



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 3472/6
<b>Permit Holder:</b>	Phosphate Resources Limited trading as Christmas Island Phosphates.
<b>Duration of Permit:</b>	11 January 2010 - 11 January 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 MCI70/1A.

##### (a) Clearing permitted of complete block (refer to Appendix 1)

100-MCP-SPWNORTH4	101-MCP-STP17W	127-MCP-STP9D	133A-MCP-STP9DA
101-MCP-17NORTHMB1	106-MCP-MB1	128-MCP-MB1	133B-MCP-MB1
101-MCP-17NORTHMB2	106-MCP-MB2	129-MCP-MB1	133B-MCP-STP27P
101-MCP-17NORTHMB3	106-MCP-MB3	131-MCP-MB1	133B-MCP-STP4BG
101-MCP-17NORTHMB4	106-MCP-STP15B	131-MCP-STP131A	135-MCP-STP9P
101-MCP-17NORTHMB5	106-MCP-STP15I	132-MCP-MB1	135-MCP-STP9PA
101-MCP-17NORTHMB6	106-MCP-STP15J	132-MCP-MB2	136-MCP-MB1
101-MCP-17SOUTHMB1	106-MCP-STP15JB	132-MCP-MB3	138-MCP-MB1
101-MCP-STP17A	106-MCP-STP15D	133A-MCP-F5MB2	140-MCP-MB1
101-MCP-STP17C	106-MCP-STP18G	133A-MCP-STP133AA	140-MCP-STP26B
101-MCP-STP17D	106-MCP-STP18IA	133A-MCP-STP33P	140-MCP-STP26E
101-MCP-STP17DE	106-MCP-STP18M	133A-MCP-STP33PA	140-MCP-STP26I
101-MCP-STP17ED	106-MCP-STP18S	133A-MCP-STP34P	140-MCP-STP26J
101-MCP-STP17I	106-MCP-STP18Q	133A-MCP-STP35P	
101-MCP-STP17T	108-MCP-MB1	133A-MCP-STP4P-2	
101-MCP-STP17U	116-MCP-MB1	133A-MCP-STP6P	
101-MCP-STP17V	116-MCP-MB2	133A-MCP-STP9D	

##### (b) Areas approved for stockpile access only (refer to Appendix 1)

106-MCP-STP-15C	116-MCP-STP23A	133A-MCP-STP 8B	139-MCP-25I
106-MCP-STP-15D	116-MCP-STP-23C	133A-MCP-STP8BA	139-MCP-STP27A
108-MCP-MB2	116-MCP-STP-23F	133A-MCP-STP8C	140-MCP-STP27C
110-MCP-STP20K	123-MCP-STP-11A	138-MCP-STP26D	
116-MCP-STP22A	133A-MCP-STP 8A	139-MCP-STP-25C	

##### (c) Areas approved for haul road access only (refer to Appendix 1)

138-MCP-MB2 and 139-MCP-MB1

### 3. Area of Clearing

The Permit Holder must not clear more than 227.85 hectares of native vegetation within the combined areas hatched yellow on Plan 3472/6a, Plan 3472/6b, Plan 3472/6c and Plan 3472/6d.

### 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.

### 5. 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 III of this Permit.

## PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

### 6. Drainage management

The Permit Holder shall not cause or allow the discharge of sediments, from within the area(s) permitted on Plan 2472/6a to be cleared under this permit, into The Dales RAMSAR listed wetlands.

### 7. 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:

- (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:
  - (i) maintain a minimum 5 metre buffer of vegetation for visual amenity purposes alongside gazetted roads.

### 8. Stockpile access

The Permit Holder shall return cleared land listed in condition 2(b) to natural ground level where the clearing lies within 50 metres of the National Park.

### 9. Fauna management

- (a) Clearing of native vegetation within Plan 3472/6a shall be undertaken in accordance with the Pipistrelle Bat Management Plan as approved on 27 October 2010 by the former Assistant Secretary responsible for Territories, Department of Regional Australia, Local Government, Arts and Sport, Australian Government.
- (b) The Permit Holder shall ensure clearing of native vegetation within Plan 3472/6b and the mining areas listed below is prohibited between March and October, the nesting period of *Papasula abbotti* Abbott's Booby (EN).

