Department of Mines, Petroleum and Exploration

GOVERNMENT OF WESTERN AUSTRALIA

Clearing Permit Decision Report

1. Application details and outcomes

1.1. Permit application details

Permit number:	7647/2
Permit type:	Purpose permit
Applicant name:	BHP Iron Ore Pty Ltd
Application received:	22 April 2026
Application area:	23 hectares
Purpose of clearing:	Construction and maintenance of an access track, hydrological investigations, and associated infrastructure.
Method of clearing:	Mechanical removal
Tenure:	Miscellaneous Licence 46/124
Location (LGA area):	Shire of East Pilbara
Colloquial name:	Jimblebar Creek Access Track Project

1.2. Description of clearing activities

BHP Billiton Iron Ore Pty Ltd had clearing permit CPS 7647/1 granted by the Department of Mines, Industry Regulation and Safety (now the Department of Mines, Petroleum and Exploration) on 10 August 2017 which is valid from 2 September 2017 to 30 November 2026. The permit authorised the clearing of up to 23 hectares of native vegetation within a boundary of approximately 807.16 hectares, for the purpose of construction and maintenance of an access track, hydrological investigations and associated infrastructure. The project is located approximately 39.5 kilometres east of the Newman townsite, within the Shire of East Pilbara.

On 22 April 2026, the permit holder applied to amend CPS 7647/1. The reasons to amend were confirmed via email 12 May 2025 to be for:

- Extending the permit duration to 30 November 2036
- Extending the final reporting date to 30 November 2036
- Updating the permit holder name (BHP, 2026a).

As of the end of the 2025 financial year, a total of 8.55 hectares of native vegetation have been cleared under CPS 7647/1 (BHP, 2026b).

1.3. Decision on application and key considerations

Decision:	Grant
Decision date:	29 October 2026
Decision area:	23 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 7 days, and no submissions were received.

In making this decision, the Delegated Officer had regard for the site characteristics (Appendix A), relevant datasets, supporting information provided by the applicant including the results of a flora and vegetation survey, the clearing principles set out in Schedule 5 of the EP Act (Appendix B), 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 construct and maintain the acces track in addition to hydrological investigations and associated infrastructure.

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;
- potential impacts to conservation significant fauna;

- potential impacts to local hydrology of the Jimblebar Creekline; and
- potential land degradation resulting from vegetation clearing (such as water and wind 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, according to Section 3.3 of this report, and via conditions imposed on the clearing permit. The Delegated Officer decided to grant this clearing permit subject to conditions to:

- staged clearing & commencing works for the purpose of this clearing permit no later than three months after undertaking clearing to reduce the risk of erosion;
- undertake slow, progressive one-directional clearing to allow terrestrial fauna to move into adjacent habitat ahead of the clearing activity;
- avoid, minimise to reduce the impacts and extent of clearing;
- take hygiene steps to minimise the risk of the introduction and spread of weeds; and
- avoiding riparian vegetation where practicable, and ensure that impacts to the Jimblebar Creekline are minimised to ensure natural flow.

The assessment has not changed since the assessment for CPS 7647/1, except in the case of principle (b) and (i) which have slightly increased due to lack of new survey data, and cumulative impacts on the Jimblebar Creekline. The Delegated Officer determined that the proposed administrative amendments are 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)
- *Country Areas Water Supply Act 1947* (WA) (CAWS Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Mining Act 1978* (WA)
- *Rights in Water and Irrigation Act 1914* (RIWI Act)

Relevant agreements (treaties) considered during the assessment include:

- Japan-Australia Migratory Bird Agreement
- China-Australia Migratory Bird Agreement
- Republic of Korea-Australia Migratory Bird Agreement

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, 2016)
- Technical guidance – Terrestrial Fauna Surveys for Environmental Impact Assessment (EPA, 2020)

3. Detailed assessment of application

3.1. Avoidance and mitigation measures

Evidence was submitted by the applicant, demonstrating compliance with their commitments, including:

- Priority flora identified will be avoided using a 10 metre buffer (where practicable)
- Weed control to be carried out as per BHP's standard weed control and management practices
- In instances where new crossing or access points are to be installed, clearing will be kept to a minimum, and constructed on a flat level to the surface to maintain natural surface flow of Jimblebar Creek
- Additional flora and vertebrate fauna surveys will be undertaken within two years of CPS 7647/2 taking effect
- Adherence to BHP's internal land disturbance permitting process to avoid clearing outside of approved disturbance areas

- New ground disturbance (e.g. for access track maintenance) will be confined to previously disturbed areas to minimise clearing
- Standard fire management practices to be implemented whilst undertaking clearing
- Standard dust monitoring and management practices to be implemented whist undertaking clearing (BHP, 2026b).

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 7647/1. An increase in variance has been determined for Clearing Principles (b) and (i), with justification in Appendix A.

3.3. Relevant planning instruments and other matters

The clearing permit amendment application was advertised on 15 May 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 a native title claim (Nyiyaparli People; WCD2018/008) 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.

The clearing permit area is within the boundary of the BHP Pilbara Strategic Proposal, which has a granted Ministerial Statement (Statement No. 1105) from the Environmental Protection Authority (EPA) from July 2019 (EPA, 2026). This does not impact the clearing permit application.

Other relevant authorisations required for the proposed land use include:

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

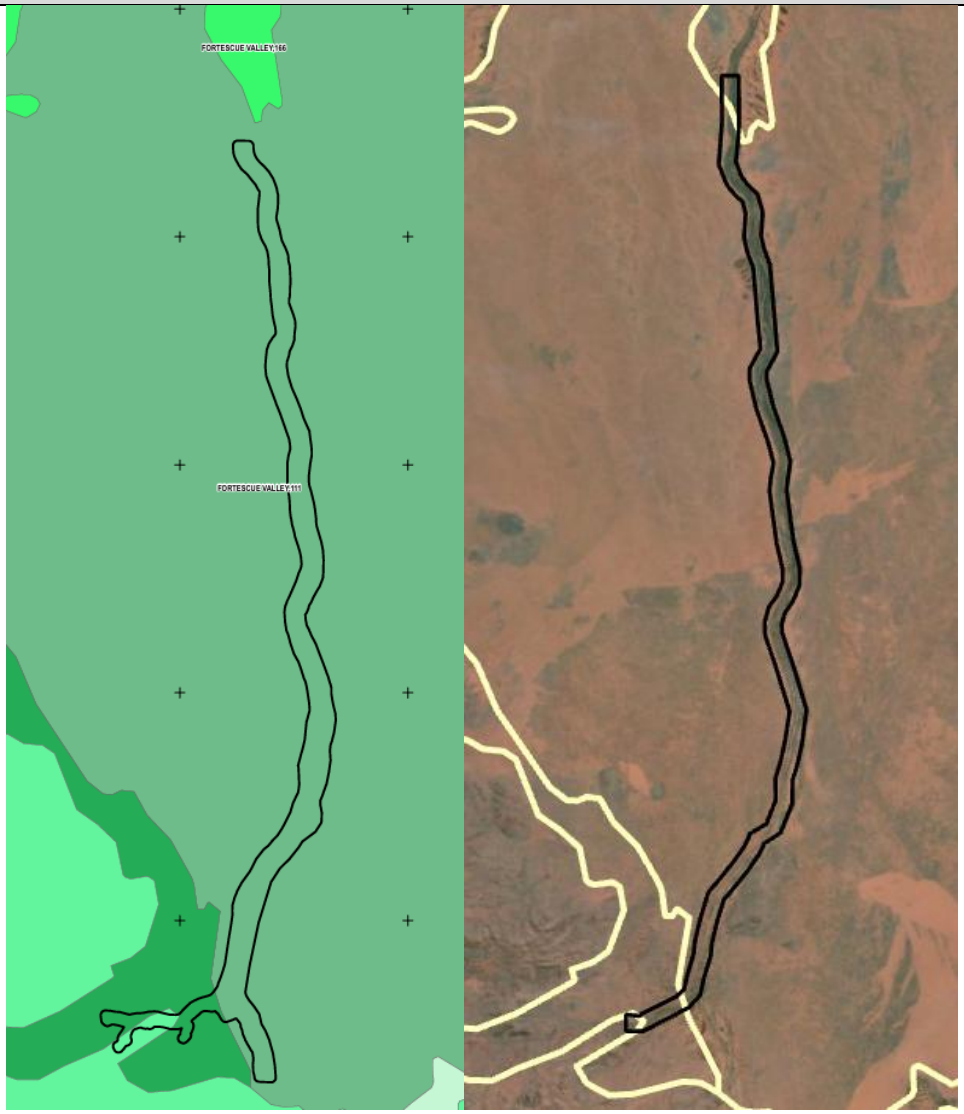
Appendix A. Site characteristics

A.1. Site characteristics

<table>
<tr><th>Characteristic</th><th>Details</th></tr>
<tr><td>Local context</td><td>The area proposed to be cleared is part of an isolated strip of riparian vegetation associated with the Jimblebar Creekline, in the extensive land use zone of Western Australia (GIS Database). The application captures 802.56 hectares of land, including the Jimblebar Creekline, which is surrounded by sparse vegetation, red soils, and land susceptible to inundation (GIS Database). According to the Interim Biogeographic Regionalisation for Australia (IBRA), the application area is within the Pilbara bioregion and the Fortescue subregion (Onshore, 2015a; Onshore, 2015b; GIS Database).</td></tr>
<tr><td>Ecological linkage</td><td>According to available databases, the application area does not contain any known or mapped ecological linkages, however the Jimblebar Creekline could be considered an unofficial linkage between water sources in the region (GIS Database).</td></tr>
<tr><td>Conservation areas</td><td>The nearest conservation area is Fortescue Marsh Nature Reserve located approximately 65 kilometres north-west of the application area (GIS Database).</td></tr>
<tr><td>Vegetation description</td><td>The vegetation of the application area is broadly mapped as the following Beard vegetation associations (BVA):
82: Hummock grasslands, low tree steppe; snappy gum over Triodia wiseana,
111: Hummock grasslands, shrub steppe; Eucalyptus gamophylla over hard spinifex,
166: Low woodland; mulga & Acacia victoriae; and
216: Low woodland; mulga (with spinifex) on rises (GIS Database)
Majority of the application area is classified as BVA 111 while approximately 41 hectares of the southern-most point of the application area consisting of BVA 82 & 216, and approximately 27 hectares of the norther-most part of the application area consisting of BVA 166 (GIS Database).

A riparian flora and vegetation survey was conducted over the application area by Onshore Environmental during September 2014 (Onshore, 2015a). All BVAs except BVA 166 were accounted for, noting that the polygon in this survey slightly differs from the clearing boundary approved under CPS 7647/1:

<table>
<tr><th>Vegetation Sub-Association</th><th>Description</th><th>Pre-Euro. Extent Remaining</th><th>Remaining area in IUCN Class I-IV Reserves</th><th>% remaining Other Reserves</th><th>% remaining DPaW Managed PL</th></tr>
<tr><td>Fortescue - Valley 82</td><td>Hummock grasslands, low tree steppe; Snappy gum over Triodia wiseana</td><td>2,290,910 ha (100 %)</td><td>8.9 ha</td><td>0.2</td><td>1.0</td></tr>
<tr><td>Fortescue - Valley 216</td><td>Low woodland; mulga (with spinifex) on rises</td><td>298,549 ha (100 %)</td><td>0.0 ha</td><td>0.0</td><td>0.0</td></tr>
<tr><td>Fortescue Valley 111</td><td>Hummock grasslands, shrub steppe; Eucalyptus gamophylla over hard spinifex</td><td>814,103 ha (100%)</td><td>2.9 ha</td><td>0.0</td><td>0.0</td></tr>
</table>
</td></tr>
</table>

