



## WILDFLOWER SOCIETY OF WESTERN AUSTRALIA (Inc)

30 April 2021

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

Attn: Emma Gaunt

Re: CPS 3454/4 ATCO Gas Australia

The Wildflower Society of WA (WSWA) hereby comments briefly on the Clearing Permit (CPS 3454/4) granted by the Department of Water and Environmental Regulation (DWER) to ATCO Gas Australia Pty Ltd, to extend the duration of their Statewide permit (CPS 3454/3). We are not appealing this new permit, rather we acknowledge that DWER has committed to incorporate modifications in the next iteration of the Statewide permit, in response to the issues that we highlighted in our submission on CPS 3454/4.

The issues we highlighted in our submission and hence expect to be addressed by DWER (and which will be the focus of an appeal if not addressed) are the following:

- Condition 2(a)(i): Clearing of vegetation *is* permitted where the clearing is or is likely to be at variance with any of the Clearing Principles; it is only not permitted when it may be seriously at variance with a Clearing Principle. An amendment is sought to prohibit clearing even if the clearing is at variance or might be at variance with any of the Clearing Principles.
- Condition 4(b): It is clear that clauses (ii) and (iii) are linked, but clause (i) may be interpreted to operate independently, i.e. the permit holder is not required to implement a Revegetation Plan when the area to be revegetated is 0.5 ha or less. Insertion of "and" at the end of (i) would resolve this.
- Condition 5: The framework used by DWER to interrogate the quality of avoidance and minimisation is not clear.
- Condition 6(a): Assessment of variance with the Clearing Principles by means of a desktop study only may result in an incorrect assessment, despite Condition 6(e), due to many areas of the State being poorly sampled (few DBCA records, for example).
- Condition 7(b): No survey or field assessments need to be provided to the submitter.
- Condition 7: Nothing is specified as to what needs to occur specifically in response to submissions. And there is no avenue for appeal or further review.
- Condition 13(d): The obligation to control weeds ceases when the permit ceases.
- Condition 20: External auditing should be more frequent, e.g. yearly, and the audits be publicly available.



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Yours faithfully.



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