



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 4506/2
<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	ML110STP20R	ML122F11STP11H
ML110STP20KA	ML122F11STP11E	ML139STP25G
ML110STP20Q	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 222.61 hectares of native vegetation within the combined areas highlighted on Plan 4506/2a, Plan 4506/2b, Plan 4506/2c and Plan 4506/2d.

### 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 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:

- (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 4506/2a 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 4506/2d is prohibited between March and October, the nesting period of *Papasula abbotti* (Abbott's Booby).
- (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 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 9(b) being approved, the Permit Holder must remove or kill any weeds growing within areas cleared under this permit.

### 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
<ul style="list-style-type: none"> <li>▪ All species listed as a “Protected Species” in accordance with the Environmental Protection and Biodiversity Conservation Regulations 2000, 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>Tectaria devexa</i></li> <li>▪ * EPBC listed (E)</li> </ul>	<ul style="list-style-type: none"> <li>▪ 50m</li> </ul>

### 11. 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

### 12. 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.

### 13. 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 12 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 16 December 2024, the Permit Holder must provide to the CEO, of the Department of Environment Regulation a written report of records required under condition 12 of this Permit where these records have not already been provided under condition 13(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;

**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 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*

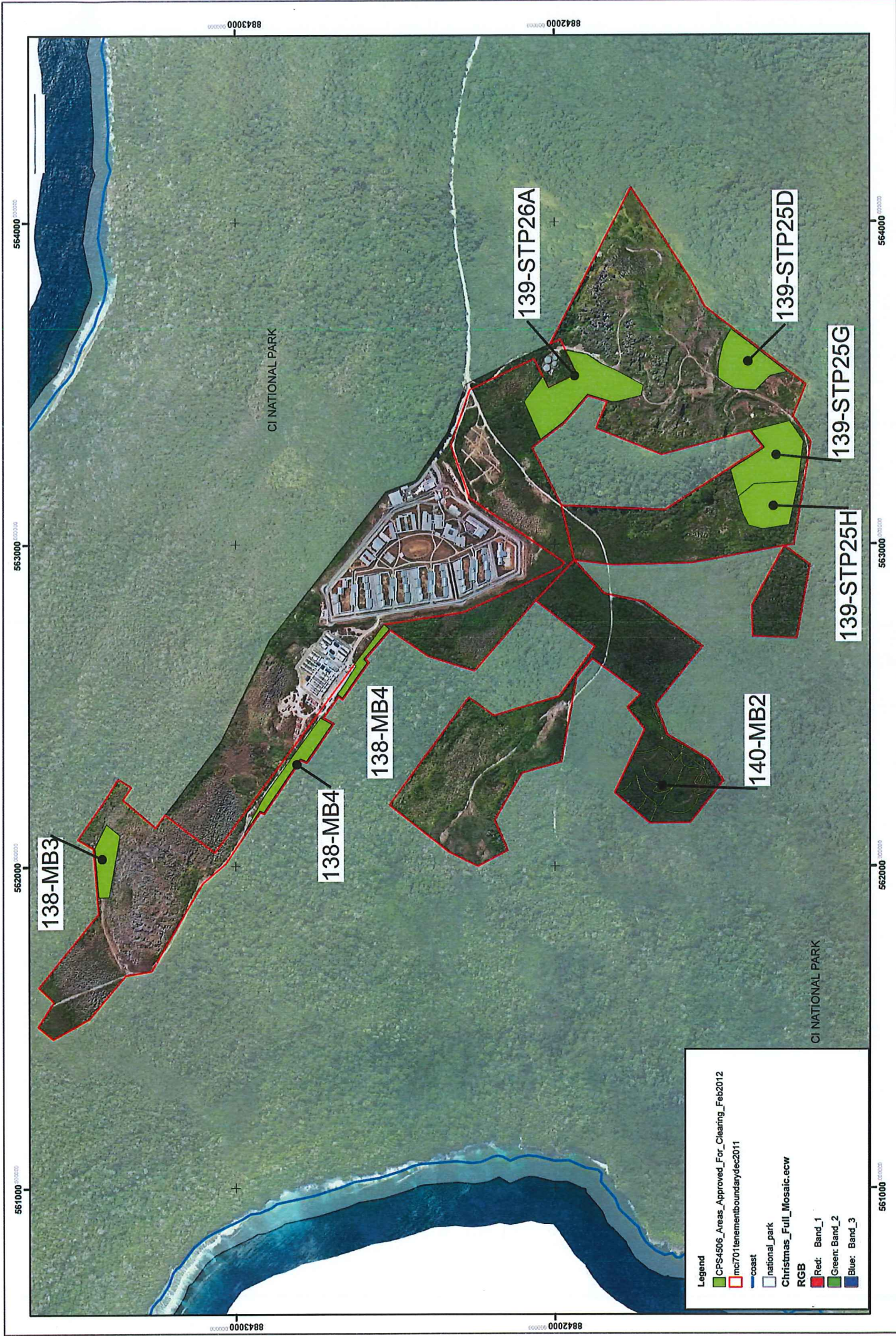
28 July 2017

# Appendix 1



# CPS 4506/2 Christmas Island Phosphates Western Area "Dog's Tail"

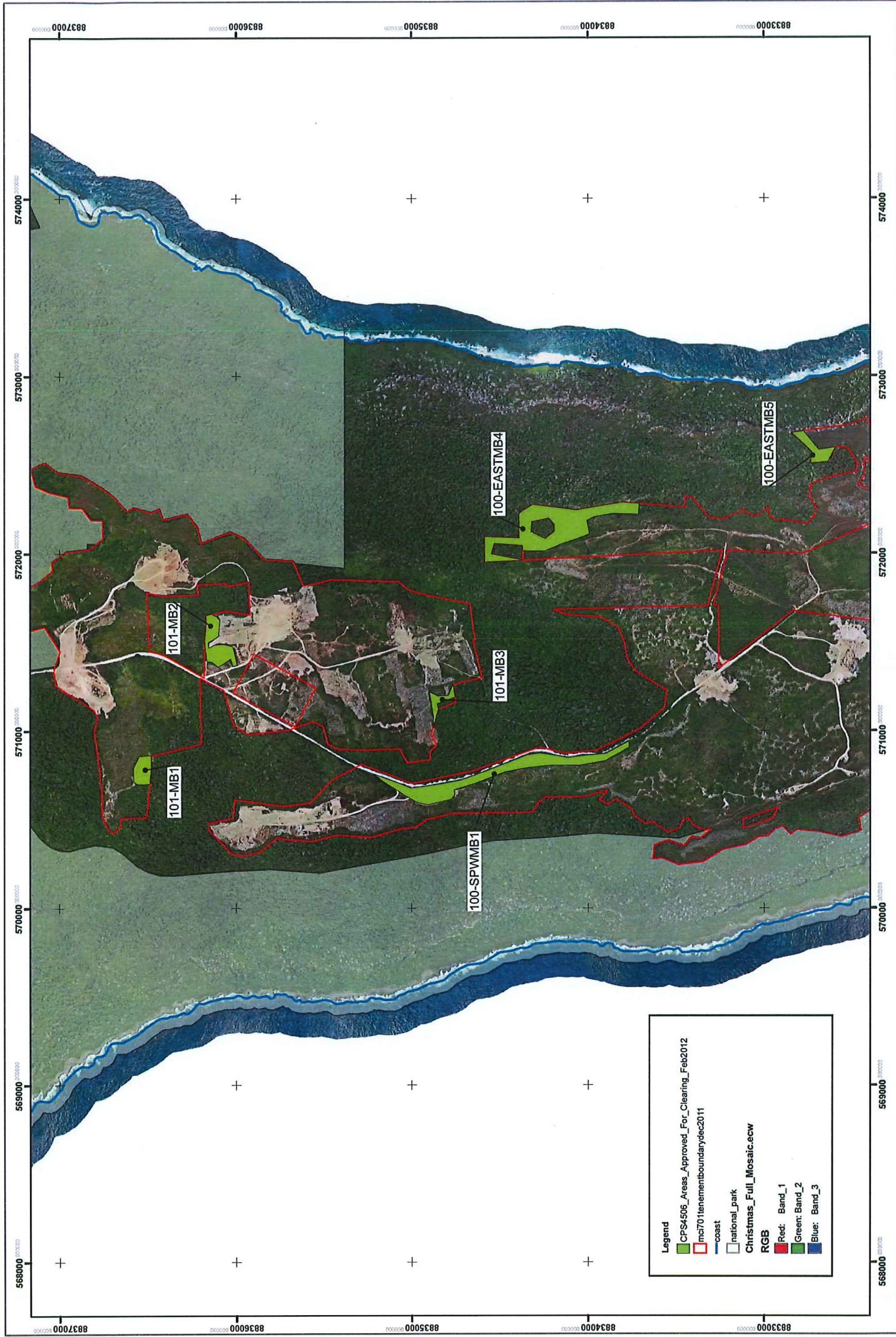
Datum: MGA GDA 94





# CPS 4506/2 Christmas Island Phosphates Southern Area

Datum: MGA GDA 94





# CPS 4506/2 Christmas Island Phosphates Northern Area "Dog's Head"

Datum: MGA GDA 94



**Legend**

- CPS4506\_Areas\_Approved\_For\_Clearing\_Feb2012
- mc701tenementboundarydec2011
- coast
- national\_park

