



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 4506/3
<b>Permit Holder:</b>	Phosphate Resources Limited trading as Christmas Island Phosphates
<b>Duration of Permit:</b>	16 March 2012 - 16 March 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 phosphate mining.

#### 2. Land on which clearing is to be done

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

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

ML 100 East MB4	ML106STP18F	ML122MB1	ML133AF5MB4A
ML100SPWMB1	ML106 MB6	ML125STP10H	ML133AF5MB5
ML100 EastMB5	ML106 15BMB1	ML125STP10C	ML133AF5MB6
ML101MB1	ML106 MB4	ML125STP10D	ML133AF8MB1
ML101MB2	ML106STP18C	ML125STP10E	ML133AF9MB1
ML101MB3	ML106STP18G	ML132MB5	ML135MB1
ML102STP13C	ML110STP20J	ML132MB4	ML136MB2
ML102MB1	ML117STP23G2	ML132MB6	ML138MB4
ML102STP13A	ML122STP11K	ML133AF5MB3	ML138MB3
ML102STP13B-	ML122F11STP11J	ML133AF9MB2	ML139STP25D
ML102STP102F	ML122F11STP11L	ML133ASTP9B	ML139STP26A
ML106 15AMB1	ML122STP11M	ML133AF5MB4	

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

ML106STP106B	ML110STP20Q	ML122F11STP11H
ML110STP20KA	ML122F11STP11E	ML139STP25G
(eastern portion of block only – refer to Plan 4506/3(e))	ML122F11STP11F	ML139STP25H

##### (c) Areas approved for exploration only (refer to Appendix 1)

ML105MB1	ML106MB8	ML116MB4
ML106 MB5	ML106 MB9	ML140MB2
ML106MB7	ML116MB3	

### 3. Area of clearing

The Permit Holder must not clear more than 219.69 hectares of native vegetation within the combined areas highlighted on Plan 4506/3(a), Plan 4506/3(b), Plan 4506/3(c) and Plan 4506/3(d).

### 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. Stockpile access

To facilitate future revegetation, 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.

### 6. 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 II of this permit.

## **PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES**

### 7. Avoid, minimise and reduce the impacts and extent of 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:

- (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 Plan 4506/3(a) 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 Plan 4506/3(d) 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

- (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 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 on attached Plan 4506/3(e) (i.e. Field 20) the Permit Holder shall:

- (a) undertake clearing in the staged order specified in Appendix 2;
- (b) at any one time no more than one stage (refer to Appendix 2) 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;
- (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 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 insitu;
  - (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;
  - (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**

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

***CEO***: means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

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

***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 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)*;

***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 *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 Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



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Mathew Gannaway  
SENIOR MANAGER  
NATIVE VEGETATION REGULATION

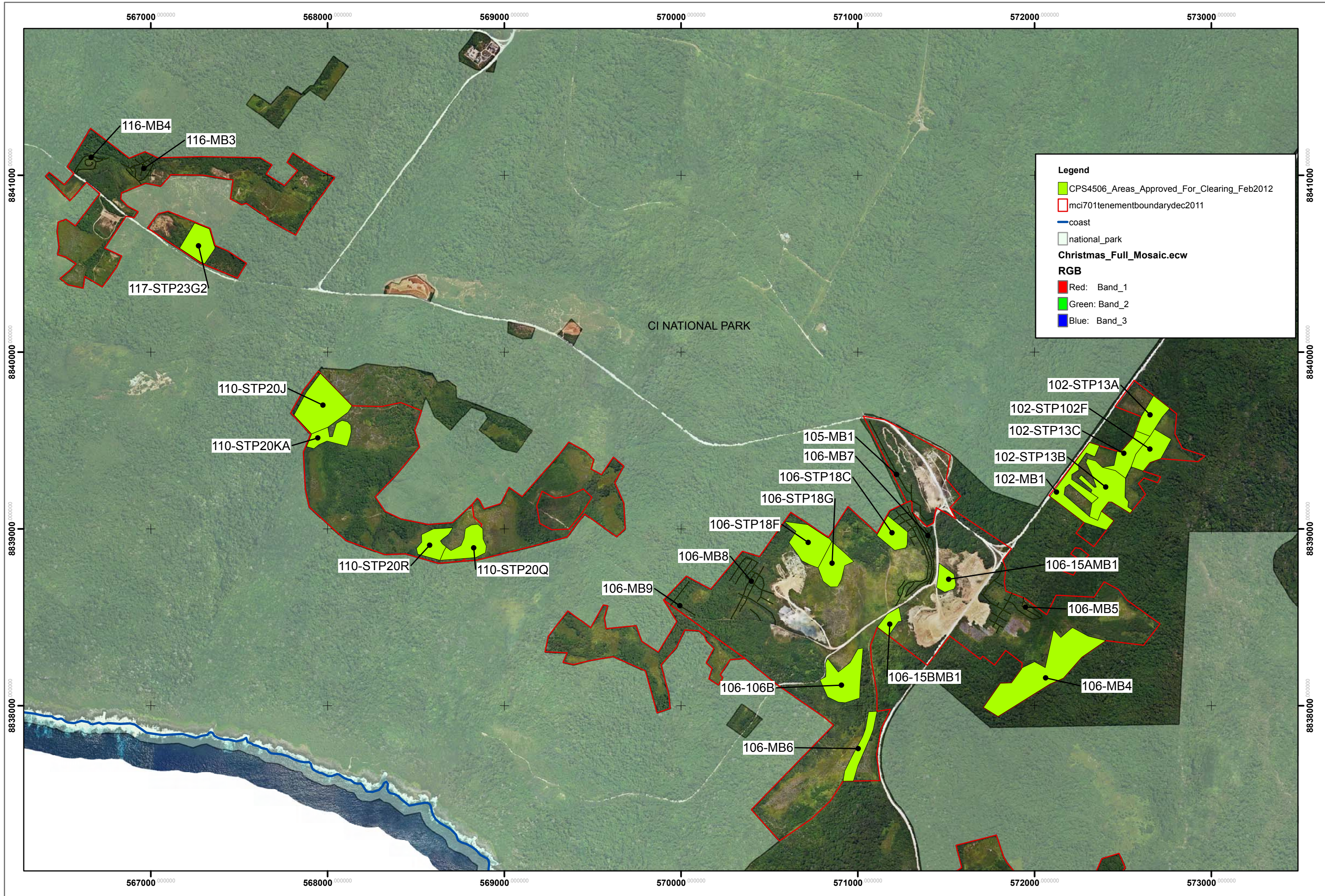
*Officer delegated under Section 20  
of the Environmental Protection Act 1986*

