliff habitat, and supporting habitat is drainage line and hillcrest/hillslope habitat (Biologic, 2022). The breakaway/cliff habitat provides potential suitable denning and foraging habitat for the species (Biologic, 2014b; 2022). Watercourses facilitate connectivity for dispersal and foraging (Northover et al., 2023). The supporting habitats are more likely to be used when adjacent to critical habitats (Appendix F; Biologic, 2022). No northern quoll individuals were recorded during the vertebrate fauna field survey (Biologic, 2014b). No individuals were also recorded in the targeted northern quoll survey (Biologic, 2022) as there were no sample sites within the application area. The breakaway/cliff habitat extends as a corridor from outside the application area towards a minor drainage line within the application area (Appendix F). This makes these habitats potentially high value for breeding, denning, foraging and dispersal.

Night parrot

Night parrot (*Pezoporus occidentalis*, CR) was not considered in previous survey effort of the application area (Biologic, 2014b). The large, mature spinifex grasslands in the application area provides potential suitable habitat for the species (Biologic, 2014b). Habitat critical to the survival of night parrot includes breeding and roosting habitat (DCCEEW, 2025). Majority of the fauna habitat types mapped within the application area provide potential suitable habitat for roosting, breeding and foraging for night parrot (Appendix F; DBCA, 2024; DCCEEW, 2025; Menkhorst et al., 2019). Additionally, foraging habitat is likely to be more important if it is adjacent to or within 10 kilometres of patches of suitable roosting habitat (DBCA, 2024). The applicant did not record night parrot in recent surveys undertook for the Jimblebar Hub Significant Amendment (MS 1262) in the broader region. Therefore, the species was not considered relevant to the Significant Amendment. However, there were limitations due to survey effort occurring in burnt areas not favoured by night parrot.

There are two recent records from 2023 within 80 kilometres of the application area (GIS Database). The application area occurs in the High Priority Survey Bioregion and suitable habitat potentially occurs, therefore, the occurrence of night parrot should be considered in accordance with the requirements of *Guidelines for Determining the Likely Presence and Habitat Usage of Night Parrot (Pezoporus occidentalis) in Western Australia* (DBCA, 2024; GIS Database). A main threat to night parrot is suspected to be loss or degradation of habitat by disturbance or development activities including mining and associated infrastructure and activities, which the applicant is proposing to conduct in the application area (DBCA, 2025). A loss of any night parrot individual is considered significant due to the conservation status and lack of information on the species.

However, the applicant informed the Delegated Officer that a fire occurred during the course of the assessment, over the east section of the application area (BHP, 2026). Mapping and site photographs taken on 11 March 2026 are provided in Appendix G. Due to the recent fire, the presence of the night parrot has become unlikely (BHP, 2026; GIS Database).

Other conservation significant fauna

There is potential for migratory birds including grey falcon (*Falco hypoleucos*, VU) to occur within the application area as transient visitors, however given the application area boundary has been reduced, habitat likely to support these species has also been reduced.

Greater bilby (*Macrotis lagotis*, VU) has suitable habitat in the application area, including mulga woodlands and scrublands, spinifex grasslands, stony plains and sandy loam soils (Biologic, 2014b; DCCEEW, 2023). Long-tailed dunnart (*Antechinomys longicaudata*, P4) was not included in previous survey effort of the application area. The application provides suitable habitat for the species to utilise, including rocky hill habitat and mulga, *Acacia* and *Eremophila* sp. vegetation (Biologic, 2014b; WAM, n.d.).

Gane's blind snake (Pilbara) (*Anilios ganei*, P1) is known to occur in rocky hill habitat and along minor drainage lines, which occur in the application area (Biologic, 2014b). This species is restricted to the Pilbara region, but little is known about their habitat preferences (BHP, 2025b; Wilson & Swan 2021). Great desert skink (*Liopholis kintorei*, VU) was not included in previous survey effort of the application area. The species inhabit loamy soils vegetated with spinifex which occur in the application area, but the application area appears west of the species known distribution (Cogger, 2018; GIS Database). These species are all possible in the application area due to presence of suitable habitat, however these habitat types are widespread in the region (Biologic, 2014b). Potential impacts to these species have been reduced with the reduction of the application area boundary.

Spotted ctenotus (northeast) (*Ctenotus uber johnstonei*, P2) is found in small rocky outcrops and stony plains which is present in the application area, but the species is unlikely to occur as the application area is far outside of their known distribution (Cogger, 2018; GIS Database). The species is only currently known from a few localities within the Pilbara, on the western plains surrounding the Fortescue Marshes (Biologic, 2014b).

Princess parrot (*Polytelis alexandrae*, P4), ghost bat (*Macroderma gigas*, VU) and Pilbara leaf-nosed bat (*Rhinonicteris aurantia* [Pilbara form], VU) have some suitable vegetation in the application area, but are unlikely to occur due to suitable habitat being absent (Commonwealth of Australia, 2008; GHD, 2020; Northover et al., 2023). Pilbara leaf-nosed bat is known to forage hummock grasslands of the Pilbara, so it is possible that the species may utilise the application area for foraging (Northover et al., 2023).

The six fauna habitats identified within the application area extend beyond the project boundary and are common in the surrounding region (BHP, 2025b).

Conclusion

Based on the above assessment, the proposed clearing will result in:

- potential clearing of suitable habitat for brush-tailed mulgara, western pebble-mound mouse, northern quoll, night parrot, greater bilby, long-tailed dunnart, gane's blind snake and great desert skink;
- potential clearing of suitable foraging habitat for Pilbara leaf-nosed bat; and
- potential impacts to conservation significant fauna that may be unknown within the application area.

Given surveys were undertaken over 10 years ago, the uncertainty of species occurrence is higher. The applicant may have notification responsibilities under the EPBC Act for impacts to fork-tailed swift, northern quoll, night parrot, grey falcon, greater bilby and great desert skink and their habitats, as set out in the EPBC Act. The applicant has been advised to contact the federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) to discuss EPBC Act referral requirements.