Characteristic	Details
	 The vegetation associations were classified into the following seven Broad Floristic Formations on the basis of dominant vegetation stratum (Onshore, 2015a): • *Eucalyptus* Woodland; • *Acacia* Low Open Forestt • *Acacia* Low Open Woodland • *Acacia* High Shrubland • *Triodia* Hummock Grassland • *Triodia* Open Hummock Grassland; and • *Cenchrus* Tussock Grassland.
Vegetation condition	The riparian flora and vegetation survey (Onshore, 2015a) of the application area found the vegetation to range from Excellent to Degraded condition (according to the Keighery scale), with majority being Very Good – Good. Based on aerial imagery, and the correct scale for the Eremaean province where this permit is located, the vegetation condition is noted to range from Excellent (particularly in the riparian areas) to Poor (Trudgen, 1991; GIS Database). The full Trudgen (1991) condition rating scale is provided in Appendix C.
Climate and landform	The climate of the Fortescue subregion is described as semi-desert-tropical climate with alluvial drainage lines, salt marshes (particularly the Fortescue Marsh), and a variety of grasses, with the nearest weather station recording an average rainfall of approximately 323.8 millimetres per year (BoM, 2026; CALM, 2002; Onshore, 2015b; GIS Database).
Soil description	The application area has soils mapped as the following: • Boolgeeda System (284Bg) – predominately friable non-cracking clay and red shallow loam; geology consists of quaternary colluvium • Divide System (284Dv) – 100% red deep sand; geology consists of quaternary eolian sand • Fortescue System (284Ft) – predominately firable non-cracking clay, self-mulching cracking clay, and red deep sandy duplex; geology consists of quaternary alluvium

Characteristic	Details
	• River System (284Ri) – red deep sand, red loamy earth, red sandy earth and recent deposits; geology consist of quaternary alluvium (DPIRD, 2026; Van Vreeswyk et al, 2004).
Land degradation risk	The Pilbara bioregion is susceptible to increased weed load and decreased native vegetation (e.g. from fire and grazing), loss of soil fertility, and erosion (predominately from livestock grazing and movement) impacting the flow of drainage lines (CALM, 2002). Across the four land systems intercepting the application area, water & wind erosion are likely after vegetation removal, with the Fortescue and River land systems also more susceptible to flooding (Van Vreeswyk et al, 2004). Salinity, waterlogging, and phosphorous exports are not considered a risk for the area (GIS Database).
Waterbodies	The desktop assessment and aerial imagery indicated that one non-perennial waterbody, the Jimblebar Creek, is entirely within the application area, along with multiple other ephemeral creeks and drainage lines connecting to this watercourse (GIS Database). This is within the Fortescue River Catchment (Onshore, 2015a). All rivers in the Pilbara region are considered seasonal and rely on heavy rainfall (Onshore, 2015a). The nearest Wetland of National or International Importance is the Lake Disappointment (Savory Creek) System located approximately 40 kilometres south of the application area (GIS Database).
Hydrogeography	The nearest Public Drinking Water Source Area is the Newman Water Reserve located approximately 14 kilometres west of the application area (GIS Database). The application area is located within the Pilbara Ground Water Area and Pilbara Surface Water Area proclaimed under the *Rights in Water and Irrigation Act 1914* (GIS Database). The groundwater salinity is mapped as 500 to 1,000 milligrams per litre total dissolved solids which is described as fresh to marginal (BoM, 2019; GIS Database).
Flora	31 flora species were recorded within a 50 kilometre radius of the application area with the following species noted to be <5 kilometres away (DBCA, 2026; GIS Database): • Priority 2 *Goodenia hartiana* – this species has a wide distribution range • Priority 3 *Ipomoea racemigera* – this species is not known in the Jimblebar area A level 2 flora and vegetation assessment undertaken in September 2014 identified 167 flora taxa, however no Threatened or Priority flora were identified within the application area (Onshore, 2015a). Three introduced weed species were identified (including *Cenchrus ciliaris, Bidens bipinnata,* and *Cenchrus setiger*) (Onshore, 2015a). Riparian vegetation monitoring was undertaken in September 2014, which identified 28 native species and 1 weed species (Onshore, 2015a) A level 1 flora and vegetation survey was undertaken in July 2015 which found no Threatened or Priority flora in the study area (Onshore, 2015b). One plant species – *Acacia clelandii* – which is not considered conservation significant, was recorded within the application area and was determined to be a range extension for this species (Onshore, 2015b). Additionally, an introduced weed species - *Cenchrus ciliaris* – was also recorded (Onshore, 2015b). The surveys provided are considered by BHP to be in accordance with EPA guidance from 2004, however this guidance for flora surveys has been updated since 2016.
Ecological communities	No TECs occur within the application area, with the nearest known TEC being the 'Ethel Gorge aquifer stygobiont community' located approximately 29 kilometres west of the application area, and the 'Fortescue Valley sand dunes' located approximately 44 kilometres north-west of the application area (Onshore 2015a; GIS Database). The southern portion of the survey area also intersects the Hamersley Group banded-iron formation (BIF) (GIS Database).
Fauna	32 fauna species were recorded within a 50 kilometre radius of the application area with the following species noted to be <5 kilometres away (GIS Database): • Priority 4: Brush-tailed Mulgara (*Dasycercus blythi*) • Priority 4: Western pebble-mound mouse (*Pseudomys chapmani)* • Threatened/Vulnerable: Ghost Bat (*Macroderma gigas*) These species have been historically recorded in the area, however they were not recorded in the July 2015 survey provided, which only recorded the following species: • Migratory: Rainbow Bee-eater (*Merops arnatus*) • Priority 4: Australian Bustard (*Ardeotis australis*) (Onshore, 2015b): The surveys provided are considered by BHP to be in accordance with EPA guidance from 2004, however this guidance for fauna surveys has been updated since 2020.