1 May 2019

# Appendix 1

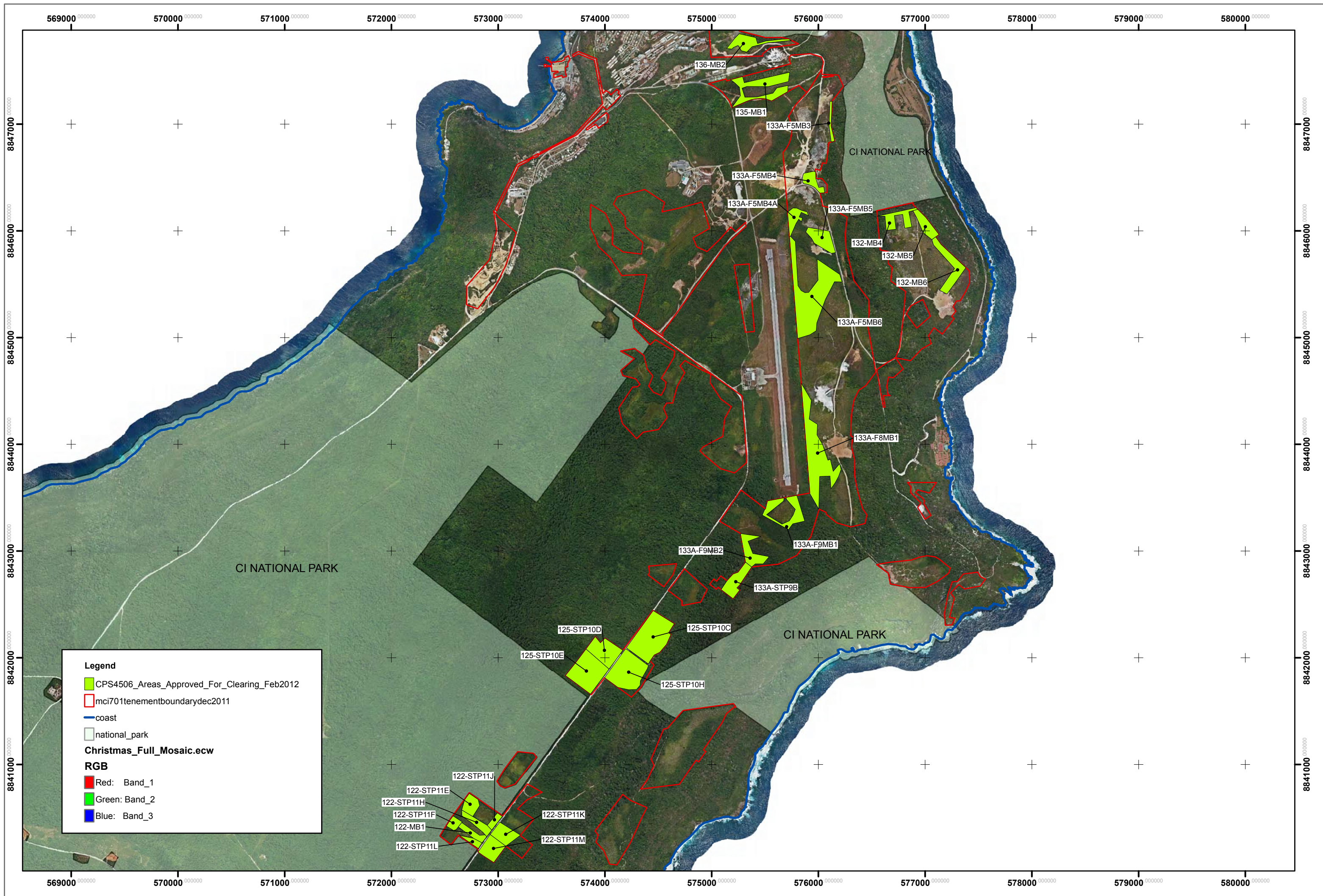
# CPS 4506/3 Christmas Island Phosphates Central Area

