



CLEARING PERMIT

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

Purpose Permit number:	CPS 4506/4
Permit Holder:	Phosphate Resources Limited trading as Christmas Island Phosphates
Duration of Permit:	16 March 2012 - 16 March 2027

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

PART I – CLEARING AUTHORISED

1. Clearing authorised (purpose)

The permit holder is authorised to clear *native vegetation* for the purpose of phosphate mining, stockpile access, and exploration, subject to the following requirements:

- (a) *Clearing* for phosphate mining is authorised within the following areas only, as shown cross-hatched yellow within Figures 1 to 6 of Schedule 1:

100-East MB4	106-STP18F	122-MB1	133-AF5MB4A
100-SPWMB1	106-MB6	125-STP10H	133-AF5MB5
100-EastMB5	106-15BMB1	125-STP10C	133-AF5MB6
101-MB1	106-MB4	125-STP10D	133-AF8MB1
101-MB2	106-STP18C	125-STP10E	133-AF9MB1
101-MB3	106-STP18G	132-MB5	135-MB1
102-STP13C	110-STP20J	132-MB4	136-MB2
102-MB1	117-STP23G2	132-MB6	138-MB4
102-STP13A	122-STP11K	133-AF5MB3	138-MB3
102-STP13B-	122-F11STP11J	133-AF9MB2	139-STP25D
102-STP102F	122-F11STP11L	133-ASTP9B	139-STP26A
106-15AMB1	122-STP11M	133-AF5MB4	110-STP20R

- (b) *Clearing* for stockpile access is authorised within following areas only, as shown cross-hatched yellow within Figures 7 to 10 of Schedule 1:

106-STP106B	122-F11STP11E	139-STP25G
110-STP20KA	122-F11STP11F	139-STP25H

110-STP20Q 122-F11STP11H

- (c) *Clearing* for exploration is authorised within the following areas only, as shown cross-hatched yellow within Figures 11 to 13 of Schedule 1:

105-MB1	106-MB8	116-MB4
106-MB5	106-MB9	140-MB2
106-MB7	116-MB3	

2. Land on which clearing is to be done

The permit holder must only undertake *clearing* with Mining Tenement MCA 70/1A, Christmas Island.

3. Period during which clearing is authorised

The permit holder must not clear any *native vegetation* after 16 March 2025.

4. Clearing authorised

The permit holder must not clear more than 219.69 hectares of *native vegetation* within the combined areas cross-hatched yellow in Figures 1 to 13 of Schedule 1.

5. 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.

6. Stockpile access

To facilitate future revegetation, the Permit Holder shall return cleared land listed in condition 1(b) to natural ground level where the clearing lies within 50 metres of the National Park.

PART II – MANAGEMENT CONDITIONS

7. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending 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 5 metre buffer of vegetation for visual amenity purposes alongside gazetted roads; and
 - (ii) maintain a 5 metre buffer of vegetation for visual amenity purposes alongside Margaret Knoll access track.

8. Fauna management

- (a) Clearing of native vegetation within Figures 6, 7 and 13 of Schedule 1 shall be undertaken in accordance with the Pipistrelle Bat Management Plan as approved on 27 October 2010 by the then Assistant Secretary Territories West, Department

of Regional Australia, Regional Development and Local Government, Australian Government.

- (b) The Permit Holder shall ensure clearing of *native vegetation* within Figure 3, Figure 5 and Figures 8-12 of Schedule 1 is prohibited between March and October, the nesting period of Abbott's Booby (*Papasula abbotti*).
- (c) Within the mining lease areas listed below, the Permit Holder shall not clear vegetation between May and September:
 - (i) ML136; and
 - (ii) ML132.

9. Weed control

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:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (d) Weed management activities will be undertaken by the Permit Holder in accordance with commitments in the Environmental Management Plan as approved by the Minister for Territories Department of Infrastructure, Regional Development and Cities.

10. 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
All species listed as a "Protected Species" in accordance with the Environmental Protection and Biodiversity Conservation Regulations 2000, Schedule 12.	50m
<i>Asplenium listeri</i> Christmas Island Spleenwort * EPBC listed (CE)	10m
<i>Pneumatopteris truncate</i> Fern * EPBC listed (CE)	30m
<i>Tectaria devexa</i> * EPBC listed (E)	50m

11. Schedule of clearing and rehabilitation

In relation to the areas cross-hatched red in Figure 1 of Schedule 2, the Permit Holder shall:

- (a) undertake clearing in the staged order specified in in Schedule 3, Figure 1 of this permit;
- (b) at any one time no more than one stage (refer to Schedule 3, Figure 1 of this permit) can be actively mined;
- (c) mine to ground level (stockpile removal only), ensuring that at least 1 meter of soil profile remains;
- (d) progressively relinquish each stage back to the Crown once mining activities have ceased; and
- (e) within six months following completion of mining activities in any given stage, *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) ripping the site to remove soil compaction; and
 - (ii) lay vegetative material on the ripped site.

12. Rehabilitation

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

PART III - RECORD KEEPING AND REPORTING**13. Records that 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* undertaken pursuant to this Permit:
 - (i) a description of the area cleared, classified as either pinnacle field, stockpile or *in situ*;
 - (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 flora management of areas pursuant to condition 10:
 - (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.
- (c) In relation to the activities pursuant to condition 11 of this Permit:
 - (i) the date mining activities ceased in each stage;
 - (ii) the location of any areas *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;

- (iii) a description of the *rehabilitation* activities undertaken; and
- (iv) the size of the area *rehabilitated* (in hectares).

14. Reporting

- (a) The Permit Holder must provide to the *CEO* on or before 30 June of each year, a written report:
 - (i) of records required under condition 13 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar, a written report confirming that no clearing under this permit has been carried out, must be provided to the *CEO* on or before 30 June of each year.
- (c) Prior to 16 December 2024, the Permit Holder must provide to the *CEO* a written report of records required under condition 13 of this Permit where these records have not already been provided under condition 14(a) of this Permit.

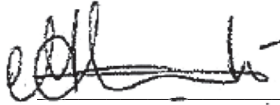
DEFINITIONS

In this permit, the terms in Table 2 below have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the EP Act.
clearing	has the meaning given under section 3(1) of the EP Act.
CE	means Critically Endangered.
E	means Endangered.
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 to fill a depression.
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.
National Park	means the Christmas Island National Park.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
term	means the duration of this Permit, including as amended or renewed.
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 <i>Mining Act</i> 1978 (WA)(CI), and in a condition appropriate to the likely future use of the land.
weeds	means any plant – <ul style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and</i>

Term	Definition
	<i>Agriculture Management Act 2007; or</i> (b) defined as a weed in the <i>weed management plan</i> ; or (c) not indigenous to the area concerned.

END OF CONDITIONS


Meenu Vitarana
 MANAGER
 NATIVE VEGETATION REGULATION

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

14 March 2025

SCHEDULE 1

The boundary of the areas authorised to be cleared for phosphate mining in accordance with *condition 1(a)* and *condition 4* are shown in the maps below (Figures 1 to 6).