138-MCP-MB1

139-MCP-MB1

140-MCP-STP26E

138-MCP-MB2

140-MCP-MB1

140-MCP-STP26I

139-MCP-25I

140-MCP-STP26B

140-MCP-STP26J

- (d) The Permit Holder will liaise and reach agreement with Parks Australia to determine the most appropriate timing for clearing of ML123-MCP-STP11A, ML133-MCP-STP8A, ML133-MCP-STP8B, ML133-MCP-STP8BA, 133-MCP-STP8C and permitted areas within, ML 109 and ML 110 to minimise impacts on the *Gecaracoideanatalis* Red Crab migration through increased mortality.
- (e) Within the mining lease areas listed below, the Permit Holder shall not clear vegetation between May and September the nesting period of *Sula sula* (Red Footed Booby) and *Frigata minor* (Greater Frigate Bird):
  - (i) ML128;
  - (ii) ML129;
  - (iii) ML132-MCP-MB1
  - (iv) ML132-MCP-MB2
  - (v) ML132-MCP-MB3
  - (vi) ML133-MCP-STP8A
  - (vii) ML133-MCP-STP8B
  - (viii) ML133-MCP-STP8BA

- (iv) ML133-MCP-STP8C
- (v) ML136-MCP-MB1.

**10. 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 10(b) being approved, the Permit Holder must remove or kill any weeds growing within areas cleared under this permit.

**11. Flora Management**

The Permit Holder shall identify the following listed flora species and shall maintain a buffer around each species in accordance with Table 1.

Table 1: Protected flora buffer requirements

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

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

**12. Buffers to national park**

The Permit Holder shall maintain buffers to National Park boundaries when clearing native vegetation unless otherwise stated in accordance with the application areas set out below, except where clearing of native vegetation is on a pinnacle field which was mined prior to 2008 (where no buffer is required):

- (a) Plan 3472/6a (Dogs Tail-Western): As stated in the Pipistrelle Bat Management Plan; Plan 1:
- (b) Plan 3472/6b (Dogs Head-Northern): 30m;
- (c) Plan 3472/6c (Southern Area): 5m;
- (d) Plan 3472/6d (Central): 50m; will apply to 106 MCP STP18G, 106 MCP STP 18M, 106 MCP STP 15B and 106MCP MB2;
- (e) Application areas ML108-MCP-MB1, ML 138-MCP-STP-26D, ML 139-MCP-STP27A, ML 139-MCP-MB1, ML 139-MCP-25I, ML ML139-MCP-SP-27A (Western boundary), 140-MCP-STP27C (Eastern boundary), ML 140-MCP-STP26I, ML 140-MCP-STP26J: 5m;
- (f) Application areas, 108-MCP-MB2 (Northern portion of North-Eastern boundary), ML140-MCP-MB1, 123-MCP-STP11A, ML 116-MCP-STP23C: 10m;
- (g) Application areas ML139-MCP-STP27A (Southern portion of North-Eastern boundary), 140-MCP-STP27C (Western boundary) and 108-MCP-MB2 (North-Eastern boundary): 20m;
- (h) 50m buffers for these significant seabird nesting areas:

- (i) ML128; and
- (ii) ML129.

The permit holder can apply to the CEO, of the Department of Environment Regulation for access to clear vegetation in the buffer zones stated within condition 12(a)(b)(c)(d) and (h) for stockpile access on a case-by-case basis.

### 13. 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

### 14. Records must 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) a description of the area cleared, classified as either pinnacle field, stockpile or insitu;
  - (ii) 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;
  - (iii) the date that the area was cleared; and
  - (iv) the size of the area cleared (in hectares);
- (b) In relation to the flora management of areas pursuant to Condition 11:
  - (i) the species of the EPBC listed plant and the size of the buffer maintained;
  - (ii) the location of the EPBC listed plant using Geocentric Datum Australia 1994; and
  - (iii) the date the surrounding area was cleared.

### 15. 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 14 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 11 October 2024, the Permit Holder must provide to the CEO, of the Department of Environment Regulation a written report of records required under condition 14 of this Permit where these records have not already been provided under condition 15(a) of this Permit.