Datum: MGA GDA 94



# CPS 4506/3 Christmas Island Phosphates Northern Area "Dog's Head"

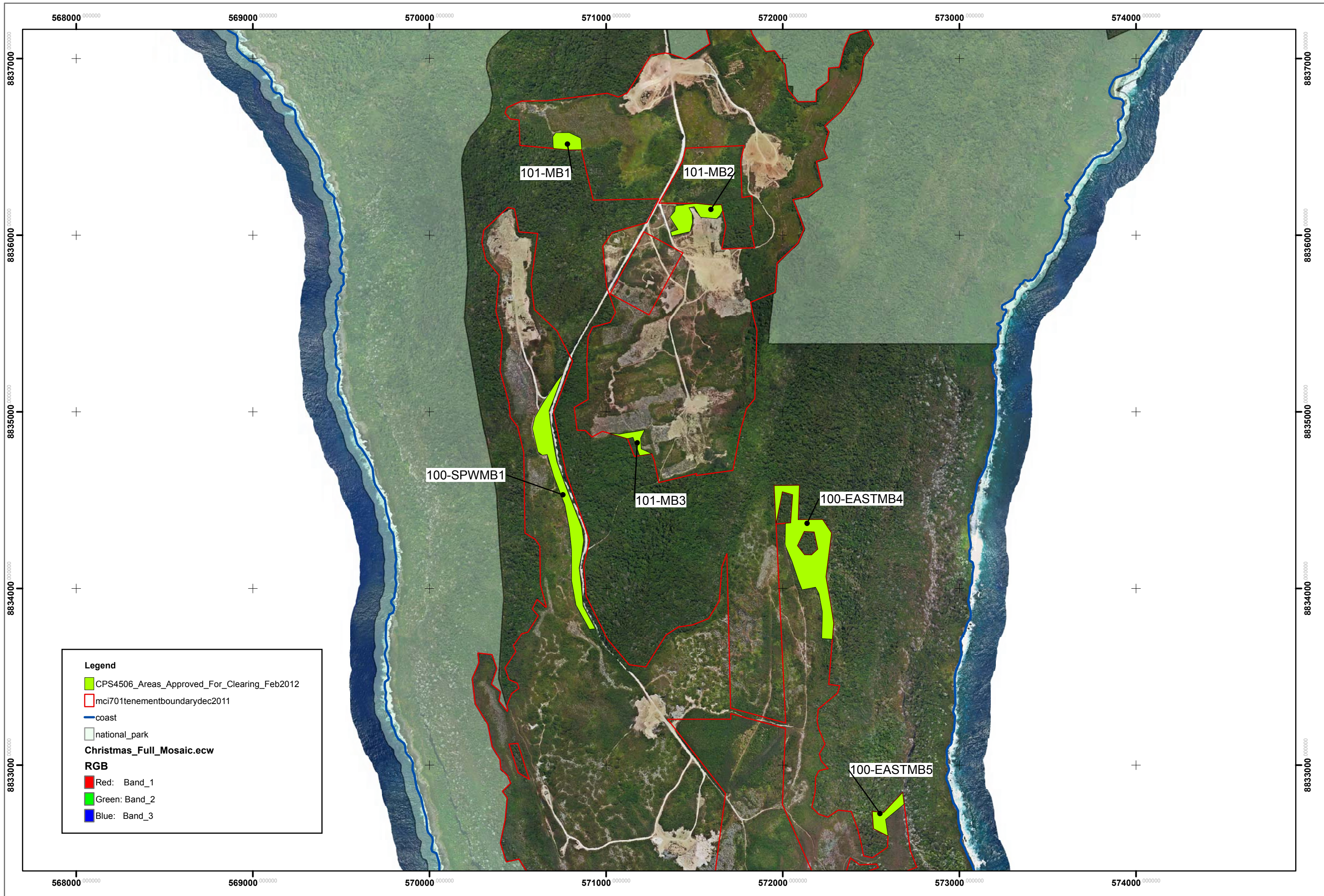
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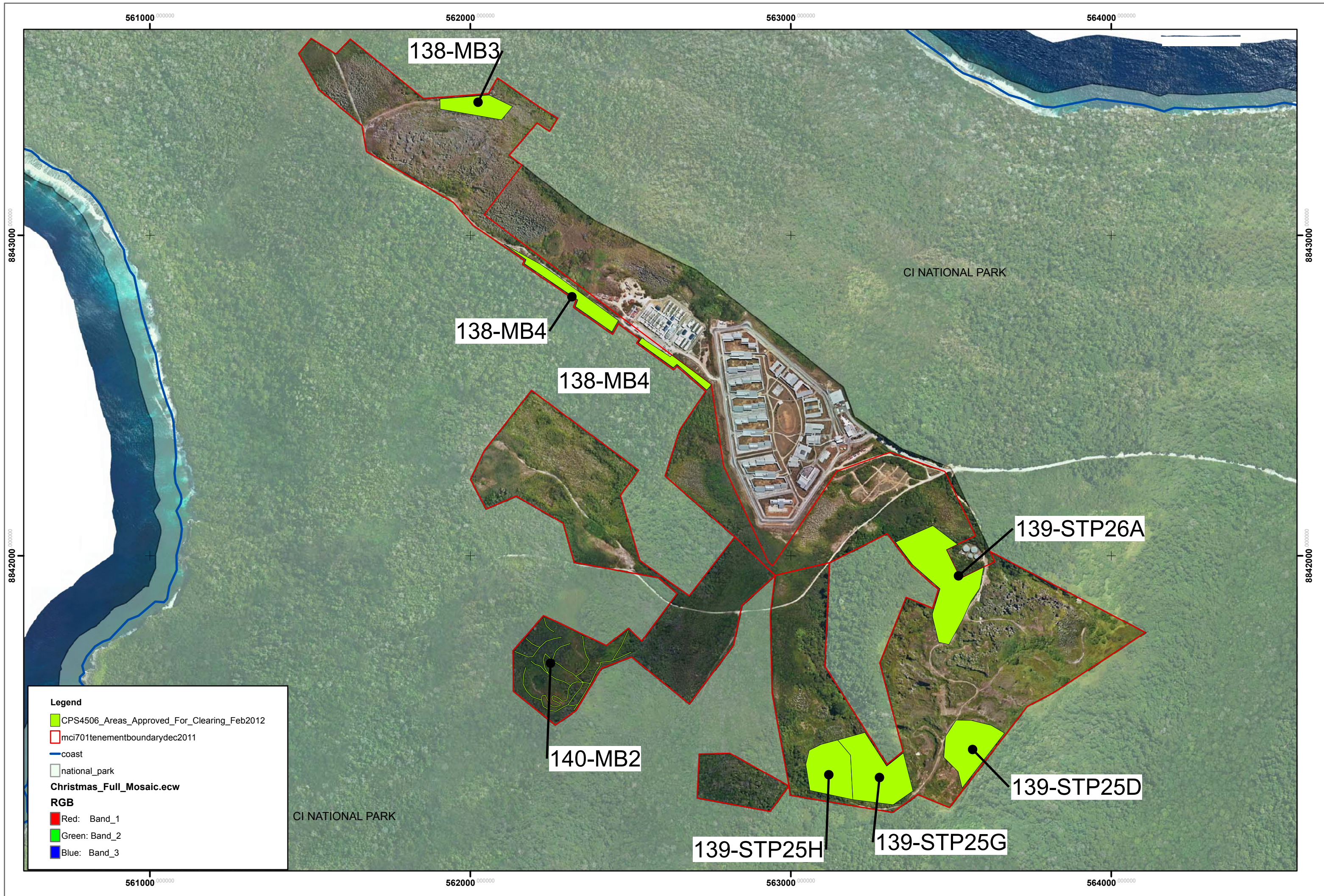
# CPS 4506/3 Christmas Island Phosphates Southern Area