Characteristic	Details
Fauna habitat	Majority of the application area consists of drainage line habitat (BHP, 2026b), however a vertebrate fauna assessment solely focusing on the southern portion of the application area was undertaken in July 2015, and found two predominant fauna habitats: Sand plains and Stony plains (Onshore, 2015b). These habitats can be associated with the following species: • Priority 4: Brush-tailed Mulgara (*Dasycercus blythi*) – Identified within 50 kilometres (GIS Database). • Vulnerable: Bilby (*Macrotis lagotis*) – Identified within 50 kilometres (GIS Database). • Priority 4: Australian Bustard (*Ardeotis australis*) – No records within 50 kilometres (GIS Database). • Priority 1: Pilbara Flat-headed Blindsnake (*Ramphotyphlops ganei*) – No records within 50 kilometres (GIS Database). Within a 50 kilometre radius, a Pilbara Leaf-nosed Bat roost was recorded approximately 35.5 kilometres from the application area, with the nearest record of this species being <20 kilometres from the application area (GIS Database). The Fortescue subregion is also noted as a high priority region to survey for the Night Parrot (*Pezoporus eccidentalis*), with the nearest record of this species being <50 kilometres from the application area (GIS Database).

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 - Pilbara	17,808,657.04	17,731,764.88	99.57	1,801,714.98	10.12
Beard vegetation associations - State					
Veg Assoc No. *82*	2,565,901.28	2,553,206.19	99.51	295,377.96	11.51
Veg Assoc No. *111*	762,963.55	762,326.22	99.92	72,384.52	9.49
Veg Assoc No. *166*	387,530.52	387,511.30	100.00	3,978.57	1.03
Veg Assoc No. *216*	280,759.39	279,237.06	99.46	-	-
Beard vegetation associations - Bioregion					
Veg Assoc No. *82*	2,563,583.23	2,550,888.14	99.50	295,377.96	11.52
Veg Assoc No. *111*	550,286.99	550,232.45	99.99	37,806.96	6.87
Veg Assoc No. *166*	25,541.89	25,541.89	100.00	-	-
Veg Assoc No. *216*	26,669.89	26,372.58	98.89	-	-

Government of Western Australia (2019)

