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Ecological Communities Section  
Department of the Environment  
GPO Box 787  
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Attention Trudy O'Connor, Nikki Ward

Dear Trudy and Nikki

**Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain Ecological Community: Draft Conservation and Listing Advice, October 2017**

The Urban Bushland Council WA strongly supports and commends the proposed listing of the Tuart woodlands and forests of the Swan Coastal Plain as a Threatened Ecological Community (TEC) at the level of **critically endangered**.

We are pleased to make the following comments on the above draft.

**2. Description of the community (p4-28)**

This section is clear and comprehensive. It provides excellent information for landholders and government decision-makers and the community. It also identifies knowledge gaps and the need for field surveys of various types.

The second paragraph under section **2.6 – Condition classes and thresholds** is strongly supported. It indicates that state and local laws and schemes are needed to protect areas not directly protected under the EPBC Act. This new action will need to be taken by the WA state and local government, but the federal government will need to make this a requirement for it to be achieved.

We ask: how will this be done? Will it be done under new (yet to be written) regulations under the state Biodiversity Conservation Act or by amendments to this Act?

Patches which meet the categories of A (Pristine- Excellent), B (Very Good – Good) and C (Degraded but retaining important identified habitat, regeneration of landscape features) are nationally protected. Only those patches in category D (Degraded or Completely Degraded condition with no identified important habitat, regeneration or landscape features remaining) are **not** proposed to be protected under the EPBC Act. Given there are **no provisions as yet** at state and local government level, it would be better for category D patches to be protected under the EPBC Act also. We wish to emphasise, however, that this must be effectively implemented by DOEE under the EPBC Act.

**Buffer Zone (p20-21)**

This section is strongly supported. The concern is that it must be properly implemented – by all 3 levels of government.

**Sampling protocol (p21-22)**

This section is strongly supported.

We strongly recommend that substantial new state government funding be allocated for on-ground scientific survey and mapping work. Federal funding to support this work is also needed.

**2.7.1 Guidance for impact assessment and mitigation (p22)**

This section is strongly supported.

### **2.8 Area critical to the survival of the ecological community (p23)**

We support the statement: ‘*However, given the high rates of loss of the ecological community across its range, all remnants are valuable.*’ This implies that all remnants should be kept, and is consistent with the priority conservation actions given on page 45 and especially ‘*PROTECT the ecological community to prevent further loss of extent and condition.*’

**This priority should be adhered to by ensuring that no more clearing of the ecological community is permitted, and that all proposals at all levels of government that include clearing of the ecological community must be refused permission.**

### **3. DESCRIPTION OF THREATS (p28-40) – strongly supported.**

General comment: The various threats are clearly and comprehensively described in this section. The list is long, indeed the threats are overwhelming. As stated, restoration is not possible where the ecological community has been replaced by urban and industrial development.

As stated on page 31, we agree that the threats may interact rather than act independently. This is very much the case for clearing and fragmentation with the indirect threat of loss of habitat for fauna with loss of connectivity. With only 14% remaining of the estimated pre-1750 extent, any further clearing will have a serious impact. In addition, the effects of ongoing grazing prevent regeneration of understorey and promote weed invasion. Fire also facilitates weed invasion and loss of fauna – so has a compounding effect.

#### **3.2.1 Clearing and fragmentation of vegetation**

This is still a major threat. The implied assumption that this clearing will continue for urban development is not acceptable and the sentence attributed to the Tuart Response Group 2003 (page 34) needs modification as this is now 14 years later. How much of the relevant area has already been cleared in this 14 year period? To be consistent with the Conservation Advice, further loss must be ended.

**3.2.4 Fire:** Also, impacts of fire and tree dieback and pathogens have been, and are still, very serious.

Tuart trees need to be >100 year old (preferably >200 years old) to provide hollows for fauna such as Baudin’s and Carnaby’s cockatoos, Western Ring-tailed possum and Southern Brush-tailed Phascogale. It is stated that even cool burns may destroy these hollows (p 37).