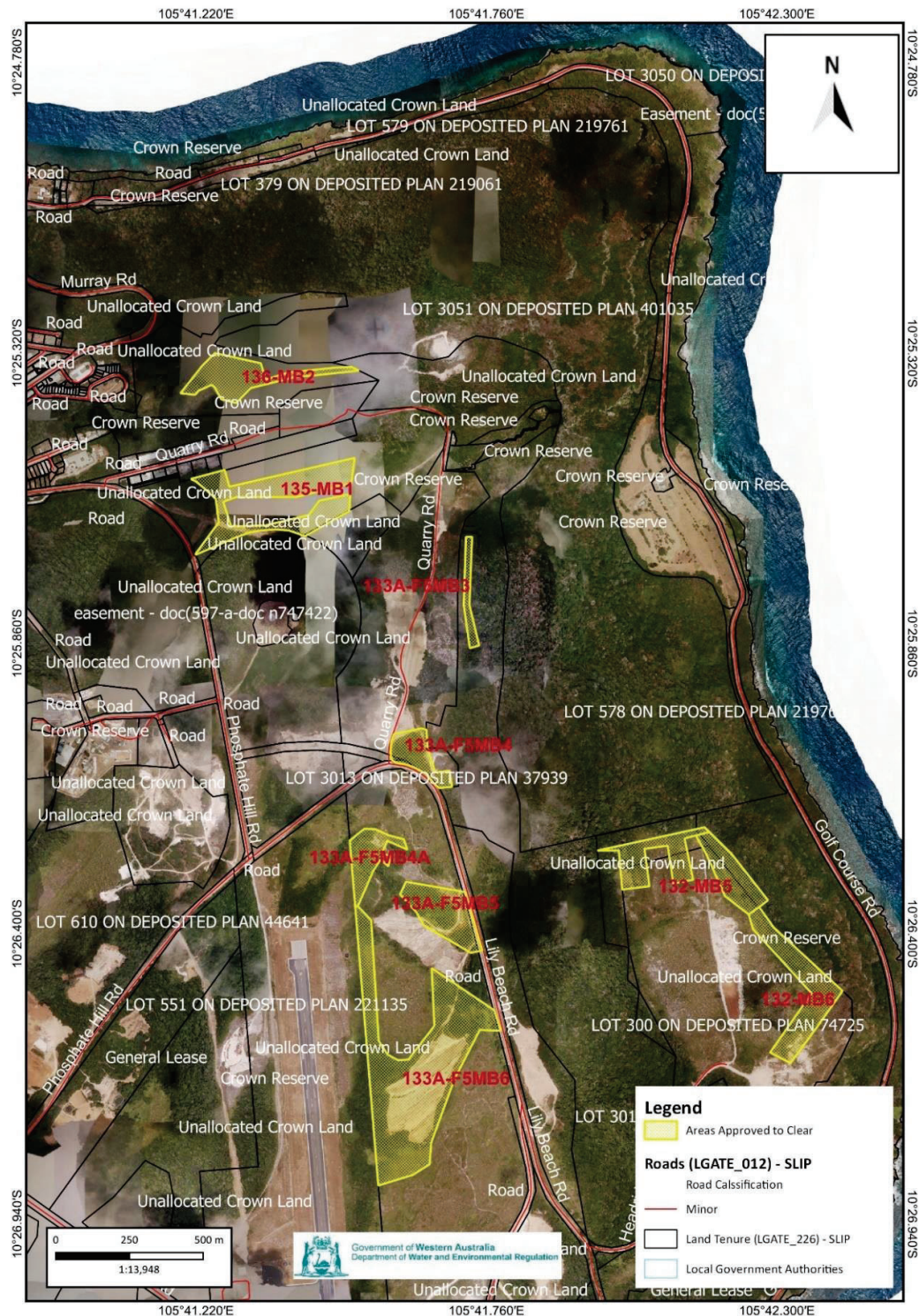


Figure 1: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for phosphate mining.

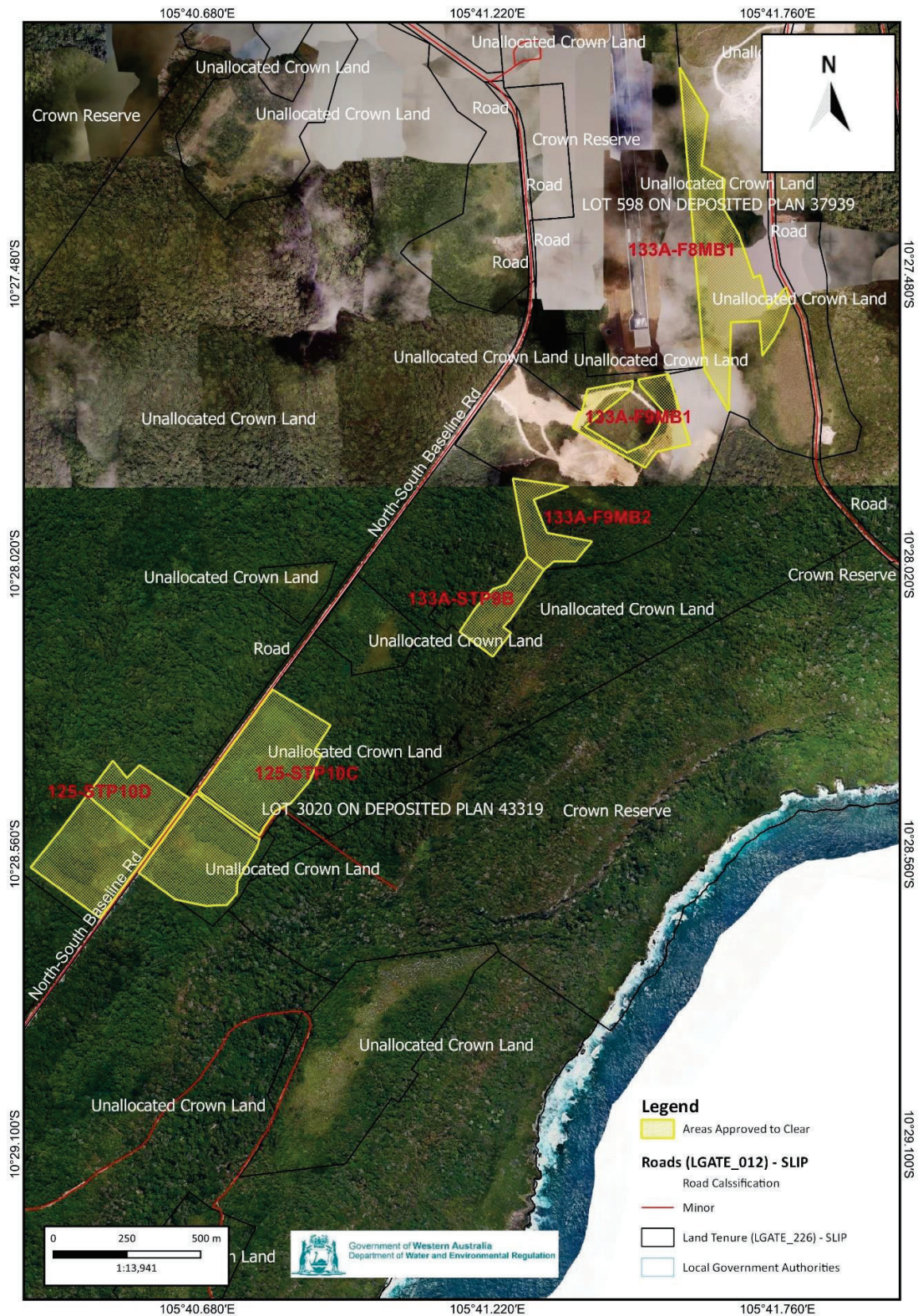


Figure 2: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for phosphate mining.

