



Clearing Permit Decision Report

1. Application details and outcome

1.1. Permit application details

Permit number:	4875/4
Permit type:	Purpose Permit
Applicant name:	BHP Iron Ore Pty Ltd
Application received:	2 June 2022
Application area:	90 hectares
Purpose of clearing:	Mineral exploration, haul roads, hydrological and geotechnical investigations and associated activities
Method of clearing:	Mechanical Removal
Tenure:	<i>Iron Ore (Mount Newman) Agreement Act 1964</i> , Mining Lease 244SA (AML 70/244)
Location (LGA area/s):	Shire of East Pilbara
Colloquial name:	Wheelarra Hill North Drilling Program

1.2. Description of clearing activities

BHP Iron Ore Pty Ltd proposes to clear up to 90 hectares of native vegetation within a total boundary of approximately 1,993 hectares for the purpose of mineral exploration, haul roads, hydrological and geotechnical investigations and associated activities. The project is located approximately 40 kilometres east of Newman, in the Shire of East Pilbara.

Clearing Permit CPS 4875/1 was granted by the former Department of Mines and Petroleum (DMP) on 10 May 2012 authorising the clearing of up to 90 hectares of native vegetation within a total boundary of 2.034 hectares.

Clearing Permit CPS 4875/2 was granted on 14 May 2015 to change the clearing purpose to mineral exploration, haul roads, hydrological and geotechnical investigations and associated activities, extend the permit duration to 30 November 2022 and amend the final reporting date to 30 November 2022.

On 6 June 2017, Clearing Permit CPS 4875/3 was granted for the purpose of extending the permit duration to 30 November 2027, with no clearing to be undertaken after 30 November 2022, and amending the final reporting date to 30 November 2027. The size of the area approved to clear (90 hectares) and the permit boundary remained unchanged.

On 2 June 2022, the Permit Holder applied to amend CPS 4875/3 to update the permit holder name to BHP Iron Ore Pty Ltd, and extend the period in which clearing is authorised and the permit duration by a further ten years as the full extent of the proposed works is yet to be undertaken. However, the Department of Mines, Industry Regulation and Safety (DMIRS) approved an extension for a further five years in accordance with section 51G of the *Environmental Protection Act 1986* (EP Act) and due to the absence of a more up to date vegetation and flora surveys. Therefore, the current amendment application will extend the permit duration to 30 November 2032; extend the clearing period to 30 November 2027; and extend the final reporting date to 30 November 2032. The total area of clearing authorised remains unchanged and the permit boundary reduced from approximately 2,043 to 1,993 hectares.

1.3. Decision on application and key considerations

Decision:	Granted
Decision date:	8 September 2022
Decision area:	90 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was made in accordance with section 51KA(1) of the *Environmental Protection Act 1986* (EP Act) and was received by the Department of Mines, Industry Regulation and Safety (DMIRS) on 2 June 2022. DMIRS advertised the application for public comment for a period of 7 days, and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics, relevant datasets, supporting information provided by the applicant including the results of a flora and vegetation survey and fauna survey, the clearing principles set out in Schedule 5 of the EP Act, and any other matters considered relevant to the assessment. The assessment also identified a potential impact on significant fauna habitats which have been excised from the application area.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures, the Delegated Officer determined that extending the period in which clearing is authorised and the permit duration by a further five years is not likely to lead to an unacceptable risk to the environment is not likely to lead to an unacceptable risk to the environment. The Delegated Officer decided to grant a clearing permit with existing and new management conditions.

2. Assessment of application

2.1. Avoidance and mitigation measures

During the assessment, and following discussions with DMIRS, the applicant reduced the permit boundary in order to exclude areas where habitats for conservation significant fauna occur, i.e. Ghost bats caves and areas of potential habitats for Pilbara Olive Python.

BHP (2022a) has advised the following avoidance and mitigation measures:

- Populations of significant flora have been avoided using the BHP Project Environmental and Heritage Review (PEAHR) procedure. This internal BHP procedure authorises ground disturbing activities and locations of priority flora have been clipped from the PEAHR boundary to prevent disturbance within 10 meter of these populations;
- Five roosting Ghost bats (*Macroderma gigas*) caves have been clipped from the amendment application area with a 150 meter buffer;
- Active mounds of the Western Pebble-mound Mouse will be avoided using a 10 meter buffer, where practicable;
- In the event that active Mulgara burrows are identified they will be avoided using a 10 meter buffer, where practicable; and
- Where practicable, existing cleared tracks will be used to cross the unnamed non-perennial minor drainage line. If it is necessary for new crossings to be installed, clearing will be kept to a bare minimum and will be constructed flat 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.