## DEFINITIONS

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

*Clearing* has the meaning given to it in section 51A of the *Environmental Protection Act 1986 (WA) (CI)*;

*CE* means Critically Endangered under the *EPBC Act 1999*;

*EN* means Endangered under the *EPBC Act 1999*;

*EPBC listed* means a species listed in accordance with the *Environmental Protection and Biodiversity Conservation Regulations 2000*, Schedule 12;

*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

**native vegetation** has the meaning given to it in sections 3 and 51A of the *Environmental Protection Act 1986* (WA) (CI) and regulation 4 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (WA) (CI);

**rehabilitation**, also known as *site rectification*, 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.

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

**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.



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James Widenbar  
MANAGER  
CLEARING REGULATION

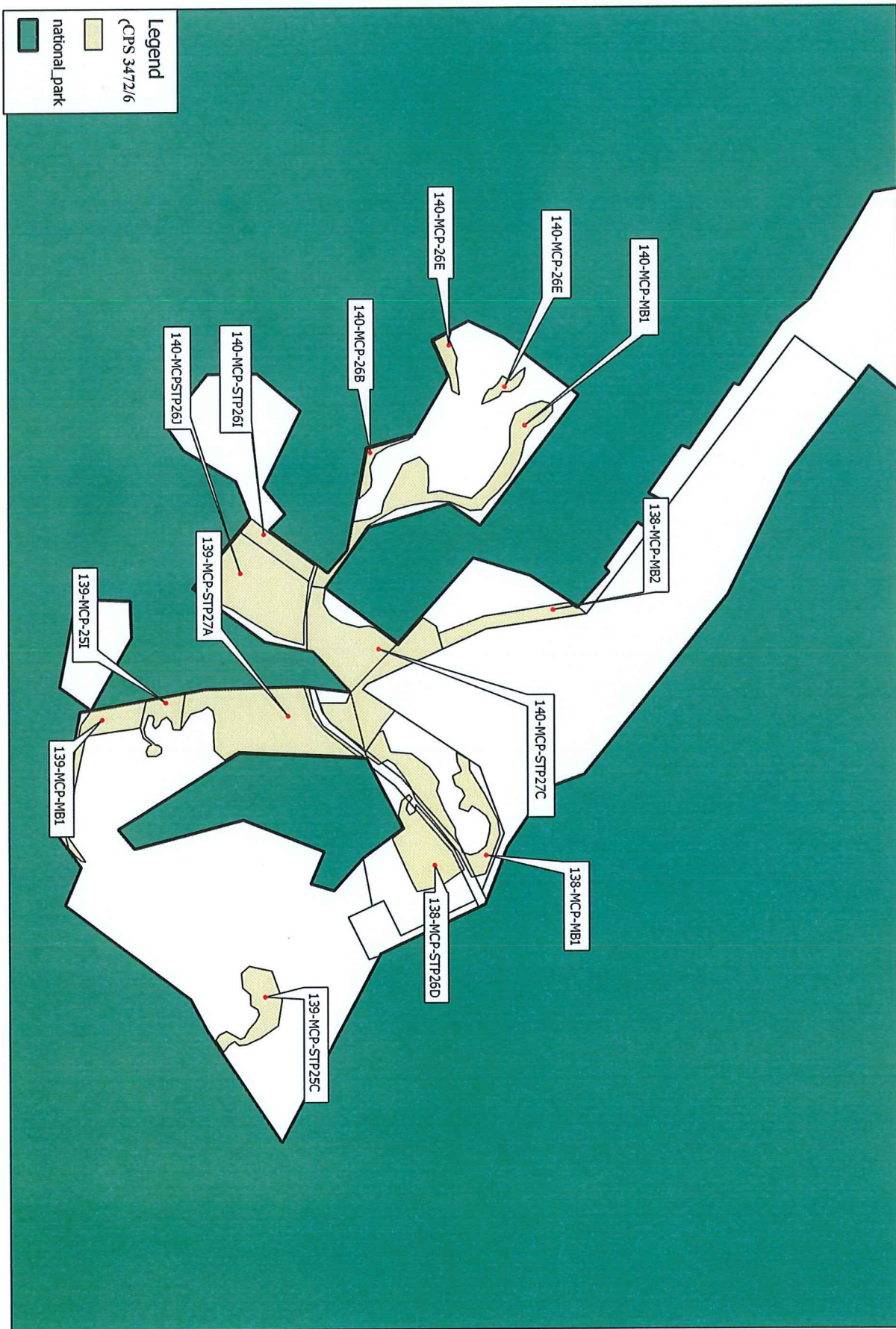
*Officer delegated under Section 20  
of the Environmental Protection Act 1986*