Datum: MGA GDA 94



# CPS 4506/3 Christmas Island Phosphates Western Area "Dog's Tail"

Datum: MGA GDA 94



# Appendix 2

# APPENDIX 2

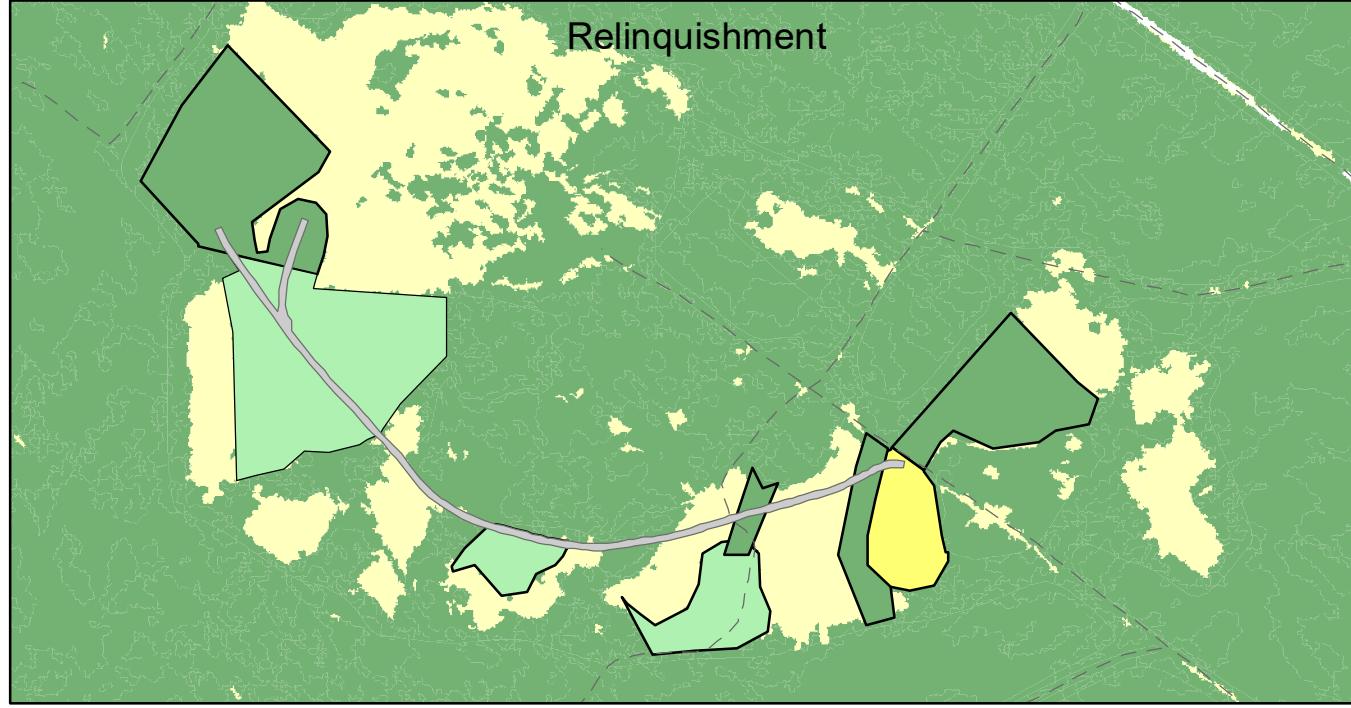
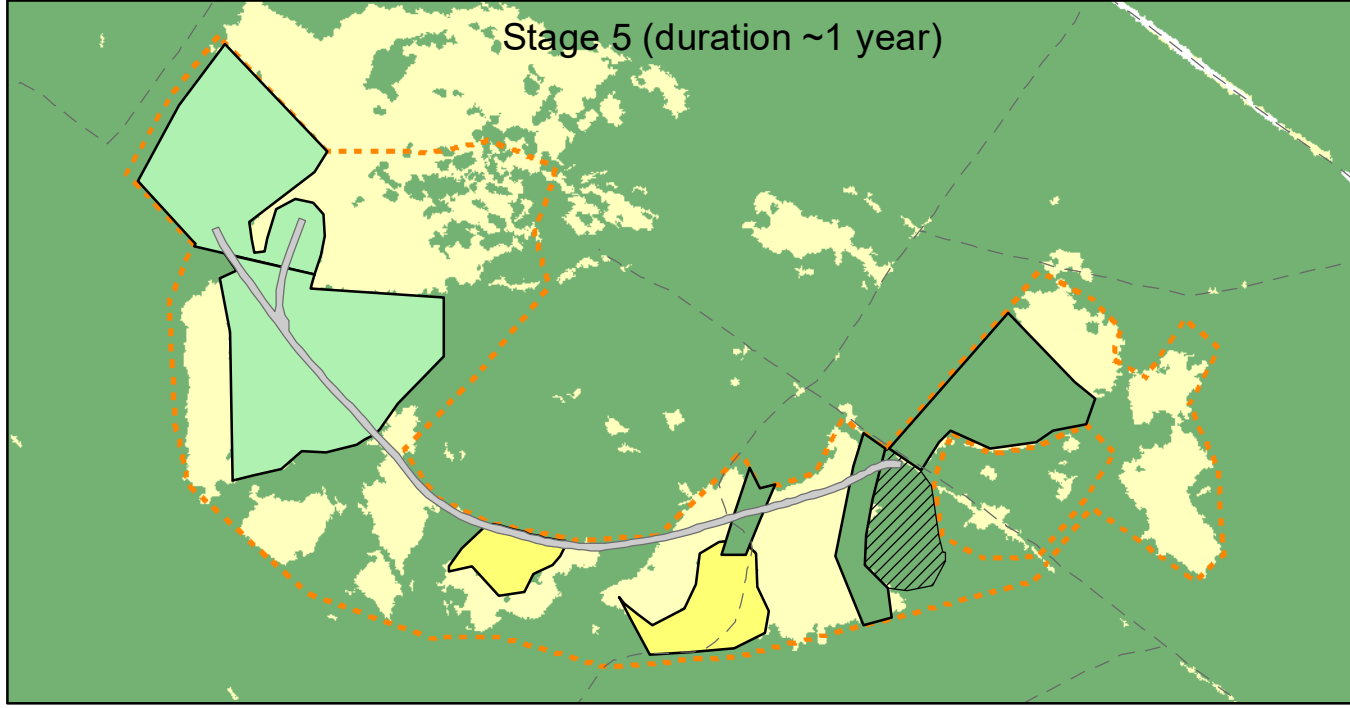
