



Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	9172/2
Permit type:	Purpose permit
Applicant name:	GMA Garnet Pty Ltd
Application received:	15 December 2025
Application area:	28.33 hectares
Purpose of clearing:	Mineral production and associated activities
Method of clearing:	Mechanical removal
Tenure:	Mining Lease 70/204
Location (LGA area):	Shire of Northampton
Colloquial name:	Lynton North Project

1.2. Description of clearing activities

GMA Garnet Pty Ltd proposes to clear up to 28.33 hectares of native vegetation within a boundary of approximately 29.07 hectares, for the purpose of mineral production and associated activities (DMIRS, 2021a; 2021b; GMA, 2025a; 2025b). The project is located approximately three kilometres northeast of Port Gregory, within the Shire of Northampton (GIS Database).

Clearing permit CPS 9172/1 was granted by the Department of Mines, Industry Regulation and Safety (now the Department of Mines, Petroleum and Exploration) on 18 March 2021 and was valid from 10 April 2021 to 10 April 2031 (DMIRS, 2021a; 2021b;). The permit authorised the clearing of up to 28.33 hectares of native vegetation within a boundary of approximately 29.07 hectares, for the purpose of mineral production and associated activities (DMIRS, 2021a; 2021b;).

On 15 December 2025, the permit holder applied to amend CPS 9172/1 extend the duration of authorised clearing from 10 April 2026 to 10 April 2031 (Condition 4), extend the duration of the permit, and to amend Condition 8 (weed control) (DMIRS, 2021a; GMA, 2025b; 2025c). The permit boundary and amount of clearing remain unchanged (GMA, 2025a; 2025b).

Based on the most recent annual clearing report (reporting period 1 July 2024 to 30 June 2025, received 31 July 2025), a total of 24.59 hectares of native vegetation have been cleared under CPS 9172/1 (GMA, 2025c).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	16 July 2026
Decision area:	28.33 hectares of native vegetation

1.4. Reasons for decision

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

In making this decision, the Delegated Officer had regard for the site characteristics (Appendix A), relevant datasets (Appendix D), the clearing principles set out in Schedule 5 of the EP Act (Appendix B), proposed avoidance and minimisation measures (Section 3.1), and any other matters considered relevant to the assessment (Section 3.3).

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;
- the loss of native vegetation that is significant as a remnant of native vegetation in an area that has been extensively cleared, representing an ecological linkage for fauna dispersal;
- increased risk of fauna injury or mortality from mechanical clearing; and
- potential land degradation in the form of wind and water erosion.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (Section 3.1), the Delegated Officer determined the proposed clearing can be minimised and managed to be unlikely to lead to an unacceptable risk to environmental values.

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

- avoid, minimise to reduce the impacts and extent of clearing;
- take hygiene steps to minimise the risk of the introduction and spread of weeds;
- retain cleared vegetation and topsoil and respread this on a cleared area of equivalent size within 12 months of clearing to ensure habitat is not permanently lost;
- slow directional clearing to allow fauna to move into adjacent vegetation ahead of the clearing activity to minimise impact to individuals; and
- staged clearing (clear no more than 15 hectares of native vegetation within a financial year period).

The assessment has not changed since the assessment for CPS 9172/1, except in the case of principle (e). Further consideration was given to principle (e), as the application area is part of an ecological linkage in an area which has been extensively cleared. The Delegated Officer determined that an extension of duration of the period in which clearing is authorised, extension of permit duration, and the proposed amendment of the weed control condition 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 (Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

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

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Biosecurity and Agriculture Management Act 2007* (BAM Act)
- *Conservation and Land Management Act 1984* (WA) (CALM Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Mining Act 1978* (WA)
- *Rights in Water and Irrigation Act 1914* (RIWI Act)

The key guidance documents which inform this assessment are:

- A guide to the assessment of applications to clear native vegetation (DER, 2014)
- Procedure: Native vegetation clearing permits (DWER, 2021)
- Technical guidance – Flora and Vegetation Surveys for Environmental Impact Assessment (EPA, 2016a)
- Technical guidance – Terrestrial Fauna Surveys for Environmental Impact Assessment (EPA, 2016b)
- Technical guidance – Terrestrial Fauna Surveys for Environmental Impact Assessment (EPA, 2020)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

A risk assessment and management table was submitted by the applicant, demonstrating that management measures are in place to reduce the risks associated with clearing activities, including conducting one-directional clearing to reduce impacts to fauna and following a weed hygiene procedure to reduce impacts on biodiversity (GMA, 2025b). The Delegated Officer was satisfied that the applicant has made a reasonable effort to avoid and minimise potential impacts of the proposed clearing on environmental values.

