



Australian Government

Department of the Environment, Water, Heritage and the Arts

Refusal of Approval

Phosphate Resources Limited – East Christmas Island Phosphate Mining on 9 (since modified to 8) Sites on Christmas Island EPBC 2001/487

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Proposed action

person who proposed to take the action	Phosphate Resources Limited
proponent's ACN and ABN (if applicable)	ACN 009 396 543 ABN 77009396543
proposed action	To undertake surface mining, transport and off-site processing of phosphate at nine (9) [since modified to eight (8)] sites on Christmas Island, Indian Ocean Territory, and associated rehabilitation activities, construction and infrastructure works, and operational activities.

Refusal of Approval decision

Controlling Provision	Decision
Wetlands of international importance (sections 16 & 17B)	Approved
Listed threatened species and communities (sections 18 & 18A)	Refused
Listed migratory species (sections 20 & 20A)	Refused
Commonwealth marine areas (sections 23 & 24A)	Approved
Commonwealth land (sections 26 & 27A)	Refused



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This decision refuses the proposed action against some controlling provisions and approves the proposed action against other controlling provisions. This results from a requirement under the EPBC Act to approve or refuse to approve an action for each controlling provision, rather than for the action as a whole. The consequence of refusing to approve an action against one or more controlling provisions is that the proposed action cannot proceed. This is because the proposed action would have unacceptable impacts on matters protected by Part 3 of the EPBC Act.

Decision-maker

name and position

The Hon. Peter Garrett MP
Minister for Environment Protection, Heritage and the Arts

signature

A handwritten signature in black ink, appearing to read 'Peter Garrett', written over a horizontal line.

date of decision

16th July 2010.