



## WILDFLOWER SOCIETY OF WESTERN AUSTRALIA (Inc)

28 December 2020

Appeals Convenor  
Office of the Appeals Convenor  
Level 22 Forrest Centre  
221 St Georges Terrace  
PERTH WA 6000

Attn: Emma Gaunt

Re: CPS 8987/1 Telstra Corporation Limited

### **Introduction**

The Wildflower Society of WA (WSWA) hereby appeals the Management Conditions (MCs) in the Clearing Permit (CPS 8987/1) granted by the Department of Water and Environmental Regulation (DWER) to Telstra Corporation Limited. We contend that the management conditions imposed by DWER do not adequately minimise potential environmental damage by the proponent.

### **Inadequate Management Conditions**

Rehabilitation to the highest standard (i.e. compositionally equivalent to the originally ecological community) should be required for this project because the clearing will impact the Commonwealth-listed TEC, Banksia Woodlands of the Swan Coastal Plain, and no offset has been offered by Telstra or demanded by DWER. That is, it is assumed either that the revegetation and rehabilitation efforts (MC 8) will return the community back to what it was originally, or that degradation of the TEC is acceptable. WSWA contends that DWER should impose MCs that ensure that the vegetation is properly rehabilitated, or an offset be required if this cannot be guaranteed.

In other granted permits we have observed MCs that go further to attempt to ensure that rehabilitation was achieved to a satisfactory standard, such as requiring environmental specialists to determine species composition, structure and density before and after clearing. However, no such conditions have been imposed for this permit, only that revegetation and rehabilitation should occur within three months (MC 8 (b)). No completion criteria have been specified. WSWA also contends that monitoring of rehabilitation should be specified to extend well beyond after initial rehabilitation activities, and this could be incorporated into the weed monitoring that we contend should also occur (below).

Management Condition 7 seeks to minimise the introduction of weeds, and MC 8 (b)(ii) requires weed control activities to be conducted on an "as needed" basis. We are concerned that "as needed" is not well defined and that there is no guarantee that weeds will not be introduced, or detected once the rehabilitation activities have been completed. Because many of the potential weeds of Banksia woodlands are annuals that germinate at specific times of year, WSWA contends that weed introduction cannot be ruled out unless monitoring (and eradication) occurs at least twice per year (e.g. late winter and early summer), until weeds have no longer been observed.



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### **Inadequate Consideration of Banksia Woodlands TEC in Assessment of Clearing Principles**

The issued permit correctly states that the Commonwealth-listed TEC, Banksia Woodlands of the Swan Coastal Plain, will be impacted. However, in the assessment against the Clearing Principles (Appendix C), only State-listed TECs are considered. DWER is fully cognisant that the EP Act was only changed in 2019 to align with the BC Act (2016), and a side effect of that was to remove Commonwealth-listed TECs from being considered in the Clearing Principles. Further, DWER is aware that this was problematic and, as such, suggested amending the EP Act this year to also include Commonwealth-listed TECs. This amendment has been passed by the Lower House of Parliament and will no doubt soon be fully ratified. Especially as this permit extends to 5 January 2026, the permit assessment should look forward to the inevitable and also consider Commonwealth-listed TECs in Clearing Principle assessments, but this was not done. WSWA contends that DWER should do so for all permits in this interim 'limbo' period.

### **Conclusion**

**WSWA strongly recommends that DWER impose management conditions that better minimise environmental impact, and transparently report all impacts that do occur, as part of their clearing permit approval process. The recommendations above (i.e. revision, modification and strengthening of MC 8) are examples of permit requirements that should be included in all similar permits.**



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