



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

Application to amend a clearing permit

Environmental Protection Act 1986, section 51KA

FORM C4

The clearing of native vegetation is prohibited in Western Australia unless a clearing permit has been granted for the clearing or where a permit is not required (either due to a referral determination that one is not needed or because 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), see the [Procedure: Native vegetation clearing permits](#) on DWER's website.

CPS No.

Date stamp

Part 1: Assessment bilateral agreement

If the amendment of a clearing permit will or is likely to impact on a matter of national environmental significance identified under the *Environment Protection and Biodiversity Conservation Act 1999* (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.

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.

Further information is located in *Form Annex C7* and *A guide to native vegetation clearing processes under the Assessment bilateral agreement* available at www.der.wa.gov.au/our-work/clearing-permits.

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?

☐ Yes EPBC number:

☒ No Proceed to Part 2

List the controlling provisions identified in the notification of the controlled action decision.

☐ *Form Annex C7* is complete and the required supporting information is attached.

Part 2: Clearing permit details

Amendments can only be made to active clearing permits.
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.

Permit number for existing clearing permit CPS 4532/12

Permit holder's name (as it appears on the existing clearing permit) Argyle Diamonds Limited

FILE REFERENCE

Permit expiry date: 5 November 2032

Mark this box if there are less than 90 working days until the expiry of the existing permit.

☐

Part 3: Applicant																							
Applicant details																							
To apply for an amendment to a permit you must be the current holder of the existing permit. Include Australian Company Number (ACN) if the proposed permit holder is a body corporate or other entity formed at law.	Are you applying as an individual, a company or incorporated body? Enter details for one only. <table border="1"> <tr> <td>An individual</td> <td>Title</td> <td>Mr</td> <td>☐</td> <td>Mrs</td> <td>☐</td> <td>Ms</td> <td>☐</td> <td>Other:</td> <td></td> </tr> <tr> <td></td> <td>Name/s</td> <td colspan="8"></td> </tr> </table> OR <table border="1"> <tr> <td>A body corporate or other entity formed at law (include ACN)</td> <td>Argyle Diamonds Pty Limited (ACN 009102 621)</td> </tr> </table>	An individual	Title	Mr	☐	Mrs	☐	Ms	☐	Other:			Name/s									A body corporate or other entity formed at law (include ACN)	Argyle Diamonds Pty Limited (ACN 009102 621)
An individual	Title	Mr	☐	Mrs	☐	Ms	☐	Other:															
	Name/s																						
A body corporate or other entity formed at law (include ACN)	Argyle Diamonds Pty Limited (ACN 009102 621)																						
Applicant contact details																							
If applying as a company or incorporated body, please also supply the registered business office address. DWER and DMIRS prefer to send all correspondence via email. We request that you consent to receiving all correspondence relating to instruments and notices under Part V of the EP Act ("Part V documents") via email by indicating your consent in this section of the application form. 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. 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.																							
Contact details for enquiries																							
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.																							