3.2. Assessment of impacts on environmental values

A review of current environmental information (Appendix A) reveals that the assessment against the clearing principles has not changed significantly from the clearing permit decision report CPS 9172/1, except in the case of principle (e). Further consideration was given to principle (e), as the application area is part of an ecological linkage in an area which has been extensively cleared.

3.2.1. Biological values and remnant vegetation - Clearing principles (a), (b) and (e)

Assessment

Priority flora

Balladonia aervoides, Priority 3, inhabits calcareous sand or sandy loam (Short, 2016). As this species is an annual and the survey by GHD (2020a) was conducted outside of the recommended season for the detection of annuals, this species may not have been detectable at the time of survey (Short, 2016). Apart from the type locality, recorded in the vicinity of Port Gregory, all

other collections have been from Dorre Island and the Houtman Abrolhos Islands (Short, 2016; GIS Database). Considering that 15 of 16 Western Australian Herbarium (1998-) records of this species have been collected on offshore islands, protected as part of the conservation estate, it is unlikely the habitat within the application area is critical for the conservation of this species (GIS Database).

Anthocercis intricata, Priority 3, inhabits sand or loam over limestone or consolidated sand dunes (WAH, 1998-). It is known from 35 Western Australian Herbarium (1998-) records from the Geraldton Sandplains, Carnarvon and Yalgoo bioregions. As the species is known from multiple bioregions and has multiple records within the conservation estate, it is unlikely the habitat within the application area is critical for the conservation of this species (GIS Database).

Comesperma rhadinocarpum, Priority 3, inhabits sandy soils (WAH, 1998-). It is known from 20 Western Australian Herbarium (1998-) records from the Geraldton Sandplains, Coolgardie, Great Victoria Desert, Jarrah Forest and Swan Coastal Plain bioregions. As the species is known from multiple bioregions and has multiple records within the conservation estate, it is unlikely the habitat within the application area is critical for the conservation of this species (GIS Database).

Fauna

Graceful sunmoth (*Synemon gratiosa*), Priority 4, can be found in sedgelands, heathlands, woodlands and open forest between Binningup and Shark Bay (Bishop et al., 2010; DEC, 2011). The graceful sunmoth breeds on two species of mat-rushes, *Lomandra maritima* and *Lomandra hermaphrodita* (DEC, 2011). *Lomandra maritima* was recorded in the survey by GHD (2020a) at Site 2. As this species was recorded in low abundance at only one site, and graceful sunmoth breeding sites usually have high densities of the host plant, the graceful sunmoth is considered unlikely to occur within the application area (Bishop et al., 2010; GHD, 2020a).

Tammar wallaby (*Notamacropus eugenii derbianus*), Priority 4, formerly occurred between Kalbarri and Cape Arid, but now is restricted to islands and limited mainland sites, mainly in the southern Wheatbelt and Great Southern regions and some parts of the Jarrah Forest (CALM, n.d.). As the most recent record of tammar wallaby in the local area (20 kilometre radius of the application area) is from 1964, and the application area is outside of the species' current distribution, tammar wallaby is unlikely to occur in the application area (CALM, n.d.; GIS Database).

Chuditch (*Dasyurus geoffroii*), Vulnerable, can be found in a range of habitats including forest, mallee shrublands, woodland and desert (DEC, 2012). Prior to European settlement, chuditch occurred over approximately 70 percent of the Australian continent, but today it inhabits approximately five percent of its former range, mostly occurring in the southwest of Western Australia (DEC, 2012). In 2001, chuditch was successfully translocated into the Kalbarri National Park, north of the application area (DEC, 2012; Fischer, 2021; GIS Database). The nearest record of chuditch was recorded in 2008, 18.6 kilometres northeast of the application area and approximately 11 kilometres south of the Kalbarri National Park (GIS Database). Chuditch rely on complex habitats which contains suitable refuge such as hollow logs, rocky crevices and burrows, and sufficient prey biomass (DEC, 2012; Fischer, 2021). As the application area has mostly been cleared or degraded, it is unlikely that chuditch utilise habitats within the application area (GHD, 2020a).

