



Department of Water and Environmental Regulation (DWER)
 Department of Mines, Industry Regulation and Safety (DMIRS)

Application for an amendment to a clearing permit

Environmental Protection Act 1986, section 51M

FORM C4

Clearing of native vegetation is prohibited in Western Australia except where a clearing permit has been granted or an exemption applies. A person who causes or allows unauthorised clearing commits an offence.

For further information on the stages of assessment for clearing permit applications (including amendments to existing permits), refer to the [Procedure: Native vegetation clearing permits](#) on DWER's website.

CPS No.
Date stamp

Part 1: Assessment bilateral agreement

<p>If the amendment of a clearing permit will or is likely to impact on a matter of national environmental significance identified under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act) the original application must have been assessed in accordance with the bilateral assessment, and a variation under the EPBC Act is required prior to submitting this amendment application form.</p> <p>To be assessed in this manner, the proposed clearing action must be referred to the Commonwealth under the EPBC Act and deemed a 'controlled action' prior to submitting this application form.</p> <p>Further information is located in <i>Form Annex C7</i> and <i>A guide to native vegetation clearing processes under the Assessment bilateral agreement</i> available at www.der.wa.gov.au/our-work/clearing-permits.</p>	<p>Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?</p> <p><input type="checkbox"/> Yes EPBC number: _____</p> <p><input checked="" type="checkbox"/> No Proceed to Part 2</p>
<p>List the controlling provisions identified in the notification of the controlled action decision.</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	<p><input type="checkbox"/> <i>Form Annex C7</i> is complete and the required supporting information is attached.</p>

Part 2: Clearing permit details

<p>Amendments can only be made to active clearing permits.</p> <p>Applications must be made more than 90 working days prior to the existing permit expiring to ensure there is adequate time to assess the amendment.</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; border: none;">Permit number for existing clearing permit</td> <td style="border: none;">CPS 4532/10</td> </tr> <tr> <td style="border: none;">Permit holder's name (as it appears on the existing clearing permit)</td> <td style="border: none;">Argyle Diamonds Limited</td> </tr> </table>	Permit number for existing clearing permit	CPS 4532/10	Permit holder's name (as it appears on the existing clearing permit)	Argyle Diamonds Limited
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	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; border: none;">Mark this box if there are less than 90 working days until the expiry of the existing permit.</td> <td style="border: none; text-align: center;"><input type="checkbox"/></td> </tr> </table>	Mark this box if there are less than 90 working days until the expiry of the existing permit.	<input type="checkbox"/>		
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Part 3: Applicant																					
Applicant details																					
<p>To apply for an amendment to a permit you must be the current holder of the existing permit.</p> <p>Include Australian Company Number (ACN) if the proposed permit holder is a body corporate or other entity formed at law.</p>	<p>Are you applying as an individual, a company or incorporated body? Enter details for one only.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; border: none;">An individual</td> <td style="width: 10%; border: none;">Title</td> <td style="width: 10%; border: none;">Mr</td> <td style="width: 10%; border: none;"><input type="checkbox"/></td> <td style="width: 10%; border: none;">Mrs</td> <td style="width: 10%; border: none;"><input type="checkbox"/></td> <td style="width: 10%; border: none;">Ms</td> <td style="width: 10%; border: none;"><input type="checkbox"/></td> <td style="width: 10%; border: none;">Other:</td> <td style="width: 10%; border: none;"></td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;">Name/s</td> <td colspan="8" style="border: none;"></td> </tr> </table> <p>OR</p> <p>A body corporate or other entity formed at law (include ACN)</p> <p style="margin-left: 20px;">Argyle Diamonds Limited (ACN 009102621)</p>	An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:			Name/s								
An individual	Title	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Other:													
	Name/s																				
Applicant contact details																					
<p>If applying as a company or incorporated body, please also supply the registered business office address.</p> <p>DWER and DMIRS prefer to send all correspondence electronically via email.</p> <p>We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act ("Part V documents") electronically via email by indicating your consent in this section of the application form.</p> <p>Where 'yes' is selected, all correspondence from DWER or DMIRS (as applicable) will be sent to you via email, to the email address provided in this section.</p> <p>Where 'no' has been selected, Part V documents will be posted to you in hard copy to the postal/business address you have provided in this section. Other general correspondence may still be sent to you via email.</p>																					
Contact details for enquiries																					
<p>If different from the applicant's contact details, enter the contact details of a person with whom DWER or DMIRS should liaise with concerning this clearing application.</p>																					

