

Clearing Permit Decision Report

1. Application details and outcome

1.1. Permit application details

Permit number:	6152/4
Permit type:	Purpose Permit
Applicant name:	Evolution Mining (Phoenix) Pty Ltd
Application received:	27 February 2024
Application area:	160 hectares
Purpose of clearing:	Mineral Production
Method of clearing:	Mechanical Removal
Tenure:	Mining Leases 16/199, 16/200, 16/527
Location (LGA area/s):	Shire of Coolgardie
Colloquial name:	Burgundy Project

1.2. Description of clearing activities

Evolution Mining (Phoenix) Pty Ltd proposes to clear up to 160 hectares of native vegetation within a boundary of approximately 209 hectares, for the purpose of mineral production. The application area is located approximately 32 kilometres northwest of Coolgardie, within the Shire of Coolgardie.

Clearing permit CPS 6152/1 was granted by the Department of Mines and Petroleum (now the Department of Energy, Mines, Industry Regulation and Safety) on 7 August 2014 and was valid from 30 August 2014 to 30 August 2019. The permit authorised the clearing of up to 160 hectares of native vegetation within a boundary of approximately 209 hectares, for the purpose of mineral production.

CPS 6152/2 was granted on 15 September 2016, amending the permit to change the name of the permit holder from Phoenix Gold Limited to Evolution Mining (Phoenix) Pty Ltd.

CPS 6152/3 was granted on 27 June 2019, amending the permit to extend the permit duration by 5 years to 30 August 2024.

On 27 February 2024, the Permit Holder applied to amend CPS 6152/3 to extend the permit duration by a further 5 years to 30 August 2029.

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	4 April 2024
Decision area:	160 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 Energy, Mines, Industry Regulation and Safety (DEMIRS) on 27 February 2024. DEMIRS 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 fauna survey, the clearing principles set out in Schedule 5 of the EP Act, and any other matters considered relevant to the assessment. The assessment identified that the proposed amendment will have negligible impact on habitat for flora, fauna and ecological communities and conservation areas.

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

2. Assessment of application

2.1. Avoidance and mitigation measures

The applicant has advised that the proposed clearing will be limited to areas so that key environmental values are avoided, or impact is reduced to as low as reasonably practicable. Clearing will be conducted on an 'as required' basis and survey pickups will be carried out before and after clearing (Evolution, 2024).

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 assessment against the ten clearing principles identified that the native vegetation proposed to be cleared may provide habitat for conservation significant flora and fauna (GIS Database). Three Priority flora species; *Eremophila praecox* (P2), *Eucalyptus educta* (P2) and *Notisia intonsa* (P3), are found in the surrounding region and suitable habitat occurs within the application area (Western Australian Herbarium, 1998-; GIS Database). No Threatened or Priority flora have been found within the application area or within 20 kilometres, however, due to the last survey within the application area occurring in 2014 it is insufficient in determining presence of conservation significant flora (Botanica, 2021a; GIS Database). Potential impacts to conservation significant flora as a result of the proposed clearing may be minimised by the continued implementation of a flora management condition.

Three broad scale fauna habitats were identified by Botanica (2021a) within the application area, which are based on the vegetation communities found within the local area. The fauna habitats present are common and widespread, and no conservation significant fauna were identified within the application area (Botanica, 2021a). Migratory shorebirds whilst recorded within 20 kilometres of the application area are unlikely to occur within the application area due to lack of suitable habitat. Malleefowl (*Leipoa ocellata*, VU) and Malleefowl mounds have been recorded within five kilometres of the application area (Botanica, 2021a; GIS Database). Despite no Malleefowl or mounds being found within the application area during the 2014 survey conducted by Botanica, suitable habitat for Malleefowl is present within the application area and potential impacts to the species may be minimised by the continued implementation of a fauna management condition.

The application area does not contain, or form a part of a Threatened or Priority ecological community (GIS Database). At the bioregion (Coolgardie) and local scale, over 97.9 per cent of the pre-European vegetation extent remains (Government of Western Australia, 2019). The nearest conservation area is located over 22 kilometres northwest of the application area and the proposed clearing is not likely to impact on the environmental values of this area (GIS Database). The proposed clearing is not likely to impact surface water quality, groundwater quality or lead to increase in flooding.

