



Clearing Permit Decision Report

1. Application details and outcome

1.1. Permit application details

Permit number:	5287/2
Permit type:	Purpose Permit
Applicant name:	Jasper Kelwin Spiers
Application received:	2 November 2022
Application area:	35 hectares
Purpose of clearing:	Sand and Rock Mining
Method of clearing:	Mechanical Removal
Tenure:	Mining Lease 08/470
Location (LGA area/s):	Shire of Exmouth
Colloquial name:	Exmouth Sand Quarry

1.2. Description of clearing activities

Jasper Kelwin Spiers proposes to clear up to 35 hectares of native vegetation within a boundary of approximately 35 hectares, for the purpose of sand and rock mining. The project is located approximately 10.6 kilometres north of the city of Exmouth within the Shire of Exmouth

Clearing permit CPS 5287/1 was granted by the Department of Mines and Petroleum (now the Department of Mines, Industry Regulation and Safety) on 23 June 2013 and was valid from 20 July 2013 to 20 July 2023. The permit authorised the clearing of up to 35 hectares of native vegetation within a boundary of approximately 35 hectares, for the purpose of Sand and Rock Mining.

On 2 November 2022, the Permit Holder applied to amend CPS 5287/1 to extend the duration of the clearing permit by five years.

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	1 December 2022
Decision area:	35 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was made in accordance with section 51E of the *Environmental Protection Act 1986* (EP Act) and was received by the Department of Mines, Industry Regulation and Safety (DMIRS) on 2 November 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, the results of a flora and vegetation survey and fauna survey conducted for the original permit, the clearing principles set out in Schedule 5 of the EP Act, and any other matters considered relevant to the assessment.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures, the Delegated Officer determined that the proposed clearing is not likely to lead to an unacceptable risk to the environment. The Delegated Officer decided to grant a clearing permit with the same management conditions as clearing permit CPS 5287/1.

2. Assessment of application

2.1. Avoidance and mitigation measures

The applicant has advised that the proposed clearing will be limited to 5 hectares per annum and progressive rehabilitation of completed areas of the quarry will be conducted (Jasper Kelwin Spiers, 2022b).

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

2.2. Assessment of impacts on environmental values

The permit holder has advised that as of 30 June 2022, 12.09 hectares of native vegetation have been cleared pursuant to clearing permit 5287/1 (Jasper Kelwin Spiers, 2022a). The proposed amendment involves extending the duration of the clearing permit by five years. No changes are proposed to the area or amount of authorised clearing.

No new biological information has been provided in support of the amendment application. The environmental values of the application area are well understood, and are described in previous versions of the Decision Report, based on biological studies undertaken by AECOM (2012, 2013). These surveys provide a useful baseline of vegetation, flora and fauna values of the local area before the Exmouth Sand Quarry project started. However, there is potential that some environmental values may have changed since these surveys were undertaken. Therefore any future amendments will require new flora and fauna surveys.

The assessment against the ten clearing principles identified that the proposed clearing would be unlikely to significantly impact upon the biological values or land and water resources of the application area.

Priority flora species within the application area (refer to Appendix A) are unlikely to be significantly impacted by the proposed clearing (DEC, 2012). *Acanthocarpus rupestris* is known from eight locations through the Cape Range, but has not been recorded north of Exmouth (Western Australian Herbarium, 1998-). An additional flora survey was conducted by AECOM (2013) targeting *Acanthocarpus rupestris* and *Daviesia pleurophylla*. The targeted search indicated that both Priority flora species were relatively common in the local area and that suitable habitat for these species was widespread outside of the application area (AECOM, 2013). It is unlikely that the area proposed to be cleared represents significant habitat for fauna species. The area proposed to be cleared does not contain, or form a part of a Threatened or Priority Ecological Community; or impact on any riparian vegetation. At the bioregion (Carnarvon) scale, over 99 per cent of the pre-European vegetation extent remains (Government of Western Australia, 2019). The nearest conservation area is located one kilometre east of the application area and the proposed clearing is not likely to impact on the environmental values of this area.

The proposed clearing may lead to appreciable land degradation in the form of wind erosion. The proposed clearing for the purpose of sand and rock mining may cause short term and localised erosion, as it will involve the removal of new growth vegetation. The removal of vegetation and topsoil, wind erosion risk is increased. However, potential impacts from erosion can be minimised by the implementation of a staged clearing condition on the clearing permit in order to prevent cleared areas from being exposed for long periods of time. The proposed clearing is not likely to impact surface water quality, groundwater quality or lead to increase in flooding.