Weed control

CPS 9172/1 is subject to a condition regarding weed control (DMIRS, 2021a). This condition instructs the Permit Holder to:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no known or weed-affected soil, mulch, fill or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared (DMIRS, 2021a).

The applicant applied to amend the weed control condition to remove the requirement to clean machinery prior to exiting the site (GMA, 2025a; 2025b). The reasoning for this was that the applicant has multiple permits over one project area, and cleaning machinery between permit areas was not feasible for the applicant (GMA, 2026). The Department determined that cleaning machinery upon exiting the project area, instead of the CPS 9172/2 permit area, appropriately managed the environmental risk of weed spread.

Vegetation

The application area includes part of the mapped extent of Beard vegetation association (BVA) 371, described as low forest; *Acacia rostellifera* (GIS Database). Approximately 10.67 percent of the pre-European extent of BVA 371 remains (Government of Western Australia, 2019).

After comparing the vegetation within the application area to the description of BVA 371 provided in Beard & Burns (1976), it was determined that VT01 and VT02 represent BVA 17, not BVA 371 (GHD, 2026). BVA 371 is a low forest of *Acacia rostellifera* occurring on black clay bottomland soils, with vegetation exceeding ten metres in height and forming a very dense, near-pure stand (Beard & Burns, 1976; GHD, 2026). BVA 17 is described as *Acacia rostellifera* thicket to woodland, approximately six metres in height (Beard & Burns, 1976; GHD, 2026). The vegetation within the application area matches the description of BVA 17 and therefore does not represent BVA 371 (GHD, 2020a; 2026).

Conclusion

Based on the above assessment, the proposed clearing will result is not likely to significantly impact priority flora or habitats for conservation significant fauna.

It is considered that the impacts of the proposed clearing on flora, fauna and remnant vegetation can be managed by rehabilitating an area of equivalent size to ensure the habitat is not permanently lost and conducting slow, one-directional clearing to allow fauna to move ahead of the clearing activity. It is considered that the proposed amendment of the weed control condition is unlikely to significantly increase the risk of spreading weeds.

Conditions

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

- retain cleared vegetation and topsoil and respread this on a cleared area of equivalent size within 12 months of clearing to ensure habitat is not permanently lost;

- slow directional clearing to allow fauna to move into adjacent vegetation ahead of the clearing activity to minimise impact to individuals; and
- take hygiene steps to minimise the risk of the introduction and spread of weeds.

3.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 6 March 2026 by the Department of Mines, Petroleum and Exploration inviting submissions from the public. No submissions were received in relation to this application.

There is one native title claim (WCD2020/001 - Yamatji Nation) over the area under application (DPLH, 2026). This claim has been determined by the Federal Court on behalf of the claimant group. 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, 2026). 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 Development and Closure Proposal 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. Site characteristics