2.2. Assessment of impacts on environmental values

The proponent has reported that as of the 30 June 2021, 34.78 hectares has been cleared to date with 9.22 hectares rehabilitated pursuant to permit CPS 4875/3 (BHP, 2021).

Additional biological information has been provided in support of the amendment application, some of which have included parts of the application area and surrounding areas. These surveys include:

- 1) Onshore Environmental (2014a): Consolidation of Regional Vegetation Mapping BHP Billiton Iron Ore Pilbara
- 2) Onshore Environmental (2014b): Orebody 31 - Targeted Significant Flora Survey
- 3) Onshore Environmental (2015): Targeted Survey for *Acacia* sp. East Fortescue (surrounding OB31)
- 4) Biologic Environmental (2014) Consolidated Fauna Habitat Mapping
- 5) Biologic Environmental (2021) BHP WAI0 Jimblebar *Eremophila capricornica* Targeted Flora Survey
- 6) GHD (2019) North Jimblebar Vertebrate Fauna Survey
- 7) GHD (2020) Jimblebar Targeted Ghost Bat Survey

A letter correcting errors in the 2015 database and incorporating additional areas of mapping was sent by the proponent to complement the Biologic (2014) report.

The environmental values of the application area are described in previous versions of the Decision Report, based on biological studies undertaken by ENV Australia (2012) and Syrinx Environmental (2012). This current assessment also considered information based on other surveys undertaken by Onshore Environmental (2014a; 2014b; 2015), Biologic (2014; 2020), GHD (2019; 2020) and the BHP (2022a) NVCP supporting documentation. Therefore, the potential environmental impacts were revised and updated.

The name and status of the priority species recorded within the application area were updated according to Western Australian Herbarium (1998-) and the species no longer listed within the conservation category were removed from the flora management conditions in the permit accordingly. The table below states the changes made:

Name and status of species listed in CPS 4875/3	Current Status	Previously recorded within the application area	Revised records within the application area
<i>Aristida jerichoensis</i> var. <i>subspinulifera</i>	Priority 3	Yes	No - Onshore Environmental (2014b) re-visited the sites where Syrinx Environmental (2012) identified records of this species and confirmed to be a common taxa <i>Aristida inaequiglumis</i> .
<i>Triodia</i> sp. Mt Ella	Priority 3	Yes	Yes

<i>Eragrostis olida</i>	Delisted	Yes	Yes
<i>Hibiscus aff. apodus</i>	Delisted	Yes	No - Onshore Environmental (2014b) re-visited the sites of this species records identified by Syrinx Environmental (2012) and confirmed to be a common taxa <i>Hibiscus haynaldii</i>
<i>Oldenlandia galioides</i> currently named as <i>Scleromitron galioides</i>	Delisted	Yes	Yes

Following the table, *Triodia* sp. Mt Ella (P3) is the only species currently present within the application area that has not been delisted. Therefore, a flora management condition has been placed in the clearing permit to minimise impacts to this species.

According to GHD (2020) and BHP (2022a), five significant Ghost Bats (*Macroderma gigas* – Vulnerable) caves were identified within the application area. The proponent applied a 150 metre buffer around these caves and clipped them out from the application area, which consequently reduced the original permit boundary i.e. 2,034 to 1,993 hectares. The buffer zones must be of a size that ensures a viable roost cave during any threatening activity and must consider all perceived threats throughout and subsequently any direct project disturbance (Bat Call WA, 2021).

