



Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	7734/2
Permit type:	Purpose Permit
Applicant name:	Barto Gold Mining Pty Ltd
Application received:	25 July 2022
Application area:	145 hectares
Purpose of clearing:	Mineral Production
Method of clearing:	Mechanical Clearing
Tenure:	General Purpose Lease 77/2 Mining Lease 77/239 Mining Lease 77/791 Mining Lease 77/977 Miscellaneous Licence 77/7 Miscellaneous Licence 77/137 Miscellaneous Licence 77/162
Location (LGA area/s):	Shire of Yilgarn
Colloquial name:	Marvel Loch – Southern Cross Project

1.2. Description of clearing activities

Barto Gold Mining Pty Ltd (Barto Gold Mining) proposes to clear up to 145 hectares of native vegetation within a boundary of approximately 314 hectares, for the purpose of mining related infrastructure. The project is located approximately two kilometres east of Marvel Loch, within the Shire of Yilgarn.

The application is to allow for mineral production.

Clearing permit CPS 7734/1 was granted by the Department of Mines, Industry Regulation and Safety on 12 October 2017 and was valid from 4 November 2017 to 31 November 2022. The permit authorised the clearing of up to 145 hectares of native vegetation within a boundary of approximately 317 hectares, for the purpose of mineral production. Approximately 88.96 hectares of native vegetation clearing has been reported under CPS 7734/1 since it was granted (Barto Gold Mining, 2022).

On 25 July 2022, the Permit Holder applied to amend CPS 7734/1 to extend the permit duration by 5 years, and to change the permit holder name. The amount of clearing remains the same. The permit boundaries have been reduced slightly to reflect current tenement boundaries.

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	15 November 2022
Decision area:	145 hectares of native vegetation

1.4. Reasons for decision

This clearing permit application was made in accordance with section 51KA of the *Environmental Protection Act 1986* (EP Act) and was received by the Department of Mines, Industry Regulation and Safety (DMIRS) on 25 July 2022. DMIRS advertised the application for a 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 (Appendix B), relevant datasets (Appendix C), supporting information provided by the applicant (Barto Gold Mining, 2022), the clearing principles set out in Schedule 5 of the EP Act (Glossary), proposed avoidance and minimisation measures (Section 3.1), relevant planning instruments and any other matters considered relevant to the assessment (Section 3.3). The Delegated Officer also took into consideration the purpose of the clearing to facilitate the construction of a process water dam.

The assessment identified that the proposed clearing may result in:

- the potential introduction and spread of weeds into adjacent vegetation, which could impact on the quality of the adjacent vegetation and its habitat values;
- impacts to the adjacent public road including visual amenity and dust;
- land degradation if large areas are left cleared;
- impacts to Priority flora species; and
- the loss of native vegetation that is suitable habitat for malleefowl (*Leipoa ocellata*).

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (see Section 3.1), the Delegated Officer determined the proposed clearing can be managed by conditions and is not likely to lead to an unacceptable risk to environmental values.

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

- avoid, minimise and reduce the impacts and extent of clearing;
- take hygiene steps to minimise the risk of the introduction and spread of weeds;
- not clear greater than two hectares of vegetation within roadside buffers;
- commence construction no later than three months after undertaking clearing to reduce the risk of erosion;
- not clear any of the identified records of *Hakea pendens* and *Stenanthemum bremerense*, or within 10 metres of them;
- identify active (in use) malleefowl mounds and avoid clearing within 50 metres of any mounds from September to January.

The assessment against the clearing principles has not changed significantly since the assessment for CPS 7734/1. The Delegated Officer determined that the proposed extension of permit duration by five years and minor boundary reduction is not likely to lead to an unacceptable risk to environmental values.

2. Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the principle of the conservation of biological diversity and ecological integrity.

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Conservation and Land Management Act 1984* (WA) (CALM Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Mining Act 1978* (WA)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2021)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016a)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016b)

3. Assessment of application

3.1. Avoidance and mitigation measures

Supporting documentation was submitted by the applicant, outlining avoidance and mitigation actions taken under CPS 7734/1.

Barto Gold Mining (2022) advised that the mine site Environment Management Plan (EMP) contains a number of procedures to help avoid unnecessary clearing and minimise the amount of clearing required. All clearing undertaken to date has occurred in line with these procedures. The principles and content of these procedures are summarised below.

EMP Objectives:

- To prevent unapproved clearing of land;
- To minimise adverse impacts from clearing; and
- To comply with conditions and commitments in Programmes of Works, clearing permits and mining proposals.