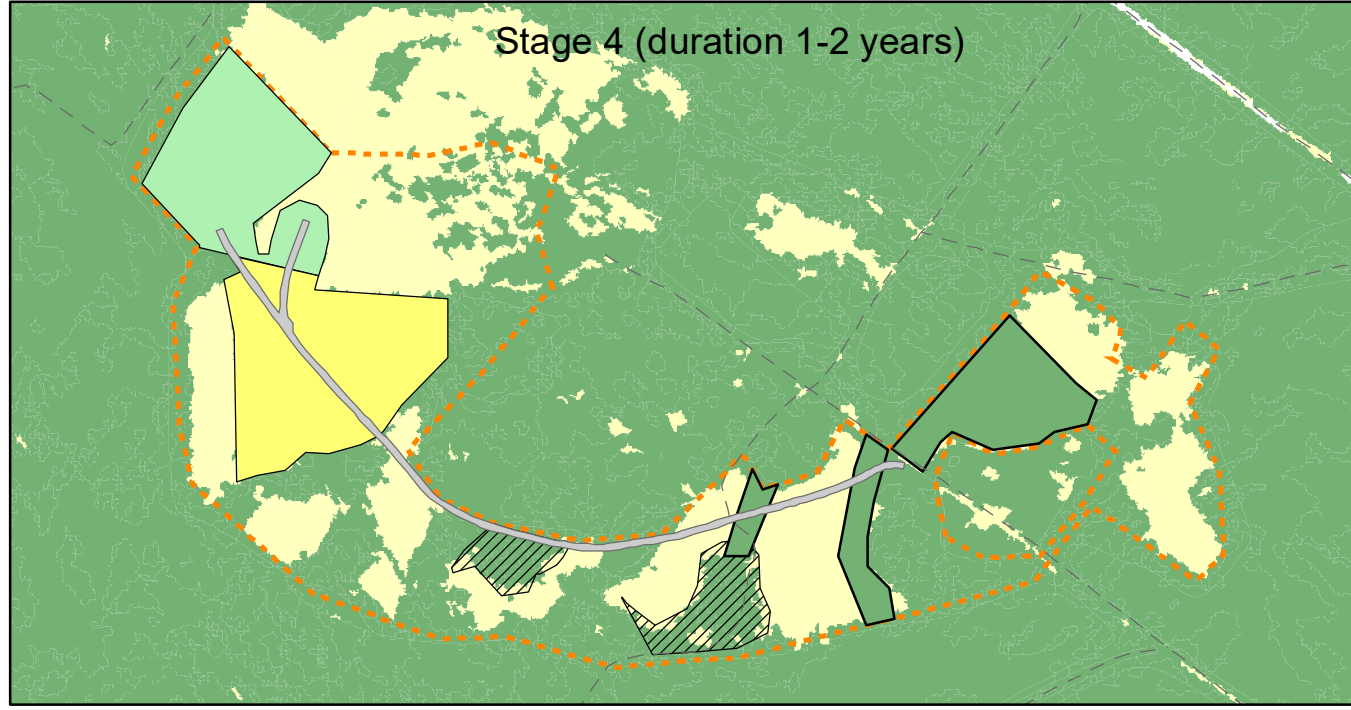
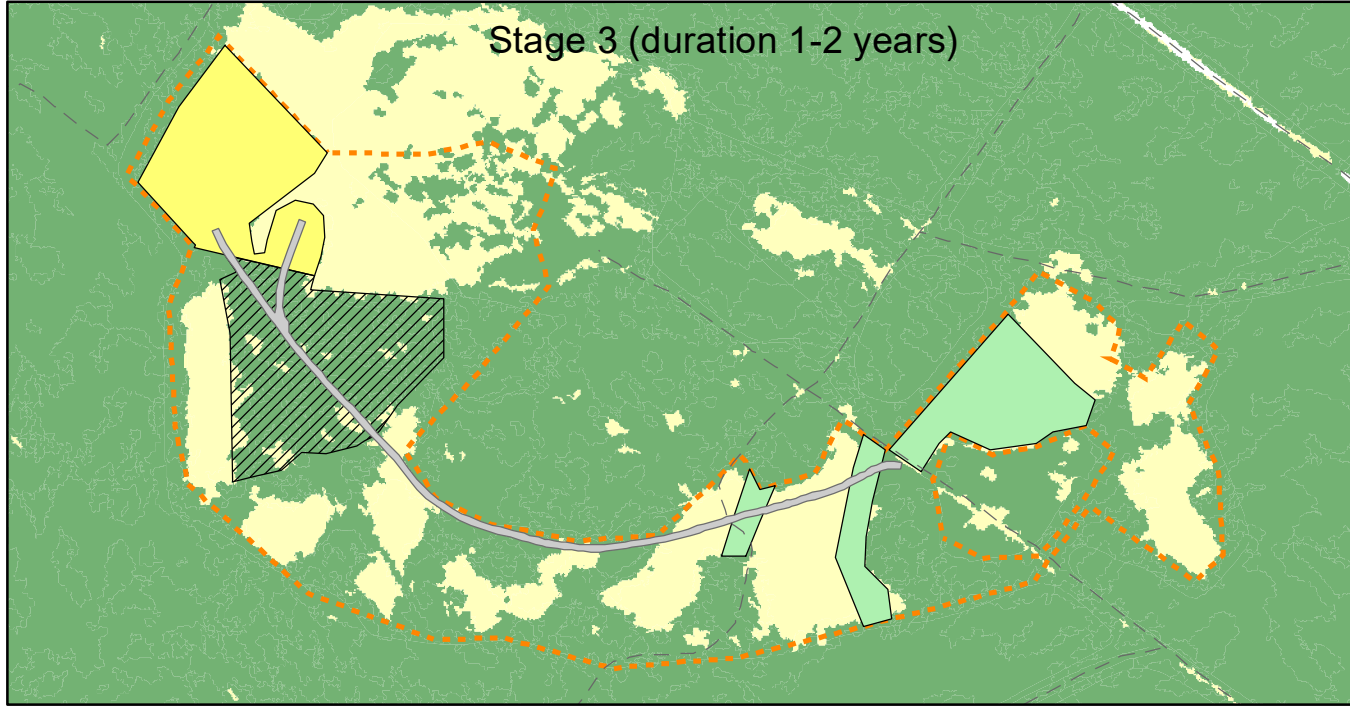