A.1. Site characteristics

Characteristic	Details
Local context	The application area is located in the Geraldton Sandplains bioregion, the Geraldton Hills subregion and the Shire of Northampton (GIS Database). It is part of a remnant patch of native vegetation in the intensive land use zone of Western Australia (GIS Database). Approximately 40 percent of the local area (20 kilometre radius from the application area) retains terrestrial native vegetation (GIS Database). The majority of the area to the east of the application area has been cleared for agriculture (GIS Database). The application area is part of the Lynton North Project, with other clearing permits associated with this project adjoining the application area to the north, south and east, including CPS 9173/3, CPS 9707/4, CPS 5947/3, CPS 8819/3 and CPS 8825/2 (GIS Database).
Ecological linkage	The application area contributes to a broad ecological linkage that extends between the coastal environments associated with Hutt Lagoon and inland remnant vegetation within an otherwise fragmented and predominantly cleared agricultural landscape (Davis, 2005; DEC, 2009). This linkage could be significant for use by fauna species moving through the landscape.
Conservation areas	The nearest conservation area is the Utcha Well Nature Reserve located approximately seven kilometres north of the application area (GIS Database).
Vegetation description	The vegetation of the application area is broadly mapped as the following Beard vegetation associations: 17: Shrublands; <i>Acacia rostellifera</i> thicket; and 371: Low forest; <i>Acacia rostellifera</i> (GIS Database). A flora and vegetation survey was conducted over the application area by GHD (2020a) in December 2019. The following vegetation associations were recorded within the application area (GHD, 2020a): VT01 - <i>Acacia rostellifera</i> open woodland to woodland <i>Acacia rostellifera</i> open woodland to woodland over <i>Rhagodia preissii</i> subsp. <i>obovata</i>, <i>Pimelea microcephala</i> subsp. <i>microcephala</i>, <i>Olearia</i> sp. Kennedy Range (G. Byrne 66) and <i>Stylobasium spathulatum</i> open shrubland over <i>Austrostipa elegantissima</i> and <i>Ehrharta longiflora</i> open grassland to grassland. Other common species include <i>Alyogyne hakeifolia</i>, <i>Roepera fruticulosa</i>, <i>Commicarpus australis</i> and <i>Euphorbia boophthona</i>. Occurs over lower and middle slopes on brown to orange sands. VT02 - <i>Melaleuca cardiophylla</i> shrubland to open shrubland <i>Melaleuca cardiophylla</i> shrubland to open shrubland over <i>Alyogyne hakeifolia</i>, <i>Pimelea microcephala</i> subsp. <i>microcephala</i> and <i>Rhagodia preissii</i> subsp. <i>obovata</i> open shrubland over <i>Ptilotus divaricatus</i> scattered forbland. Other common species include <i>Roepera fruticulosa</i>, <i>Pimelea gilgiana</i> and <i>Bromus diandrus</i>. Areas that contain deeper soils <i>Acacia rostellifera</i> was also recorded. Occurs on upper mid slopes on white-brown sand with limestone outcropping. Areas of the application area have also been mapped as cleared (GHD, 2020a).
Vegetation condition	The vegetation survey of the application area found the vegetation to be in good to completely degraded Keighery (1994) condition (GHD, 2020a). The full Keighery (1994) condition rating scale is provided in Appendix C.
Climate and landform	The climate of the Geraldton Hills subregion is described as semi-arid to Mediterranean (CALM, 2002). The nearest Bureau of Meteorology (BoM) weather station records an average annual rainfall of approximately 403 millimetres per year (BoM, 2026). The application area is mapped at elevations of ten to 60 metres Australian Height Datum (GIS Database). Land system mapping broadly describes the application area as low hills with relict dunes and some limestone outcrop (DPIRD, 2026).
Soil description	The application area is mapped as the Tamala North 2 subsystem, described as low hills with relict dunes and some limestone outcrop (DPIRD, 2026). This land system forms a coastal band three to seven kilometres wide (DPIRD, 2026).
Land degradation risk	There is the risk of wind erosion from the proposed clearing due to the loose sandy nature of the soils (DPIRD, 2021). When cleared, these soils have the potential to mobilise under strong prevailing winds (DPIRD, 2021). Water erosion has the potential to occur in cleared areas due primarily to the land slope (DPIRD, 2021).

Characteristic	Details
Waterbodies	The desktop assessment indicates that no watercourses or waterbodies occur within the application area (GIS Database). The application area is located approximately 400 metres east of Hutt Lagoon at its closest point (GIS Database). Hutt Lagoon is listed in the Directory of Important Wetlands in Australia as a wetland of national importance, recognised as an important site for migratory waterbirds (Environment Australia, 2001; GIS Database).
Hydrogeography	The nearest Public Drinking Water Source Area is the Kalbarri Water Reserve located approximately 35 kilometres north of the application area (GIS Database). The application area is located within the Gascoyne Groundwater Area under the <i>Rights in Water and Irrigation Act 1914</i> (GIS Database). The groundwater salinity is mapped as 1,000 to 3,000 milligrams per litre total dissolved solids which is described as brackish (BoM, 2019; GIS Database).
Flora	Eight threatened and 52 priority flora species are known to occur within the local area (20 kilometre radius from the application area) (GIS Database). According to information from the biological survey by GHD (2020a) and species' habitat requirements, habitat does not occur within the application area for 45 of these species (Anderson et al., 2023; Brown & Brockman, 2015; Davis & Brown, 2017; WAH, 1998-). The remaining 15 species are considered in Appendix A.3.
Ecological communities	Two priority ecological communities (PECs) and no threatened ecological communities (TECs) are known within the local area (20 kilometre radius from the application area) (GIS Database). The local PECs occur 8.3 and 10.0 kilometres from the application area (GIS Database). The vegetation communities within the application area are not consistent with any PECs or TECs (GHD, 2020a).
Fauna	There are 39 conservation significant fauna species that have been recorded within the local surrounds (20 kilometre radius from the application area) (GIS Database). Of these, 32 are migratory birds which are unlikely to be dependent on vegetation within the application area (Commonwealth of Australia, 2008; NWF, n.d.; GIS Database). The humpback whale (<i>Megaptera novaeangliae</i>) has been recorded within the local area but does not require consideration as it is exclusively marine (Commonwealth of Australia, 2008; GIS Database). The remaining six species are considered in Appendix A.4.
Fauna habitat	According to the biological survey by GHD (2020a), the application area is mapped as the following fauna habitats: • <i>Acacia</i> woodland; • <i>Melaleuca</i> shrubland on limestone; and • cleared.