On these grounds alone, there should not be any prescribed burning of Tuart communities and any other fires should be extinguished with rapid response.

Patches have been burnt too often, before Tuart trees can recover to maturity, and grassy weed invasion after fire occurs before understorey regenerates and thus ground fauna is lost and does not recover well. As stated on page 37, reptile abundance is highest on long unburnt sites. Thus a no prescribed burn approach is best and this should be embedded in fire management plans.

**3.2.7 Climate change (p38-39):** This serious threat is well described.

We agree and wish to emphasise that expected ongoing losses of the community, including Tuarts, due to drought and water stress and hydrological changes (as stated on page 39) are a very serious threat.

**3.2.8 Water extraction and other hydrological change (p39):** This section is very clear and explicit.

Stream flows and groundwater levels have already declined significantly with climate change. Groundwater extraction as described is a major threatening process. It should be addressed with water allocations greatly reduced by the state government’s Department of Water (now DWER) .

**3.2.9 Loss of fauna supporting key ecological processes (p40):** Well summarised.

This is a very significant factor.

## SUMMARY OF ELIGIBILITY FOR LISTING AGAINST EPBC ACT CRITERIA

### 4.1 Criterion 1 – Decline in geographic distribution (p41)

Because the estimate of remaining extent was done 14 years ago in 2003, there is an urgent need for an updated ground survey of extent and condition to be carried out by experienced botanists and ecologists.

**We recommend that funding be immediately provided by the federal government for this work to be done by DBCA.** It is highly likely as stated that the decline is much greater than 80%. If it is found to be greater than 90%, then listing under this criterion would be ‘critical’.

### 4.2 Criterion 2 – Limited geographic distribution coupled with demonstrable threat (p41-42)

Given the extent and high interaction of threats to the ecological community as described, and the uncertainty of current extent and condition due to lack of current data, we question whether the listing may qualify as **critically endangered rather than endangered.**

### 4.3 Criterion 3 – Loss or decline of functionally important species (p42-43)

We agree that listing should at least be ‘endangered’ under this criterion.

The section on page 42 is well written and clear. However we seriously question the assumption that urban expansion with ongoing loss of the ecological community will continue. To be consistent with the Conservation Advice to PROTECT and end the loss of extent of the ecological community, **this future clearing should not be permitted under the EPBC Act.**

### 4.4 Criterion 4 – Reduction in community integrity (p43-44)

This section is very well described and we agree that it be listed as ‘critically endangered’.

### 4.5 Criterion 5 – Rate of continuing detrimental change (p44)

It is agreed that there is insufficient information to determine eligibility for this criterion.

However, this reinforces our recommendation that further field survey (as we described above) to determine extent and condition is an urgent priority.

**This section requires revision as it attempts to justify future ongoing clearing for urban development.**

We strongly object to the vague statement which indicates that the SAPP (draft Green Growth Plan)

*‘...is likely to predict further losses of remnants, but these have not yet been quantified (Government of Western Australia 2015).’*

Is future clearing of the ecological community to be allowed under this listing? If so, it is completely inconsistent with the Conservation Advice which provides for protection and no more clearing. Indeed it will promote a rapid decline and progress of the ecological community towards extinction.

**Therefore we recommend that this section be revised with removal of the implicit approval or possibility of clearing for urban and industrial development.**

### 4.6 Criterion 6 – Quantitative analysis showing probability of extinction (p44)

This again highlights the information gap which should be filled as a priority.

## 5. PRIORITY RESEARCH AND CONSERVATION ACTIONS

### 5.1 Principles and standards of protection and restoration (p44-45): Strongly supported.

This section is very clear, comprehensive and is strongly supported. The relevant principle highlighted at the top of page 45 is particularly logical and sensible:

**“ Ecological restoration is not a substitute for sustainably managing and protecting ecosystems in the first instance.** The promise of restoration cannot be invoked as a justification for destroying or damaging existing ecosystems because functional natural ecosystems are not transportable or easily rebuilt once damaged and the success of ecological restoration cannot be assured. Many projects that aspire to restoration fall short of reinstating reference ecosystem attributes for a range of reasons including scale and degree of damage and technical, ecological and resource limitations.”