Permits/Approvals:

- Site layout is designed to restrict clearing to a minimum area required;
- Only the minimum area required for safe work is to be disturbed;
- A Surface Disturbance Permit (SDP) is required prior to any ground disturbing activity. A SDP is to be sought from the Environmental Manager or delegate, signed off by the person responsible person for the clearing, Site Supervisor and Registered Manager;
- No ground disturbing work shall commence until all external approvals have been received and a SDP is issued by the Environmental Manager;

- Lay down, parking and other storage areas will be located in SDP areas only. Where practicable, existing cleared areas will be used for laydown areas. Vegetation clearing for these areas will be avoided where possible;
- All clearing boundaries and avoidance sites have been surveyed and flagged in the field; and
- All clearing is supervised by a responsible person (Barto Gold Mining, 2022).

The Delegated Officer was satisfied that the applicant has made a reasonable effort to avoid and minimise potential impacts of the proposed clearing on environmental values.

3.2. Assessment of impacts on environmental values

From 4 November 2017 to 30 June 2022, 88.96 hectares of native vegetation has been cleared pursuant to clearing permit CPS 7334/1 (Barto Gold Mining, 2022). The proposed amendment involves extending the period in which clearing is authorised by five years, until 30 November 2027, as mining operations are ongoing. The only change to the area of clearing is a slight decrease of the clearing permit boundary to be in line with current tenement boundaries. No changes are proposed to the 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 the previous version of the Decision Report, based on biological studies undertaken by Eco Logical Australia (2017). Similarly, the environmental impacts of the proposed clearing have been previously assessed and conditionally approved via clearing permit CPS 7734/1.

A review of current environmental information (Appendix B) reveals that the assessment against the clearing principles has not changed significantly from the Clearing Permit Decision Report CPS 7734/1. Extending the period in which clearing is authorised by a further five years and updating the clearing permit boundary is unlikely to change 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 section 51O of the *Environmental Protection Act 1986*, and the proposed clearing may be at variance to Principles (a) and (b), is not likely to be at variance to Principles (c), (d), (g), (h), (i) and (j) and is not at variance to Principles (e) and (f).

The assessment has not changed except in the case of Principle (a), which has been reassessed from not likely to be at variance, to may be at variance. The Eco Logical Australia survey in 2017 recorded conservation significant flora species *Acacia crenulata* (Priority 3), *Hakea pendens* (Priority 3), and *Stenanthemum bremerense* (Priority 4) within the application area. The Western Australian Herbarium has recently been consolidating records of Priority flora species to remove duplicates, and following this process the number of records for these species has reduced (Western Australian Herbarium 1998-). Currently, *Acacia crenulata* is known from 23 records in Florabase, *Hakea pendens* is known from 23 records, and *Stenanthemum bremerense* is known from 35 records (Western Australia Herbarium, 1998-). Due to the reduction in known records, the extent of local and regional impacts may be higher than what was expected under the previous assessment for CPS 7734/1 in 2017.

Barto Gold Mining has advised that further surveys have been undertaken to understand the regional distribution of these Priority flora species, however they have not yet received any spatial data or reports (Appendix A). With consideration of the precautionary principle, to prevent any potential local or regional impacts, a flora management condition will be included to prevent the clearing of reported Priority flora or within 10 metres. A review of aerial imagery indicates that the portion of the application area where records of *Acacia crenulata* occurred has been cleared under CPS 7734/1 (GIS Database). Therefore, the flora management condition only includes *Hakea pendens* and *Stenanthemum bremerense*.

The conditions currently imposed on clearing permit CPS 7734/1 are considered adequate for amended permit CPS 7734/2, with the addition of a flora management condition to prevent the clearance of Priority flora while the extent of potential local and regional impacts is unknown.

3.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 26 August 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 two native title claims over the area under application (DPLH, 2022). One of these claims has been registered with the National Native Title Tribunal on behalf of the claimant group and the other claim is unregistered. 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 zero 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.

End

Appendix A. Additional information provided by the applicant

Summary of comments	Consideration of comment
<p>Barto Gold Mining have no current plans to clear the remaining portion of the application area that contains records of Priority flora, but cannot know for certain if there are plans in the future to do so. The applicant would prefer not to be limited in terms of areas to be cleared but understand if the situation has changed since the original application was submitted.</p> <p>Survey work has been undertaken to understand the regional distribution of the conservation significant flora species <i>Acacia crenulata</i> (Priority 3), <i>Hakea pendens</i> (Priority 3), and <i>Stenanthemum bremerense</i> (Priority 4). However, Barto Gold Mining has not yet received the report or spatial data. This information can be provided to DMIRS once received but the timeframe is expected to be several months.</p>	<p>During the Eco Logical Australia survey in 2017, two Priority 3 flora species and one Priority 4 species were recorded within the application area. The Western Australian Herbarium has recently been consolidating records of Priority flora species to remove duplicates, and following this process the number of records for these species has reduced (Western Australian Herbarium 1998-). Therefore, it is possible that the extent of local and regional impacts to these Priority species has changed since the original Decision Report for CPS 7734/1.</p> <p>With consideration of the precautionary principle, to prevent any potential local or regional impacts, a flora management condition will be included to prevent the clearing of recorded Priority flora. This prevents delays in granting the clearing permit while survey results are pending, while still allowing for the option of that area to be cleared in the future with CEO approval.</p>