A.2. Vegetation extent

	Pre-European area (ha)	Current extent (ha)	Extent remaining (%)	Current extent in all DBCA managed land (ha)	Current extent in all DBCA Managed Land (proportion of pre-European extent) (%)
IBRA Bioregion - Geraldton Sandplains	3,136,037	1,404,424	~45	355,757.17	18.12
IBRA Subregion - Geraldton Hills	1,964,262	901,446	~46	355,757.17	18.11
Local Government - Northampton	1,258,429	930,229	~74	230,958	18.35
Beard vegetation associations - State					
17	76,633.84	67,605.49	~88	8,831.50	11.52
371	32,816.04	3,499.60	~11	242.15	0.74
Beard vegetation associations - Bioregion (Geraldton Sandplain)					
17	54,078	45,159	~84	6,067.99	11.22
371	32,807	3,499	~11	242.15	0.74

Beard vegetation associations - subregion (Geraldton Hills)					
17	49,605.04	42,016.28	~85	5,572.71	11.23
371	32,807.53	3,499.10	~11	242.15	0.74

Government of Western Australia (2019)

A.3. Flora analysis table

The following conservation significant fauna species have been recorded within 20 kilometres of the application area and require consideration (GIS Database).

The likelihood of occurrence for these species were determined by potentially suitable habitat within the application area, known regional records, and whether surveys conducted were adequate for detection (Cowan & Maslin, 1999; GHD, 2020a; 2020b; Rye, 2016; 2019; Sheather & Sheather, 2020; Short, 2016; WAH, 1998-; Wilkins, 2005; GIS Database).

Species name	Conservation status	Suitable habitat features? [Y/N]	Distance of closest record to application area (km)	Are surveys adequate to identify? [Y, N, N/A]	Likelihood of occurrence
<i>Caladenia bryceana</i> subsp. <i>cracens</i>	T	Y	<1	Y	Unlikely
<i>Acacia latipes</i> subsp. <i>licina</i>	P3	Y	<3	Y	Unlikely
<i>Balladonia aevoides</i>	P3	Y	<3	N	Possible – discussed in Section 3.2.1
<i>Lasiopetalum oldfieldii</i>	P3	Y	<5	Y	Unlikely
<i>Calytrix harvestiana</i>	P2	Y	<10	Y	Unlikely
<i>Anthocercis intricata</i>	P3	Y	<10	N	Possible – discussed in Section 3.2.1
<i>Corynotheca acanthoclada</i>	P1	Y	<10	Y	Unlikely
<i>Comesperma rhadinocarpum</i>	P3	Y	<15	N	Possible – discussed in Section 3.2.1
<i>Carpobrotus</i> sp. Thevenard Island (M. White 050)	P3	Y	<15	Y	Unlikely
<i>Melaleuca huttensis</i>	P3	Y	<15	Y	Unlikely
<i>Malleostemon costatus</i>	P2	Y	<15	Y	Unlikely
<i>Scholtzia oleosa</i>	P3	Y	<15	Y	Unlikely
<i>Rhodanthe</i> sp. Yuna (G.J. Keighery, B.J. Keighery & B. Moyle 2820)	P3	Y	<20	N	Unlikely
<i>Hemiandra</i> sp. Kalbarri (D. Bellairs 1505)	P2	Y	<20	Y	Unlikely

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

A.4. Fauna analysis table

The following conservation significant fauna species have been recorded within 20 kilometres of the application area and require consideration (GIS Database).

