Department of Environment
Government of Western Australia

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 471/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Blina Diamonds N. L.**

1.3. Property details

Property: M4/392
M4/393
Local Government Area: Shire Of Derby-West Kimberley
Colloquial name: BLINA Diamonds - Terrace 5 Test Programme

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
23.7		Mechanical Removal	Mining

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard Vegetation Association 760: Shrublands, pindan; Acacia tumida shrubland with scattered low bloodwood & Eucalyptus setosa over ribbon & curly spinifex (Shepherd et al, 2001)	Open woodland of Corymbia cadophora subsp. cadophora, Corymbia opaca and Bauhinia cunninghamii over Acacia and Grevillea midstorey and grassy layer of Aristida spp. and Sorghum stipoideum (Consultants report, URS 2004).	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	Four minor vegetation communities are described within the survey area and 8 introduced (weed) species present. The vegetation communities are not considered regionally or nationally significant (Consultants report, URS 2004).

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Proposal is not likely to be at variance to this Principle

The vegetation to be cleared is primarily an open woodland of Corymbia cadophora with a midstorey of Acacia spp. and Grevillea spp. and a grassy understorey. This habitat does not represent a regionally or ecologically significant vegetation community.

Methodology Consultants Report, December 2004 (URS and Mattiske Consulting)

(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 indigenous to Western Australia.

Comments

Proposal is not likely to be at variance to this Principle

Within the habitat described for the project area 129 bird species, 19 native mammal species, 12 frog species and 54 reptile species could potentially occur as resident, nomadic or migratory species. Of these 15 are rare, threatened and vulnerable species consisting of 6 mammal, 2 reptile and 7 bird species. The ground-dwelling (such as Lakeland Downs Mouse and 2 blind-snake species) are most likely to be affected by the mining activity (Ninox Wildlife Consultants, 2004).

The vegetation that is proposed to be cleared is common in the region and extensive habitat exists in the surrounding area capable of supporting local fauna impacted or displaced by the clearing proposal being approved. There appears to be low probability of the proposed clearing to be at variance with this Principle (CALM, 2005).

Methodology CALM advice (2005)

Consultants Reports, December, 2004 (URS and Ninox Wildlife Consultants)

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, significant flora.

Comments

Proposal is not likely to be at variance to this Principle

No plant taxa gazetted as Declared Rare Flora were located within the survey area, nor any plant species pursuant to the EPBC Act 1999 (Mattiske, 2004).

Based on the limited CALM records of significant flora in the area and the findings of the flora surveys there appears to be a low probability of this proposal being at variance with this principle. The vegetation is well represented in the area and this clearing proposal would not pose a significant threat to the overall survival of this community type. The consultants report made the observation that eight introduced weed species were found at the site and due to the aggressive nature of some of these species it is strongly advised that the proponent implement a vehicle hygiene and cleaning protocol to limit the spread of the weeds within the survey area. There appears to be a low probability of the proposed clearing being at variance with this principle (CALM, 2005).

Methodology

Consultants report - Notice of Intent, URS December 2004
CALM advice, 2005
GIS Database:
- Threatened Plant Communities - DEP 06/95
- Declared Rare and Priority Flora List - CALM 13/08/03
- Threatened Ecological Communities - CALM 15/7/03

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a significant ecological community.

Comments

Proposal is not likely to be at variance to this Principle

There are no records of Threatened Ecological Communities (TEC) in the vicinty of the project area and no vegetation communities considered regionally significant (Mattiske, 2004). There appears to be a low probability of the proposed clearing to be at variance with this principle (CALM, 2005)

Methodology

CALM advice, 2005
Consultants Report, December 2004 (URS and Mattiske).
GIS Database:
- Threatened Ecological Communities - CALM 15/7/03

(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.

Comments

Proposal is not likely to be at variance to this Principle

The vegetation at the site is a component of Beard Vegetation Association 760 (Hopkins et al. 2001) of which there is ~100% of the pre-European extent remaining (Shepherd et al, 2001), some being degraded through overgrazing.

There appears to be a low probability of the proposed clearing to be at variance with this principle.

Methodology

CALM Advice, 2005
GIS Database:
- Pre-European Vegetation - DA 01/01
Hopkins et al, 2001
Shepherd at al, 2004

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments

Proposal is not likely to be at variance to this Principle

There are no watercourses or wetlands present within the project area.

Methodology

GIS Databases:
- Hydrography, linear - DOE 1/2/04
- RAMSAR, Wetlands - CALM 21/10/021
- ANCA, Wetlands - CALM 08/01
- Hydrographic Catchments - Catchments - DOE 3/4/031

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments **Proposal is not likely to be at variance to this Principle**
The proposed site for clearing is located near or within small drainages and will require bunds and channel drains to divert water to minimise the potential for erosion.

Methodology Consultants report, URS December 2004

(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.

Comments **Proposal is not likely to be at variance to this Principle**
The Devonian Reef Conservation Park is located approximately 25km to the South-East of the proposed clearing. Windjana Gorge National Park is situated approximately 45km to the North East. The proposed clearing is sufficiently distanced from these conservation areas so as to cause negligible impact to their environmental values (CALM, 2005).

Methodology CALM Advice, 2005
GIS Database
- CALM Managed Lands and Waters - CALM 1/06/04

(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.

Comments **Proposal is not likely to be at variance to this Principle**
There are no major or minor creeklines in the project area although there will be some very localised modification to existing drainage patterns. The proposed clearing is unlikely to degrade water quality.

Methodology Consultants report (URS, December 2004)
GIS Database
- Public Drinking Water Source Areas (PDWSAs) - DOE 29/11/04
- Hydrography, linear - DOE 1/2/04

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence of flooding.

Comments **Proposal is not likely to be at variance to this Principle**
It is unlikely the proposed activity would exacerbate the incidence of flooding.

Methodology Consultants report (URS, December 2004)

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments
The proposal is located across 2 mining tenements: M04/393 and M 04/392. The area is approximately 5km from a current Native Title Claim area (Bunuba Claim #WAG6133_98). The area is about 1.5km from another current clearing application (410/1) which is an area of 330ha proposed for clearing.

Methodology GIS Database:
- Mining Tenements - DOIR 1/09/03
- Native Title Claims - DLI 19/12/04

4. Assessor's recommendations

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Mining	Mechanical Removal	23.7	**Grant**	Assessable criteria have been addressed and no objections raised. The assessing officer therefore recommends that the permit be granted. It is recommended that the proponent carry out clearing with management procedures in place to mitigate erosion (ie: bunding etc) and to manage the spread of existing weeds by implementing vehicle hygiene and cleaning protocol.

5. References

CALM Advice, 2005
Consultants Report, URS December 2004
Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.
Keighery, BJ (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.