Conditions

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

- undertake slow, progressive one-directional clearing to allow terrestrial fauna to move into adjacent habitat ahead of clearing activity;
- fauna management (avoid identified active brush-tailed mulgara burrows with an exclusion buffer of 10 metres);
- fauna management (avoid identified active western pebble-mound mouse mounds with an exclusion buffer of 10 metres);
- watercourse management (avoid riparian vegetation); and
- retain cleared vegetation and topsoil and respread this on a cleared area of equivalent size within the application area within 12 months of clearing to ensure fauna habitat is not permanently lost.

The breakaway/cliff habitat was excised from the permit boundary due to it being potentially high value habitat that could support northern quoll (see area excised in Section 1.5).

3.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 11 March 2025 by the Department of Energy, Mines, Industry Regulation and Safety (now DMPE) inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim over the area under application (DPLH, 2025). This claim (WCD2018/008) has been registered with the National Native Title Tribunal on behalf of the claimant group; Nyiyaparli People. 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.

Ministerial Statement 1021 intersected CPS 4677/5. On 8 December 2025, during the assessment of CPS 4677/6, Ministerial Statement 1262 was approved and replaced Ministerial Statement 1021. The boundary of the application area no longer intersects with any Ministerial Statements.

It is noted that the proposed clearing may impact on fork-tailed swift (*Apus pacificus*), northern quoll (*Dasyurus hallucatus*), night parrot (*Pezoporus occidentalis*), grey falcon (*Falco hypoleucos*), greater bilby (*Macrotis lagotis*) and great desert skink (*Liopholis kintorei*) which are protected matters 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.

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. Additional information provided by applicant

Summary of comments	Consideration of comment
On 11 November 2025, the applicant provided spatial data for disturbance, rehabilitation and the indicative site layout under MS 1021 (now MS 1262).	This information is considered in the assessment of Section 1.4.
On 20 November 2025, the applicant provided rehabilitation plan for area being removed from permit boundary.	
On 9 December 2025, the applicant provided spatial data of • updated management measures; • amended permit boundary where buffer of *Acacia corusca* increased from 10 metres to 50 metres, where practicable to avoid disturbance; • habitat mapping over application area; and • location of conservation significant flora over the application area.	This information is considered in the assessment of Section 3.1, Principle (a) and Principle (b).
On 19 January 2026, the applicant confirmed that amendment 7 from the amendment application form was an error and should not have been included.	This information is considered as part of the amendment in Section 1.2.
On 19 February 2026, the applicant informed the Delegated Officer that a recent fire occurred over the application area and provided spatial data.	This information is considered in the assessment of Section 3.2.2, Principle (a) and Principle (b).
On 11 March 2026, the applicant provided fire scar mapping and site photographs of the recent fire. This is provided in Appendix G.	

Appendix B. Site characteristics

B.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 adjacent to Orebody 31 Iron Ore Mine (GIS Database). The predominant land use in the region is grazing of native pastures, UCL and Crown reserves, conservation and Aboriginal land (CALM, 2002).
Ecological linkage	According to available databases, the application area does not contain any known or mapped ecological linkages (BHP, 2025b; GIS Database).
Conservation areas	There are no conservation areas within the application area or the local surrounds (50 kilometres) (GIS Database). The nearest conservation area is Fortescue Marsh Nature Reserve, located approximately 72 kilometres northwest of the application area (GIS Database).
Vegetation description	The application area occurs within the Fortescue subregion of the Pilbara (PIL02) (GIS Database). The vegetation of the application area is broadly mapped as the Beard vegetation associations **82** and **216**, as described in decision report CPS 4677/5 (DMIRS, 2019; GIS Database). Vegetation was consolidated into a BHP Pilbara tenure mapping report by Onshore Environmental (2014a). A total of 14 vegetation associations were recorded within the application area, provided in Appendix E (BHP, 2025b). Mapping of vegetation types is provided in Appendix F. Two targeted flora surveys for priority species have also occurred over the application area (Biologic, 2021; Onshore Environmental, 2015).
Vegetation condition	The vegetation survey (Onshore Environmental, 2014b) indicates the vegetation within the proposed clearing area is in Excellent to Good Keighery (1994) condition. As the proposed clearing is located within the Eremaean Botanical Province, these condition ratings have been converted to the Trudgen (1991) condition rating scale (GIS Database). BHP have cleared a total of 184.26 hectares under CPS 4766, and it is likely that part of the application area is in Poor to Completely Degraded Trudgen (1991) condition (BHP, 2025b). Therefore, the vegetation within the proposed clearing area ranges from Excellent to Completely Degraded Trudgen (1991) condition. The full Trudgen (1991) condition rating scale is provided in Appendix D.
Climate and landform	The application area is mapped with elevations ranging between 500 and 550 metres Australian Height Datum (GIS Database). The climate region is semi desert tropical, with average rainfall of 327.5 millimetres recorded at Newman Aero, with rainfall mainly in summer cyclonic events (BoM, 2025; CALM, 2002).
Soil description and land degradation risk	The soil within the application area is mapped as the following systems (DPIRD, 2025; Van Vreeswyk et al., 2004; GIS Database):