Part 4: Proposed amendments													
Additional information to support the assessment of your application to amend may be attached. Please ensure you have included the following as part of your application: - a photocopy of the granted clearing permit, with proposed changes highlighted, <i>and</i> - payment of the prescribed fee. When providing details of the proposed change(s), if any additional clearing is proposed, include details of: - 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.	Indicate the types of proposed change(s) to your clearing permit by selecting the relevant box(es): <table border="1"> <tr> <td>☐</td> <td>Extend the duration of the clearing permit.</td> </tr> <tr> <td>☒</td> <td>Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.</td> </tr> <tr> <td>☒</td> <td>Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.</td> </tr> <tr> <td>☐</td> <td>Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i></td> </tr> <tr> <td>☐</td> <td>Make a correction to the clearing permit.</td> </tr> <tr> <td>☐</td> <td>Other.</td> </tr> </table> Provide details of the proposed change(s), and the rationale(s) for it / them. Argyle Diamonds Pty Ltd (ADPL) area requesting changes to the following conditions: Condition 3 – Area of clearing. “The Permit Holder must not clear more than 416 hectares of native vegetation within the areas shaded yellow in Figure 1 of Schedule 1.” ADPL are seeking an additional 150 ha of clearing increasing the total clearing allocation to 566ha. The additional hectares are required due to additional previously unidentified historical infrastructure requiring to be recovered and disposed in accordance with the sites Mine Closure Plan. Designated works include the provision of access tracks, clearing of regrowth vegetation to remove infrastructure, and rehabilitation and revegetation as part of the Argyle Diamond Mine Closure. Clearing for the removal of infrastructure will for the most part be impacting historically disturbed ground. Areas under this amendment will be cleared using mechanical means (i.e., excavator and dozer). Disturbance to vegetation will be limited where possible. All disturbance from the removal infrastructure shall be promptly rehabilitated. Rehabilitation of infrastructure corridors and tracks will include the filling in of excavations, reinstating drainage lines, return of any available topsoil and ripping the ground to promote revegetation. Condition 4 - Period in which clearing is Authorised “The permit holder must not clear any native vegetation after 5 November 2025.” The timeframe for the completion of the closure rehabilitation activities is projected to extend beyond the 5th of November 2025. It is also foreseen that minor clearing works may be required throughout the monitoring and maintenance period. As such ADPL are requesting condition 4 to be amended to authorise clearing until the 5th November 2032 in line with the expiry of the permit.	☐	Extend the duration of the clearing permit.	☒	Vary / add / remove a permit condition relating to a matter other than the size or boundary of the area to be cleared.	☒	Amend the size of the area permitted to be cleared, or add / remove a land parcel on the clearing permit.	☐	Redescribe the boundary of the area authorised to be cleared <i>[for an area permit only]</i>	☐	Make a correction to the clearing permit.	☐	Other.
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☐	Make a correction to the clearing permit.												
☐	Other.												
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.	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. <i>[Attach evidence of authority. Note that a letter of authority must explicitly state the applicant has authority to clear on the land.]</i> ADL Mining Lease M259SA, L80/24, L80/11, L80/53 – evidence of tenure provided.												
Provide additional property details if required – if applying to extend the size of the area to be cleared into another land parcel.	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. ADL Mining Lease M259SA, L80/24, L80/11, L80/53												

Part 4: Proposed amendments			
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.	Have alternatives that would avoid or minimise the need for clearing been considered and applied?	☒	Yes ☐ No
	If yes, provide details: It is not possible to avoid the requested clearing unless installations are left in-situ. This option has been considered but does not align with the lease conditions of M80/24 and M80/53 to remove all installations, nor does it align with the Mine Closure Plan and stakeholder expectations. These areas have been previously disturbed, and clearing required to access and remove infrastructure and then rehabilitate the ground will be minimised where possible.		
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.	Do you want to submit a clearing permit offset proposal with your application?	☐	Yes ☒ No
	If yes, provide details, and complete and attach Appendix A of the <i>Clearing of native vegetation offsets procedure guideline</i> .		

Part 5: Other DWER approvals	
Instructions: - 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.	
Section A: Environmental Impact Assessment	
Environmental Impact Assessment (Part IV of the EP Act)	
Has this clearing application or any related matter been referred to the Environmental Protection Authority?	☐ Yes – provide details [] ☒ No
Do you intend to refer the proposal to the Environmental Protection Authority?	☐ Yes – intend to refer (proposal is a 'significant proposal') ☐ Yes – intend to refer (proposal will require a section 45C amendment to the current Ministerial Statement) MS [] ☒ No – a current valid Ministerial Statement applies: MS [1023] ☐ No – not a 'significant proposal'
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". If a decision-making authority (e.g. DWER or DMIRS) considers that the proposal in this application is likely to constitute a 'significant proposal', they are required under section 38(5) of the EP Act to refer the proposal to the EPA for assessment under Part IV, if such a referral has not already been made. If a relevant Ministerial Statement already exists, please provide the MS number in the space provided.	
Section B: Other approvals	
Pre-application scoping	
Have you had any pre-application / pre-referral / scoping meetings with DWER regarding any planned applications?	☐ No ☒ Yes – provide details: []
Works approval / Licence / Registration (Part V Division 3 of the EP Act)	
Have you applied or do you intend to apply for a works approval, licence, registration, or an amendment to any of the above, under Part V Division 3 of the EP Act?	☐ Yes – application reference (if known): [] ☐ No – a valid works approval applies: [] ☒ No – a valid licence applies: [L4459/1987/13]
It is an offence to perform any action that would cause a premises to become a prescribed premises of a type listed in	

