



WILDFLOWER SOCIETY OF WESTERN AUSTRALIA (Inc)

8 January 2021

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

Attn: Emma Gaunt

Re: CPS 8992/1 Telstra Corporation Limited

Introduction

The Wildflower Society of WA (WSWA) hereby appeals the Clearing Permit (CPS 8992/1) granted by the Department of Water and Environmental Regulation (DWER) to Mr Frances Sammut for the installation of an overhead power line. We contend that insufficient minimisation options have been pursued, and that the management conditions imposed by DWER do not adequately minimise potential environmental damage by the proponent.

Insufficient Minimisation of Environmental Harm

The clearing permit states that the permit is for the installation of an overhead power line. What is not clear, however, is why such a wide clearing envelope is required; for the sections not adjacent to existing tracks, the clearing width is approximately 12 metres. Put in context, existing power lines in the area (e.g. one that runs northwest from Cockleshell Gully Road through Lesueur National Park - entrance from Cockleshell Gully Road at 30°10'21.06" S 115° 8'5.60" E) is maintained to a width of approximately 6 m. Why 12 m is necessary in this instance has not been stated and this seems unnecessarily wide. If such a large width is initially required, but a lesser, subsequent maintenance width is necessary, then WSWA contends that Management Conditions should be imposed to mandate the rehabilitation of the excess cleared vegetation (e.g. rehabilitation of 6 m of the initial 12 m clearing width).

The placement of the power line could also be altered to reduce the amount of clearing required. For example, if the power line were located approximately 8 m to the north of the proposed placement, then much of the line would occur along the existing fire-break track, as well as entering the road reserve at a position where an old track already exists. Such a placement of the power line would reduce the need for clearing by as much as a third, even assuming 12 m of cleared area required for the power line.

Inadequate Management Conditions

This project will impact the Commonwealth-listed threatened ecological community (TEC), Banksia Woodlands of the Swan Coastal Plain, and no offset has been offered or demanded by DWER, nor is any rehabilitation specified in the Management Conditions. As stated above, we contend that, at the very least, rehabilitation should be required for vegetation initially cleared, but not required to remain in a cleared state. Furthermore, rehabilitation should be to the highest standard (i.e. compositionally equivalent to the originally vegetation). That is, Management Conditions should not assume either that the revegetation and rehabilitation efforts will return the community back to



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what it was originally, or that degradation of the TEC is acceptable. Rather, WSWA contends that DWER should impose Management Conditions that ensure that, where possible, the vegetation is properly rehabilitated, or an offset be required if this cannot be achieved.

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 B), 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 mandate further minimisation of environmental impact and impose Management Conditions that better minimise environmental impact. Furthermore transparent reporting of all impacts that do occur should be part of their clearing permit approval process. The recommendations above, especially those in relation to consideration of Banksia Woodlands as TECs, are examples of permit requirements that should be included in all similar permits.



<http://www.wildflowersocietywa.org.au/>