The proposed clearing for the purpose of mineral production may cause land degradation and may be at variance with principle (g). Potential land degradation impacts may be minimised by the continued implementation of a staged clearing condition.

Noting that the application comprises of vegetation associated with one minor non-perennial watercourse the proposed clearing is at variance to principle (f) (GIS Database). Potential impacts to vegetation growing in association with watercourses may be minimised by the continued implementation of a watercourse management condition.

Based on the above, the proposed clearing may be at variance to principle (b), (f) and (g) and is not likely to be at variance with the remaining clearing principles.

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 (Botanica, 2021a; GIS Database). The extension in permit duration by 5 years is unlikely to result any significant change to the environmental impacts of the proposed clearing, given the implementation of the management conditions.

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 6152/1.

2.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 8 March 2023 by the Department of Energy, 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 over the area under application (DPLH, 2024). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. However, the mining tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

There are no registered Aboriginal Sites of Significance within the application area (DPLH, 2024). 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

A.1. Site characteristics table

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, salt lakes and the landscape of the Coolgardie bioregion (GIS Database). It is also adjacent to ongoing mining operations in the area (GIS Database). The proposed clearing area is part of a much larger area of vegetation.
Ecological linkage	Aerial imagery shows that the application area does not form part of any formal or informal ecological linkages (GIS Database).
Conservation areas	The application area is not located within any known or mapped conservation areas. The nearest mapped conservation area is a DBCA Interested Lands and Water area of the former Credo pastoral lease, which is located approximately 22 kilometres northwest of the application area (GIS Database).
Vegetation description	<p>The vegetation of the application area is broadly mapped as the following Beard vegetation association 468: Medium woodland; salmon gum & goldfields blackbutt (GIS Database).</p> <p>A flora and vegetation survey was conducted over the application area by Botanica Consulting from 30 October to 9 November 2021. The following vegetation associations were recorded within the application area (Botanica, 2021a):</p> <p>CLP-EW1: Low woodland of <i>Eucalyptus campaspe</i>/ <i>E. salmonophloia</i> over mid shrubland of <i>Eremophila</i> spp. and low chenopod shrubland on clay-loam plain.</p> <p>CLP-EW2: Low woodland of <i>Eucalyptus ravidia</i>/ <i>E. salmonophloia</i> over mid shrubland of <i>Eremophila</i> spp. and low chenopod shrubland on clay-loam plain.</p> <p>OD-EW1: Low woodland of <i>Eucalyptus salmonophloia</i>/ <i>E. transcontinentalis</i>/ <i>E. clelandiorum</i> over mid shrubland of <i>Eremophila</i> spp. and low samphire shrubland in open depression.</p> <p>RH-EW1: Low woodland of <i>Eucalyptus clelandiorum</i> over mid shrubland of <i>Eremophila</i> spp. shrubland and low chenopod shrubland on greenstone hillslope.</p> <p>RH-MWS1: Open mallee woodland of <i>Eucalyptus griffithsii</i> over mid shrubland of <i>Eremophila</i>/ <i>Dodonaea</i> spp. and low mixed shrubland on greenstone hillslope.</p> <p>SLP-MWS1: Tall mallee woodland of <i>Eucalyptus griffithsii</i> over mid open shrubland of <i>Eremophila</i>/ <i>Senna</i> spp. And hummock grassland of <i>Triodia irritans</i> on sand-loam plain.</p>
Vegetation condition	<p>The vegetation survey (Botanica, 2021a) and aerial imagery indicate the vegetation within the proposed clearing area is in Very Good (Trudgen, 1991) condition.</p> <p>The full Trudgen (1991) condition rating scale is provided in Appendix B.</p>
Climate and landform	<p>The application area is located within an arid – semiarid zone with an average annual rainfall (Coolgardie station) of 270.7 millimetres (BoM, 2024).</p> <p>The topography of the application area is split between flat to undulating valley plains and rocky ranges and hills (GIS Database).</p>
Soil description	<p>The soil within the application area is mapped as soil units BB5 and Mx40 (GIS Database). These soil units are described by Northcote et al. (1960-68).</p> <p>BB5: Rocky ranges and hills of greenstones--basic igneous rocks: chief soils seem to be shallow calcareous loamy soils and similar soils, with shallow brown and grey-brown calcareous earths below which weathered rock occurs at shallow depths. Associated soils are not described but may include alkaline red earths.</p>