Appendix B. Site characteristics

B.1. Site characteristics

Characteristic	Details
Local context	The area proposed to be cleared is on the eastern edge of the intensive land use zone of Western Australia. It is adjacent to the small town of Marvel Loch to the west. The surrounding area includes mostly farmland to the west and native vegetation with some minor salt lakes to the east (GIS Database).
Ecological linkage	According to available databases, the application area does not contain any known or mapped ecological linkages (GIS Database).
Conservation areas	The nearest conservation area is the Jilbadji Nature Reserve located approximately 14 kilometres east (GIS Database).
Vegetation description	<p>The vegetation of the application area is broadly mapped as the following Beard vegetation associations:</p> <p>1068: Medium woodland; salmon gum, morrel, gimlet and <i>Eucalyptus sheathiana</i>; and</p> <p>1413: Shrublands; <i>acacia</i>, <i>casuarina</i> and <i>melaleuca</i> thicket (GIS Database).</p> <p>Approximately 52.84% of vegetation type 1068 and 76.6% of vegetation type 1413 remains of the pre-European extent (Government of Western Australia, 2019).</p> <p>A flora and vegetation survey was conducted over the application area by Eco Logical Australia (2017) during May, 2017. The following vegetation associations were recorded within the application area, not including previously disturbed areas (Eco Logical Australia, 2017):</p> <ul style="list-style-type: none"> • EsOW: <i>Eucalyptus salmonophloia</i> and <i>Eucalyptus salubris</i> open woodland on clay loam plain; • AbMhS: <i>Acacia beauverdiana</i> and <i>Melaleuca hamata</i> shrubland on clay loam plain; • AaAcMhTOS: <i>Allocasuarina</i> spp. and <i>Melaleuca hamata</i> tall open shrubland on clay loam plain and low rises; • AbAaTS: <i>Acacia beauverdiana</i> and <i>Allocasuarina acutivalvis</i> subsp. <i>acutivalvis</i> tall shrubland on clay loam plain; and • AaMhCcTOS: <i>Allocasuarina acutivalvis</i> subsp. <i>acutivalvis</i>, <i>Melaleuca hamata</i> and <i>Callitris columellaris</i> tall open shrubland on sand plain.
Vegetation condition	<p>The vegetation survey (Eco Logical Australia, 2017) indicates the vegetation within the proposed clearing area is in good to excellent condition (Keighery, 1994) condition, described as:</p> <ul style="list-style-type: none"> • Good: Vegetation structure significantly altered by multiple disturbance; retains basic structure/ ability to regenerate. • Very good: Vegetation structure altered, with obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and/or grazing (160.9 hectares or 54.6% of study area). • Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive.
Climate and landform	The mean annual rainfall in that location is approximately 301 millimetres (BoM, 2022). Based on mapped data, the topography varies slightly across the application area from 440 to 450 metres (GIS Databases).