*Standards reference Group SERA (2016) – Appendix 2*

We strongly agree with the use of this fundamental principle and the next paragraph which explains that this principle dissuades ‘trade-offs’. This means that ‘offsets’ are not applicable and thus should not be used to justify clearing and further loss. As stated there is always a net loss with clearing the ecological community.

**The principles given in this section 5.1 provide the basis of decision-making by DOEE and by the state EPA and DBCA in refusing all proposals for clearing in all remnants of the ecological community.**

### **5.2 Priority conservation actions (p45- 53)**

This section is strongly supported except for three items as below concerning (1) an assumption of approvals, (2) fire, and (3) grazing.

**1. Implied assumption of approvals to clear:** We do not support the guidance statement at the top of page 46 – as it is inconsistent with the principles and the action to *‘PROTECT the ecological community to prevent further loss of extent and condition.’*

The dot point: (guidance for) *‘determining conditions of approval for relevant controlled actions under the EPBC Act’* – effectively assumes that proposals including clearing will be approved.

We therefore recommend that this statement in the first dot point at the top of page 46 is deleted.

It is not only high quality remnants that should be protected and refused permission to clear. As the ecological community is critically endangered and is subjected to ongoing threats, all remnants are valuable and should be retained.

### **2. Fire: (p 48-49) - This section is not supported, and requires revision**

There is an underlying assumption that the ecological community requires regular burning. We strongly disagree with this. The advice states: *‘Plan and manage fire appropriately to maintain the integrity of the ecological community.’* This statement is obviously subject to selective interpretation but it does assume that fire has to be ‘planned’. This means it must be burnt in some way.

Aboriginal practices of fire management on the Swan Coastal Plain are not relevant today because the landscape is now highly fragmented and weed invasion and feral animals are major threats to the integrity of the ecological community. Also some people believe that Aboriginal people burnt extensive areas. Our advice from Phylis Robertson (*pers. comm.*) who grew up with the knowledge of her ancestors lifestyles and knowledge of country, was that only very small patches were burnt, and some understorey plants such as *Xanthorrea* must never be burnt. Invasive species we have today were of course not present in pre-European times.

There are mixed and vague statements about ‘inter-fire intervals’ and ‘fire requirements’, and ‘appropriate fire regimes’. But there are no research findings quoted that underpin a need for regular burning now and in the future. This contrasts with the information given about loss of fauna in recently burnt patches (p 37), destruction of hollows by even low intensity burns in old trees >100 year old in section 3.2 - Known threats, and the highest reptile abundance being in long-unburnt sites and in tuart forest.

It is well known that grassy weed invasion occurring rapidly after fire is a major problem on the Swan Coastal Plain, and can result in increased summer fire risk. Also feral animals invade after fire – as is stated.

We are not aware of any research which shows that prescribed burning and/or regular fire is beneficial to the integrity of the Tuart ecological community. Indeed, on the contrary, it is a threatening process.

**Thus it is recommended that this section be revised to be consistent with prevention of all fire in tuart woodlands.**

**Other priorities (p48):** The first point in this section is inconsistent with the earlier sections in that it assumes that stock grazing of the ecological community will continue.

Feral bees: the wording should be more explicit to read remove feral bee colonies in Tuart tree hollows rather than just minimising colonisation.

### **3. Preventing grazing damage (p49-50). - Revision required.**

We question the suitability of grazing (with farm animals in rural areas) of the ecological community which is implied in this section.

Notably in the next section *RESTORE* (on page 50), in relatively good condition sites, it describes removal of the main source of damage such as grazing. So there are mixed messages about the suitability of grazing.

**We recommend that there be one message only of preventing grazing damage by removing stock from the ecological community.**

### ***RESTORE* (p50-52) - The advice in this section is strongly supported.**

It needs to be followed by landholders, community landcare and bushcare groups, local government and WA state government. How can the federal government DOEE ensure this advice is followed?