Characteristic	Details
	• **Newman**: Rugged jaspilite plateaux, ridges and mountains supporting hard spinifex grasslands. This system covers approximately 183.56 hectares (approximately 39%) of the application area and is not generally susceptible to erosion. • **Boolgeeda**: Stony lower slopes and plains below hill systems supporting hard and soft spinifex grasslands or mulga shrublands. This system covers approximately 292.23 hectares (approximately 61%) of the application area and is not generally susceptible to erosion. • **Divide**: Gently undulating sandplains with minor dunes, supporting hard spinifex hummock grasslands with numerous shrubs. This system covers approximately 0.50 hectares (less than 1%) of the application area and may be susceptible to wind erosion. The soil types that occur within the application area are (BHP, 2025b): • **Fa13**: Loamy soils with weak pedological development; largely associated with the Hamersley ranges. Shallow coherent and porous loamy soils; ranges of banded jaspilite and chert along shales, dolomites and iron formations; some areas of ferruginous duricrust and narrow winding valley plains and steeply dissected pediments. The soils are frequently shallow and stony and there are extensive areas without soil cover: chief soils are stony earthy loams. • **Mz25**: Plains associated with the Fortescue valley; there is a surface cover of stony gravels close to the ranges and hills: chief soils are acid red earths (Gn2.11) with some neutral red earths (Gn2.12); red-brown hardpan is absent. Associated are areas of calcareous earths (Gc) and loams (Um1) on calcrete (kunkar) and some hard red (Dr) soils around creek lines.
Waterbodies	The desktop assessment and aerial imagery indicated that there are no permanent watercourses or wetlands, however there are two minor non-perennial watercourses that intersect the application area (BHP, 2025b; GIS Database). These watercourses both join to Jimblebar Creek (BHP, 2025b). There are no Wetlands of International importance in the application area or the local surrounds (50 kilometres) (GIS Database). However, the closest Wetland of National Importance is Lake Disappointment (Savory Creek) System, and the closest Wild River is Savory Creek, both approximately 37 kilometres south of the application area (GIS Database).
Hydrogeography	The application area is located within the Pilbara Ground Water Area and Pilbara Surface Water Area proclaimed under the *Rights in Water and Irrigation Act 1914* (GIS Database). The nearest Public Drinking Water Source Area is Newman Water Reserve, which is located approximately six kilometres west of the application area (GIS Database). The mapped groundwater salinity is 500 to 1,000 milligrams per litre total dissolved solids which is described as freshwater (NWGA, 2023; GIS Database).
Flora	There are no records of threatened flora species within the application area or local surrounds (50 kilometres) (GIS Database). There are records of 26 priority flora species within a 50 kilometre radius of the application area (GIS Database). There are records of two priority flora species that occur within 50 metres of the application area (BHP, 2025b). The boundary has been reduced to exclude these populations.
Ecological communities	There are no Threatened Ecological Communities (TECs) or Priority Ecological Communities (PECs) within or adjacent to the application area (Onshore Environmental, 2014a; GIS Database). None of the vegetation associations identified in the application area have affiliations with any TECs or PECs documented within the Pilbara (Onshore Environmental, 2014b). There is one TEC in the local area (50 kilometres), the Ethel Gorge aquifer stygobiont community, approximately 20 kilometres west of the application area (GIS Database). There is one PEC in the local area (50 kilometres), the Fortescue Valley Sand Dunes, approximately 45 kilometres northwest of the application area (GIS Database).
Fauna	There are records of two conservation significant fauna species within the application area (BHP, 2025b). There are records of an additional 31 conservation significant fauna species within a 50 kilometre radius of the application area (BHP, 2025b; GIS Database).
Fauna habitat	There are six fauna habitats described within the application area (BHP, 2025b): • **Drainage area/floodplain**: lower lying plain often subjected to sheet flow following large rainfall events. Vegetation and substrates of this habitat was variable, often comprising scattered *Eucalyptus* over *Acacia* and/or *Grevillea* shrubs with an understory dominated by *Triodia* hummock grasses and/or mixed tussock grasses on alluvial substrates, often with heavy clays and gravel. Tussock grasses can be dominant within drainage area/floodplain habitat as a result of high rainfall events. • **Minor drainage line**: usually lacks a tall dense upper storey, but with a dense mid storey, including sparse *Eucalyptus* sp., and *Acacia* sp. over tussock grasses and *Triodia* sp. hummock grasses. • **Mulga woodland**: comprises stands of mulga (*Acacia aneura*) over clay or stony substrates. Differs from other plains by having a monoculture of mulga compared to a diversity of other *Acacia* species. • **Stony plain**: comprises low-lying open plains and the rolling hills below upland areas, with very slight to no gradient. The substrate consists of gravel and pebbles, with vegetation dominated by

Characteristic	Details
	Triodia and scattered mulga, eucalypt and *Acacia* trees, with patches of various small to medium shrub species. • **Hillcrest/hillslope**: comprises a rocky substrate, often with exposed bedrock, on moderate to steep slopes leading into lower footslopes. This habitat was characterised by steep slopes with a high proportion of coarse fragments dominated by ironstone. These can contain cracks and crevices. Instances of gorge/gully is contained within this habitat. This habitat is usually dominated by open *Eucalyptus* woodlands, *Acacia* and *Grevillea* scrublands and *Triodia* low hummock grasslands. • **Breakaway/cliffs**: comprises rugged, incised rocky hills and ranges. They tend to contain large rock fragments and more rock outcropping than other fauna habitats. Significant habitat features such as caves were sometimes encountered in this habitat type. Vegetation can be dense and complex in areas of soil deposition or sparse and simple where erosion has occurred. Mapping of fauna habitat is provided in Appendix F.

B.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 - Pilbara	17,808,657.04	17,731,764.88	99.57	1,801,714.98	10.12
Beard vegetation associations - State					
82	2,565,901.28	2,553,206.19	99.51	295,377.96	11.51
216	280,759.39	279,237.06	99.46	N/A	N/A
Beard vegetation associations - Bioregion (Pilbara)					
82	2,563,583.23	2,550,888.14	99.50	295,377.96	11.52
216	26,669.89	26,372.58	98.89	N/A	N/A

Government of Western Australia (2019)

B.3. Flora analysis table

The following conservation significant flora species have been recorded within 50 kilometres of the application area or in biological surveys (BHP, 2025b; Onshore Environmental, 2014b; GIS Database). The assessment for these species included consideration in field surveys, potentially suitable habitat within the application area, species distribution and known regional records (Biologic, 2021; Buirchell & Brown, 2016; Bull et al., 2019; Curtis et al., 2022; Davis & Hurter, 2013; Onshore Environmental, 2014b; 2015; Palmer, 2009; Syrinx Environmental PL, 2011; WAH, 1998-; Wilson & Rowe, 2015; GIS Database).