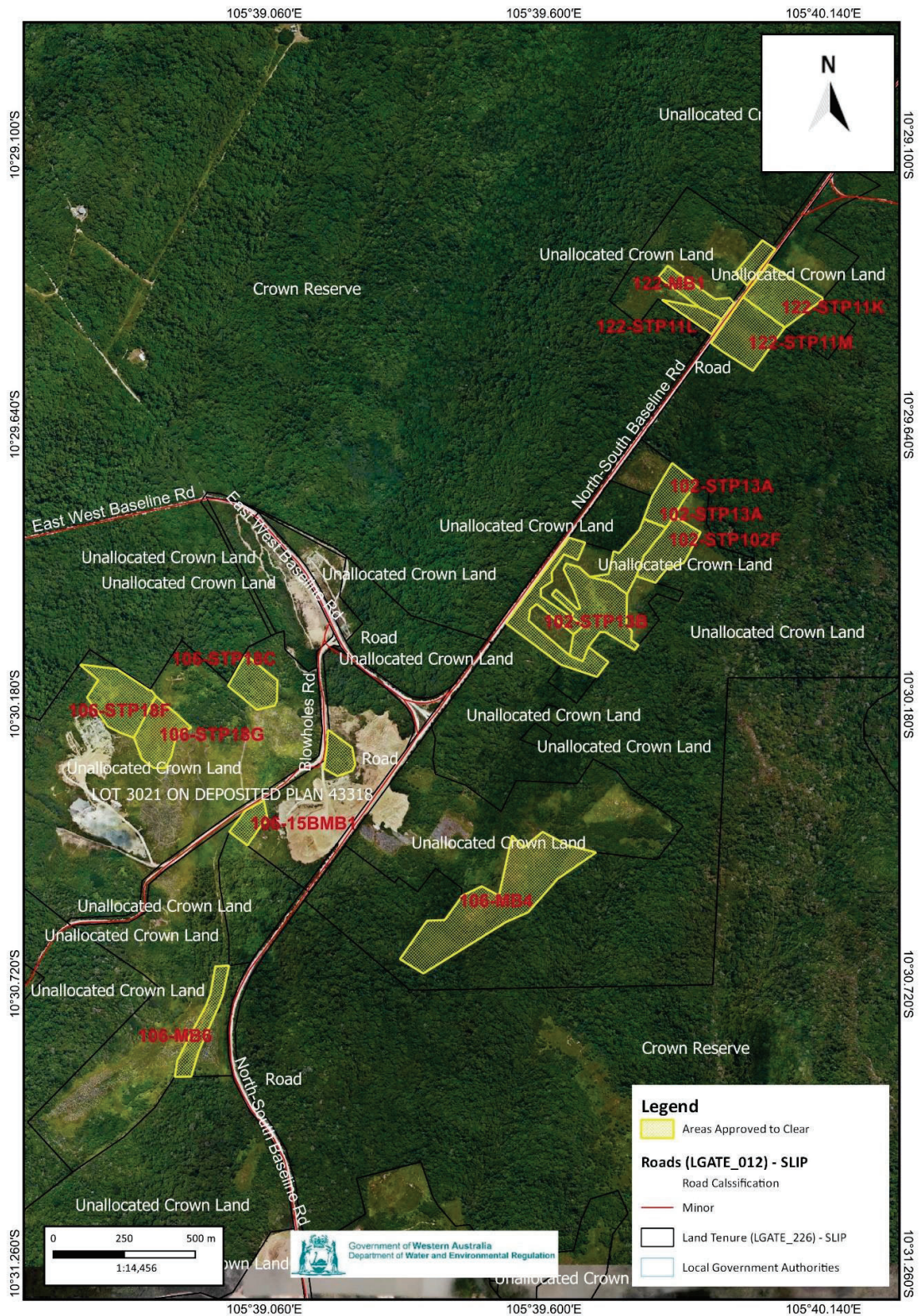


Figure 3: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for phosphate mining.

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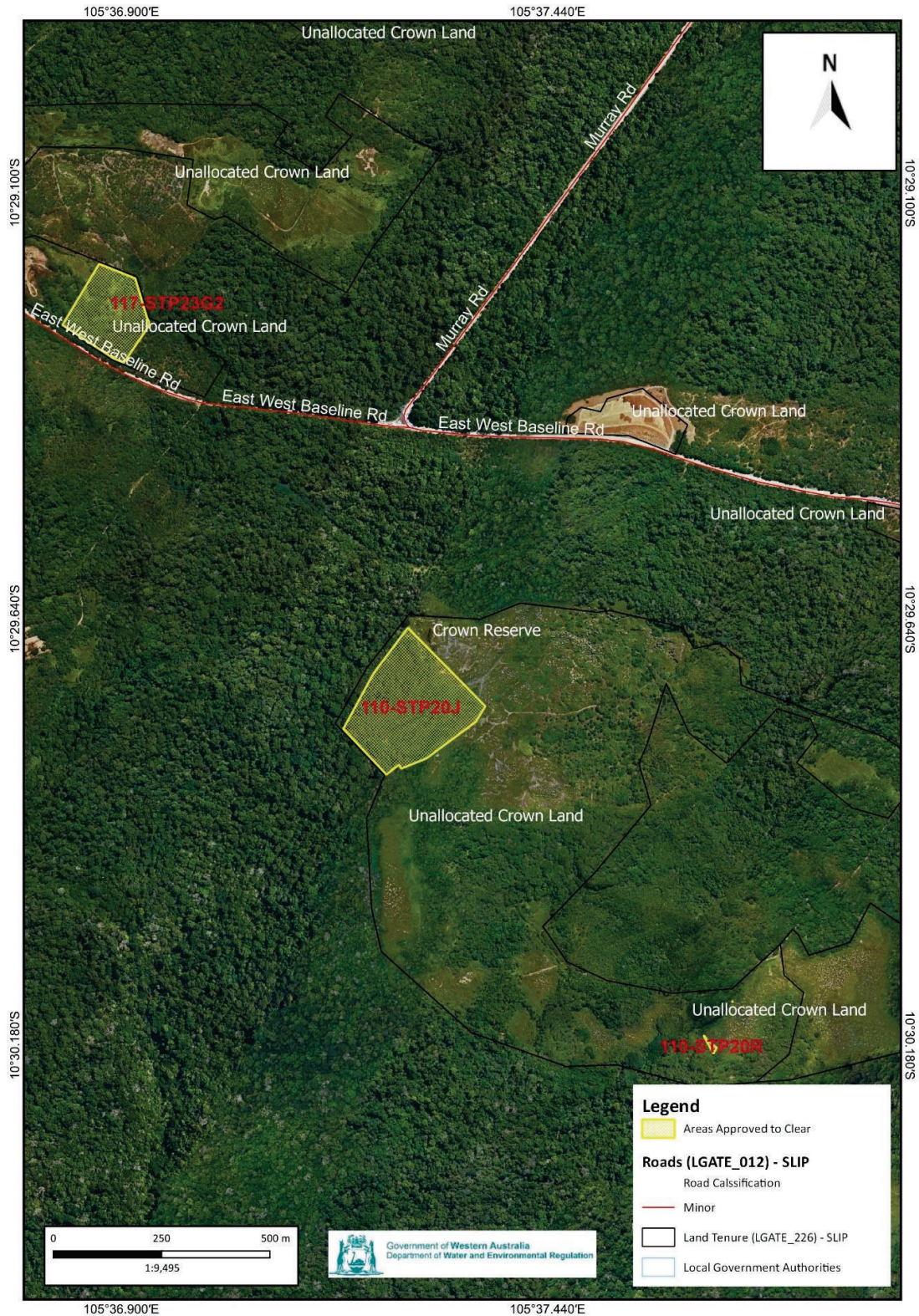


Figure 5: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for phosphate mining.