The likelihood of occurrence for these species were determined by potentially suitable habitat within the application area and known regional records (CALM, n.d.; Commonwealth of Australia, 2008; 2022; DEC, 2011; 2012; DWER, 2016; GHD, 2020a; Valentine & Stock, 2008; GIS Database).

Species name		Conservation status		Suitable habitat features? [Y/N]	Distance of closest record to application area (km)	Likelihood of occurrence
Common	Scientific	WA	EPBC			
Graceful sunmoth	<i>Synemon gratiosa</i>	P4	-	Y	3.0	Unlikely – discussed in Section 3.2.1
Carnaby's cockatoo	<i>Zanda latirostris</i>	EN	EN	N	3.0	Unlikely
A short-tongued bee	<i>Neopasiphae simplicior</i>	EN	CR	N	4.1	Unlikely

Species name		Conservation status		Suitable habitat features? [Y/N]	Distance of closest record to application area (km)	Likelihood of occurrence
Common	Scientific	WA	EPBC			
Tammar wallaby	<i>Notamacropus eugenii derbianus</i>	P4	-	Y	8.7	Unlikely – discussed in Section 3.2.1
Margaret River hairy marron	<i>Cherax tenuimanus</i>	CR	CR	N	13.6	Unlikely
Chuditch	<i>Dasyurus geoffroii</i>	VU	VU	Y	18.6	Unlikely – discussed in Section 3.2.1

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

Appendix B. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
<u>Principle (a):</u> “Native vegetation should not be cleared if it comprises a high level of biodiversity.” <u>Assessment:</u> The vegetation within the proposed clearing footprint does not represent an area of unusually high floristic richness or diversity, nor does it contain unique or highly diverse assemblages relative to surrounding remnant vegetation.	Not likely to be at variance (as per CPS 9172/1)	Yes <i>Refer to Section 3.2.1, above.</i>
<u>Principle (b):</u> “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.” <u>Assessment:</u> The vegetation within the application area is unlikely to constitute critical habitat for conservation significant fauna. Habitat within the application area is fragmented and occurs in a landscape already influenced by clearing, mining infrastructure and access tracks. As the application area is part of an ecological linkage that could be significant for use by fauna species moving through the landscape, impacts to fauna can be mitigated through a slow, one-directional clearing condition on the permit.	May be at variance (as per CPS 9172/1)	Yes <i>Refer to Section 3.2.1, above.</i>
<u>Principle (c):</u> “Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora.” <u>Assessment:</u> The desktop assessment identified three Threatened flora species recorded within five kilometres of the application area, being <i>Caladenia bryceana</i> subsp. <i>cracens</i>, <i>Caladenia elegans</i> and <i>Drakaea concolor</i> (GIS Database). Suitable habitat for <i>C. bryceana</i> subsp. <i>cracens</i> was identified within the broader mining lease, but no Threatened flora were recorded during the comprehensive flora and vegetation survey conducted in December 2019 (GHD, 2020a). Targeted searches undertaken in August 2020 in consultation with DBCA staff did not record any Threatened flora within the application area (GHD, 2020b). As this survey was sufficient to detect <i>C. bryceana</i> subsp. <i>cracens</i> and none were identified, it is considered Threatened flora are unlikely to occur within the clearing permit boundary (GHD, 2020b).	Not likely to be at variance (as per CPS 9172/1)	No
<u>Principle (d):</u> “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.” <u>Assessment:</u> No threatened ecological communities (TECs) are known from the local area (20 kilometre radius from the application area) (GIS Database). No TECs were detected in the survey of the application area (GHD, 2020a).	Not likely to be at variance (as per CPS 9172/1)	No
Environmental value: significant remnant vegetation and conservation areas		