Species name	Suitable habitat features? [Y/N]	Suitable soil type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Considered in previous field surveys? [Y/N]
Priority 1					
Acacia corusca	Y	Y	<1	12	Y
Eremophila capricornica	Y	Y	<1	18	Y
Eremophila pilosa	Y	Y	<45	9	Y
Priority 2					
Goodenia hartiana	N	N	<10	27	Y
Priority 3					
Amaranthus centralis	Y	Y	<25	8	Y
Aristida jerichoensis var. *subspinulifera*	Y	Y	<10	49	Y
Crotalaria smithiana	Y	Y	<20	7	Y
Eremophila magnifica subsp. *velutina*	N	N	<40	23	Y

Species name	Suitable habitat features? [Y/N]	Suitable soil type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Considered in previous field surveys? [Y/N]
Eremophila naaykensii	Y	Y	<35	22	Y
Eremophila rigida	N	N	<45	10	Y
Euphorbia inappendiculata var. *inappendiculata*	Y	Y	<15	17	N
Goodenia sp. East Pilbara (A.A. Mitchell PRP 727)	Y	Y	<30	53	Y
Gymnanthera cunninghamii	N	Y	<25	45	Y
Indigofera gilesii	Y	Y	<50	40	Y
Ipomoea racemigera	Y	Y	<10	23	Y
Isotropis parviflora	Y	Y	<10	34	Y
Oxalis sp. Pilbara (M.E. Trudgen 12725)	Y	Y	<40	18	Y
Streptoglossa sp. Cracking clays (S. van Leeuwen et al. PBS 7353)	N	N	<50	13	N
Swainsona thompsoniana	N	N	<40	33	Y
Themeda sp. Hamersley Station (M.E. Trudgen 11431)	N	N	<25	61	Y
Triodia sp. Mt Ella (M.E. Trudgen 12739)	N	N	<5	40	Y
Vittadinia sp. Coondewanna Flats (S. van Leeuwen 4684)	Y	Y	<15	27	Y
Priority 4					
Eremophila magnifica subsp. *magnifica*	Y	Y	<40	47	Y
Eremophila youngii subsp. *lepidota*	Y	Y	<20	50	N
Goodenia berringbinensis	Y	Y	<15	33	N
Lepidium catapycnon	Y	Y	<45	39	Y

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

B.4. Fauna analysis table

The following conservation significant fauna species have been recorded within 50 kilometres of the application area or in biological surveys (BHP, 2025b; Biologic, 2014b; GIS Database). The likelihood of occurrence for these species was determined by potentially suitable habitat within the application area, species distribution and known regional records (ALA, n.d.-a; n.d.-b; Bat Call WA, 2021; BHP, 2026; Biologic, 2014b; 2022; Cogger, 2018; Commonwealth of Australia, 2008; DBCA, 2017; 2024; 2025; DCCEEW, 2021; 2023; 2025; DEPWS, 2021; DNREAS, 2010; GHD, 2020; iNaturalist, n.d.; Menkhorst et al., 2019; Northover et al., 2023; Pearson, 2013; TSSC, 2015; 2016; 2018; 2019; WAM, n.d.; Wilson & Swan, 2021; GIS Database).

Species name	Conservation status	Suitable habitat features? [Y/N]	Suitable vegetation type? [Y/N]	Distance of closest record to application area (km)	Likelihood of occurrence in application area
Mammals					
Greater bilby (*Macrotis lagotis*)	VU	Y	Y	<20	Possible
Black-footed rock-wallaby (*Petrogale lateralis lateralis*)	EN	N	N	<25	Unlikely
Brush-tailed mulgara (*Dasycercus blythi*)	P4	Y	Y	0	Recorded
Crest-tailed mulgara (*Dasycercus cristicauda*)	P4	N	N	<30	Very unlikely, not in WA
Ghost bat (*Macroderma gigas*)	VU	N	Y	<5	Unlikely

Species name	Conservation status	Suitable habitat features? [Y/N]	Suitable vegetation type? [Y/N]	Distance of closest record to application area (km)	Likelihood of occurrence in application area
Long-tailed dunnart (*Antechinomys longicaudata*)	P4	Y	Y	<35	Possible
Marsupial mole (*Notoryctes* sp.)	P4	N	N/A, lives underground	<35	Unlikely
Northern quoll (*Dasyurus hallucatus*)	EN	Y	N	<45	Possible
Pilbara leaf-nosed bat (*Rhinonicteris aurantia* [Pilbara form])	VU	N	Y	<10	Unlikely
Western pebble-mound mouse (*Pseudomys chapmani*)	P4	Y	Y	<5	Likely
Reptiles					
Gane's blind snake (Pilbara) (*Anilios ganei*)	P1	Y	Y	<10	Possible
Great desert skink (*Liopholis kintorei*)	VU	Y	Y	<35	Possible
Pilbara olive python (*Liasis olivaceus barroni*)	VU	N	N	<20	Unlikely
Spotted ctenotus (northeast) (*Ctenotus uber johnstonei*)	P2	Y	Y	<15	Unlikely
Birds					
Caspian tern (*Hydroprogne caspia*)	MI	N	N	<25	Very unlikely
Common greenshank (*Tringa nebularia*)	MI	N	N	<25	Very unlikely
Common redshank (*Tringa totanus*)	MI	N	N	<45	Very unlikely
Common sandpiper (*Actitis hypoleucos*)	MI	N	N	<10	Very unlikely
Curlew sandpiper (*Calidris ferruginea*)	CR	N	N	<25	Very unlikely
Fork-tailed swift (*Apus pacificus*)	MI	Y	Y	0	Recorded, transient visitor
Glossy ibis (*Plegadis falcinellus*)	MI	N	N	<25	Very unlikely
Grey falcon (*Falco hypoleucos*)	VU	Y	N	<80	Unlikely
Gull-billed tern (*Gelochelidon nilotica*)	MI	N	N	<25	Very unlikely
Long-toed stint (*Calidris subminuta*)	MI	N	N	<25	Very unlikely
Marsh sandpiper (*Tringa stagnatilis*)	MI	N	N	<25	Very unlikely
Night parrot (*Pezoporus occidentalis*)	CR	Y	Y	<45	Unlikely
Oriental plover (*Charadrius veredus*)	MI	N	N	<40	Unlikely
Pectoral sandpiper (*Calidris melanotos*)	MI	N	N	<40	Very unlikely
Peregrine falcon (*Falco peregrinus*)	OS	N	N	<15	Unlikely
Princess parrot (*Polytelis alexandrae*)	P4	N	Y	<50	Unlikely
Red-necked stint (*Calidris ruficollis*)	MI	N	N	<25	Very unlikely
Sharp-tailed sandpiper (*Calidris acuminata*)	MI	N	N	<25	Very unlikely
Wood sandpiper (*Tringa glareola*)	MI	N	N	<20	Very unlikely

Species name	Conservation status	Suitable habitat features? [Y/N]	Suitable vegetation type? [Y/N]	Distance of closest record to application area (km)	Likelihood of occurrence in application area

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

B.5. Ecological community analysis table

The following conservation significant ecological communities have been recorded within 50 kilometres of the application area (Biologic, 2014a; DBCA, 2023b; 2023a; GIS Database).