Characteristic	Details
	Mx40: Flat to undulating valley plains and pediments; some rock outcrop: chief soils are alkaline and neutral red earths, often with a surface scatter of gravel. Associated are soils on pediments; some plains flanking ultrabasic rocks. Red-brown hardpan frequently occurs beneath the soils.
Land systems and erosion risk	<p>The land systems and erosion risk are not cited within a technical bulletin, however, the Department of Agriculture of Western Australia (DAWA) (now Department of Industries and Regional Development) provided advice on nearby clearing permit CPS 462/2 (approximately 2 kilometres west of the application area). According to the decision report for CPS 462/2, DAWA (2005) (cited in DEC, 2006) considered some of the vegetation communities as slightly prone to erosion if the vegetation or drainage is disturbed.</p> <p>Based on the previous DAWA advice and the large size of the proposed clearing (160 hectares), there is the potential for land degradation to occur if vegetation or drainage lines are disturbed due to the systems calcareous loamy soils and rocky outcrops (DPIRD, 2024; GIS Database).</p> <p>The survey area and surrounding region has not been extensively cleared, therefore clearing within the survey area is not considered likely to lead to land degradation issues such as salinity, water logging or acidic soils (Botanica, 2021a).</p>
Waterbodies	There are no permanent wetlands or watercourses within the application area however, desktop assessment and aerial imagery indicated that one minor non-perennial watercourse transects the area proposed to be cleared (GIS Database).
Hydrogeography	The application area is located within the Goldfields Groundwater Area which is legislated by the <i>R/W/ Act 1914</i> (GIS Database). The mapped groundwater salinity is 14,000-35,000 milligrams per litre total dissolved solids which is described as saline (GIS Database).
Flora	<p>There are no records of any Threatened or Priority flora within the application area (GIS Database). 9 Priority species were recorded within 20 kilometres of the application area (Appendix A.2.), no Threatened species were recorded (GIS Database). Three of these Priority Flora species have suitable soil and vegetation communities within the application area and therefore have the possibility of occurring within the application area (Botanica, 2021a; Western Australian Herbarium, 1998-).</p> <p>Of these species one record of <i>Eremophila praecox</i>, with a population of two, is within approximately 2.5 kilometres of the application area (Botanica, 2021c). This record is found within a vegetation community that is abundant within the application area (Botanica, 2021a).</p>
Ecological communities	There are no known Priority or Threatened Ecological Communities within the application area. The nearest recorded Priority Ecological Community (PEC) is the Emu Land System PEC located approximately 47 kilometres northwest of the application area (GIS Database).
Fauna	No conservation significant fauna were recorded within the application area (Botanica, 2021a; GIS Database). Within 20 kilometres of the application area 5 conservation significant fauna were recorded, four migratory shorebirds, and Malleefowl (<i>Leipoa ocellata</i>) (GIS Database).
Fauna habitat	<p>Three broad scale terrestrial fauna habitats were identified as occurring within the application area (Botanica, 2021a). They are described as:</p> <ul style="list-style-type: none"> • Eucalypt woodland on clay-loam plain/ open depression; • Eucalypt woodland/ Mallee woodland on greenstone hillslope; and • Mallee woodland over spinifex grassland on sand-loam plain. <p>Smoothed barked Eucalypts such as <i>Eucalyptus salmonophloia</i> and <i>Eucalyptus transcontinentalis</i> are within the application area providing suitable habitat for the Arid Bronze Azure Butterfly's (<i>Ogyris subterrestris petrina</i>, 'ABAB') larvae host ant <i>Camponotus</i> sp. nr. <i>terebrans</i> (Botanica, 2021b; DBCA, 2020).</p>

A.2. Flora analysis table

With consideration for the site characteristics set out above, and biological survey information impacts to the following conservation significant flora required further consideration.