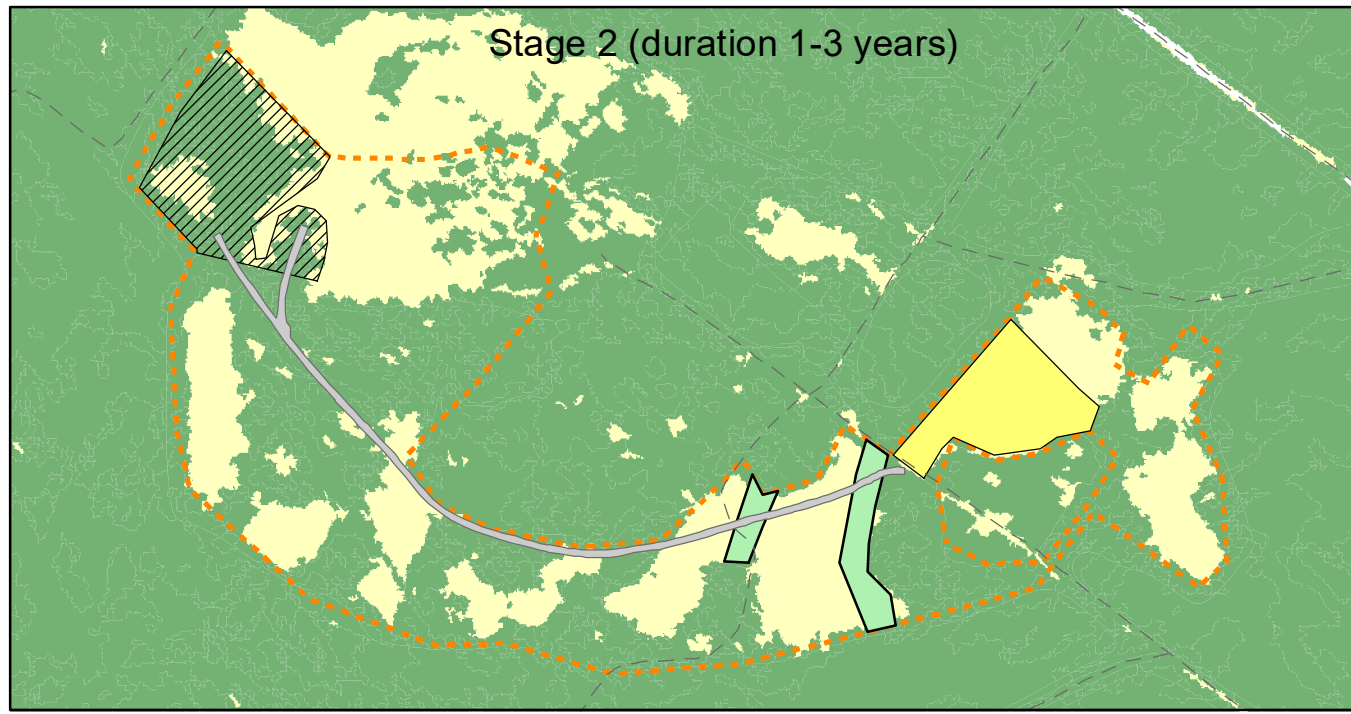
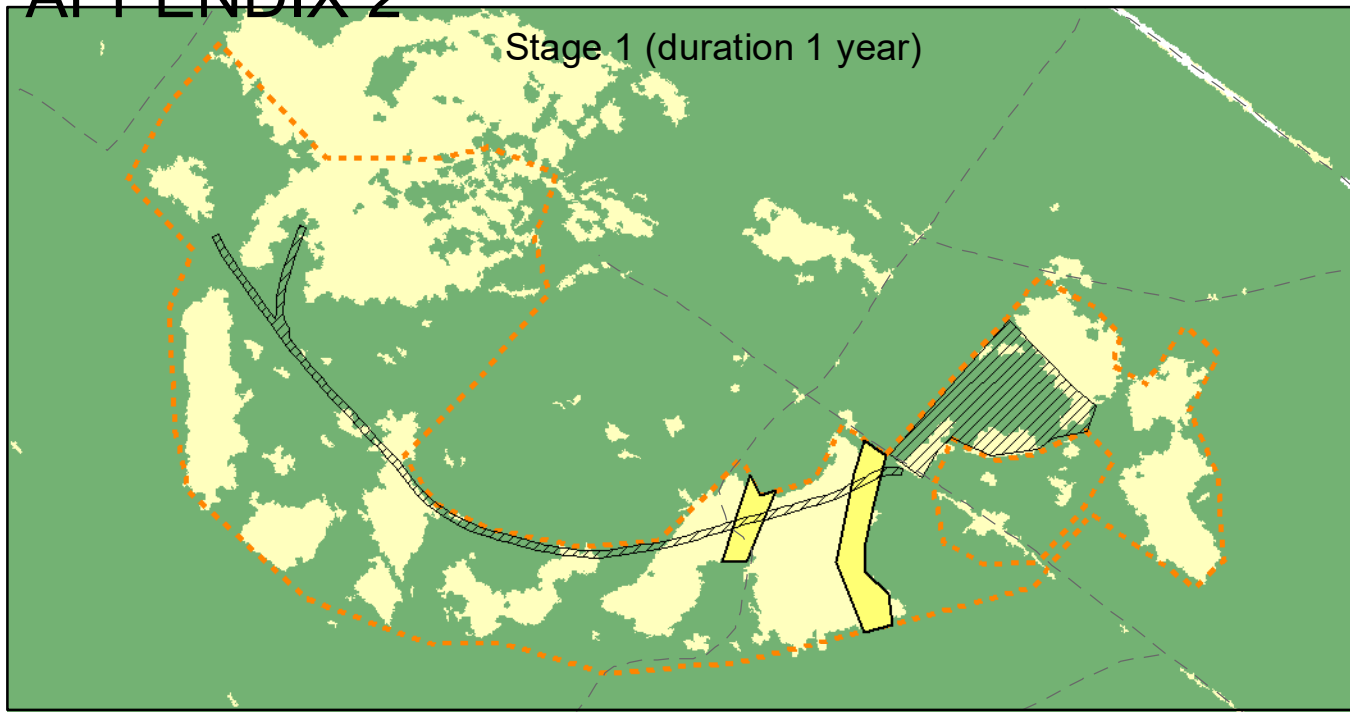
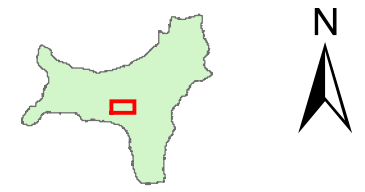