Community name	Conservation status	Suitable habitat features? [Y/N]	Suitable vegetation type? [Y/N]	Suitable soil type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)
Ethel Gorge aquifer stygobiont community	CR	N	N/A	Y	<25	1
Vegetation of sand dunes of the Hamersley Range/ Fortescue Valley (previously 'Fortescue Valley Sand Dunes')	P3	N	N	Y – very marginal, less than 1% of application area	<45	15

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

Appendix C. 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 locally significant habitats that may support conservation significant flora and fauna.	May be at variance (as per CPS 4677/5)	Yes *Refer to Section 3.2.1, 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 application area contains significant habitat for conservation significant fauna.	May be at variance (as per CPS 4677/5)	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."* Assessment: There are no records of threatened flora species listed under the BC Act within the application area or local surrounds (50 kilometres) (Onshore Environmental, 2014b; GIS Database).	Not likely to be at variance (as per CPS 4677/5)	No
Principle (d): *"Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community."* Assessment: There are no known TECs located within or in close proximity to the application area (GIS Database). The broad-scale vegetation mapping of the application area did not record any vegetation associations that could be representative of a TEC (Onshore Environmental, 2014a; GIS Database).	Not likely to be at variance (as per CPS 4677/5)	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:	Not at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
The extent of the mapped vegetation type is consistent with the national objectives and targets for biodiversity conservation in Australia (Commonwealth of Australia, 2001; Government of Western Australia, 2019). The vegetation proposed to be cleared is not considered to be part of a significant ecological linkage in the local area (BHP, 2025b; GIS Database).	(as per CPS 4677/5)	
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: There are no conservation areas within the application area or local surrounds (50 kilometres) (GIS Database). Given the distance to the nearest conservation area (GIS Database), the proposed clearing is not likely to have an impact on the environmental values of nearby conservation areas.	Not likely to be at variance (as per CPS 4677/5)	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: There are no permanent waterbodies or watercourses within the application area, however, there are two minor non-perennial watercourses that intersect the application area (BHP, 2025b; GIS Database). Two mapped vegetation types within the application area, *Acacia* Low Woodland and *Acacia* High Shrubland, are associated with these watercourses (Appendix F; Onshore Environmental, 2014a; GIS Database). Therefore, the proposed clearing may impact on vegetation associated with a watercourse and may disrupt surface water flows. BHP (2025b) state that where practicable, existing cleared tracks will be used to cross the non-perennial minor drainage lines and clearing will be kept to a bare minimum if it is necessary for new crossings to be installed. Conditions: To address the above impact, the following management measures will be required as conditions on the clearing permit: • watercourse management (avoid clearing riparian vegetation where practicable, and where a watercourse is to be impacted by clearing the Permit Holder shall ensure that the existing surface flow is maintained); and • watercourse management (restricted clearing to tracks only).	At variance (changed from CPS 4677/5)	No
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The Newman and Boolgeeda systems are not generally susceptible to erosion (Van Vreeswyk et al., 2004). The Divide system is moderately susceptible to wind erosion immediately following burning (Van Vreeswyk et al., 2004). Noting the extent of the Divide system within the application area, the proposed clearing is not likely to have an appreciable impact on land degradation.	Not likely to be at variance (as per CPS 4677/5)	No
Principle (i): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water."* Assessment: Given that no permanent watercourses, waterbodies or Public Drinking Water Sources Areas are recorded within or in close proximity to the application area, the proposed clearing is unlikely to impact surface or ground water quality (GIS Database).	Not likely to be at variance (as per CPS 4677/5)	No
Principle (j): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."* Assessment: Given that no permanent watercourses or waterbodies are recorded within or in close proximity to the application area, the proposed clearing is unlikely to contribute to waterlogging (GIS Database). Rainfall mainly occurs in summer, from December to April, during cyclonic events, producing sporadic, heavy rains over the area (BHP, 2025b; BoM, 2025). Localised flooding and massive surface water runoff is known to occur following intense rainfall events, however the incidence or intensity of flooding is not likely to be significantly influenced by the proposed clearing (BHP, 2025b). BHP (2025b) state that drainage	Not likely to be at variance (as per CPS 4677/5)	No

Assessment against the clearing principles	Variance level	Is further consideration required?
infrastructure will be designed to ensure that post-construction flows will not differ significantly from pre-construction flows.		

Appendix D. 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 E. Vegetation associations and descriptions

Vegetation associations in the application area (BHP, 2025b)