Assessment against the clearing principles	Variance level	Is further consideration required?
<u>Principle (e):</u> “Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.” <u>Assessment:</u> Although the extent of the Beard vegetation association (BVA) 17 is consistent with the national objectives and targets for biodiversity conservation in Australia, and vegetation within the application area does not represent BVA 371, the application area is part of a remnant patch of native vegetation in an area which has been extensively cleared (Commonwealth of Australia, 2001; GIS Database; Section 3.2.1; Appendix A.2).	At variance (changed from CPS 9172/1)	Yes <i>Refer to Section 3.2.1, above.</i>
<u>Principle (h):</u> “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.” <u>Assessment:</u> The nearest conservation area is the Utcha Well Nature Reserve which is located approximately seven kilometres north of the application area (GIS Database). The proposed clearing is unlikely to impact on the environmental values of any conservation area.	Not likely to be at variance (as per CPS 9172/1)	No
Environmental value: land and water resources		
<u>Principle (f):</u> “Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.” <u>Assessment:</u> No watercourses or wetlands occur within the application area (GIS Database). Hutt Lagoon, a wetland of national importance, is located approximately 400 metres west of the application area (GIS Database). Field surveys did not identify riparian vegetation or drainage-associated vegetation within the application area (GHD, 2020a).	Not likely to be at variance (as per CPS 9172/1)	No
<u>Principle (g):</u> “Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.” <u>Assessment:</u> The proposed clearing increases the risk of wind and water erosion (DPIRD, 2021). However, considering the scale of clearing, the impact of this erosion is likely to be localised (DPIRD, 2021). Impacts associated with land degradation can be mitigated by retaining the existing staged clearing and rehabilitation conditions applied on CPS 9172/1.	May be at variance (as per CPS 9172/1)	No
<u>Principle (i):</u> “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.” <u>Assessment:</u> The application area is not located within a Public Drinking Water Source Area and no drainage lines or waterbodies occur within the clearing footprint (GIS Database). Considering the scale of clearing and the absence of direct interaction with surface or groundwater features, the proposed clearing is unlikely to affect water quality.	Not likely to be at variance (as per CPS 9172/1)	No
<u>Principle (j):</u> “Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.” <u>Assessment:</u> The application area is located on porous soils and limestone, so it is expected that rainfall will rapidly infiltrate soils (GMA, 2025b). Considering the scale and location of clearing, the proposed clearing is unlikely to cause or exacerbate flooding (GIS Database).	Not likely to be at variance (as per CPS 9172/1)	No

Appendix C. Vegetation condition rating scale

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

Considering its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Measuring vegetation condition for the South West and Interzone Botanical Province (Keighery, 1994)

Condition	Description
Pristine	Pristine or nearly so, no obvious signs of disturbance.
Excellent	Vegetation structure intact, with disturbance affecting individual species; weeds are non-aggressive species.
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.
Good	Vegetation structure significantly altered by very obvious signs of multiple disturbances. Retains basic vegetation structure or ability to regenerate it. For example, disturbance to vegetation structure caused by very frequent fires, the presence of some very aggressive weeds at high density, partial clearing, dieback and/or grazing.
Degraded	Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management. For example, disturbance to vegetation structure caused by very frequent fires, the presence of very aggressive weeds, partial clearing, dieback and/or grazing.
Completely degraded	The structure of the vegetation is no longer intact and the area is completely or almost completely without native species. These areas are often described as 'parkland cleared' with the flora comprising weed or crop species with isolated native trees or shrubs.

Appendix D. Sources of information

D.1. GIS datasets

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

- Clearing Instruments Activities (Areas Approved to Clear) (DWER-076)
- Clearing Instruments Conditions (Areas Subject to Conditions) (DWER-077)
- Clearing Regulations - Environmentally Sensitive Areas (DWER-046)
- Clearing Regulations - Schedule One Areas (DWER-057)
- DBCA - Lands of Interest (DBCA-012)
- DBCA - Legislated Lands and Waters (DBCA-011)
- DBCA Fire History (DBCA-060)
- Directory of Important Wetlands in Australia - Western Australia (DBCA-045)
- Groundwater Salinity Statewide (DWER-026)
- IBRA Vegetation Statistics
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Medium Scale Topo Contour (Line) (LGATE-015)
- Medium Scale Topo Water (Line) (LGATE-018)
- Medium Scale Topo Water (Polygon) (LGATE-016)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Rivers (DWER-036)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Mapping - Best Available (DPIRD-027)
- Townsites (LGATE-248)
- WA Now Aerial Imagery

Restricted GIS Databases used:

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

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Glossary

Acronyms:

BC Act	<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)
DCCEEW	Department of Climate Change, Energy, the Environment and Water, Australian Government