Based on the above, the proposed clearing may be at variance to principle (g) and is not likely to be at variance with the remaining clearing principles. Due to the duration extension, it is recommended to implement a staged clearing condition on the amended permit to minimise potential erosion risks.

The vegetation associations, fauna habitats and landform types present within the permit area, are well represented in surrounding areas and the region remains largely uncleared (AECOM, 2013; GIS Database). The extension of duration on the clearing permit is unlikely to result in any significant change to the environmental impacts of the proposed clearing.

The amendment application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*. Environmental information has been reviewed, and the assessment of the proposed clearing against the clearing principles remains consistent with the assessment contained in decision report CPS 5287/1.

2.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 15 November 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 are three native title claims over the area under application (DPLH, 2022). These claims have been determined by the Federal Court on behalf of the claimant groups. 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 Mining Proposal / Mine Closure Plan approved under the *Mining Act 1978*.

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

Appendix A - 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. It is surrounded by native vegetation and it is close to the city of Exmouth as well as some military facilities.
Ecological linkage	According to available databases, the application area does not form part of any mapped or unmapped ecological linkages.
Conservation areas	The application area is located approximately one kilometre west of the Bundegi Coastal Park (GIS Database).
Vegetation description	<p>The vegetation of the application area is broadly mapped as the following Beard vegetation association: 662: Hummock grassland; shrub steppe; mixed acacia scrub & dwarf scrub with soft spinifex & <i>Triodia basedowii</i> (GIS Database).</p> <p>A flora and vegetation survey was conducted over the application area by AECOM during July 2012. The following vegetation associations were recorded within the application area (AECOM, 2012):</p> <p>GTOS: Tall Open Shrubland of <i>Grevillea gordoniana</i> and <i>Grevillea stenobotrya</i> with scattered <i>Duboisia hopwoodii</i> over a Mixed Shrubland of <i>Acacia spathulifolia</i>, <i>Banksia ashbyi</i> with scattered <i>Daviesia pleurophylla</i>. over a Low Shrubland of <i>Acacia gregorii</i> on dune slopes, with <i>Scaevola sericophylla</i> and <i>Tephrosia rosea</i> var. <i>clementii</i> becoming dominant on dune crests over a Mid to Dense Hummock Grassland of <i>Triodia wiseana</i> becoming scattered on dune crests on red sand dunes.</p> <p>ASHG: Shrubland of <i>Acacia ancistrocarpa</i> over scattered low shrubs of <i>Acacia gregorii</i> over a Mid to Dense Hummock Grassland of <i>Triodia wiseana</i> on red sand flats.</p> <p>AGTOS: Scattered Tall Shrubs of <i>Hakea lorea</i> subsp. <i>lorea</i> over Tall Open Shrubland of <i>Acacia bivenosa</i> and <i>Grevillea stenobotrya</i> over a Low Open Shrubland of <i>Acacia gregorii</i> over a Mid-Dense Hummock Grassland of <i>Triodia wiseana</i> on sandy clay flats.</p> <p>AaTOS: Scattered Tall Shrubs of <i>Hakea lorea</i> subsp. <i>lorea</i> over a Shrubland to Tall Open Scrub of <i>Acacia alexandri</i> over an introduced Grassland of <i>*Cenchrus ciliaris</i> on red sandy clay flats.</p> <p>ChLOW: Low Open Woodland of <i>Corymbia hamersleyana</i> over scattered Tall Shrubs of <i>Hakea lorea</i> subsp. <i>lorea</i> over a Shrubland of <i>Acacia bivenosa</i> over a Hummock Grassland of <i>Triodia wiseana</i> with scattered patches of <i>*Cenchrus ciliaris</i> on red sandy clay flats with limestone outcropping.</p> <p>*Denotes an invasive (weed) species.</p>
Vegetation condition	<p>The vegetation survey (AECOM, 2012) and aerial imagery indicate the vegetation within the proposed clearing area is in Pristine to Completely degraded (Trudgen, 1991) condition.</p> <p>The full Trudgen (1991) condition rating scale is provided in Appendix B.</p>
Climate	The application area is located in an area mapped as an arid zone with an average annual rainfall of 288 millimetres (BoM, 2022).
Soil description and land degradation risk	The soil is mapped as unit BB10 which is described as narrow coastal plain flanking some saline flats and a few sand dunes: chief soils appear to be shallow loams on limestone and with sands also overlying limestone. There are some red sands in dunes and a coastal fringe of recent shelly sand (Northcote et al., 1960-68). Given that part of the application area contains sandy