Part 5: Other DWER approvals	
Schedule 1 of the <i>Environmental Protection Regulations 1987</i> , unless that action is done in accordance with a works approval, licence, or registration.	☐ No – a valid registration applies: []
For further guidance, refer to Guideline: Decision making and Guideline: Industry Regulation Guide to Licensing .	☐ No – not required
Water licences and permits (<i>Rights in Water and Irrigation Act 1914</i>)	
Have you applied or do you intend to apply for:	☐ Yes –application reference (if known): []
1. a licence or amendment to a licence to take water (surface water or groundwater); or	☒ No – a current valid licence applies: [SWL200799]
2. a licence or amendment to a licence to construct wells (including bores and soaks); or	☐ N/A
3. a permit or amendment to a permit to interfere with the bed and banks of a watercourse?	
For further guidance on water licences and permits under the <i>Rights in Water and Irrigation Act 1914</i> , refer to the Procedure: Water licences and permits .	

Part 6: Surveys for Assessments (IBSA and IMSA)			
Do you wish to submit marine or biodiversity surveys in support of your application?	☐ Yes ☒ No – skip to Part 7		
Biodiversity surveys submitted to support this application must meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA) . If these requirements are not met, DWER / DMIRS (as applicable) may decline to deal with the application. Please provide the IBSA number(s) (or submission number(s) if IBSA number has not yet been issued) in the space provided. Note that a submission number is not confirmation of acceptance of a biodiversity survey and is not the same as an IBSA number. IBSA numbers are only issued once a survey has been accepted. Once an IBSA number is issued, please notify DWER / DMIRS (as applicable). Please note the assessment timeframes for your application will be suspended until the IBSA number(s) is provided to DWER / DMIRS (as applicable).	All biodiversity surveys that support this application have been submitted to the <i>Index of Biodiversity Surveys for Assessment</i> available at: ibsasubmissions.dwer.wa.gov.au		Yes
	Submission number(s) (e.g. <i>IBSASUB-20200101-12345A6D</i>) Please list all numbers. If space is inadequate, list on a separate sheet.		☐
	IBSA number(s) (e.g. <i>IBSA-2020-0123</i>) Please list all numbers. If space is inadequate, list on a separate sheet.		
Marine surveys submitted to support this application must meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA) . If these requirements are not met, DWER will decline to deal with the application.	All marine surveys submitted with this application meet the requirements of the EPA's Instructions for the preparation of data packages for the Index of Marine Surveys for Assessments (IMSA) .		Yes
			N/A
			☐
			☐

Part 7: Records kept under the existing clearing permit's conditions		
Most clearing permits include one or more conditions requiring that the permit holder keep certain records relating to the actions	The required records are attached.	Yes
		☐
Please select the relevant records included with the report. Only records required to be kept by the conditions of the existing clearing permit need to be provided.		

Part 7: Records kept under the existing clearing permit's conditions		
undertaken in accordance with the clearing permit. DWER / DMIRS (as applicable) requires that these records are provided to support the assessment of this application. Records provided should cover: - the full period of the permit; - or - the past five years (if the existing permit's duration is greater than five years and it was amended within the past five years).	☐	The total amount, location(s), and date(s) of clearing done under the permit (or within the past five years).
	☐	Actions taken to avoid or minimise the impact and extent of clearing.
	☐	Actions taken in relation to flora and/or fauna management.
	☐	Actions taken to revegetate or rehabilitate the areas cleared under the permit.
	☐	Records pertaining to any onsite or offsite environmental offsets.
	☐	Any other relevant records required to be kept by the conditions of the permit.
	☐	<i>Summarise other records:</i>