Species name	Conservation status	Suitable vegetation type? [Y/N]	Suitable soil type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify? [Y, N, N/A]
<i>Calandrinia lefroyensis</i>	P1	N	N	15.9	11	Y
<i>Chamelaucium</i> sp. Parker Range	P1	Y	N	18.1	12	Y

Species name	Conservation status	Suitable vegetation type? [Y/N]	Suitable soil type? [Y/N]	Distance of closest record to application area (km)	Number of known records (total)	Are surveys adequate to identify? [Y, N, N/A]
<i>Eremophila praecox</i>	P2	Y	Y	2.5	37	N
<i>Eucalyptus educta</i>	P2	Y	Y	13.3	46	N
<i>Gompholobium cinereum</i>	P3	N	N	7.3	18	Y
<i>Hakea rigida</i>	P2	N	N	19.2	19	Y
<i>Notisia intonsa</i>	P3	Y	Y	19.9	27	N
<i>Phebalium appressum</i>	P1	N	N	18.1	5	Y
<i>Ptilotus rigidus</i>	P1	N	N	16.1	21	Y

Appendix B. Condition rating

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)
- Cadastre Address (LGATE-002)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- IBRA Vegetation Statistics
- Regional Parks (DBCA-026)

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- 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

- Botanica Consulting (Botanica) (2021a) Castle Hill Project – Detailed Flora/Vegetation Survey and Basic Fauna Survey. Prepared for Evolution Mining Ltd, March 2021.
- Botanica Consulting (Botanica) (2021b) Castle Hill Project – Survey for the Arid Bronze Azure Butterfly and the Inland Hairstreak. Prepared for Evolution Mining Group, July 2021.
- Botanica Consulting (Botanica) (2021c) Castle Hill Project - Targeted Priority Flora Survey. Prepared for Evolution Mining Ltd, September 2021.
- Bureau of Meteorology (BoM) (2024) Bureau of Meteorology Website – Climate Data Online, Weather Station. Bureau of Meteorology. <http://www.bom.gov.au/climate/> (Accessed 13 March 2024)
- Commonwealth of Australia (2001) *National Objectives and Targets for Biodiversity Conservation 2001-2005*, Canberra.
- Department of Biodiversity, Conservation and Attractions (DBCA) (2020) *Guideline for the survey of arid bronze azure butterfly (ABAB) in Western Australia*. Perth, WA. Available from: [Threatened and priority fauna resources | Department of Biodiversity, Conservation and Attractions \(dbca.wa.gov.au\)](https://www.dbca.wa.gov.au/biodiversity-conservation-and-attractions)
- Department of Environment and Conservation (DEC) (2006) Clearing Permit Decision Report for CPS 462/2. Prepared by the Department of Environment and Conservation, 3 March 2006.
- Department of Environment Regulation (DER) (2013) *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) (2024) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 13 March 2024).
- Department of Primary Industries and Regional Development (DPIRD) (2024) NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (Accessed 14 March 2024).
- 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_v1.PDF.
- Environmental Protection Authority (EPA) (2016) Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment. Available from: http://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/EPA%20Technical%20Guidance%20-%20Flora%20and%20Vegetation%20survey_Dec13.pdf.
- Environmental Protection Authority (EPA) (2016) Technical Guidance – Terrestrial Fauna Surveys. Available from: https://www.epa.wa.gov.au/sites/default/files/Policies_and_Guidance/Tech%20guidance-%20Terrestrial%20Fauna%20Surveys-Dec-2016.pdf.
- Evolution Mining (Phoenix) Pty Ltd (Evolution) (2024) Clearing permit application form, CPS 6152/4, received 27 February 2024.
- 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>
- 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.
- 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 18 March 2024).

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
DEMIRS	Department of Energy, Mines, Industry Regulation and Safety ²⁰²
DER	Department of Environment Regulation, Western Australia (now DWER)

DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia (now DEMIRS)
DMP	Department of Mines and Petroleum, Western Australia (now DEMIRS)
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.