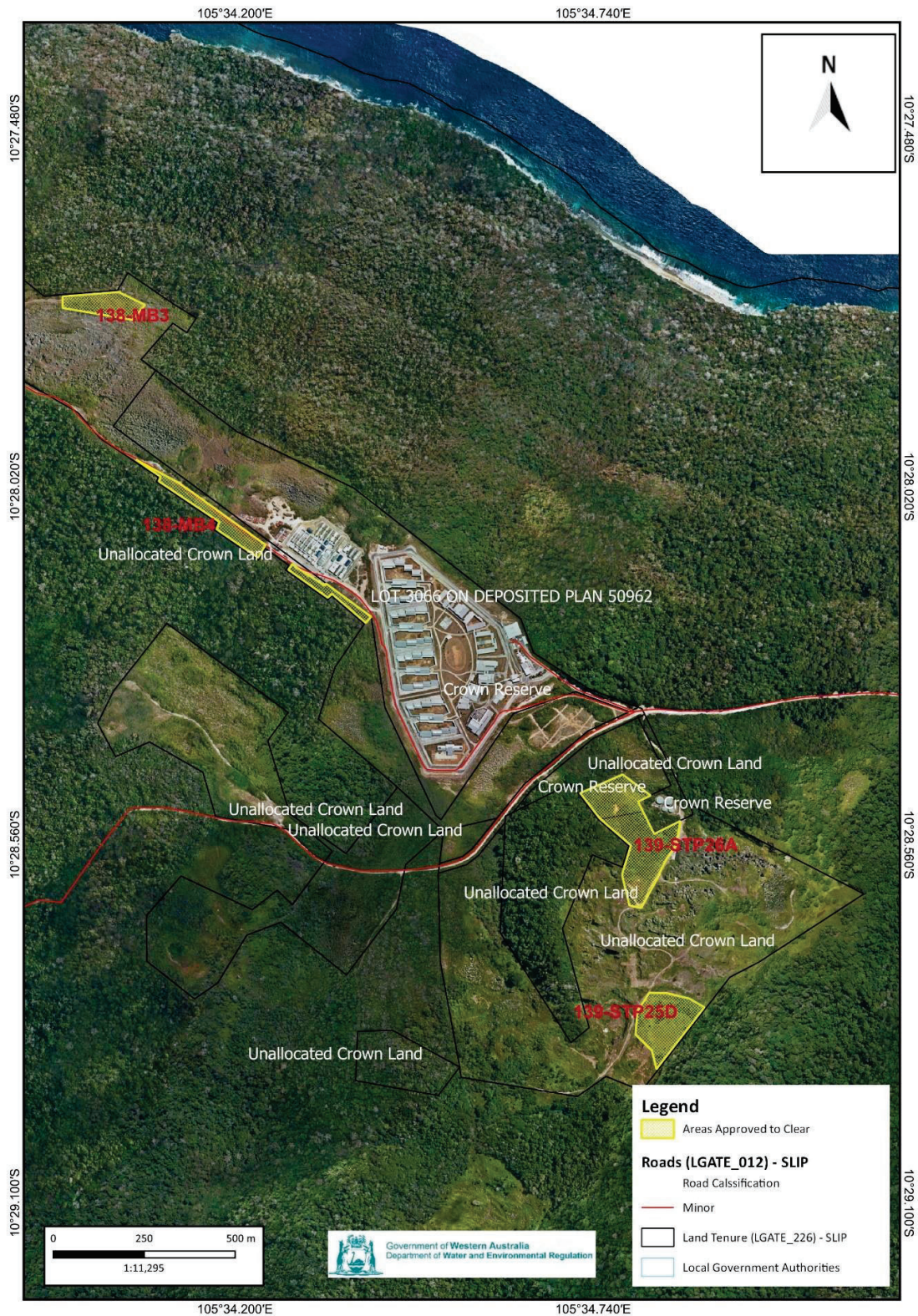


Figure 6: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for phosphate mining.

The boundary of the areas authorised to be cleared for stockpile access in accordance with *condition 1(b)* and *condition 4* are shown in the maps below (Figures 7 to 10).