GHD (2020) also identified locations of active mounds of Western Pebble-mound Mouse (*Pseudomys chapmani* - Priority 4), and identified additional nine species considered to potentially occur within the application area: Brush-tailed mulgara (*Dasycercus blythi* - Priority 4); Fork-tailed Swift (*Apus pacificus* - Migratory); Grey Falcon (*Falco hypoleucos* - Vulnerable); Long-tailed Dunnart (*Sminthopsis longicaudata* - Priority 4); Peregrine Falcon (*Falco peregrinus* – OS); Pilbara Flat-headed Blind Snake (*Anilius ganei* - Priority 1); Pilbara Olive Python (*Liasis olivaceus barroni* - Vulnerable); Rainbow Bee-eater (*Merops ornatus* - Marine); and Spectacled Hare Wallaby (*Lagorchestes leichardti* - Priority 4). The applicant has committed to apply a 10 metre buffer on active mounds of the Western Pebble-mound Mouse and on active burrows of Brush-tailed mulgara (BHP, 2022a). Additionally, the applicant has also committed to survey for active burrows of Brush-tailed mulgara within the sand plain habitats prior to undertaking the clearing of native vegetation (BHP, 2022b). Therefore, a fauna management condition has been placed in the clearing permit to minimise potential impacts to the Brush-tailed mulgara species. The proponent also excised gorges/gully areas which are potential habitats for conservation significant fauna species, e.g. Pilbara Olive Python (*Liasis olivaceus barroni*) and others.

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

2.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 16 July 2022 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. No submissions were received in relation to this application.

There is one Native Title Claim (WC05/6) over the area under application (DPHL, 2022). This claim has been determined by the Federal Court of Australia. 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 no registered Aboriginal Sites of Significance within the application area (DPLH, 2022). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

Other relevant authorisations required for the proposed land use include:

- A Programme of Work approved under the *Mining Act 1978*.

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

Appendix A - References and databases

1. GIS datasets

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

- Aboriginal Heritage Places (DPLH-001)
- Cadastre Address (LGATE-002)
- Environmentally Sensitive Areas (DWER-046)
- IBRA Vegetation Statistics

Restricted GIS Databases used:

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

2. References

- Bat Call WA (2021) A review of ghost bat ecology, threats and survey requirements, report prepared for the Department of Agriculture, Water and the Environment, Canberra.
- BHP (2021) BHP Iron Ore Annual Environmental Report July 2020 – June 2021.
- BHP (2022a) BHP Iron Ore Pty Ltd application for clearing permit within Mining Lease 244SA (AML 70/244). BHP Iron Ore Pty Ltd, July 2022.
- BHP (2022b) Additional information received in relation to Clearing Permit Application CPS 4875/4. BHP Iron Ore Pty Ltd, Western Australia.
- Biologic Environmental (2014) Consolidated Regional Fauna Habitat Mapping 2014. Unpublished report prepared for BHP Pty Ltd by Biologic Environmental, May 2014.
- Biologic Environmental (2021) BHP WAI0 Jiblebar *Eremophila capricornica* Targeted Flora Survey. Unpublished report prepared for BHP Pty Ltd by Biologic Environmental, March 2021.
- Department of Planning, Lands and Heritage (DPLH) (2022) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 15 August 2022).
- Department of Primary Industries and Regional Development (DPIRD) (2022) NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (Accessed 15 August 2022).
- ENV (2012) Wheelarra Hill North Fauna Assessment. Report prepared for BHP Billiton Iron Ore by ENV Australia, January 2012.
- GHD (2019) North Jiblebar Vertebrate Fauna Survey. Report prepared for BHP Iron Ore by GHD, August 2019.
- GHD (2020) Jiblebar targeted ghost bat survey. Report prepared for BHP Iron Ore by GHD, June 2020.
- 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 Environmental (2014a) Consolidated Pilbara Vegetation Mapping. Report prepared for BHP Pty Ltd by Onshore Environmental, June 2014.
- Onshore Environmental (2014b) Orebody 31 - Targeted Significant Flora Survey. Report prepared for BHP Pty Ltd by Onshore Environmental, June 2014.
- Onshore Environmental (2015) Targeted Survey for *Acacia* sp. East Fortescue (surrounding OB31). Report prepared for BHP Pty Ltd by Onshore Environmental, November 2015.
- Syrinx (2012) Wheelarra Hill North Flora and Vegetation Assessment. Report prepared for BHP Billiton Iron Ore by Syrinx Environmental Pty Ltd, February 2012.
- Western Australian Herbarium (1998-) FloraBase - the Western Australian Flora. Department of Biodiversity, Conservation and Attractions, Western Australia. <https://florabase.dpaw.wa.gov.au/> (Accessed 15 August 2022).