Appendix B. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
Principle (a): *"Native vegetation should not be cleared if it comprises a high level of biodiversity."* Assessment: The BVAs and floristic formations identified are largely grasslands and woodlands consisting of Eucalyptus, *Acacia* and *Triodia*, which are not restricted to the region (Commonwealth of Australia, 2001; Onshore, 2015a). No Threatened or Priority flora has been recorded within the application area according to the provided survey data, and the two flora species identified in GIS are	Not likely to be at variance *(as per CPS 7647/1)*	No

Assessment against the clearing principles	Variance level	Is further consideration required?
either not common in the Jimblebar area, or are not restricted to the Fortescue subregion or Pilbara bioregion (DBCA, 2026; WAH,1998-). BHP have also outlined avoidance and mitigation measures and management actions, including buffers from identified priority species, weed management and dust management (BHP, 2026b). It is unlikely that the proposed clearing will impact the biodiversity values of the application area.		
Principle (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."* Assessment: Due to the location of the conducted fauna survey provided, only two habitat types are identified - sand plains and stony plains – both which extend beyond the application area (Onshore, 2015b). These habitats are associated with the following significant species: • Priority 4: Brush-tailed Mulgara (*Dasycercus blythi)* – noted to possibly utilise the sandplain habitat infrequently but there are no signs of an established presence or reliability on the habitat in the area (e.g. breeding habitat or burrows) (Onshore, 2015b). This species almost has a State-wide distribution, including records in the Kimberley, Goldfields and Midwest (DBCA, 2026) • Vulnerable: Bilby (*Macrotis lagotis*) – sandy habitat is considered suitable, however there are no historical records of this species in this area (Onshore, 2015b) Since the survey data provided was undertaken in 2015, the following has been noted: • The Australian Bustard (*Ardeotis australis*) no longer has a Priority classification, therefore it is no longer a conservation significant species (DBCA, 2026) • The Pilbara Flat-headed blind snake (*Ramphotyphlops ganei*) has been re-classified as the Gane's blind snake (*Anilios ganei*), listed as Priority 1 (DBCA, 2026) Given the age of the survey data provided, there is a potential risk of interacting with conservation significant fauna, which can be mitigated via a directional clearing condition on the permit. Additionally, a Pilbara Leaf-nosed Bat roost was recorded approximately 35.5 kilometres from the application area (GIS Database). Given this distance, it is unlikely that the proposed clearing will impact this roost. Overall, the area proposed to be cleared does not contain restricted habitat or significant habitat for conservation significant fauna.	May be at variance *(changed from CPS 7647/1)*	No
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: The area proposed to be cleared is unlikely to contain flora species listed under the BC Act, as no Threatened flora were identified in any of the surveys or in available data sources.	Not likely to be at variance *(as per CPS 7467/1)*	No
Principle (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."* Assessment: The area proposed to be cleared does not contain species that can indicate a threatened ecological community. The communities identified within a 50 kilometre radius of the application area (the 'Ethel Gorge aquifer stygobiont community' & the 'Fortescue Valley sand dunes') are protecting environmental values that are unlikely to be impacted by the proposed clearing.	Not likely to be at variance *(as per CPS 7467/1)*	No
Environmental value: significant remnant vegetation and conservation areas		
Principle (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."* Assessment: The extent of listed BVAs are consistent with the national objectives and targets for biodiversity conservation in Australia (>30%), with all four BVAs identified having 99% or more of their remnant extent remaining (Commonwealth of Australia, 2001;	Not at variance *(as per CPS 7647/1)*	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Government of Western Australia, 2019). The vegetation proposed to be cleared is not part of a recognised or significant ecological linkage in the local area. It is noted that the approval of CPS 7647/1 allowed for 23 hectares of out a boundary of 807.16 hectares, which is not a significant amount of clearing. Given the purpose of the clearing permit, this is not likely to extensively clear the remnant native vegetation.		
Principle (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."* Assessment: Given the distance to the nearest conservation area, the proposed clearing is not likely to have an impact on the environmental values of the Fortescue Marsh Nature Reserve (GIS Database).	Not likely to be at variance *(as per CPS 7647/1)*	No
Environmental value: land and water resources		
Principle (f): *"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."* Assessment: The application almost includes the entire Jimblebar Creekline watercourse, with the purpose of the clearing for a track including potentially constructing access across the Jimblebar Creekline, which would impact the hydrology and potentially the water quality of the creek (BHP, 2026b; GIS Database). Impacts to the riparian vegetation and the overall watercourse can be managed be retaining the riparian vegetation management condition currently imposed on the permit. BHP has also highlighted their commitment to minimise clearing and preventing impacts to the natural flow of the Jimblebar Creekline (BHP, 2026b).	At variance *(as per CPS 7647/1)*	No
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The mapped soils are part of land systems with varying susceptibilities to degradation, however the overarching risk results from erosion (water & wind) post-clearing (Van Vreeswyk et al, 2004). Noting the location of the clearing in the application area (Jimblebar Creekline), and the predominately highly-rated condition of the vegetation, the proposed clearing is likely to have an appreciable impact on land degradation. This may be mitigated by a riparian vegetation management condition and a staged clearing condition on the permit.	May be at variance *(as per CPS 7647/1)*	No
Principle (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."* Assessment: The application area does include the Jimblebar Creekline, with potential clearing for crossings presenting a risk of disrupting the natural surface flow. BHP have committed that existing cleared tracks will be used to cross or access Jimblebar Creek where practicable, and that any new access points or crossings will have minimised clearing and be constructed to maintain the natural surface flow (i.e. flat, level surface treatment without bunds) (BHP, 2026b). This can also be managed via a riparian vegetation management condition on the permit. No Public Drinking Water Source Areas are within or adjacent to the application area, the nearest reserve being located 14 kilometres west, therefore this is not expected to be impacted by the proposed clearing.	May be at variance *(changed from CPS 7647/1)*	No
Principle (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."* Assessment: The Fortescue Land System and River Land Systems predominately overlap the application area, and are the most susceptible to water erosion, sedimentation and flooding risks, particularly after the removal of vegetation (Van Vreeswyk et al, 2004; GIS Database). This can be managed via a riparian vegetation management condition and a staged clearing condition on the permit.	Not likely to be at variance *(as per CPS 7647/1)*	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 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.

