



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

### PERMIT DETAILS

Area Permit Number: 1257 / 1

File Number: SN19925

Duration of Permit: from 02 September 2007 to 02 September 2012

### PERMIT HOLDER

Minh Cuong Huynh & Thong Minh Huynh

### LAND ON WHICH CLEARING IS TO BE DONE

LOT 50 ON PLAN 30001

### AUTHORISED ACTIVITY

1. Clearing of up to 8.2 hectares of native vegetation within the area cross-hatched yellow on attached Plan 1257/1.

### CONDITIONS

#### 1. Stock to be excluded

The Permit holder shall exclude stock from areas cross-hatched red on attached Plan 1257/1.

#### 2. Wetlands

- (a) The Permit holder shall define the boundary of the Resource Enhancement Wetland, which is mapped south-east of Lot 50 on Plan 30001.
- (b) The Permit holder shall submit the boundary information pursuant to condition 2(a) to the CEO for the CEO's approval prior to undertaking any clearing.
- (c) Clearing may not commence until the CEO has approved the wetland boundary.
- (d) The Permit holder shall not clear native vegetation within 50 m of the Resource Enhancement Wetland boundary as approved by the CEO.

#### 3. Offsets

##### (a) Determination of offsets

- (i) If part or all of the clearing to be done is or may be at variance with one or more of the clearing principles, then the permit holder must implement an *offset* in accordance with Conditions 3(a) and 3(b) of this Permit with respect to that native vegetation.
- (ii) In determining the *offset* to be implemented with respect to a particular area of native vegetation proposed to be cleared under this Permit, the permit holder must have regard to the offset principles contained in condition 3(b) of this Permit.
- (iii) Once the permit holder has developed an offset proposal, the permit holder must provide that offset proposal to the CEO for the CEO's approval prior to undertaking any clearing to which the offset relates, and prior to implementing the offset.
- (iv) Clearing may not commence until the CEO has approved the offset proposal.
- (v) The permit holder shall implement the offset proposal approved under condition 3(a)(iii).
- (vi) Each offset proposal shall include a direct offset, timing for implementation of the offset proposal and may additionally include contributing offsets.

##### (b) Offset principles

For the purpose of this Part, the offset principles are as follows:

- (i) *direct offsets* should directly counterbalance the loss of the native vegetation;
- (ii) *contributing offsets* should complement and enhance the *direct offset*;

- (iii) *offsets* are implemented only once all avenues to avoid, minimise, rectify or reduce environmental impacts have been exhausted;
- (iv) the environmental values, habitat, species, ecological community, physical area, ecosystem, landscape, and hydrology of the *offset* should be the same as, or better than, that of the area of native vegetation being *offset*;
- (v) a ratio greater than 1:1 should be applied to the size of the area of native vegetation that is offset to compensate for the risk that the *offset* may fail;
- (vi) *offsets* must entail a robust and consistent assessment process;
- (vii) in determining an appropriate *offset*, consideration should be given to ecosystem function, rarity and type of *ecological community*, vegetation *condition*, habitat quality and area of native vegetation cleared;
- (viii) the *offset* should either result in no net loss of native vegetation, or lead to a net gain in native vegetation and improve the condition of the natural environment;
- (ix) *offsets* must satisfy all statutory requirements;
- (x) *offsets* must be clearly defined, documented and audited;
- (xi) *offsets* must ensure a long-term (10-30 year) benefit; and
- (xii) an *environmental specialist* must be involved in the design, assessment and monitoring of *offsets*.

#### 4. Records must be kept

The Permit Holder must maintain the following records for offsets pursuant to condition 3:

- (a) the location of any area of offsets recorded using Geocentric Datum Australia 1994;
- (b) a description of the offset activities undertaken; and
- (c) the size of the offset area (in hectares).

#### 5. Reporting

The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 4 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

#### Definitions

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

***condition*** means the rating given to native vegetation using the *Keighery scale* and refers to the degree of change in the structure, density and species present in the particular vegetation in comparison to undisturbed vegetation of the same type;

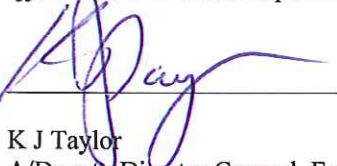
***contributing offsets*** has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9 Environmental Offsets*, January 2006;

***direct offsets*** has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9 Environmental Offsets*, January 2006;

***ecological community*** means a naturally occurring biological assemblage that occurs in a particular type of habitat (English and Blythe, 1997; 1999). The scale at which ecological communities are defined will depend on the level of detail in the information source; therefore no particular scale is specified.

***environmental specialist*** means a person who is engaged by the permit holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit;

***offset*** means an offset required to be implemented under Condition 3 of this Permit;



K J Taylor  
A/Deputy Director General, Environment  
Department of Environment and Conservation  
Officer delegated under Section 20 of the Environmental Protection Act 1986

02 August 2007