



CLEARING PERMIT

Granted under section 51E of the *Environmental Protection Act 1986 (WA) (CI)*

PERMIT DETAILS

Purpose Permit Number: CPS2376/1
File Number: DEC6706
Duration of Permit: From 2 November 2008 to 2 November 2013

PERMIT HOLDER

Phosphate Resources Ltd trading as Christmas Island Phosphates

LAND ON WHICH CLEARING IS TO BE DONE

ML 129 – MB1
ML 131 – 131A
ML 131 – MB1
ML 133A – 23P
ML 133A – 27P
ML 133A – 33P
ML 133A – 34P
ML 133A – 35P
ML 133A – 7P
ML 133A – 8B
ML 133A – 9C
ML 135 – 9P
ML 136 – MB1

PURPOSE FOR WHICH THE CLEARING MAY BE DONE

Clearing for the purposes of Phosphate Mining.

CONDITIONS

1. The Permit Holder must not clear more than 58.413 hectares of native vegetation within the areas hatched yellow on attached Plan 2376/1a, Plan 2376/1b and Plan 2376/1c.

2. **Land on which clearing is not authorised**

The Permit Holder shall not clear native vegetation within 50 metres of national park boundaries and cadastral boundaries where undisturbed vegetation is present.

3. **Avoid, minimise etc clearing**

In determining the amount of native vegetation to be cleared for the purpose of phosphate mining, the Permit Holder must have regard to the following principles, set out in order of preference:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and

- (c) reduce the impact of clearing on any environmental value.

4. Fauna management

Clearing is prohibited within ML129 MB1 between May and September (nesting period of the *Sula sula rubripes* (Red Footed Booby) and the *Fregata minor minor* (Greater Frigatebird).

5. Weed control

- (a) When undertaking any clearing, or other activity pursuant to 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 *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.
- (b) At least once in each 3 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

6. Rehabilitation

Areas permitted to be cleared must be rehabilitated within 6 months of the completion of phosphate mining and within one month of the expiry of this permit by:

- (a) Creating a slope of 15 degrees or less around the edges of the pit;
- (b) Fell limestone pinnacles; and
- (c) Level pit floor by crushing all rocks and material within the area cross hatched yellow on attached Plan 2376/1a, Plan 2376/1b and Plan 2376/1c to a minimum of 5cm in diameter.

7. Records must be kept

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

- (a) In relation to the clearing of native vegetation undertaken pursuant to this permit:
 - (i) the species composition, structure and density of the cleared area;
 - (ii) the location where the clearing occurred, recorded using Geocentric Datum Australia 1994;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to the rehabilitation of areas pursuant to condition 6:
 - (i) the commencement date of rehabilitation;
 - (ii) the location of any area rehabilitation recorded using Geocentric Datum Australia 1994;
 - (iii) a description of the rehabilitation activities undertaken; and
 - (iv) the size of the area rehabilitation (in hectares).

8. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 7 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 2 August 2013, the Permit Holder must provide to the CEO a written report of records required under condition 7 of this Permit where these records have not already been provided under condition 8(a) of this Permit.

DEFINITIONS

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

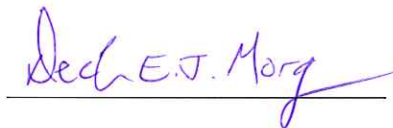
fill means material used to increase the ground level, or fill a hollow;

flora specialist means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

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;

term means the duration of this Permit, including as amended or renewed;

weed 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 Agricultural and Related Resources Protection Act 1976.



Declan Morgan
A/ASSISTANT DIRECTOR
REGIONAL SERVICES DIVISION

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

2 October 2008