### ***COMMUNICATION AND SUPPORT* (P52-53) - The advice in this section is comprehensive and is strongly supported.**

There needs to be a new federal program of providing this support for education, information and local regulation across the region of the ecological community.

**Thus we strongly recommend that substantial new government funding be provided by the federal and state governments to fully provide for the support initiatives as described.**

State and federal landcare funding should both be restored to help fund these initiatives.

The State Government's 'Land For Wildlife' program should be fully refunded.

The only element we recommend be removed from the list is for mulching. This practice brings in unwanted propagules and fungi and may change surface soil pH (especially if pine bark is used). It is better to allow self mulching in areas being restored.

Care is needed in referring to traditional owners about fire. Responses to fire on the Swan Coastal Plain are different from that in other regions. It is more important to address grassy weed invasion and arson.

### **5.3 Research and monitoring priorities (p53-55) - this section is strongly supported**

We strongly support the high priority research and monitoring activities and that these be well funded with new funding by both state and federal governments for the state DBCA scientists to perform this research and monitoring.

It is a matter of considerable community concern that this scientific work has not been carried out already by the state government – due to lack of government funding of science and scientists. It is in the public interest that this work be done – especially in the face of climate change and ongoing large scale threatening processes to the ecological community.

As stated earlier, it is better and cheaper and more achievable (and thus is a fundamental principle) to protect existing patches and remnants than to clear areas on the justification of restoring others.

**Fungi survey and research:** This item is strongly supported. It is remarkable that no mycologists are employed by DBCA. The Urban Bushland Council in conjunction with the WA Naturalists' Club initiated the Perth Urban Bushland Fungi project with funding mostly obtained from external sources to the state government. It was very successful and ran for some 7 years but did not continue due to absence of ongoing state government funding and support especially for employment of mycologists. This is a failure in governance by the WA state.

### **5.5 Offsets (p55-56) - this section is not supported and requires complete revision.**

The concept of 'offsets' is inconsistent with, and overtly opposes, the Conservation Advice to PROTECT the ecological community to prevent further loss.

It also does not comply with the principle highlighted on pages 44-45 in the National Standards for the Practice of Ecological Restoration in Australia (Standards Reference group SERA (2016) as quoted at the top of page 45. Therefore we strongly recommend that section 5.5 be amended such that offsets are expressly not acceptable for this critically endangered ecological community and will not be permitted to justify its clearing.

We believe that the concept of offsets is fundamentally flawed and has become an excuse for not rejecting unacceptable clearing proposals. Even stating that it be a 'last resort' is not acceptable as developers get their way and use this to gain approval to continue clearing.

Clearing of Tuart woodlands for more urban sprawl or mining should not be permitted. The EPBC Act is about protection of MNES, not justification for developers and miners to continue to destroy this MNES.

**It is recommended that the Conservation Advice explains that offsets will not be permitted for the critically endangered Tuart Woodlands and Forests ecological community.**

#### **6. RECOVERY PLAN RECOMMENDATIONS - strongly supported.**

We agree with this section, but will it be funded by both the federal and state governments?

**The Urban Bushland Council WA strongly supports the recommendations and calls for a new funding initiative by the federal government to achieve this in conjunction and with additional funding by the WA state government.**

#### **CONCLUSION**

1. The Urban Bushland Council WA commends the Conservation Advice as it is comprehensive and well presented.
2. The Urban Bushland Council WA strongly supports the listing of the Tuart Woodlands and Forests of the Swan Coastal Plain as a threatened ecological community at the level of critically endangered.
3. The Urban Bushland Council calls on the federal government to fully fund the research, monitoring, education and other initiatives and advice given.
4. We do not support prescribed burning of the ecological community.
5. We do not support continued stock grazing of the ecological community.

Please contact us if any clarification is required. We look forward to the listing and full implementation of the Conservation Advice.

Yours sincerely

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