C.1. GIS datasets

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

- Bush Forever Areas 2000 (DPLH-019)
- CAWSA Part 2A Clearing Control Catchments (DWER-004)
- Clearing Instruments Activities (Areas Approved to Clear) (DWER-076)
- Clearing Instruments Conditions (Areas Subject to Conditions) (DWER-077)
- Clearing Instruments Proposals (Areas Applied to Clear) (DWER-075)
- Clearing Regulations - Environmentally Sensitive Areas (DWER-046)
- Clearing Regulations - Schedule One Areas (DWER-057)
- Contaminated Sites Database (DWER-059)
- Contaminated Sites Database - Restricted (DWER-073)
- 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)
- EPA Referred Schemes Pending (DWER-121)
- EPA Referred Significant Proposals (DWER-120)
- EPA Referred Significant Proposals Pending (DWER-103)
- Groundwater Salinity Statewide (DWER-026)
- IBRA Vegetation Statistics
- Local Government Area (LGA) Boundaries (LGATE-233)
- Localities (LGATE-234)
- Native Title (Determination) (LGATE-066)
- Native Title (Fed Court) (LGATE-005)
- Native Title (ILUA) (LGATE-067)
- Native Title (NNTT) (LGATE-004)
- Native Vegetation Extent (DPIRD-005)
- Pre-European Vegetation (DPIRD-006)
- Public Drinking Water Source Areas (DWER-033)

- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)
- Reserves (LGATE-227)
- 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)
- Soil Landscape Mapping - Project Areas (DPIRD-070)
- Surface Water Management Areas (DWER-041)
- Surface Water Management Subareas (DWER-042)
- Townsites (LGATE-248)
- WA Now Aerial Imagery
- Waterways Conservation Act Management Areas (DWER-072)
- Wild Rivers (DWER-087)

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	*Biodiversity Conservation Act 2016,* 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	*Environmental Protection Act 1986*, Western Australia
EPA	Environmental Protection Authority, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (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	*Rights in Water and Irrigation Act 1914*, 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.