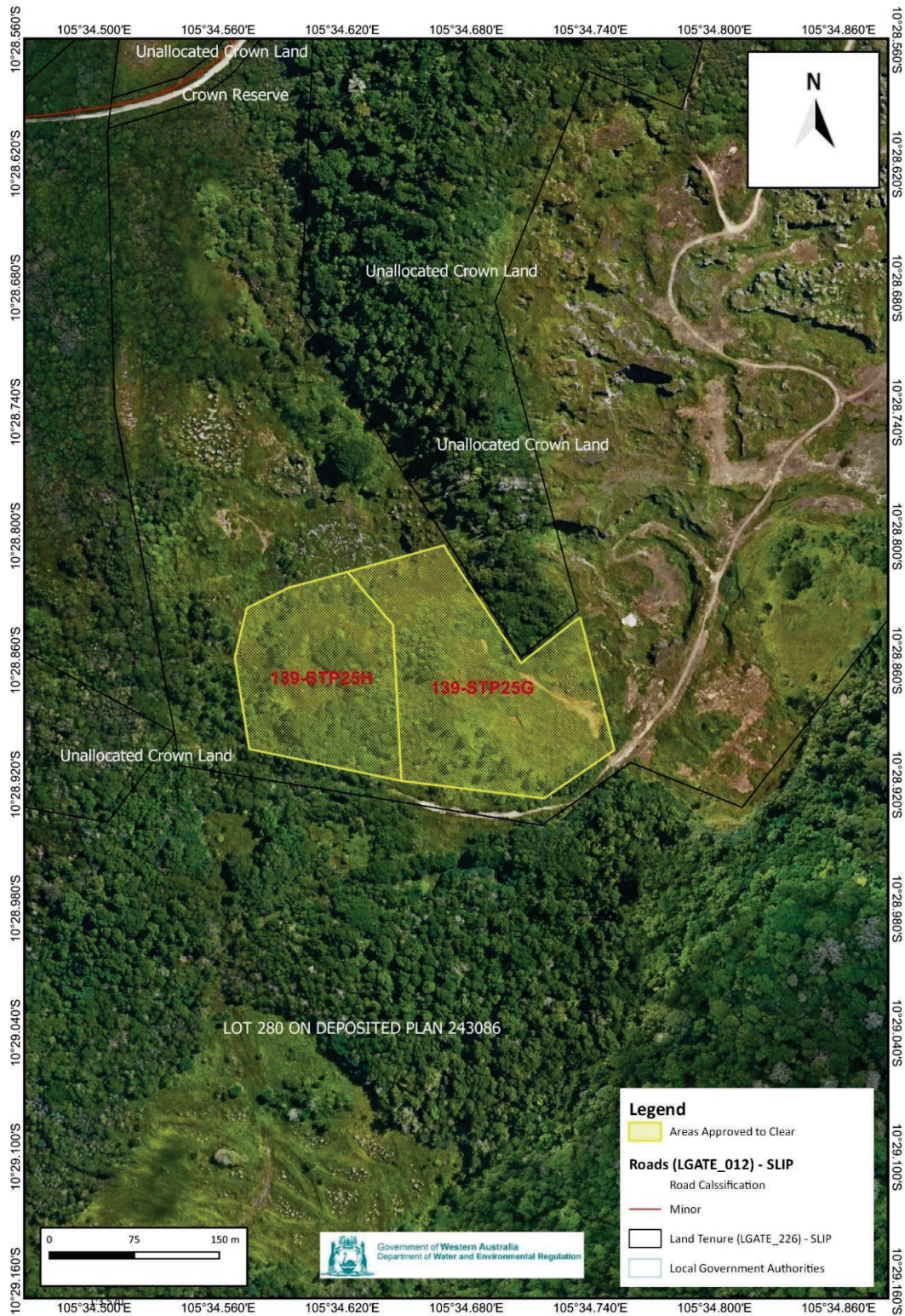


Figure 7: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for stockpile access.

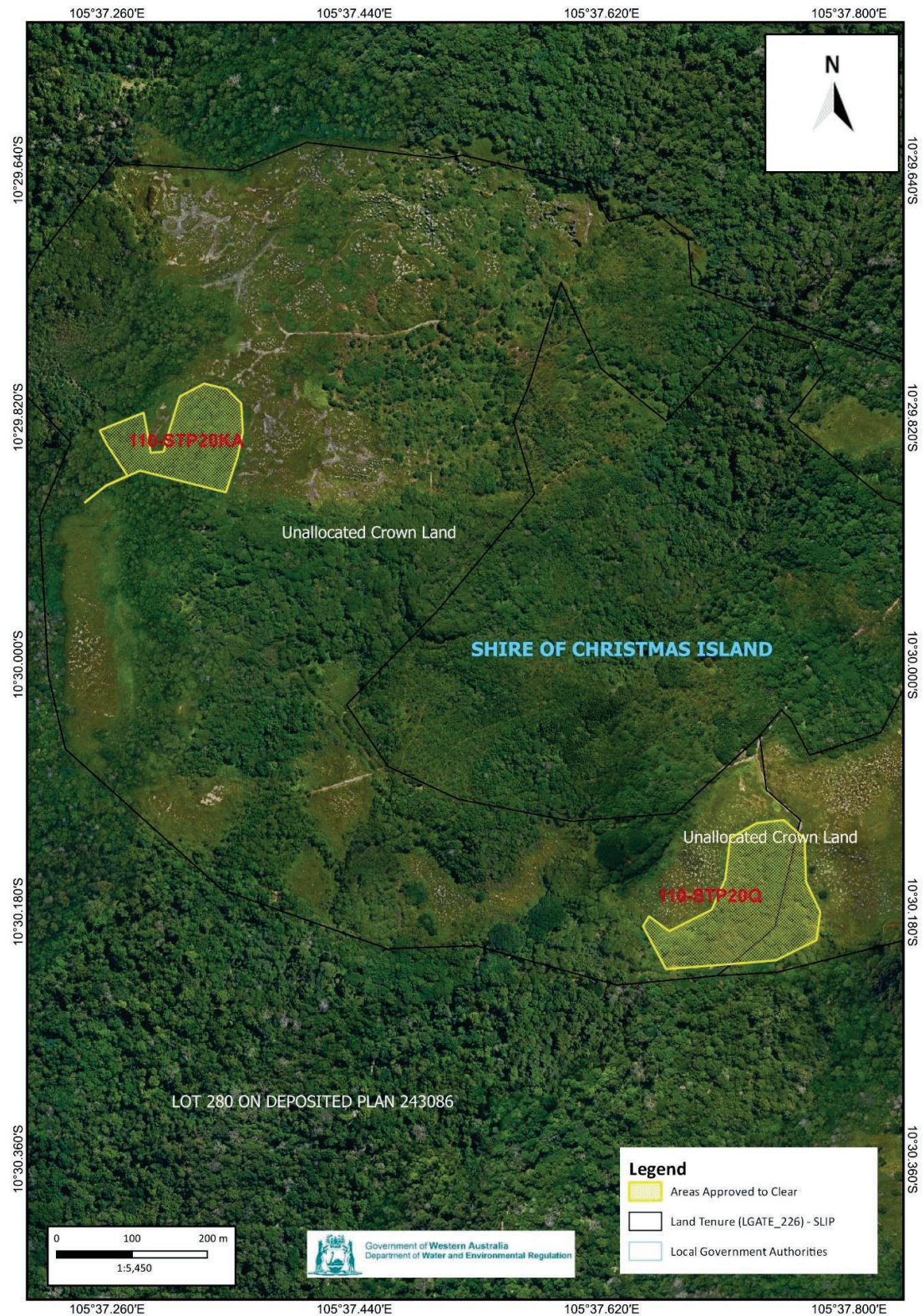


Figure 8: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for stockpile access.

