

The Appeals Convenor

<https://www.wa.gov.au/organisation/office-of-the-appeals-convenor/lodge-appeal>

Dear Eve

### **APPEAL NORTHERN TRANSMISSION LINE – EPA REPORT 1804**

Thank you for the opportunity to appeal this report.

#### **Introducing the Urban Bushland Council**

The Urban Bushland Council WA Inc. (UBC) is the peak WA community organisation for urban bushland recognition and protection. UBC is an incorporated, not for profit organisation registered as a charity. We are a voluntary community association with an active membership of more than 90 volunteer groups (each with their own local membership from 10-165 individuals) and an additional 100+ individual ‘supporter’ members – all with a common interest in conservation and protection of areas of urban bushland in WA. More details at <https://www.bushlandperth.org.au/>. We recently celebrated 30 years of advocacy for the protection of urban bushland.

UBC advocates to all levels of Government for natural areas protection. We do this with limited resources through the amazing efforts of our ‘Friends Groups’ and their many volunteers – from all walks of life ‘working’ to improve and maintain the health of patches of neighbourhood nature. UBC advocates for:

- Protection, conservation and active management of urban bushlands, wetlands and their ecological linkages
- Ending the clearing of native vegetation in urban areas
- Increasing tree canopy cover in urban areas to a minimum of 30 %
- More investment in our areas of native vegetation in urban areas
- Better detection, control, reduction and management of threatening processes in these areas
- Urban planning that results in net positive vegetation outcomes and conserves biodiversity

#### **UBC APPEAL**

Thank you for the opportunity to make this appeal.

The Urban Bushland Council acknowledges that the EPA has strengthened this proposal during assessment, particularly in recognising significant residual impacts and improving the offset framework. However, our position is that three critical issues raised in our submission have not been adequately resolved:

1. avoidance has not been demonstrably maximised
2. offsets lack upfront certainty
3. like-for-like outcomes and cumulative impacts are not sufficiently demonstrated

Our submission asked for a **transparent and quantitative comparison of alternatives** to demonstrate that impacts have been avoided to the greatest extent practicable. The EPA report provides only a high-level, qualitative discussion of alternatives and accepts the proponent’s preferred corridor.

Importantly, there is no condition requiring this to be demonstrated prior to implementation.

For infrastructure of this scale, impacting Banksia Woodland TEC, Bush Forever sites and black cockatoo habitat, it is essential that avoidance is not assumed — but clearly demonstrated and secured. Without that, the proposal moves prematurely to reliance on offsets.

The second issue is **certainty of offsets**. While the EPA has improved the offset framework, key elements remain deferred:

- the Offset Environmental Management Plan can be submitted up to 15 months after approval
- delivery relies on future planning and rehabilitation success

Our submission raised concerns about exactly this issue — that offsets must be demonstrated as feasible and deliverable upfront, not left to post-approval processes. For impacts identified as significant, particularly to Banksia Woodlands and wetlands, this level of uncertainty is not consistent with a high degree of confidence in environmental outcomes.

The third issue is **ecological equivalence and cumulative impact**. The EPA requires like-for-like outcomes in principle, but in practice offsets for some communities, such as FCT 21c, rely on restoration rather than protection of existing vegetation. This introduces uncertainty that true ecological equivalence will be achieved. At the same time, the EPA acknowledges ongoing regional decline and fragmentation, but does not provide a clear, spatially explicit cumulative impact assessment. In that context, even relatively small losses can be significant.

Our submission sought a stronger demonstration that offsets are genuinely equivalent, and impacts are acceptable in the context of regional biodiversity decline. These issues remain only partially resolved.

In summary The EPA has recognised the issues raised in our submission but has not fully resolved them. We are not seeking refusal of the proposal. Rather, we are seeking targeted modifications to conditions to:

- ensure avoidance is demonstrably maximised
- bring forward certainty of offset delivery

UBC is requesting changes to conditions to improve certainty and alignment with the EPA's objectives.

#### **1. Avoidance – introduce a pre-disturbance verification requirement**

At present, avoidance is described but not demonstrated or secured. We are therefore seeking the addition of a condition requiring a **final Avoidance and Alternatives Assessment** to be submitted and confirmed before any ground disturbing activities commence. This would:

- provide a **quantitative comparison** of the selected alignment against feasible alternatives
- demonstrate that impacts to Banksia Woodland TEC, Bush Forever sites, wetlands and black cockatoo habitat have been **avoided to the greatest extent practicable**

This modification ensures the mitigation hierarchy is properly applied before offsets are relied upon.

#### **2. Offset timing – bring forward approval of the Offset Environmental Management Plan**

We are seeking an amendment so that the Offset Environmental Management Plan is approved prior to ground disturbance, or at least prior to clearing of key environmental values. Currently, the plan can be finalised well after approval. Bringing this forward ensures offsets are fully defined before impacts occur and there is greater confidence in feasibility and delivery

#### **3. Offset security – require tenure to be secured before clearing**

We are seeking a requirement that offset areas are legally secured (for example through covenant or reserve mechanisms) and this is demonstrated before clearing of the corresponding impact occurs. We believe this reduces delivery risk.

#### **4. Offset performance reporting – strengthen transparency**

We are seeking more detailed public reporting, including **site-by-site reporting** for each offset area; progress against completion criteria and where key indicators include vegetation condition, weed cover, dieback status and habitat quality. This will better allow outcomes to be independently verified.

#### **5. Independent audit:**

We are seeking that independent audits be required at defined early stages, including prior to or shortly after clearing and during early offset establishment. Given the reliance on offsets, and the inherent difficulty

in achieving full restoration, this will provide future evidence for the ability of offsets to compensate for loss in environmental values.

These modifications are not intended to change the nature of the proposal, but to ensure that the EPA's objectives are met with a higher degree of certainty, transparency and accountability.

Thank you for the opportunity to comment.

Yours sincerely

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