Broad Floristic Formation	Vegetation Association Description	
Acacia High Shrubland	FP AancAadsAe TtArhhPamu ChCaHl	High Shrubland of *Acacia ancistrocarpa*, *Acacia adsurgens* and *Acacia elachantha* over Open Tussock Grassland of *Themeda triandra*, *Aristida holathera* var. *holathera* and *Paraneurachne* muelleri with Low Open Woodland of *Corymbia hamersleyana*, *Corymbia aspera* and *Hakea lorea* subsp. *lorea* on loamy sand on drainage zones and floodplains.
Acacia Low Open Forest	MI AaApEll AwAteAb TpTs	Low Open Forest of *Acacia aptaneura*, *Acacia paraneura* and *Eucalyptus leucophloia* subsp. *leucophloia* over Open Scrub of *Acacia wanyu*, *Acacia tetragonophylla* and *Acacia bivenosa* over Open Hummock Grassland of *Triodia pungens* and *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835) on brown loam on minor drainage lines through undulating ironstone ridges, hills and valleys.
Acacia Low Woodland	FP AciChAa AancApypPl TtAriCc	Low Woodland of *Acacia citrinoviridis*, *Corymbia hamersleyana* and *Acacia aptanerua* over High Shrubland of *Acacia ancistrocarpa*, *Acacia pyrifolia* var. *pyrifolia* and *Petalostylis labicheoides* over Very Open Tussock Grassland of *Themeda triandra*, *Aristida inaequiglumis* and **Cenchrus ciliaris* on brown sandy loam on floodplains and medium drainage lines.
	SP AaAcaoAay Asu Tb	Low Woodland of *Acacia aptaneura*, *Acacia catenulata* subsp. *occidentalis* and *Acacia ayersiana* over High Shrubland of *Acacia subcontorta* over Open Hummock Grassland of *Triodia basedowii* on orange silty clay loam on stony plains.
Acacia Open Scrub	MI AtpPlAm TpTs ChEll	Open Scrub of *Acacia tumida* var. *pilbarensis*, *Petalostylis labicheoides* and *Acacia monticola* over Open Hummock Grassland of *Triodia pungens* and *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835) with Low Open Woodland of *Corymbia*

		hamerselyana and *Eucalyptus leucophloia* subsp. *leucophloia* on red brown sandy loam on minor drainage lines.
Corymbia Low Open Woodland	SP ChEoCd AancApaAads TbTscTs	Low Open Woodland of *Corymbia hamersleyana*, *Eucalyptus odontocarpa* and *Corymbia deserticola* subsp. *deserticola* over Open Shrubland of *Acacia ancistrocarpa*, *Acacia pachyacra* and *Acacia adsurgens* over Open Hummock Grassland of *Triodia basedowii*, *Triodia schinzii* and *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835) on red brown sandy loam on footslopes and stony plains.
Eremophila Low Shrubland	HC ErccErcuLepl AaAp AwSegl	Low Shrubland of *Eremophila compacta*, *Eremophila cuneifolia* and *Lepidium platypetalum* with Low Open Woodland of *Acacia aptaneura* and *Acacia paraneura* and High Open Shrubland of *Acacia wanyu* and *Senna glutinosa* subsp. x *luerssenii* on clay loam on low hill crests and hill slopes.
Triodia Hummock Grassland	FP Tb AaApr Erff	Hummock Grassland of *Triodia basedowii* with Low Open Woodland of *Acacia aptaneura* and *Acacia pruinocarpa* over Open Shrubland of *Eremophila forrestii* subsp. *forrestii* on red sandy loam on floodplains.
	FP Tp EtEg AbAancPl	Hummock Grassland of *Triodia pungens* with Very Open Mallee of *Eucalyptus trivalva* and *Eucalyptus gamophylla* over Shrubland of *Acacia bivenosa*, *Acacia ancistrocarpa* and *Petalostylis labicheoides* on red brown loam on uninsised drainage tracts on floodplains.
	FS Ts AwAbGrwh Segl	Hummock Grassland of *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835) with High Shrubland of *Acacia wanyu*, *Acacia bivenosa* and *Grevillea wickhamii* subsp. *hispidula* over Open Shrubland of *Senna glutinosa* subsp. x *luerssenii* on red brown silty loam on footslopes and lower hill slopes.
	FS Ts CdHc AancAiGrwh	Hummock Grassland of *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835) with Low Open Woodland of *Corymbia deserticola* subsp. *deserticola* and *Hakea chordophylla* over Open Shrubland of *Acacia ancistrocarpa*, *Acacia inaequilatera* and *Grevillea wickhamii* subsp. *hispidula* on red brown sandy loam on footslopes and stony plains.
	HS Ta AsyAteAw ErcuLeplMapy	Hummock Grassland of *Triodia angusta* with Open Shrubland of *Acacia synchronicia*, *Acacia tetragonophylla* and *Acacia wanyu* over Low Open Shrubland of *Eremophila cuneifolia*, *Lepidium platypetalum* and *Maireana pyramidata* on brown silty loam on undulating hills, ironstone ridges and eroded slopes.
	HS TsTwTp EllCh AhiAaa	Hummock Grassland of *Triodia* sp. Shovelanna Hill (S. van Leeuwen 3835), *Triodia wiseana* and *Triodia pungens* with Low Open Woodland of *Eucalyptus leucophloia* subsp. *leucophloia* and *Corymbia hamersleyana* over Low Open Shrubland of *Acacia hilliana* and *Acacia adoxa* var. *adoxa* on red brown sandy loam on hill slopes.
Triodia Open Hummock Grassland	HS TpTb EllAaAcao SesSeglErcu	Open Hummock Grassland of *Triodia pungens* and *Triodia basedowii* with Low Open Woodland of *Eucalyptus leucophloia* subsp. *leucophloia*, *Acacia aptaneura* and *Acacia catenulata* subsp. *occidentalis* over Open Shrubland of *Senna stricta*, *Senna glutinosa* subsp. x *luerssenii* and *Eremophila cuneifolia* on orange sandy loam on hill slopes.