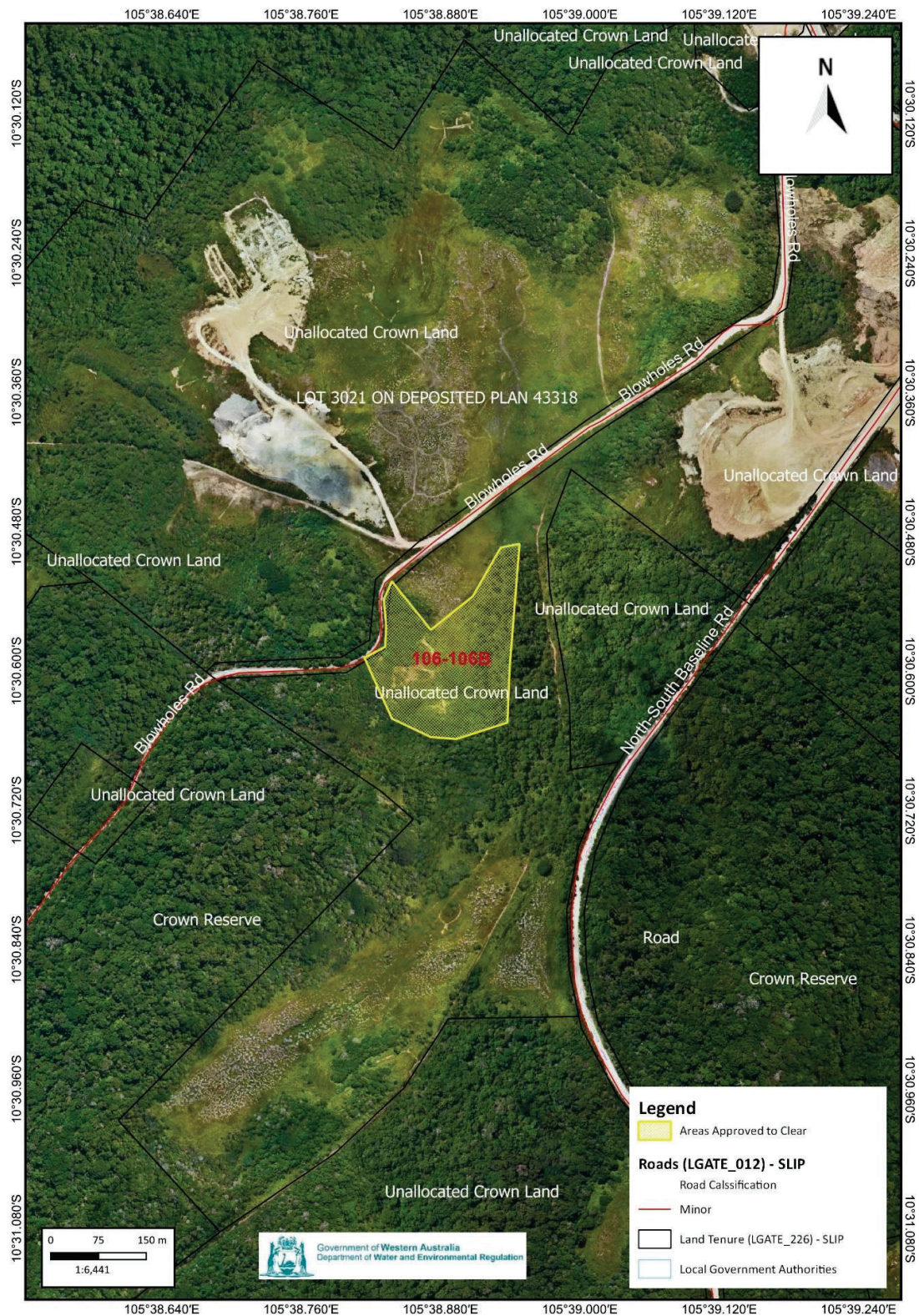


Figure 9: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for stockpile access.

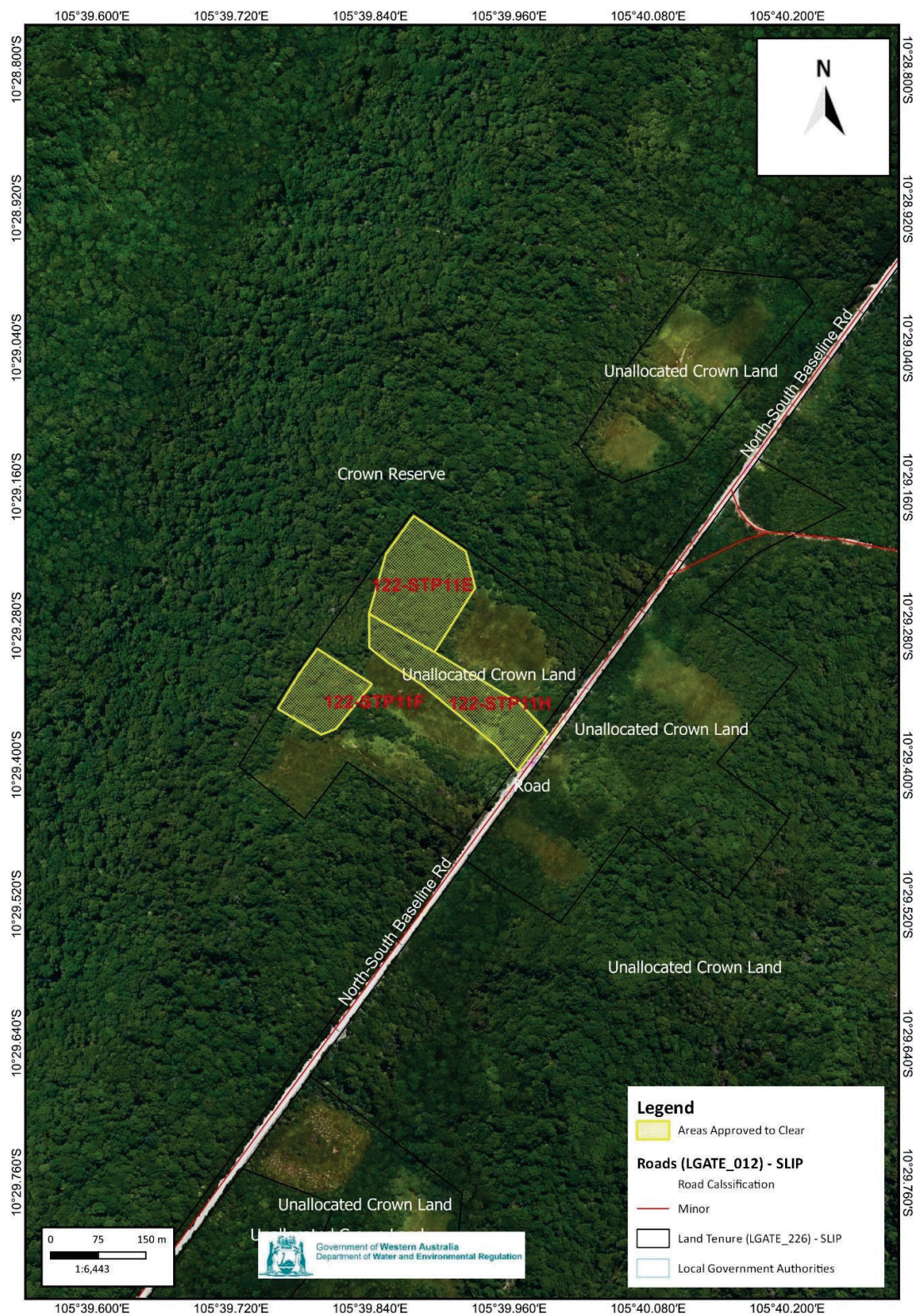


Figure 10: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for stockpile access.

The boundary of the areas authorised to be cleared for exploration in accordance with *condition 1(c)* and *condition 4* are shown in the maps below (Figures 11 to 13).

