



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Purpose Permit Number: 1756/1
File Number: DEC2259
Duration of Permit: From 13th May 2007 to 13th May 2010

PERMIT HOLDER

WestNet Rail Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Within railway reserves vested in the West Australian Government Railways 1904 and leased under a 49 year lease agreement by WestNet Pty Ltd for locations at Seabrook, Grass Valley, Bungulla, Booraan, Bodallin, Lake Julia, Koolyanobbing, Darrine and Wallaroo.

PURPOSE FOR WHICH THE CLEARING MAY BE DONE

1. Clearing for the purpose of building extensions to existing passing loops.

CONDITIONS

1. The Permit Holder must not clear more than 1.0 ha in total of native vegetation.
2. Avoid, minimise etc clearing:

In determining the amount of native vegetation to be cleared for the purposes of transmission line upgrade, the Permit Holder must have regard to the following principles, set out in order of preference:

- (i) avoid the clearing of native vegetation;
- (ii) minimise the amount of native vegetation to be cleared; and
- (iii) reduce the impact of clearing on any environmental value.

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 4(a) and 4(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).
- (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 and unless 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 to be Kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, as relevant:

- (a) In relation to the clearing of native vegetation undertaken pursuant to Condition 1:
 - (i) The species composition, structure and density of the cleared area;
 - (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 offsets of areas pursuant to condition 3:
 - (i) The location of any area of offsets recorded using Geocentric Datum Australia 1994;
 - (ii) A description of the offset activities undertaken; and
 - (iii) The size of the offset area (in hectares).

5. Reporting

The Permit Holder must provide to the CEO, on or before 30 August of each year, a written report of records requested 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:

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

native vegetation has the meaning given to it in sections 3 and 51A of the *Environmental Protection Act 1986* and regulation 4 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

CEO means the Chief Executive Officer of the Department of Environment and Conservation;

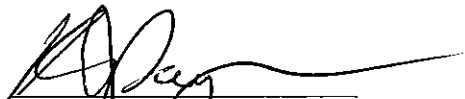
clearing has the meaning given to it in section 51A of the *Environmental Protection Act 1986*;

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;

native vegetation has the meaning given to it in sections 3 and 51A of the *Environmental Protection Act 1986* and regulation 4 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

term means the duration of this Permit, including as amended or renewed;



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

13 April 2007