Characteristic	Details
	soil types and is located within 2.2 kilometres of the coast, potentially exposing the area to prevailing winds, there may be some risk of wind erosion when vegetation is removed.
Waterbodies	The aerial imagery indicated that there are no watercourses transecting the area proposed to be cleared.
Hydrogeography	The application area is located within the Gascoyne Groundwater Area, legislated by the <i>R/W/ Act 1914</i> (GIS Database). The mapped salinity of the groundwater is of 500-1,000 milligrams per litre total dissolved solids which is described as marginal (GIS Database).
Flora	The flora surveys conducted by AECOM (2012; 2013) identified that the area proposed to be cleared contains the following priority flora species: <ul style="list-style-type: none"> • <i>Acacia alexandri</i> (P3) • <i>Acanthocarpus rupestris</i> (P2) • <i>Daviesia pleurophylla</i> (P2)
Ecological communities	The application area does not form part of any mapped or known Threatened Ecological Communities or Priority Ecological Communities (AECOM, 2012; GIS Database).
Fauna	The fauna survey conducted by AECOM (2012) identified the Montebello worm lizard (P3) and the Cape Range slider (P3) as likely to occur within the application area. However neither species was recorded over a total of 222 trap nights in a targeted fauna survey (AECOM, 2013).

Appendix B – Vegetation conditioning rating scale

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

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

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

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

Appendix C – References and databases

1. GIS datasets

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

- Aboriginal Heritage Places (DPLH-001)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Environmentally Sensitive Areas (DWER-046)

- Hydrography, Linear (DWER-031)
- IBRA Vegetation Statistics
- Pre-European Vegetation Statistics
- Soil Landscape Mapping – Best Available (DPIRD-027)
- Soil Landscape Mapping – Rangelands (DPIRD-064)
- WA Now Aerial Imagery

Restricted GIS Databases used:

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

2. References

- AECOM (2012) Preliminary Environmental Impact Assessment - Jasper Spiers Mining Tenement - Prepared for Jasper Spiers. Unpublished report, September 2012.
- AECOM (2013) Targeted Flora and Fauna Survey - Prepared for Exmouth Civil. Unpublished report, May 2013.
- BoM (2022) Bureau of Meteorology Website – Climate Data Online. Bureau of Meteorology.
<http://www.bom.gov.au/climate/data/> (Accessed 15 November 2022).
- DEC (2012) Advice provided to the assessing officer on significance of Priority Flora and Threatened Fauna for CPS 5287/1, 13 November 2012.
- Department of Environment Regulation (DER) (2014) *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide2_assessment_native_veg.pdf.
- Department of Planning, Lands and Heritage (DPLH) (2022) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 15 November 2022).
- Department of Water and Environmental Regulation (DWER) (2021) Procedure: Native vegetation clearing permits. Joondalup. Available from: https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits.pdf#:~:text=This%20Procedure%3A%20Native%20vegetation%20clearing%20permit%20outlines%20how,%28EP%20Act%29%20and%20to%20manage%20granted%20clearing%20permits.
- Environmental Protection Authority (EPA) (2016) Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment. Available from: https://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/EPA%20Technical%20Guidance%20-%20Flora%20and%20Vegetation%20survey_Dec13.pdf
- Environmental Protection Authority (EPA) (2020) Technical Guidance – Terrestrial Vertebrate Fauna Surveys. Available from: https://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/2020.09.17%20-%20EPA%20Technical%20Guidance%20-%20Vertebrate%20Fauna%20Surveys%20-%20Final.pdf
- Government of Western Australia (2019) 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions. <https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics>
- Jasper Kelwin Spiers (2022a) Annual Clearing Report – Clearing Permit CPD 5287/1. Report Prepared for the Department of Mines, Industry Regulation and Safety, June 2022.
- Jasper Kelwin Spiers (2022b) Exmouth Sand Quarry application for clearing permit within Mining Lease M08/470, November 2022.
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68) Atlas of Australian Soils, Sheets 1 to 10, with explanatory data. CSIRO and Melbourne University Press: Melbourne.
- Payne, A L, Spencer, G F, and Curry, P J. (1987), *An inventory and condition survey of rangelands in the Carnarvon Basin, Western Australia*. Department of Agriculture and Food, Western Australia. Technical Bulletin 73, 478p.
- Trudgen, M.E. (1991) Vegetation condition scale in National Trust (WA) 1993 Urban Bushland Policy. National Trust of Australia (WA), Wildflower Society of WA (Inc.), and the Tree Society (Inc.), Perth.
- Western Australian Herbarium (1998-) FloraBase - the Western Australian Flora. Department of Biodiversity, Conservation and Attractions, Western Australia. <https://florabase.dpaw.wa.gov.au/> (Accessed 15 November 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).

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.