Characteristic	Details
Soil description	The soil is mapped as soil unit 261i3 which is described as undulating plains with some low dunes, seasonal lakes, and clay pans (DPIRD, 2022).
Land degradation risk	<p>The application area is not mapped within any known land degradation risk areas (GIS Database). The geology of the application area has been mapped at a regional scale, and includes:</p> <ul style="list-style-type: none"> • Amphibolite; • Foliated, gneissic and migmatitic granitoid; • Metamorphosed ultramafic rock dominant; and • Metasedimentary rock dominant. <p>These geological types are generally durable and not likely to erode (Eco Logical Australia, 2017). Leaving large areas cleared may result in an increased risk of land degradation.</p>
Waterbodies	There are no confirmed watercourses mapped within the application area (GIS Database). The desktop assessment and aerial imagery indicated that there is one potential, minor, non-perennial watercourse within the area proposed to be cleared.
Hydrogeography	The application area is not within any Public Drinking Water Source Area. The mapped groundwater salinity is 14,000 to 35,000 milligrams per litre total dissolved solids (GIS Database).
Flora	<p>A search of available databases found 68 records of 18 flora species of conservation significance within a 20 kilometre radius of the application area (GIS Database).</p> <p>During a flora and vegetation survey by Eco Logical Australia (2017), a total of 53 dominant flora taxa were identified within the study area, none of which were identified as weeds. No Threatened taxa were recorded in the study area (Eco Logical Australia, 2017). Three Priority species were identified within the application area, <i>Acacia crenulata</i> (Priority 3), <i>Hakea pendens</i> (Priority 3), and <i>Stenanthemum bremerense</i> (Priority 4).</p> <p><i>Acacia crenulata</i> is known from 23 records in FloraBase, <i>Hakea pendens</i> is known from 23 records, and <i>Stenanthemum bremerense</i> is known from 35 records (Western Australia Herbarium, 1998-).</p>
Ecological communities	Eco Logical Australia (2017) inferred one Priority Ecological Community (PEC) to be present within the study area, the Parker Range vegetation complexes (Priority 3). This PEC was determined to be represented by vegetation community AaMhCcTOS, which occurs in the north-western corner of the application area. However, this PEC covers an area of approximately 56,000 hectares, and the occurrence of this PEC within the study area is on the outer edge of the PECs distribution, and as such, the proposed clearing will not cause any major fragmentation (Eco Logical Australia, 2017).
Fauna	<p>A search of available databases found 25 records of four fauna species of conservation significance within a 20 kilometre radius of the application area (GIS Database). These included 22 records of <i>Leipoa ocellata</i> (malleefowl) and one record each of <i>Phascogale calura</i> (red-tailed phascogale), <i>Aganippe castellum</i> (tree-stem trapdoor spider) and <i>Macrotis lagotis</i> (bilby).</p> <p>The Eco Logical Australia (2017) fauna survey delineated four broad fauna habitats across the study area:</p> <ul style="list-style-type: none"> • Acacia and Allocasuarina shrubland on sandy loam over gravel; • Mixed tall open shrubland on clay loam plains and low rises; • Mixed tall open shrublands on yellow sandplains; and • Open Eucalyptus spp. woodland on clay loam plains. <p>During the 2017 fauna survey, one species of conservation significance was recorded from within the study area, <i>Leipoa ocellata</i> (malleefowl) (Eco Logical Australia, 2017). This is a Threatened species listed as Vulnerable under both the <i>Biodiversity Conservation Act 2016</i> (Western Australia) and the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth). This species was recorded from one mound, thought to have been active in the last 12 months due to presence of leaf litter in the mound centre and lack of erosion on the mound form. The mound was recorded within an <i>Acacia</i> thicket on a clay loam plain. The vegetation at that location was dominated by <i>Acacia beauverdiana</i> and <i>Melaleuca hamata</i> shrubland (AbMhs) (Eco Logical Australia, 2017).</p>

Appendix C. Sources of information

C.1. GIS databases

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

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Cadastre (LGATE-218)

- Clearing Regulations – Schedule One Areas (DWER-057)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Environmentally Sensitive Areas (DWER-046)
- Groundwater Salinity Statewide (DWER-026)
- Hydrographic Catchments – Catchments (DWER-028)
- Hydrography – Inland Waters – Waterlines
- Hydrography, Linear (DWER-031)
- IBRA Vegetation Statistics
- Native Title (ILUA) (LGATE-067)
- Pre-European Vegetation Statistics
- Remnant Vegetation, All Areas
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- 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)

C.2. References

- Barto Gold Mining Pty Ltd (Barto Gold Mining) (2022) Part 7: Supporting Documentation Extension Application CPS 7734/1. Barto Gold Mining Pty Ltd, 25 July 2022.
- Bureau of Meteorology (BoM) (2022) Monthly rainfall – Southern Cross Airfield. Available from: http://www.bom.gov.au/jsp/ncc/cdio/weatherData/av?p_nccObsCode=139&p_display_type=dataFile&p_stn_num=012320 (accessed 5 September 2022).
- 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) (2022) Aboriginal Heritage Inquiry System. Department of Planning, Lands and Heritage. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS> (Accessed 29 August 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
- Eco Logical Australia (2017) Marvel Loch Targeted Flora, Vegetation and Fauna Survey. Report prepared for Minjar Gold Pty Ltd by Eco Logical Australia, June 2017.
- Environmental Protection Authority (EPA) (2016a) 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) (2016b) 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
- 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>
- Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Western Australian Herbarium (1998-) FloraBase - the Western Australian Flora. Department of Biodiversity, Conservation and Attractions, Western Australia. <https://florabase.dpaw.wa.gov.au/> (Accessed 13 September 2022).

4. Glossary

Acronyms:

BC Act	<i>Biodiversity Conservation Act 2016</i> , Western Australia
BoM	Bureau of Meteorology, Australian Government
DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia
DMP	Department of Mines and Petroleum, Western Australia (now DMIRS)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
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.