Appendix F. Vegetation and fauna habitat mapping within application area

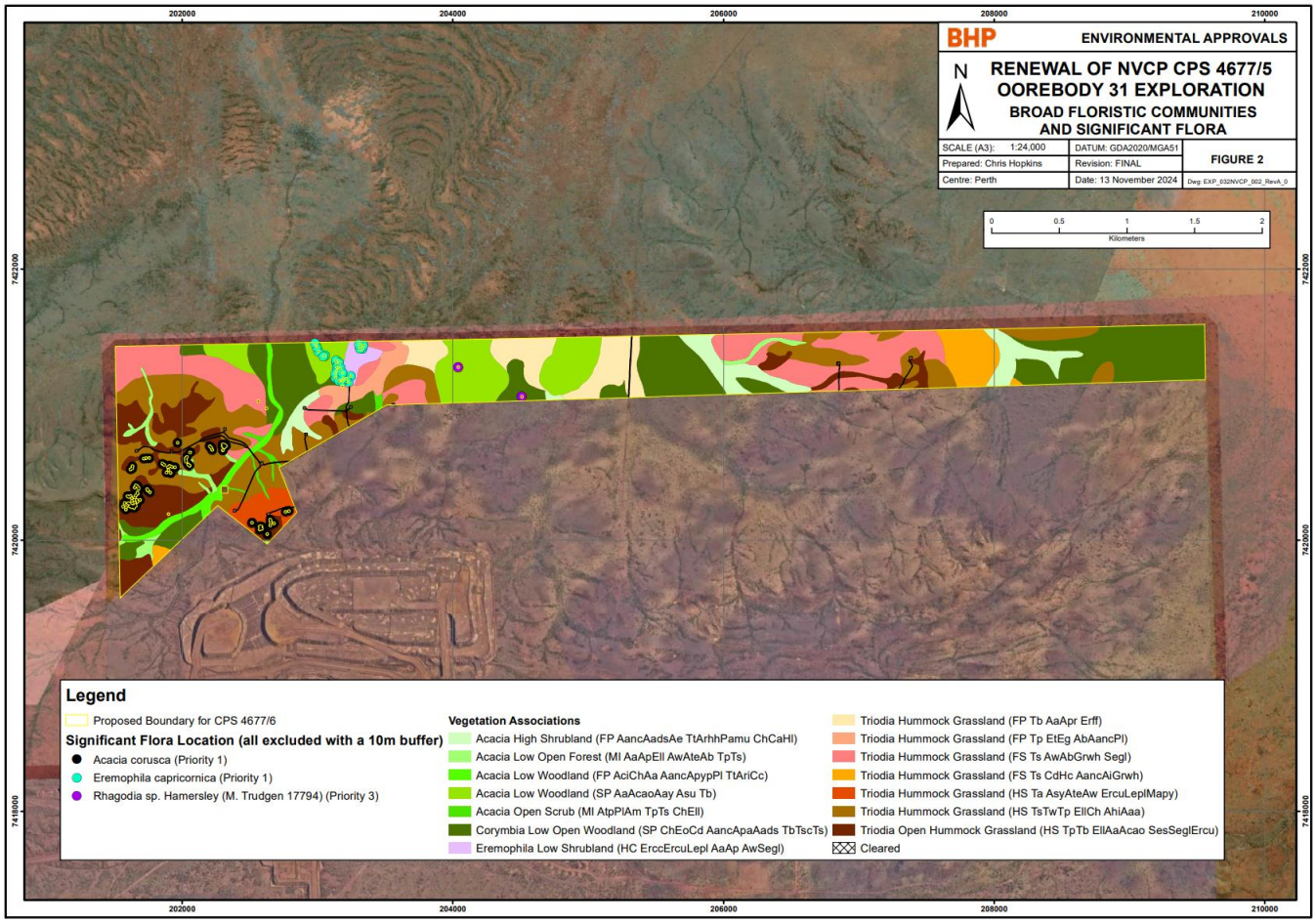

Figure 2. Vegetation associations and significant flora mapping within proposed application area (BHP, 2025b).

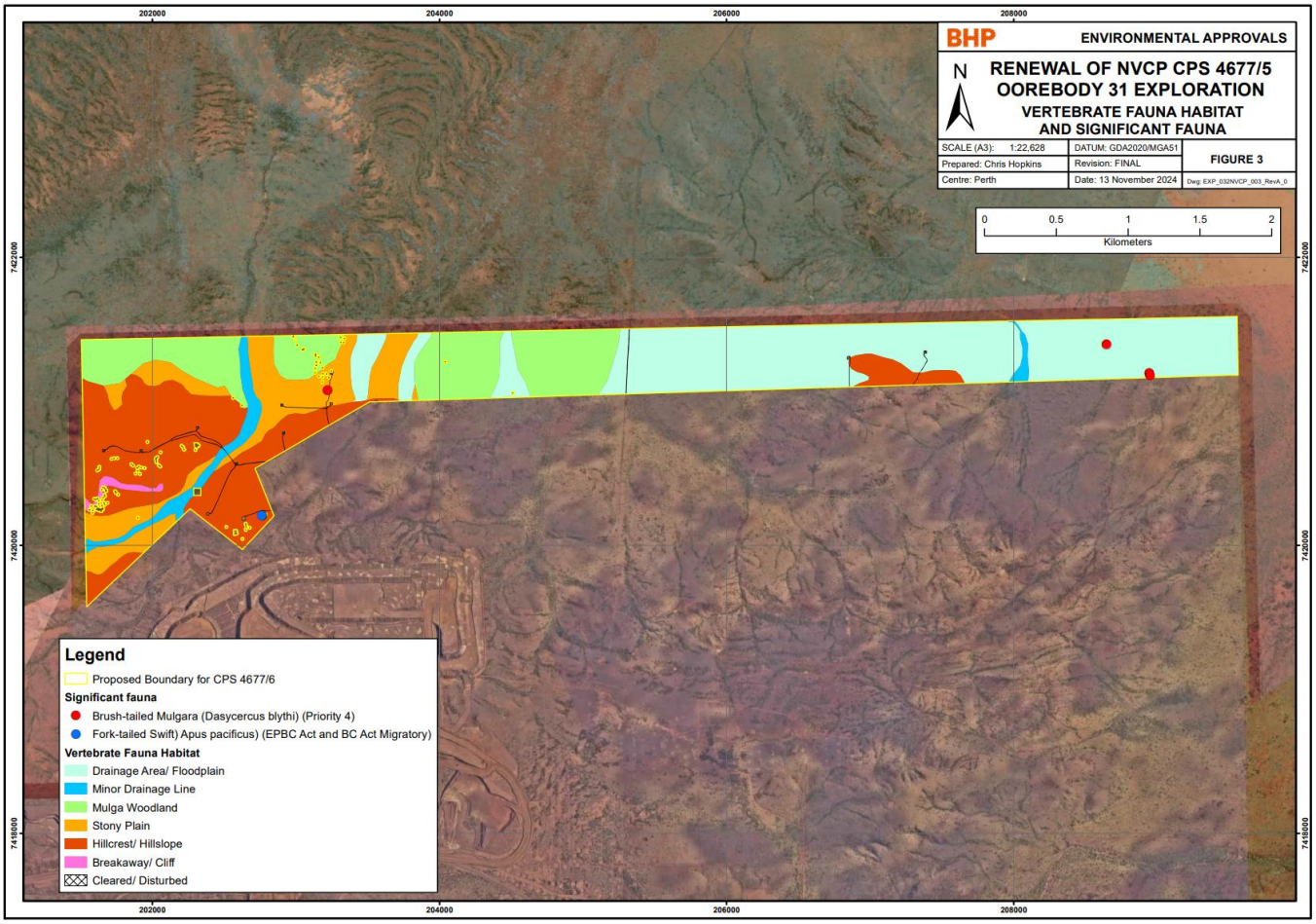

Figure 3. Vertebrate fauna habitat and significant fauna mapping within proposed application area (BHP, 2025b).