Figure 2. Vegetation cover over time

Note: This is an indicative schedule only and may be affected by operational constraints and market factors.



**Legend**

--- Road/Track

**Stage**

■ Haul Road

▨ Clearing

■ Land prepared for rehabilitation

■ <5 year vegetation growth

■ >5 year vegetation growth

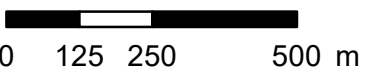
⋯ Mining Lease

**Pre-existing vegetation**

■ Vegetation >5 m

■ Vegetation <5m (typically fern field)

■ Unvegetated



# Plan 4506/3(a)



## Legend

-  cadastre
-  CPS areas approved to clear
-  Local Government Authorities

0 500 1000 m



MGA 94  
Geocentric Datum of Australia 1994

Mathew Gannaway  
2019.05.01  
13:23:53 +08'00'

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



GOVERNMENT OF  
WESTERN AUSTRALIA

# Plan 4506/3(b)




## Legend

-  cadastre
-  CPS areas approved to clear
-  Local Government Authorities

0 500 1000 m



MGA 94  
Geocentric Datum of Australia 1994

 Mathew Gannaway  
2019.05.01  
13:23:07 +08'00'

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



GOVERNMENT OF  
WESTERN AUSTRALIA

# Plan 4506/3(c)



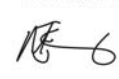
## Legend

-  cadastre
-  CPS areas approved to clear
-  Local Government Authorities

0 500 1000 m



MGA 94  
Geocentric Datum of Australia 1994

  
Mathew Gannaway  
2019.05.01  
13:22:09 +08'00'

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



GOVERNMENT OF  
WESTERN AUSTRALIA

# Plan 4506/3(d)



## Legend

-  cadastre
-  CPS areas approved to clear
-  Local Government Authorities

0 500 1000 m



MGA 94  
Geocentric Datum of Australia 1994

Mathew Gannaway  
2019.05.01 13:21:21  
+08'00'

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






GOVERNMENT OF  
WESTERN AUSTRALIA



# Plan 4506/3(e)



## Legend

-  cadastre
-  CPS subject to conditions
-  Local Government Authorities

0 500 1000 m



MGA 94  
Geocentric Datum of Australia 1994

*ME-6*  
Mathew Gannaway  
2019.05.01  
13:20:25 +08'00'

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.: 4506/3  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Phosphate Resources Limited trading as Christmas Island Phosphates  
Application received date: 19 February 2019

### 1.3. Property details

Property: 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	Purpose category:
219.68		Mechanical Removal	Mineral production

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 1 May 2019

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 may be at variance to principles (b) and (c), is not likely to be at variance to principles (h) and (i) and is not at variance to any of the remaining clearing principles.

Through assessment it has been determined that the application area may contain habitat for the pipistrelle bat (*Pipistrellus murrayi*) and red crabs (*Gecarcoidea natalis*) and may indirectly impact on Abbott's booby (*Papasula abbotti*). Fauna management conditions have been added to the permit to help ensure that these species are not impacted by the clearing.

The Delegated Officer determined that it was unlikely for threatened flora to occur within the majority of the application area, however there is potential for less disturbed areas to contain threatened flora. To ensure that threatened flora is not disturbed a condition has been added to the permit to ensure a buffer is maintained around any identified threatened flora.

## 2. Site Information

<b>Clearing Description</b>	The application is to clear 219.69 hectares of native vegetation within Mining Lease MCI 70/1A for the purpose of phosphate mining.
<b>Vegetation Description</b>	All of the areas under application have previously cleared for mining and now consist of regrowth vegetation.
<b>Vegetation Condition</b>	Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).  to  Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).
<b>Soil type</b>	Approximately half of Christmas Island is covered with a layer of phosphate rich soil material over limestone (Range to Reef, 2018).

### 3. Assessment of application against clearing principles

This amendment has been made to reduce the application area by 2.92 hectares. The application area has been reduced to provide vegetated corridors for migrating red crabs. The amendment is to reflect commitments made under CPS 8032/1. Figure 1 below indicates the area previously approved under CPS 4506/2 and Figure 2 represents the amended area under this application.

As the application is to reduce the application area and not for additional areas, the assessment against the clearing principles has not changed. The assessment against the clearing principles can be found in Decision Report CPS 4506/1.



Figure 1. Previous area granted under CPS 4506/2



Figure 2. Amended area subject of this application

#### Planning instruments and other relevant matters.

The assessment of planning instruments and other relevant matters has not changed and can be found in Clearing Permit Decision Report CPS 4506/1.

### 4. References

Range to Reef Environmental (2018) Part A - Clearing Permit Application "Case-by-Case Areas", Supporting Documentation and Part B – Flora Survey and Fauna Assessment. Prepared for Phosphate Resources Limited (trading as Christmas Island Phosphate). March 2018 (DER Ref: A1643600).