

Direct and contributing offsets

Environmental Protection Act 1986

The following is extracted from the Environmental Protection Authority's "Position Statement No. 9 – Environmental Offsets" (January 2006) and adapted to be appropriate for applicants of permits to clear native vegetation:

An environmental offset package may be considered where adverse residual environmental impacts are significant, but not significant enough to make the project unacceptable.

To achieve a 'net environmental benefit' goal, the environmental offset package should address both direct offsets and contributing offsets.

Various types of offset activities are as follows.

Direct offsets: these actions would generally occur away from the impact site and are designed to counterbalance the adverse environmental impact, with the aim of achieving no environmental difference (i.e. no net loss). As a minimum, one direct offset activity should be considered from the following list of activities:

- **Restoration:** has the goal of improving an existing ecosystem to near preimpact condition. This includes restoring natural or historic functions, appearance and other characteristics. Restoration of existing ecosystems, while recognised as difficult, is a highly desirable offset because it results in a more fully functioning ecosystem. It is also more likely to succeed given existing hydrology and soils are conducive to maintenance of ecosystem functions. Restoration is time dependent.
- **Rehabilitation:** has the goal of improving and re-instating some of the functions of an existing high value asset (where appropriate, a critical asset), but impacted, ecosystem. Examples may include increasing native vegetation, enhancing habitat value, weed or feral fauna eradication, and/or establishing buffers. Rehabilitation of an

existing ecosystem to produce an environmental benefit must outweigh the loss of the impacted ecosystem. When used as a sole direct offset activity, it may require the enhancement of several ecosystems or a much larger area than that lost from the impact. Rehabilitation (and reestablishment) extends to recovery plans for directly affected species.

- **Re-establishment:** has the goal of re-establishing a functioning ecosystem with strategic environmental benefit. While restoration and enhancement of existing ecosystems is preferred, re-establishment may be beneficial in some instances. For example, forming a biodiversity corridor between two important ecosystems, or re-establishing ecosystems in areas of low representation. Re-establishment too is time dependent.
- **Acquiring land for conservation:** consists of purchasing the offset and transferring the land title into the conservation estate. Alternatively, establishing covenants with an approved organisation or establishing legal tenure agreements are other related activities. Land acquisition for conservation is considered a direct offset for the purposes of this Position statement if the land is subject to threatening processes because it has proven to be an important and valuable contributing offset measure by offering security of tenure, purpose and management in perpetuity

In some situations where adverse impacts to low, medium or high value environmental assets occurs, the environmental benefits of acquiring a 'critical asset' for conservation may greatly outweigh the overall environmental loss - in which case conservation through a combination of land acquisition, protection and on-going management may be considered a viable offsets



package. It must be noted that this exception does not extend to adverse impacts to 'critical assets' (i.e. adverse impacts to one 'critical asset' should not be offset by conservation of another 'critical asset').

Contributing offsets: Contributing offset activities should be selected as necessary to meet the principles of this Position Statement. These activities may include:

- **Protection:** protecting the environment from threats or harm is achieved by using barriers or buffers, thereby reducing the risk of damage to, or pollution of, the offset site. For example fencing of valuable ecosystems.
- **Removal of threats:** undertaking initiatives that remove a threat(s) from the direct offset site thereby preventing it from being potentially damaged in the future. Examples might include eradication of feral animals, or exotic flora, removing pollutants, removing livestock, controlling the spread of diseases such as 'dieback', etc.
- **Management:** management of ecosystems is achieved by undertaking day-to-day activities that benefit the direct offset site. For example contributing to an environmental management plan for critical assets.
- **Education:** sustained education of community, business and industry about environmental issues related to the direct offset site or activity, or educating other industries or businesses of best practices to remedy poor environmental practices or behaviours.
- **Research:** investigating new technologies or innovative ideas to better address environmental issues or improve best practice associated with the direct offset activity. This also includes the necessary investigative work required for environmental assessments of impact and offset sites where current data or information is lacking.
- **Other:** the EPA encourages the development of innovative approaches aimed at improving environmental outcomes.

More information

Legislation

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. Please refer to the *Environmental Protection Act 1986* and *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, available from the State Law Publisher. Free electronic copies are available from www.slp.wa.gov.au

Compliance assistance documents

Additional publications relating to clearing laws, clearing permits, and application forms are available online from www.dec.wa.gov.au/nvc or can be requested by phoning 93340333.

Compliance advice

For advice on complying with your permit, please contact your nearest DEC Office:

Albany	9842 4500
Bunbury	9725 4300
Geraldton	9921 5955
Karratha	9182 2000
Kununurra	9168 4200
Kwinana	9411 1777
Perth	6250 8000