



CLEARING PERMIT

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

Purpose Permit number:	CPS 3290/3
Permit Holder:	Phosphate Resources Limited trading as Christmas Island Phosphates.
Duration of Permit:	31 August 2009 - 31 August 2025

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

PART I – CLEARING AUTHORISED

1. Purpose for which the clearing may be done

Clearing for the purpose of stockpile recovery and insitu phosphate mining.

2. Land on which clearing is to be done

Unallocated Crown land (Christmas Island 6798) within Mining Lease MCI 70/1A

ML 133A-MCP-STP9A
ML 133A-MCP-FIELD9MB1
ML 133A-MCP-STP23P
ML 133A-MCP-STP22P
ML 133A-MCP-STP9C
ML 100-MCP-SP-CENTRAL-MB1
ML 100-MCP-SP-CENTRAL-MB 2
ML 100-MCP-SP-CENTRAL-MB 3
ML 100-MCP-SP-SOUTH-MB 1
ML 100-MCP-SP-SOUTH-MB 2
ML 100-MCP-SP-EAST-MB 3
ML 100-MCP-SP-EAST-MB 4

3. Area of clearing

The Permit Holder must not clear more than 173.1 hectares of native vegetation within the combined areas hatched yellow on Plan 3290/3a and Plan 3290/3b

4. 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.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

5. Avoid, minimise etc clearing.

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

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

6. 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) Weed management activities will be undertaken by the Permit Holder in accordance with a Weed Management Plan approved by the General Manager responsible for Territories Department of Infrastructure and Regional Development. This plan is to be developed by the Permit Holder within 12 months of this permit being granted.
- (c) At least once in each 3 month period prior to the Weed Management Plan required in condition 6(b) being approved, the Permit Holder must remove or kill any weeds growing within areas cleared under this permit.

7. Vegetation Management

- (a) The Permit Holder shall maintain 50 metre buffers to the National Park boundary when clearing native vegetation;
- (b) The Permit Holder shall identify the following listed flora species and shall maintain the buffer around each species in accordance with the following table: Where the species is found outside of the mine lease, the buffers shall be maintained to ensure clearing does not occur within these buffer areas.

SPECIES	BUFFER
<ul style="list-style-type: none"> ▪ All species listed as a “Protected Species” in accordance with the Environmental Protection and Biodiversity Conservation Regulations 2000, Schedule 12. 	<ul style="list-style-type: none"> ▪ 50m
<ul style="list-style-type: none"> ▪ <i>Asplenium listeri</i> ▪ Christmas Island Spleenwort ▪ * EPBC listed (CE) 	<ul style="list-style-type: none"> ▪ 10m
<ul style="list-style-type: none"> ▪ <i>Pneumatopteris truncate</i> ▪ Fern ▪ * EPBC listed (CE) 	<ul style="list-style-type: none"> ▪ 30m
<ul style="list-style-type: none"> ▪ <i>Tectaria devexa</i> ▪ * EPBC listed (E) 	<ul style="list-style-type: none"> ▪ 50m

- (CE): Critically Endangered
- (E): Endangered

8. Rehabilitation

The Permit Holder shall notify the General Manager having responsibility for the Indian Ocean Territories, Department of Infrastructure and Regional Development, Australian Government within one month after the completion of phosphate mining activities within each lease area.

PART III - RECORD KEEPING AND REPORTING

9. Records must be kept.

The Permit holder must maintain the following records for the clearing of native vegetation undertaken pursuant to this permit:

- (a) a description of the area cleared, classified as either pinnacle field, stockpile or insitu;
- (b) 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;
- (c) the date that the area was cleared; and

- (d) the size of the area cleared (in hectares).

10.Reporting.

- (a) The Permit Holder must provide to the CEO, of the Department of Environment Regulation, on or before 30 June of each year, a written report of the records required under condition 9 of this Permit and activities undertaken by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO, of the Department of Environment Regulation, on or before 30 June of each year.
- (c) Prior to 31 May 2025, the Permit Holder must provide to the CEO, of the Department of Environment Regulation a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(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;

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

National Park means the Christmas Island National Park

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

rehabilitation means that the land is left in a condition that is compliant with any other regulatory obligations, including but not limited to the *Mining Act 1978 (WA)(CI)*, and in a condition appropriate to the likely future use of the land.

weed/s means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



James Widenbar
MANAGER
CLEARING REGULATION

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

28 July 2017

Plan 3290/3a



Legend

-  Cadastre
-  Areas approved to clear
CI_2011_orth
-  LGA



1:25,196

MGA 94
Geocentric Datum of Australia 1994

[Signature]Date.....*28/7/17*

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



GOVERNMENT OF
WESTERN AUSTRALIA

Plan 3290/3b



Legend

-  Cadastre
-  Areas approved to clear
CI_2011_orth
-  LGA



1:14,916

MGA 94
Geocentric Datum of Australia 1994

 Date 28/7/17

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



GOVERNMENT OF
WESTERN AUSTRALIA



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3290/3
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Phosphate Resources Limited

1.3. Property details

Property: UNALLOCATED CROWN LAND, CHRISTMAS ISLAND
Colloquial name: Mining Lease MCI 70/1A
Local Government Authority: Shire of Christmas Island
Localities: Christmas Island

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
173.1		Mechanical Removal	Mineral exploration

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 28 July 2017
Reasons for Decision: The clearing permit application was assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*. It has been concluded that the proposed clearing is at variance to principle (h), is not at variance principles (d), (e), (f), (i) and (j) and is not likely to be at variance to any of the remaining clearing principles.

Through assessment it has been determined that the application area lies adjacent to national park. Weed and buffer conditions have been included on the permit to help ensure that the environmental values of this conservation area is not compromised through the proposed clearing.

The Delegated Officer determined that it was unlikely for rare flora to occur within the application area, however rare flora may occur in undisturbed forest near the margins of the application area. To ensure that rare flora is not disturbed a condition has been added to the permit to ensure a buffer is maintained around any identified rare flora.

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
The application area has been previously cleared, less than 25 years, and is impacted by access roads and previous mining activities with a high density of weeds.	The application is to clear 173.1 hectares of native vegetation within Mining Lease MCI 70/1A for the purpose of stockpile recovery and insitu phosphate mining.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The condition and description of the vegetation under application was determined via a site inspection conducted by an officer of the former Department of Environment and Conservation (DEC, 2008).

3. Assessment of application against clearing principles

Comments This amendment has been made to extend the permit duration until 2025.

The application has not been reassessed. The assessment can be found in Clearing Permit Decision Report CPS 3290/1.

4. References

- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- DEC (2008) Site Inspection Report for Clearing Permit Application, ML133A (STP27P, STP7P & STP7PA), Christmas Island. Site inspection undertaken 6 November 2008. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC70969).