



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit Number:	1459/2
Duration of Permit:	From 2 June 2011 to 14 October 2021
Permit Holder:	Argyle Diamonds Ltd

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I - CLEARING AUTHORISED

- 1. Land on which clearing is to be done**
Diamond (Argyle Diamond Mines Joint Venture) Agreement Act 1981, Mining Lease 259SA (AM70/259)
- 2. Purpose for which clearing may be done**
Clearing for the purpose of expanding the AK1 Tailings Storage Facility.
- 3. Area of clearing**
The Permit Holder must not clear more than 173.4 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 1459/2.
- 4. Period in which clearing is authorised**
The Permit Holder shall not clear any native vegetation after 14 October 2016.
- 5. Authorised activity**
The Permit Holder shall not clear native vegetation unless the purpose for which the clearing was authorised is enacted within 6 months of the authorised clearing being undertaken.
- 6. Clearing not authorised**
This Permit does not authorise the Permit Holder to clear native vegetation between 1 December and 31 March of each year for the duration of the Permit.
- 7. Application**
This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.
- 8. Compliance with Assessment Sequence and Management Procedures**
Prior to clearing any native vegetation under Conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II - ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

9. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- (i) avoid the clearing of native vegetation;
- (ii) minimise the amount of native vegetation to be cleared; and
- (iii) reduce the impact of clearing on any environmental value.

10. Weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:

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

11. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared;
- (b) within 6 months following completion of clearing authorised under this permit, *revegetate* and *rehabilitate* the areas that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) ripping the ground on the contour to remove soil compaction; and
 - (ii) laying the vegetative material and topsoil retained under Condition 11(a) on the cleared area.
- (c) within 4 years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 11(b) of this Permit:
 - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
 - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under Condition 11(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.

PART III - RECORD KEEPING AND REPORTING

12. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit,
 - (i) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (ii) the date that the area was cleared;
 - (iii) the size of the area cleared (in hectares); and
 - (iv) purpose for which clearing was undertaken.

(b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to Condition 11 of this Permit:

- (i) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (ii) a description of the *revegetation* and *rehabilitation* activities undertaken; and
- (iii) the size of the area *revegetated* and *rehabilitated* (in hectares).

13. Reporting

- (a) The Permit Holder shall provide a report to the Executive Director, Environment, Department of Mines and Petroleum by 30 September each year for the life of this permit, demonstrating adherence to all conditions of this permit, and setting out the records required under Condition 12 of this permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) Prior to 14 October 2021, the Permit Holder must provide to the Executive Director, Environment, Department of Mines and Petroleum a written report of records required under Condition 12 of this Permit where these records have not already been provided under Condition 13(a) of this Permit.

DEFINITIONS

The following meanings are given to terms used in this Permit:

direct seeding means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

environmental specialist means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit;

fill means material used to increase the ground level, or fill a hollow;

local provenance means native vegetation seeds and propagating material from natural sources within 100 kilometres of the area cleared.

mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

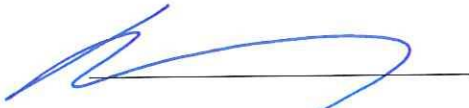
planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

rehabilitate/ed/ion means actively managing an area containing native vegetation in order to improve the ecological function of that area;

revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

weed/s means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.



Phil Gorey
EXECUTIVE DIRECTOR
ENVIRONMENT
DEPARTMENT OF MINES AND PETROLEUM

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986

17 May 2012