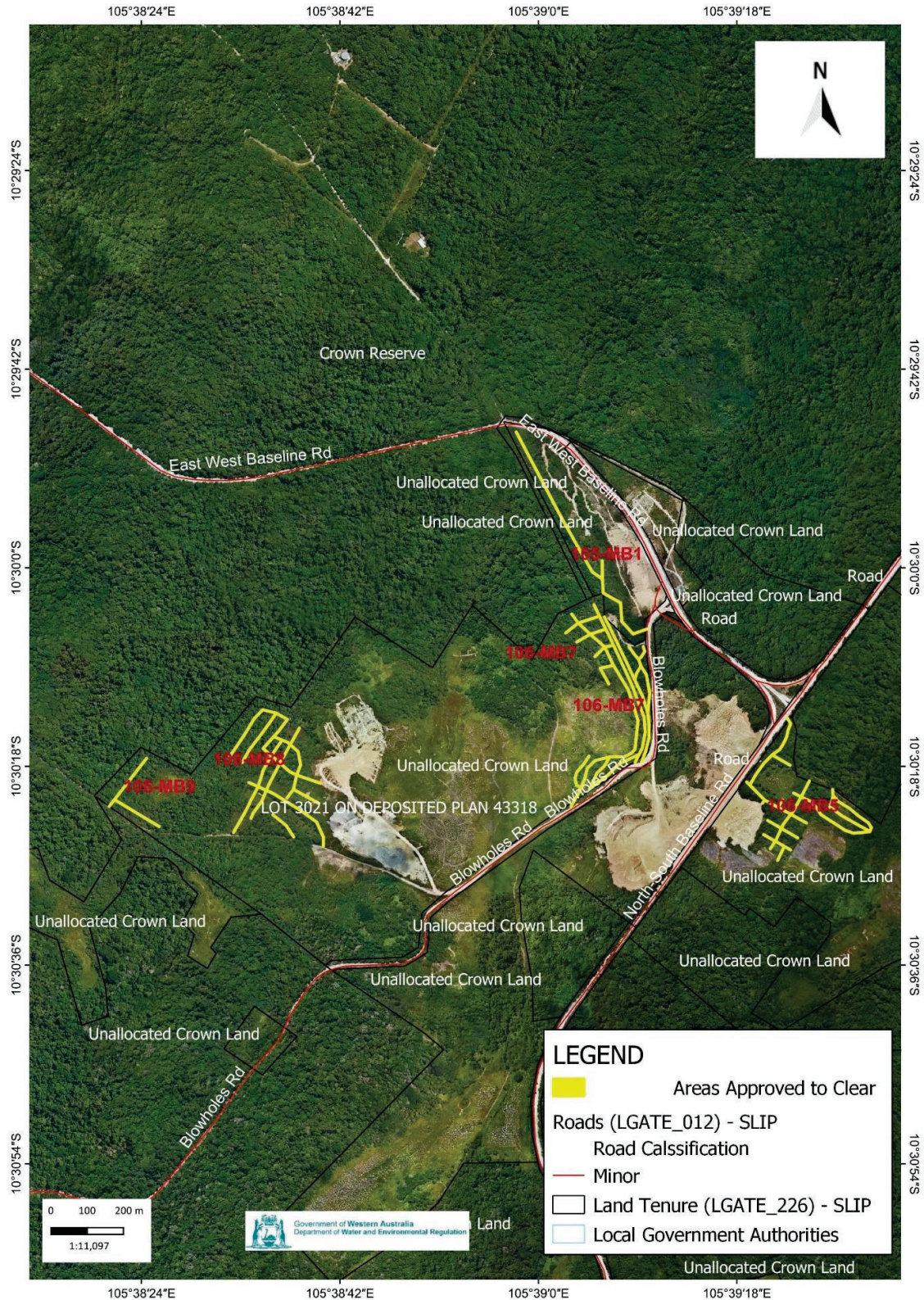


Figure 11: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for exploration.

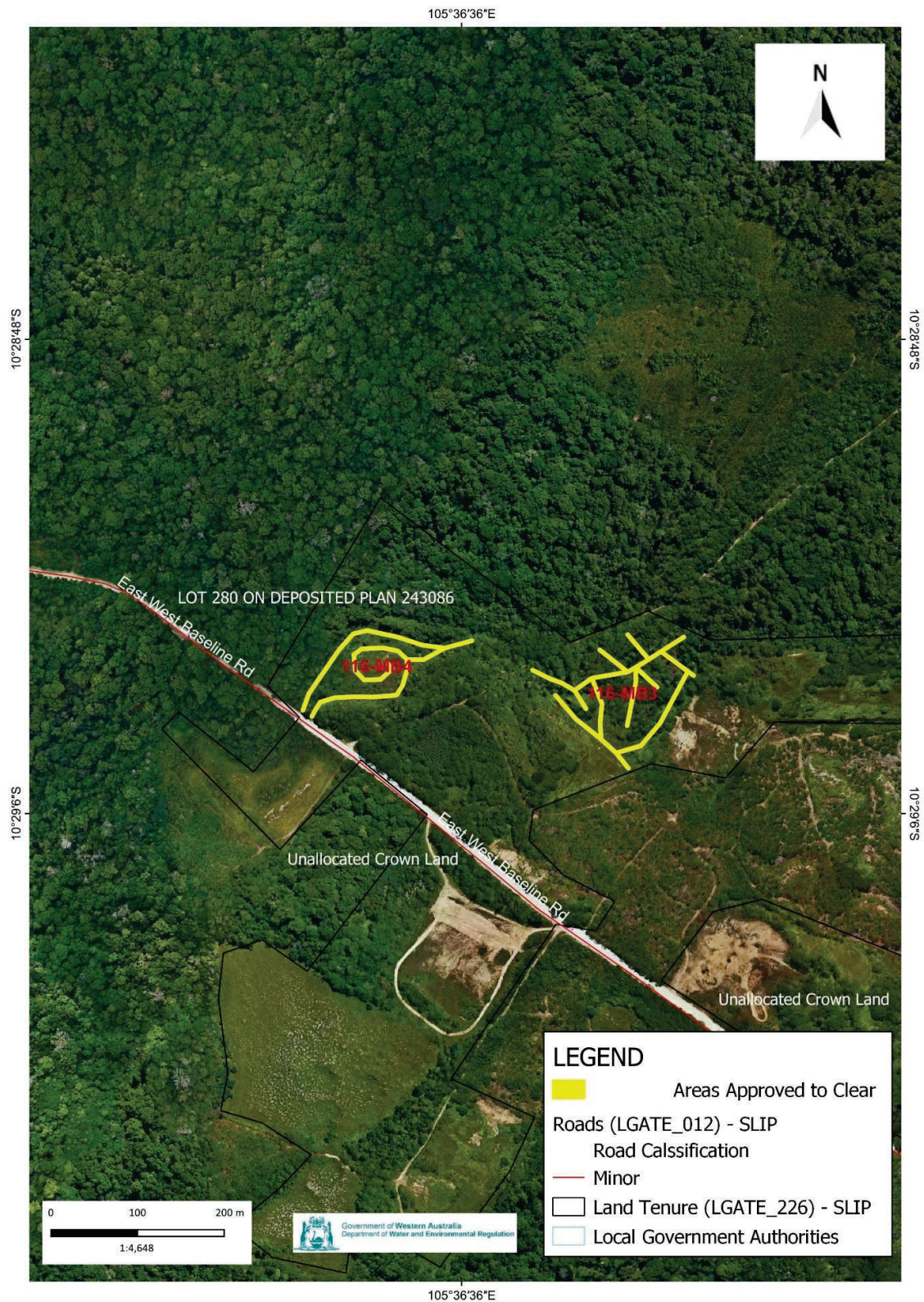


Figure 12: Map of the boundary of the areas within which *clearing* may occur (cross-hatched yellow) for exploration.

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SCHEDULE 2

The boundary of the areas subject to staged clearing requirements in accordance with *condition 11*, are shown in Figure 1 below.