DBCA	Department of Biodiversity, Conservation and Attractions, Western Australia
DEMIRS	Department of Energy, Mines, Industry Regulation and Safety (now DMPE)
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia (now DMPE)
DMP	Department of Mines and Petroleum, Western Australia (now DMPE)
DMPE	Department of Mines, Petroleum and Exploration
DoEE	Department of the Environment and Energy (now DCCEEW)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora (now known as Threatened Flora)
DWER	Department of Water and Environmental Regulation, Western Australia
EP Act	<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> (Commonwealth Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia
IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
TEC	Threatened Ecological Community

Definitions:

DBCA (2023) Conservation Codes for Western Australian Flora and Fauna. Department of Biodiversity, Conservation and Attractions, Western Australia:

Threatened species

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

Threatened fauna is the species of fauna that are listed as critically endangered, endangered or vulnerable threatened species.

Threatened flora is the species of flora that are listed as critically endangered, endangered or vulnerable threatened species.

The assessment of the conservation status of threatened species is in accordance with the BC Act listing criteria and the requirements of [Ministerial Guideline Number 1](#) and [Ministerial Guideline Number 2](#) that adopts the use of the International Union for Conservation of Nature (IUCN) [Red List of Threatened Species Categories and Criteria](#), and is based on the national distribution of the species.

CR Critically endangered species

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

Listed as critically endangered under section 19(1)(a) of the BC Act in accordance with the criteria set out in section 20 and the ministerial guidelines.

EN Endangered species

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

Listed as endangered under section 19(1)(b) of the BC Act in accordance with the criteria set out in section 21 and the ministerial guidelines.

VU Vulnerable species

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

Listed as vulnerable under section 19(1)(c) of the BC Act in accordance with the criteria set out in section 22 and the ministerial guidelines.

Extinct species

Listed by order of the Minister as extinct under section 23(1) of the BC Act as extinct or extinct in the wild.

EX Extinct species

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

EW Extinct in the wild species

Species that “*is known only to survive in cultivation, in captivity or as a naturalised population well outside its past range; and it has not been recorded in its known habitat or expected habitat, at appropriate seasons, anywhere in its past range, despite surveys over a time frame appropriate to its life cycle and form*”, and listing is otherwise in accordance with the ministerial guidelines (section 25 of the BC Act).

Currently there are no threatened fauna or threatened flora species listed as extinct in the wild.

Specially protected species

SP Specially protected species

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

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

MI Migratory species

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

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

CD Species of special conservation interest (conservation dependent fauna)

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

Currently only fauna are listed as species of special conservation interest.

OS Other specially protected species

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

Currently only fauna are listed as species otherwise in need of special protection.

Priority species

P Priority species

Priority is not a listing category under the BC Act. The Priority Flora and Fauna lists are maintained by the department and are published on the department's website.

All fauna and flora are protected in WA following the provisions in Part 10 of the BC Act. The protection applies even when a species is not listed as threatened or specially protected, and regardless of land tenure (State managed land (Crown land), private land, or Commonwealth land).

Species that may possibly be threatened species that do not meet the criteria for listing under the BC Act because of insufficient survey or are otherwise data deficient, are added to the Priority Fauna or Priority Flora Lists under Priorities 1, 2 or 3. These three categories are ranked in order of prioritisation for survey and evaluation of conservation status so that consideration can be given to potential listing as threatened.

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

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

P1 Priority One - Poorly-known species – known from few locations, none on conservation lands

Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, for example, agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation.

Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements for threatened listing and appear to be under immediate threat from known threatening processes. These species are in urgent need of further survey.

P2 Priority Two - Poorly-known species – known from few locations, some on conservation lands

Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, for example, national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation.

Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements for threatened listing and appear to be under threat from known threatening processes. These species are in urgent need of further survey.

P3 Priority Three - Poorly-known species – known from several locations

Species that are known from several locations and the species does not appear to be under imminent threat or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat.

Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. These species need further survey.

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

- (a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection but could be if present circumstances change. These species are usually represented on conservation lands.
- (b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for vulnerable but are not listed as a conservation dependent specially protected species.
- (c) Species that have been removed from the list of threatened species or lists of conservation dependent or other specially protected species, during the past five years for reasons other than taxonomy.
- (d) Other species in need of monitoring.

Principles for clearing native vegetation:

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