Appendix G. Recent fire history mapping and photographs within application area

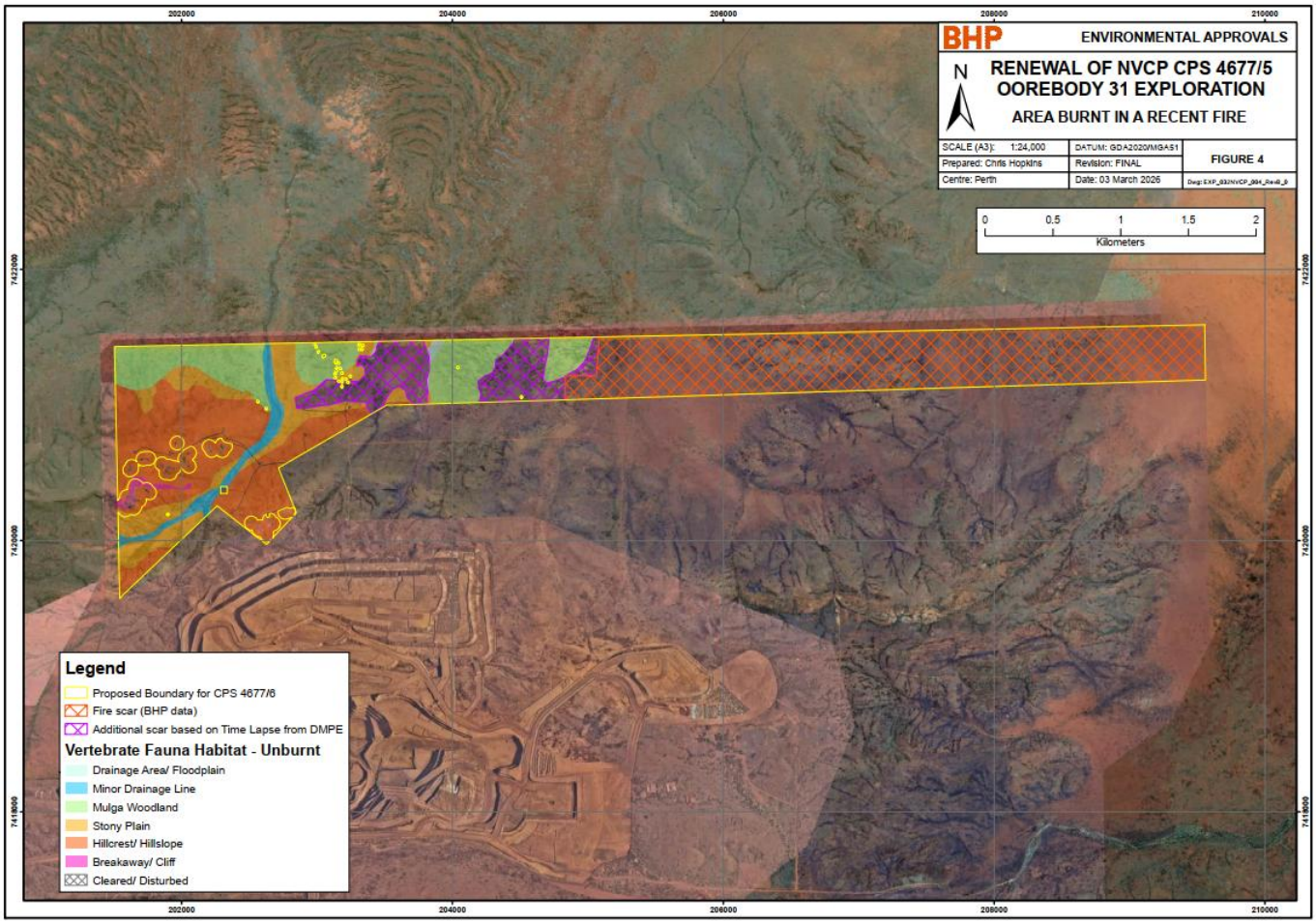

Figure 4. Recent fire history mapping and unburnt vertebrate fauna habitat within proposed application area (BHP, 2026).

Figure 5. Photograph taken on 11 March 2026 along the north of the proposed application area (BHP, 2026).

Figure 6. Photograph taken on 11 March 2026 along the north of the proposed application area (BHP, 2026).

Appendix H. Sources of information

H.1. GIS datasets

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

- 10 metre contours (DPIRD-073)
- CAWSA Part 2A Clearing Control Catchments (DWER-004)
- Clearing Instruments Activities (Areas Approved to Clear) (DWER-076)
- 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)
- Directory of Important Wetlands in Australia - Western Australia (DBCA-045)
- EPA Referred Significant Proposals (DWER-120)
- Groundwater Salinity Statewide (DWER-026)
- IBRA Vegetation Statistics
- IBSA Survey Details (DWER-118)
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Medium Scale Topo Contour (Line) (LGATE-015)
- Medium Scale Topo Water (Line) (LGATE-018)
- Native Title (Determination) (LGATE-066)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)

- Ramsar Sites (DBCA-010)
- 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
- Wild Rivers (DWER-087)

Restricted GIS Databases used:

- Threatened and Priority Flora (TPFL)
- Threatened and Priority Flora (WAHerb)
- Threatened and Priority Fauna
- Threatened and Priority Ecological Communities
- Threatened and Priority Ecological Communities (Buffers)

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Glossary

Acronyms:

BC Act	*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.