Part 4: Proposed amendments	
<p>Additional information to support the assessment of your application to amend may be attached.</p> <p>Please ensure you have included the following as part of your application:</p> <ul style="list-style-type: none"> • a photocopy of the granted clearing permit, with proposed changes highlighted, <i>and</i> • payment of the prescribed fee. <p>When providing details of the proposed change(s), if any additional clearing is proposed, include details of:</p> <ul style="list-style-type: none"> • the proposed method of the clearing; • the purpose of the clearing; • the period within which the clearing is proposed to be undertaken (taking note of the published minimum assessment timeframes for DWER / DMIRS, as applicable); <i>and</i> • the final land use. 	<p>Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es):</p> <p><input type="checkbox"/> Extend the duration of the clearing permit.</p> <p><input type="checkbox"/> Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.</p> <p><input checked="" type="checkbox"/> Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.</p> <p><input type="checkbox"/> Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i></p> <p><input type="checkbox"/> Make a correction to the clearing permit.</p> <p><input type="checkbox"/> Other.</p> <p>Provide details of the proposed change(s), and the rationale for it / them.</p> <p>An additional area of 483.7 ha is requested to be added to the current clearing permit (CPS 4532-10). This area consists of the north and south waste rock dumps (WRD). These areas require rehabilitation and revegetation as part of the closure of the Argyle Mine.</p> <p>The North and South WRD footprint is completely disturbed with the exception of some small rehabilitation trials. Majority of the trials will be retained, but where they have not achieved the closure outcomes, they will be disturbed and reworked. The areas previously reported in our AER as rehabilitated that will need to be disturbed during closure are already included in CPS 4532/10.</p> <p>Open pit mining ceased in 2013. Since that time, a population of Priority 1 Flora, <i>Triodia cremnophila</i>, has naturally recruited around the toe of the North WRD. This area was not included in the recent clearing permit amendment as it was already disturbed. The recruitment is sparse and is not considered regrowth that could be retained as rehabilitation.</p> <p>Western Botanical was commissioned to undertake a review of the abundance and distribution of <i>T. cremnophila</i> adjacent to the Argyle facilities in September 2018. During the field surveys, six natural populations <i>T. cremnophila</i> were located, including a volunteered population of plants in disturbed ground on the north waste rock dumps. The population of the North WRD represents 9% of the total populations mapped.</p> <p>As part of the rehabilitation of the northern WRD, the removal of weeds, push down of steep slopes, application of growth media, ripping and seeding is required. On inspection of the plants located within the disturbed areas, it would be very difficult to harvest or retain the recruited plants as they are dispersed between an extensive population of <i>Calotropis procera</i> which has also recruited over the landform and needs to be removed and buried during the earthworks.</p> <p>Due to the preferred habitat of <i>T. Cremnophila</i>, namely sandstone / quartzite cliff faces, no populations were located in the areas at the toes of the waste rock dump that will be disturbed at closure for access to growth media and pushdown of the slopes. Natural areas in the rocky adjacent areas to the areas to be rehabilitated will not be disturbed and therefore the individuals mapped within natural areas will not be impacted. If practicable, Argyle will avoid individual mapped plants in disturbed areas, but in most cases those in disturbed area will be to be cleared to allow for rehabilitation.</p> <p>Given the rehabilitated waste rock dump will still consist of the coarse waste rock, which will be incorporated into the surface materials during ripping, following rehabilitation it is anticipated that <i>T. cremnophila</i> will again volunteer through natural seed dispersal and will successfully establish on the rehabilitated landform.</p> <p>With the addition of the amendment areas, no further clearing will be reported (as the recruited P1 species have not been reported as revegetation). Therefore, the total area permitted to be cleared under the permit shall remain 416 ha.</p>

Part 4: Proposed amendments	
	<p>The requested clearing zone and the location of the <i>T.cremnophila</i> is outlined in the attached maps and ESRI files. Please note the aerial photography is dated May 2021, and clearly shows the sparse cover on the North WRD.</p> <p>Also provided is the Western Botanical Survey Report (2018) and recent correspondence with DBCA to confirm the impact to the <i>T.cremnophila</i> population, which will only be to recruited populations in disturbed areas (no natural populations will be impacted).</p>
For an application to amend the size of the area permitted to be cleared, or add a land parcel to the clearing permit, you must have the authority of the landowner to access the land and undertake the clearing.	<p>State the nature of the applicant's authority to access the land to be cleared. Evidence of authority can include e.g. a copy of the certificate of title or a letter of authority signed by the landowner or other person with authority to give legal land access permission.</p> <p><i>[Attach evidence of authority. Note that a letter of authority must explicitly state the applicant has authority to clear on the land.]</i></p> <p>ADL Mining Lease M259SA</p>
Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.	<p>Land description: volume and folio number, lot or location number(s), Crown lease or reserve number, pastoral lease number, or mining tenement number of all properties.</p> <p>ADL Mining Lease M259SA</p>
You must provide evidence that avoidance and mitigation options have been pursued to eliminate, reduce or otherwise mitigate the need for, and scale of, the proposed clearing of native vegetation.	<p>Have alternatives that would avoid or minimise the need for clearing been considered and applied? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>If yes, provide details:</p> <p>Extensive planning, modelling and consultation of closure landform design and revegetation plans have been conducted to minimise footprint while achieving closure outcomes and objectives. In order to deliver revegetation that will meet the closure criteria, the WRD's must be pushed down to a 20-degree slope or less, growth media applied and ripped and seeded with a diverse mix of native, local provenance seed. The rehabilitation proposed is outlined in the 2020 Mine Closure Plan.</p>
Refer to DWER's Clearing of native vegetation offsets procedure guideline available on the DWER website, and the EPA's WA Environmental Offsets Policy and Guidelines on the EPA website for further information.	<p>Do you want to submit a clearing permit offset proposal with your application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
	<p>If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native vegetation offsets procedure guideline</i>.</p>

Part 5: Other DWER approvals	
<p>Instructions:</p> <ul style="list-style-type: none"> If your application is to be submitted to DMIRS, complete Section A and then skip to Part 6 of this form. If your application is to be submitted to DWER, complete both Sections A and B. 	
<p>Section A: Environmental Impact Assessment</p>	
<p>Environmental Impact Assessment (Part IV of the EP Act)</p>	
Has this clearing application or any related matter been referred to the Environmental Protection Authority?	<p><input type="checkbox"/> Yes – provide details []</p> <p><input checked="" type="checkbox"/> No</p>
Do you intend to refer the proposal to the Environmental Protection Authority? <small>Section 37B(1) of the EP Act defines a 'significant proposal' as "a proposal likely, if implemented, to have a significant effect on the environment".</small>	<p><input type="checkbox"/> Yes – intend to refer (proposal is a 'significant proposal')</p> <p><input type="checkbox"/> Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) MS []</p>