



WILDFLOWER SOCIETY OF WESTERN AUSTRALIA (Inc)

26 May 2021

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

Attn: Emma Gaunt

Re: CPS 8832/1 Shire of Goomalling

The Wildflower Society of WA (WSWA) hereby appeals the conditions of the Clearing Permit (CPS 8832/1) granted by the Department of Water and Environmental Regulation (DWER) to the Shire of Goomalling for clearing of up to 2.8 ha of roadside vegetation, including 0.6 ha of *Eucalypt woodlands of the Western Australian Wheatbelt* threatened ecological community along the Goomalling-Meckering Road. Whilst we regard the conditions as being generally correctly applied according to the EPA guidelines, there are instances of ambiguity or apparent error which should be amended.

The first issue we identify is with Condition 9(b). Condition 9(a) stipulates that 20-metre buffers should be demarcated around the priority flora listed in Table 1 of the permit. Although it is not stated to what effect the demarcation is to have, it is likely assumed that no clearing should occur within this area. However, Condition 9(b) then states that these flora should simply be demarcated (without specifying a buffer) and, based on Condition 9(c), these individuals should not be cleared. As written, Condition 9(b) thus means that no clearing buffer is required around priority flora if demarcation of the buffer is "not practical". This may be inadequate for the survival of these plants due to both direct and indirect effects of the clearing potentially occurring in close proximity. We contend that a substantial buffer (at least 20 m) is required around these plants, whether adequately demarcated or not.

Condition 10(i) appears ambiguous in its requirement. As written, it requires that a total of 11 (7+2+2) artificial black cockatoo nest hollows be installed in the three reserves listed in parts (i) to (iii). However, given the requirement in 10(a) to "engage a fauna specialist to conduct a fauna survey of the permit area to identify black cockatoo habitat tree/s being utilised by *Calyptorhynchus lateriosis* (Carnaby's cockatoo)" it would appear as though the intention of Condition 10(i) would be to require a total of 11 artificial hollows *for each* hollow that cannot be avoided under Condition 10(g). i.e. it appears as though Condition 10(i) should state: "In relation to each of the artificial black cockatoo nest hollow(s) required by condition 10(g) of this permit...". Indeed, we contend that this should be the case; for example, if three in-use hollows were to be cleared, then 33 (11 x 3) artificial hollows should be installed.

Condition 11(a) states that vegetative material and topsoil from the cleared area be stockpiled. However, it is not stated anywhere in Condition 11 that this stockpiled material needs to be used in the revegetation and rehabilitation of the offset sites. It should be. Finally, Condition 11(l) states that there is a 5-year monitoring period for the revegetation and rehabilitation areas. However, the Table of Condition 11(l) does not state, nor imply, a 5-year period; rather, it states that monitoring shall



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continue until the completion criteria have been "met and maintained for two years (i.e. three successive monitoring events)". We contend that the reference to a "5 year monitoring period" should be deleted.



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