28 July 2017

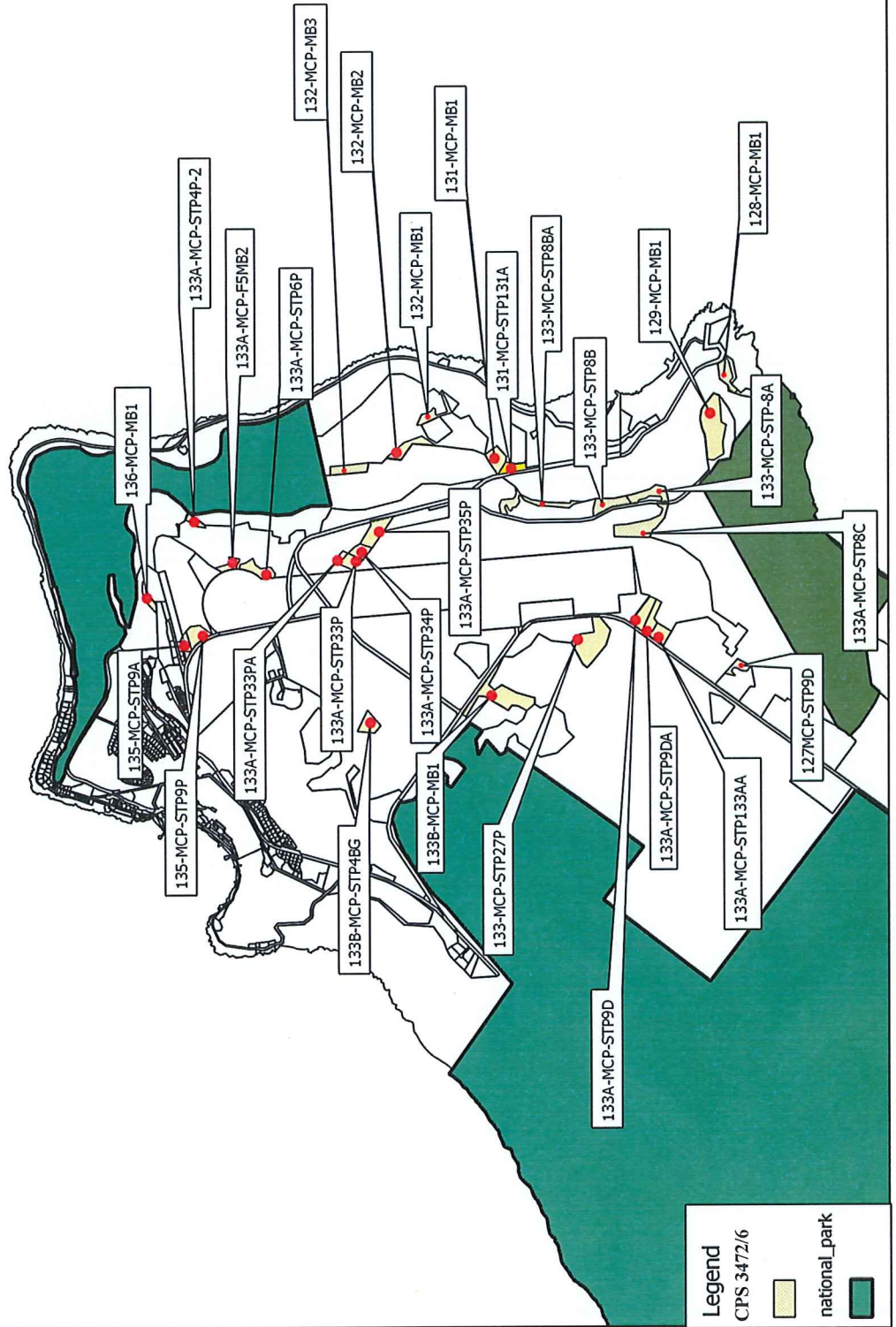


# Appendix 1

## CHRISTMAS ISLAND PHOSPHATES PURPOSE PERMIT WESTERN AREA

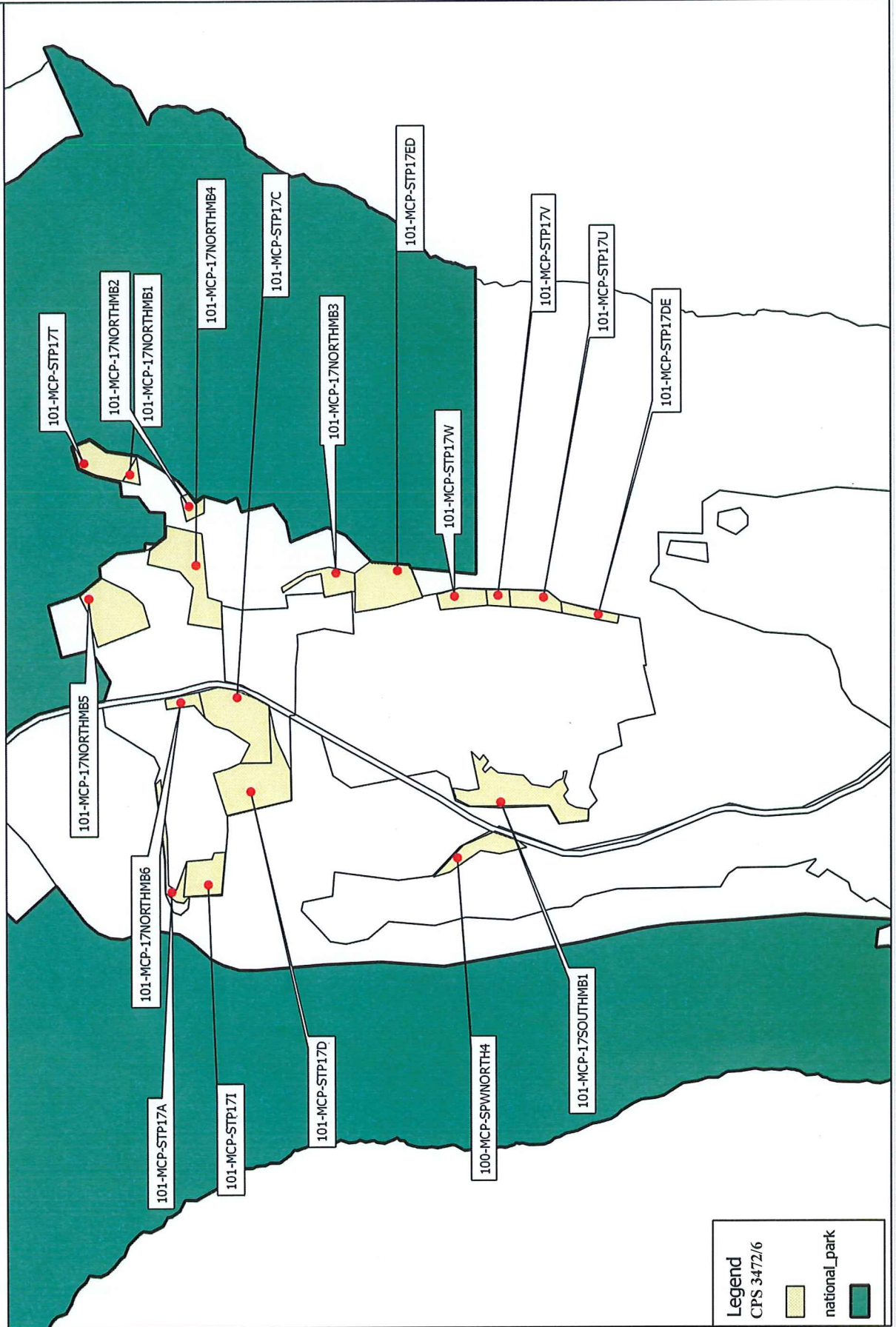


CHRISTMAS ISLAND PHOSPHATES PURPOSE PERMIT DOGS HEAD AREA





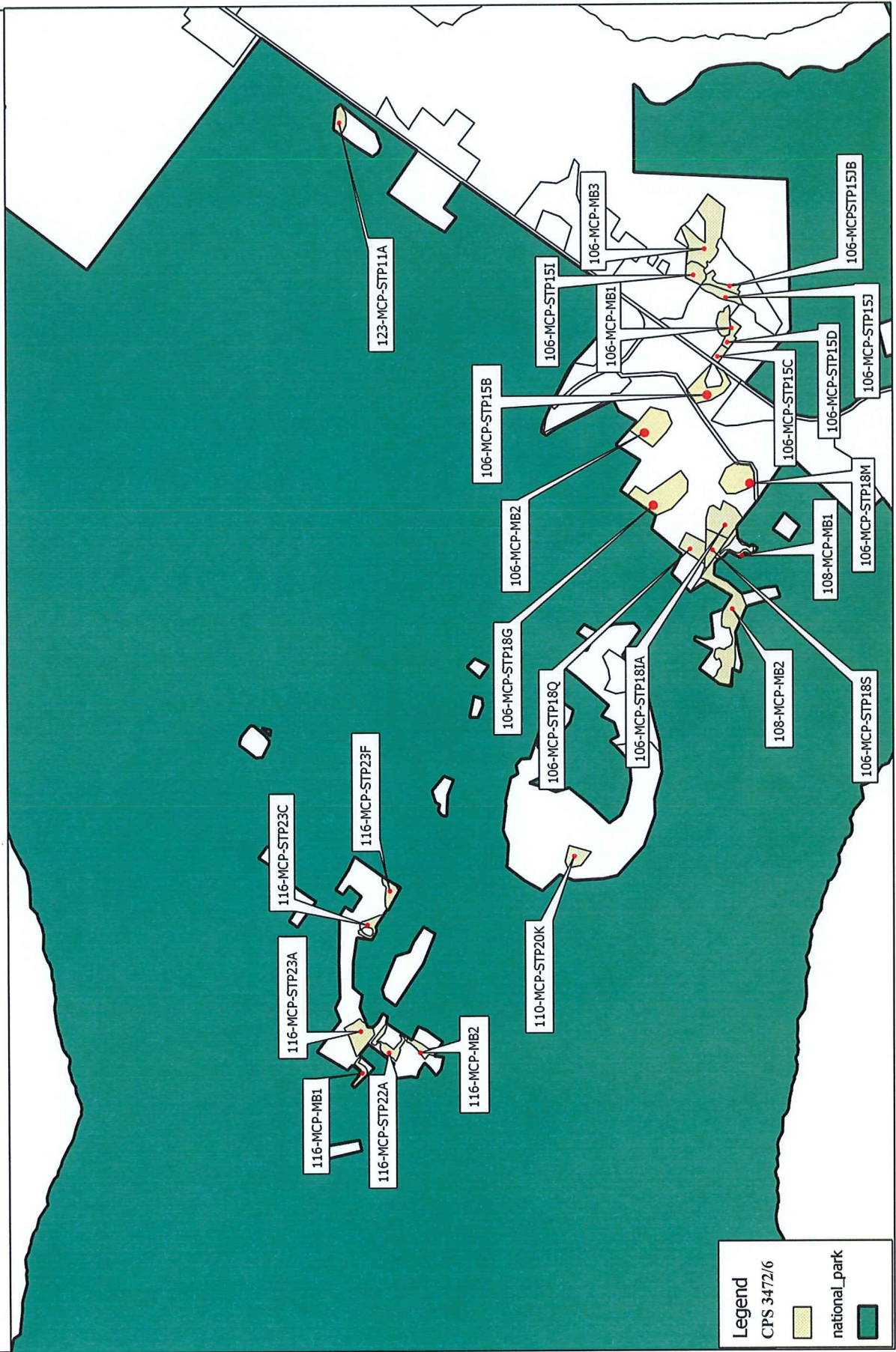
CHRISTMAS ISLAND PHOSPHATES PURPOSE PERMIT SOUTHERN AREA



Legend  
CPS 3472/6  
national\_park



CHRISTMAS ISLAND PHOSPHATES PURPOSE PERMIT CENTRAL AREA





# Plan 3472/6a



## Legend

-  Cadastre
-  Areas approved to clear  
CI\_2011\_orth
-  LGA



1:14,914

MGA 94  
Geocentric Datum of Australia 1994

*J. W. M. A.* .....Date..... *28/1/17*

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



GOVERNMENT OF  
WESTERN AUSTRALIA



# Plan 3472/6b



## Legend

-  Cadastre
-  Areas approved to clear  
CI\_2011\_orth
-  LGA



1:24,702

MGA 94  
Geocentric Datum of Australia 1994

 Date 28/2/17

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



GOVERNMENT OF  
WESTERN AUSTRALIA



# Plan 3472/6c



## Legend

-  Cadastre
-  Areas approved to clear  
CI\_2011\_orth
-  LGA



1:12,051

MGA 94  
Geocentric Datum of Australia 1994

 .....Date..... 28/1/17