3. Glossary

Acronyms:

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

EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Federal Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia
IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
TEC	Threatened Ecological Community

Definitions:

{DBCA (2019) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia):-

T Threatened species:

Listed by order of the Minister as Threatened in the category of critically endangered, endangered or vulnerable under section 19(1), or is a rediscovered species to be regarded as threatened species under section 26(2) of the *Biodiversity Conservation Act 2016* (BC Act).

Threatened fauna is that subset of ‘Specially Protected Fauna’ listed under schedules 1 to 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for Threatened Fauna.

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

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

CR Critically endangered species

Threatened species considered to be “*facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines. Published under schedule 1 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for critically endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for critically endangered flora.

EN Endangered species

Threatened species considered to be “*facing a very high risk of extinction in the wild in the near future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as endangered under section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines. Published under schedule 2 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for endangered fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for endangered flora.

VU Vulnerable species

Threatened species considered to be “*facing a high risk of extinction in the wild in the medium-term future, as determined in accordance with criteria set out in the ministerial guidelines*”.

Listed as vulnerable under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines. Published under schedule 3 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* for vulnerable fauna or the *Wildlife Conservation (Rare Flora) Notice 2018* for vulnerable flora.

Extinct Species:

EX Extinct species

Species where “*there is no reasonable doubt that the last member of the species has died*”, and listing is otherwise in accordance with the ministerial guidelines (section 24 of the BC Act).

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

EW Extinct in the wild species

Species that “*is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its*

life cycle and form", and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).

Currently there are no threatened fauna or threatened flora species listed as extinct in the wild. If listing of a species as extinct in the wild occurs, then a schedule will be added to the applicable notice.

Specially protected species:

Listed by order of the Minister as specially protected under section 13(1) of the BC Act. Meeting one or more of the following categories: species of special conservation interest; migratory species; cetaceans; species subject to international agreement; or species otherwise in need of special protection.

Species that are listed as threatened species (critically endangered, endangered or vulnerable) or extinct species under the BC Act cannot also be listed as Specially Protected species.

MI Migratory species

Fauna that periodically or occasionally visit Australia or an external Territory or the exclusive economic zone; or the species is subject of an international agreement that relates to the protection of migratory species and that binds the Commonwealth; and listing is otherwise in accordance with the ministerial guidelines (section 15 of the BC Act).

Includes birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and The Republic of Korea (ROKAMBA), and fauna subject to the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention), an environmental treaty under the United Nations Environment Program. Migratory species listed under the BC Act are a subset of the migratory animals, that are known to visit Western Australia, protected under the international agreements or treaties, excluding species that are listed as Threatened species.

Published as migratory birds protected under an international agreement under schedule 5 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

CD Species of special conservation interest (conservation dependent fauna)

Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened, and listing is otherwise in accordance with the ministerial guidelines (section 14 of the BC Act).

Published as conservation dependent fauna under schedule 6 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

OS Other specially protected species

Fauna otherwise in need of special protection to ensure their conservation, and listing is otherwise in accordance with the ministerial guidelines (section 18 of the BC Act).

Published as other specially protected fauna under schedule 7 of the *Wildlife Conservation (Specially Protected Fauna) Notice 2018*.

P Priority species:

Possibly threatened species that do not meet survey criteria, or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of priority for survey and evaluation of conservation status so that consideration can be given to their declaration as threatened fauna or flora.

Species that are adequately known, are rare but not threatened, or meet criteria for near threatened, or that have been recently removed from the threatened species or other specially protected fauna lists for other than taxonomic reasons, are placed in Priority 4. These species require regular monitoring.

Assessment of Priority codes is based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.

P1 Priority One - Poorly-known species

Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey

requirements and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey.

P2 Priority Two - Poorly-known species

Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, e.g. national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.

P3 Priority Three - Poorly-known species

Species that are known from several locations, and the species does not appear to be under imminent threat, or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat. Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. Such species are in need of further survey.

P4 Priority Four - Rare, Near Threatened and other species in need of monitoring

(a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection but could be if present circumstances change. These species are usually represented on conservation lands.

(b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for vulnerable but are not listed as Conservation Dependent.

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

Principles for clearing native vegetation:

- (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.
- (b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna.
- (c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora.
- (d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.
- (e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.
- (f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.
- (g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.
- (h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.
- (i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.
- (j) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.