Christmas\_Full\_Mosaic.ecw

**RGB**

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



# CPS 4506/2 Christmas Island Phosphates Central Area

Datum: MGA GDA 94





# Plan 4506/2a



## Legend

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



1:24,762

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



# Plan 4506/2b



## Legend

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



1:45,962

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 4506/2c



### Legend

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



1:28,847

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 4506/2d



## Legend

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



1:30,023

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.: 4506/2  
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: Shire of Christmas Island  
Authority:  
Localities: Christmas Island

### 1.4. Application

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

### 1.5. Decision on application

Decision on 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 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 rare flora to occur within the majority of the application area, however there is potential for less disturbed areas to contain rare flora. 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
All of the areas under application have previously cleared for mining and now consist of regrowth vegetation.	The application is to clear 222.61 hectares of native vegetation within Mining Lease MCI 70/1A for the purpose of phosphate mining.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The description and condition of the vegetation was determined via a site inspection undertaken in 2011.

## 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 4506/1.

## 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.





## 1. Application details

### 1.1. Permit application details

Permit application No.: 4506/2  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Phosphate Resources Limited  
Postal address: 1194 SOUTH PERTH WA 6951  
Contacts: Name: Ms Rachael Pratt Range to Reef Environmental  
Phone: 93356223  
Email: rachael@rangetoreef.com

### 1.3. Property details

Property: LOT 598 ON PLAN 37939, CHRISTMAS ISLAND  
LOT 597 ON PLAN 37939, CHRISTMAS ISLAND  
LOT 555 ON PLAN 61473, CHRISTMAS ISLAND  
LOT 3067 ON PLAN 50962, CHRISTMAS ISLAND  
LOT 3021 ON PLAN 43318, CHRISTMAS ISLAND  
LOT 3020 ON PLAN 43319, CHRISTMAS ISLAND  
LOT 3012 ON PLAN 37939, CHRISTMAS ISLAND  
UNALLOCATED CROWN LAND, CHRISTMAS ISLAND  
ROAD RESERVE - 11562905, CHRISTMAS ISLAND  
ROAD RESERVE - 11184452, CHRISTMAS ISLAND  
ROAD RESERVE - 11832060, CHRISTMAS ISLAND  
ROAD RESERVE - 11485188, CHRISTMAS ISLAND  
ROAD RESERVE - 11831919, CHRISTMAS ISLAND  
ROAD RESERVE - 11831921, CHRISTMAS ISLAND

Colloquial name:  
Local Government Authority: Shire of Christmas Island

### 1.4. Application

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

### 1.5. Correspondence in QA

Date: 28 July 2017  
Description: Grant – Final Amendment

## 2. Background

### 2.1. History

Date	Comments
18 July 2017	Email received from Ms Rachael Pratt (Range to Reef) requesting to waive the 28 day notification period (DWER Ref: A1484964).
13 July 2017	Email received from Mr Rachael Pratt (Range to Reef) asking whether the relinquished sites should be removed from the permit. In a return email Ms Crawford advised that they should stay on the permit as evidence that they were approved to be cleared (DER Ref: A1474022).
13 July 2017	Email received from Mr Rachael Pratt (Range to Reef) asking if the weed conditions to be amended so that they were the same as CPS 3472/6 (DER Ref: A1474019).
28 June 2017	Notice of Proposed Amendment sent Registered Post (51013444590017).
28 June 2017	Notice of Proposed Amendment (DER REF: A1463795).
21 June 2017	Email received from Mr Chris Kuster (Department of Infrastructure and Regional Development) advising that the clearing permit can be amended so that annual reports are not submitted directly to DER (DER Ref: A1457106).
09 June 2017	Email received from Mr Andrew Hill (Range to Reef) providing an explanation on why the permit extensions were required (DER Ref: A1448350).
15 May 2017	Direct Interest Email sent to Shire of Christmas Island (DER REF: A1448353). Submissions required by 29 May 2017.
15 May 2017	Application to Amend Accepted (DER REF: A1431496). Advertised online 17 May 2017 for 21 day submission period. Publication summary advertised in <i>The West Australian</i> on Monday 22 May 2017. Request to increase the permit duration until 2025.
05 May 2017	Ms Abbie Crawford (DER) sent an email to Ms Rachael Pratt (Range to Reef) asking when Mining Lease MCI 70/1A expires. In a return email Ms Pratt advised that it expired in 2034. A copy of the mining lease was provided (DER Ref: A1425493).

21 April 2017

Application to amend received on 21 April 2017 for the purpose of extending the permit duration until 2025 (DER Ref: A1416702).

### **3. Contentious Issues / Notes to Decision Maker**

The application was not reassessed.

CPS 3290/3 and CPS 3472/6 were also amended at the same time.