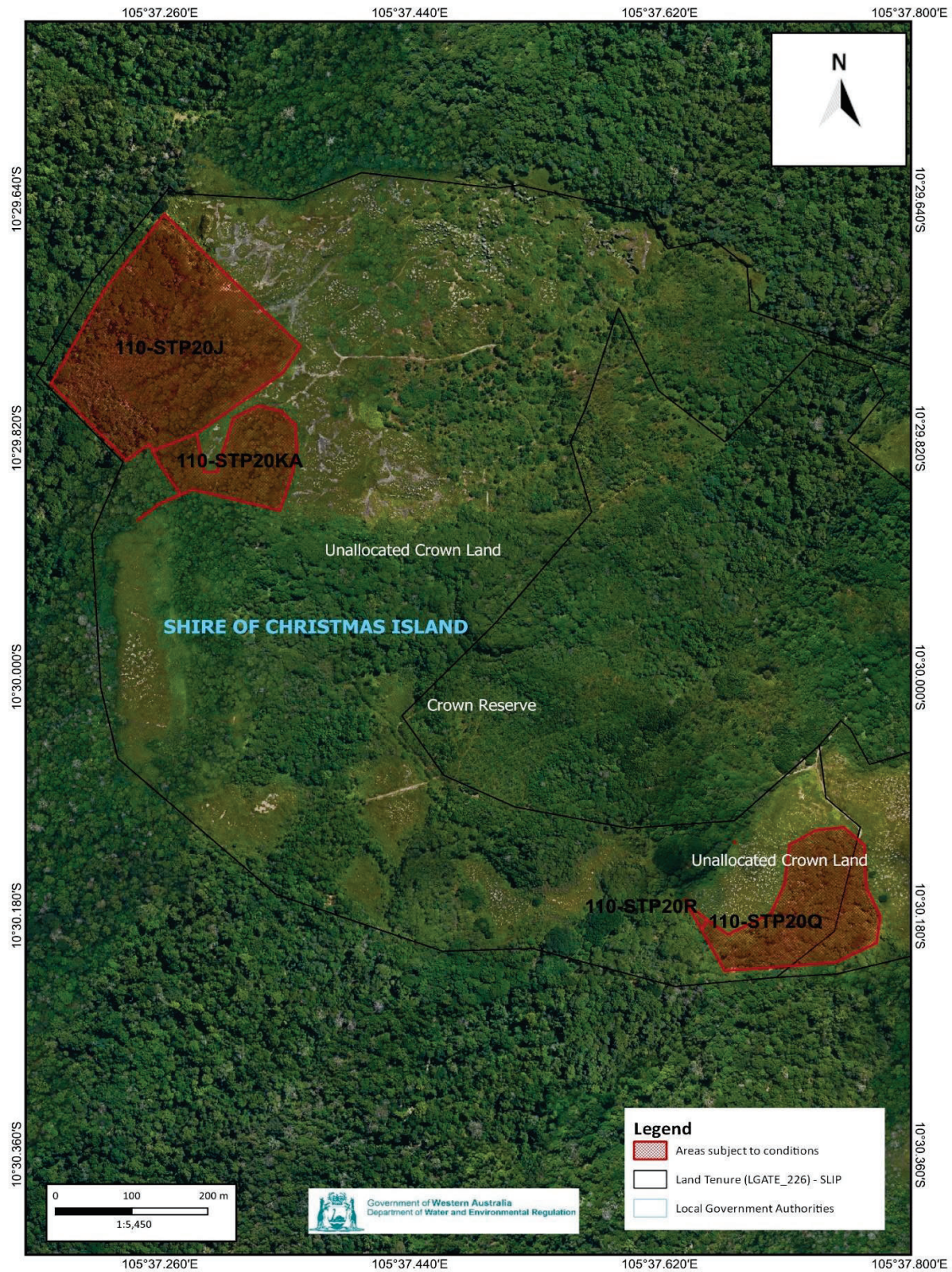


Figure 1. Map of the boundary of the areas subject to *condition 11* of this permit.

SCHEDULE 3

The staged clearing schedule, including areas 110-STP20J, 110-STP20KA and 110-STP20Q, required to be adhered to in accordance with *condition 11*.



Figure 1. Staged clearing schedule subject to *condition 11*.



Clearing Permit Decision Report

1 Application details and outcome

1.1. Amendment application details

Permit number:	CPS 4506/4
Permit type:	Purpose permit
Applicant name:	Phosphate Resources Limited
Amendment Application received:	15 November 2024
Application areas:	219.69 hectares of native vegetation
Purpose of clearing:	Phosphate mining, stockpile access and exploration
Method of clearing:	Mechanical
Property:	Mining Lease - MC1 70/1A Christmas Island
Location (LGA area/s):	Shire of Christmas Island
Localities (suburb/s):	Christmas Island

1.2. Description of the amendment

The original clearing permit, CPS 4506/1, allowed for the clearing of up to 222.61 hectares of native vegetation across 64 areas on Christmas Island to allow for phosphate mining, subject to conditions. Since the original permit was granted, two further amendments were undertaken on the clearing permit:

- CPS 4506/2 - granted 28 July 2017, to extend the duration of the clearing permit
- CPS 4506/3 - granted 1 May 2019, to reduce the area of proposed clearing by 2.92 hectares to provide a vegetated corridor for migrating red crabs (*Gecarcoidea natalis*).

This amendment application is largely to (Christmas Island Phosphates (CIP), 2024):

- extend the duration of the permit
- remove conditions relating to fauna management (Christmas Island Pipistrelle (*Pipistrellus murrayi*)) which are no longer relevant to the proposed clearing.

Clearing permit CPS 4506/3 expires on 16 March 2025, and the applicant has requested to extend the duration of the permit until 26 June 2034, to align with the expiry of the current mining lease which exists over the application areas. The applicant has either not commenced or completed its mining activities within several of the application areas and has cleared 24 hectares of the 219.69 hectares approved for clearing to date (CIP, 2024).

During the assessment of this application the applicant was provided a draft clearing permit for comment. The draft permit included several contemporised clearing permit conditions to align with current practice.

Noting the extent of change between Clearing Permit CPS 4506/3 and the draft permit provided to the applicant for comment, the applicant has requested that the department temporarily extend the duration of the permit through this current amendment application, to allow sufficient time for the applicant to provide comment on the draft conditions, which would prevent the permit from expiring (CIP, 2025).

The applicant acknowledged that under this circumstance, clearing would not be authorised past the current expiry date, and that they would be required to submit a new amendment application should they wish to undertake

further clearing, which would be subject to contemporised clearing permit conditions, that the applicant would have additional time to consider and provide comment on.

1.3. Decision on application

Decision:	Granted
Decision date:	14 March 2025
Decision area:	219.69 hectares of native vegetation, as depicted in Section 1.5, below.

1.4. Reasons for decision

This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (WA)(CI)(EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 21 days and no submissions were received.

The Delegated Officer has considered the applicants request to amend the clearing permit for a short period to prevent the expiry of the permit and allow the applicant additional time to fully consider and provide comment on the contemporised draft clearing permit conditions previously provided to the applicant.

The Delegated Officer considered that it was appropriate in this instance to extend the duration of the permit until 14 March 2027, to provide the applicant with additional time to comment on the draft permit, without resulting in the permit expiring.

The clearing permit remains largely unchanged from CPS 4506/3, except for the inclusion of Condition 3, which prevents the applicant from undertaking any clearing post the current permit expiry date, being 16 March 2025. This is noting that any further clearing must be subject to a comprehensive environmental impact assessment and contemporised clearing permit conditions, noting the time since the previous assessment was undertaken.

It is expected that the applicant will apply for a further amendment to allow future clearing within the application areas, upon which they will be provided with an appropriate timeframe to consider and provide comment on the contemporised conditions that a subsequent amendment would be subject to.

1.5 References

Christmas Island Phosphates (CIP) (2024) *Supporting Document for Amendment to CPS 4506/3*. (DWER Reference DWERDT1050346).

Christmas Island Phosphates (CIP) (2025) *Request to extend permit duration to allow sufficient time to comment on the draft clearing permit* (DWER Reference DWERDT1090303).