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



GOVERNMENT OF  
WESTERN AUSTRALIA



# Plan 3472/6d



## Legend

-  Cadastre
-  Areas approved to clear
- CI\_2011\_orth
-  LGA



1:37,574

MGA 94  
Geocentric Datum of Australia 1994

*[Signature]* ..... Date *28/1/17*

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



GOVERNMENT OF  
WESTERN AUSTRALIA





## 1. Application details

### 1.1. Permit application details

Permit application No.: 3472/6  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Phosphate Resources Ltd

### 1.3. Property details

Property: UNALLOCATED CROWN LAND, CHRISTMAS ISLAND  
Colloquial name: MCI70/1A  
Local Government: Shire of Christmas Island  
Authority:  
Localities: Christmas Island

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Granted

Application:

Decision Date: 28 July 2017

Reasons for Decision:

The clearing application was assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*, and it was concluded that the proposed clearing is at variance to clearing principles (a) and (b), may be at variance to principle (h), is not likely to be at variance to principles (c), (f), (g), (i) and is not at variance to the remaining clearing principles.

Through assessment it was determined that the proposed clearing may impact on red crab migration and on Abbott's booby (*Papasula abbottii*), red footed booby (*Sula sula*) and the greater frigate bird (*Fregata minor*). To mitigate the potential impact to these species conditions have been placed on the permit requiring clearing to be undertaken outside of known breeding periods.

The assessment has determined that the proposed clearing may have indirect impacts on Christmas Island National Park. To mitigate impacts to the National Park buffer and weed management conditions have been included on the permit.

## 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 vegetation has previously been cleared within mining lease ML170/1A, and varies at each site. Vegetation consists of secondary regrowth forest species including <i>Maclura conchinchinensis</i> , <i>Dysoxylum gaudichaudianum</i> , <i>Pandanus elatus</i> , <i>Tristiropsis acutangula</i> , <i>Nephrolepis biserrata</i> , <i>Barringtonia racemosa</i> , <i>Macaranga tanarius</i> , <i>Claoxylon indicum</i> , <i>Allophylus cobbe</i> , <i>Asplenium nidus</i> , <i>Inocarpus fagifer</i> , <i>Melochia umbellata</i> , <i>Schefflera elliptica</i> , <i>Arenga listeri</i> , <i>Guava species</i> , <i>Mutungia calabra</i> , <i>Guettarda speciosa</i> , <i>Microsorium scolopendria</i> , <i>Terminalia catappa</i> , <i>Tectaria dissecta</i> , <i>Syzygium</i>	The application to clear 227.85 hectares of native vegetation within unallocated Crown land covered by mining lease MCI70/1A, is for the purpose of phosphate mining.	Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).  To  Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	Vegetation description was compiled from inspection photographs, vegetation surveys and desktop analysis using Q-GIS data.

*nervosa*, *Corymborkis veratrifolia*,  
*Ficus macrocarpa* and *Pipturus*  
*argenteus*.

Weed species identified during the surveys included *Leucaena leucocephala*, Guava sp, Papaya sp. Curry leaf bush, Coconut sp. and a number of unidentified weed species.

### **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 3472/4.

### **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.