

Tuesday 12 December, 2017

The Director
Ecological Communities Section
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Sent via email: epbc.nominations@environment.gov.au

To whom it may concern,

TUART WOODLANDS AND FORESTS OF THE SWAN COASTAL PLAIN

Thank you for the opportunity to provide feedback in relation to the above draft conservation and listing advice regarding the ecological community status of the Tuart Woodlands and Forests of the Swan Coastal Plain.

The Urban Development Institute of Australia (UDIA) WA is the peak body representing the urban development industry in Western Australia. UDIA is a membership organisation with members drawn from the development, planning, valuation, engineering, environmental, market research and urban design professions. Our membership also includes a number of key State Government agencies and Local Government Authorities from across the State. Nationally, UDIA represents the interests of thousands of members, including all of the major land and built-form development companies, and consultancy firms.

The Draft Conservation Advice (DCA) proposes that Tuart Woodlands and Forests of Swan Coastal Plain ecological community (TWF) be listed as 'Critically Endangered' under the EPBC Act.

The EPBC Act provides that an ecological community is 'eligible' for inclusion on the list of threatened ecological communities as Critically Endangered if it 'is facing extremely high risk of extinction in the wild in the immediate future' (emphasis added). The Act does not define immediate future but legal interpretation is likely to consider this in the order of 5 – 10 years.

The DCA does not provide evidence to demonstrate that TWF is facing an extremely high risk of extinction in the immediate future, and therefore that the ecological community is eligible for listing as 'Critically Endangered'.

The proposed listing is based on there being a nominal 25,410 ha extent of TWF. The DCA indicates the major threats to TWF are land clearing and fragmentation whilst failing to provide sufficient evidence to justify this.

Risk of extinction from land clearing

No evidence is provided by the DCA of current clearing rates or likely future clearing rates, which would be required to demonstrate there is an extremely high risk of extinction of the ecological community in the immediate future.

The Strategic Environmental Assessment of the Perth-Peel Region indicates the indicative footprint for urban, industrial, special residential, infrastructure and basic raw materials for the region for the next 30 years overlaps some 3,626 ha of TWF. The Strategic Assessment also indicates that at least 25% of this area can be avoided through future detailed planning and design phases, resulting in a maximum likely loss of around 2,700 ha over the 30 years. As the majority of the State’s population growth is likely to occur within the Perth – Peel region, significantly less clearing is likely over the remainder of the swan coastal plain.

TWF is therefore, very clearly not facing an extremely high risk of extinction in the immediate future due to land clearing.

Risk of extinction for fragmentation

The DCA provides the following information on the extent of fragmentation of TWF on the Swan Coastal Plain.

Size of vegetation		Number of patches	Total area of patches in size category (ha)	Total extent TWF
Very small patches	less than 1 ha	99	47	0.2%
Small patches	1 – 10 ha	280	1,107	4%
Medium patches	10 – 50 ha	144	4,854	19%
Large patches	100 – 1,000 ha	37	10,616	42%
Very large patches	greater than 1000 ha	3	8,790	35%
Total		563	25,414	

Nearly 80%, that is some 19,400 ha, of the current extent is in areas greater than 100 ha with nearly 9,000 ha in areas greater than 1,000 ha. It is extremely unlikely that these areas would be lost due to fragmentation in the immediate future, if at all in the longer term.

TWF are therefore not facing an extremely high risk of extinction in the immediate future due to fragmentation.

The information in the DCA indicates that nearly 80%, that is some 20,000 ha, of TWF is in large areas greater than 100 ha. The DCA notes that the three largest areas are all substantially in conservation reserves. The DCA also notes that large patches that are not yet reserved are likely to be priority for establishing formal conservation tenure. Focusing on the largest areas which represent nearly 80% of the current nominal extent of TWF is likely to provide the best conservation outcome for the ecological community.

Experience has been that where other species or ecological communities have been listed as threatened under the EPBC Act, and therefore become Matters of National Environmental Significance, it has led to additional onerous regulatory processes that are implemented at a ‘micro

level', often down to a few trees or hectares of vegetation, which provide limited overall conservation benefit relative to the extent of government on private sector resources consumed in the processes.

The DCA proposes that if listing of TWF occurred, disturbance of areas as small as 0.5 ha to 2.0 ha, depending on vegetation condition, would be required to be referred to the Commonwealth for environmental assessment, approval and compliance provisions of the EPBC Act. This represents an unnecessary and inefficient, duplicative regulatory process for native vegetation clearing. Native vegetation clearing is already extensively regulated through State environmental and planning approval processes.

Where it is necessary to list an ecological community as a Matter of National Environmental Significance it should focus on large areas which make up a significant portion of the community, and not on small patches which can be properly addressed at state level.

Risk of extinction from other reported threats

The DCA indicates that there are other threats to TWF but provides no evidence of the likely rate of loss of TWF due to them, or to demonstrate that they are facing an extremely high risk of extinction in the immediate future due to them.

Evaluation against criteria for listing

The EPBC Act regulations prescribe criteria for determining whether an ecological community is eligible for listing as threatened and the category of listing. In assessing an ecological community against the criteria it is not simply a matter of evaluating whether an ecological community 'meets' a criterion, the evaluation must provide a sufficient weight of evidence to demonstrate that the community is eligible for listing as required by the Act.

Criterion 4

The DCA indicates that TWF meets one criterion, Criterion 4 Reduction in community integrity, for listing as critically endangered.

The evaluation against this criterion considers only historical impacts. It provides no evidence that there is an ongoing reduction in community integrity that places the community at an 'extremely high risk of extinction in the immediate future' as required to be eligible for listing under the Act.

Criteria 1, 2 and 3

The DCA indicates TWF meet three criteria for listing as endangered. The EPBC Act provides that an ecological community is eligible for listing as endangered if it 'is facing a very high risk of extinction in the wild in the near future'. The Act does not define near future but legal interpretation is likely to consider this in the order of 10 – 20 years.

The information provided in the DCA in respect of Criterion 1 (Decline in geographic distribution) and Criterion 3 (Loss or decline in functional important species), again relates only to historical impacts. No evidence is provided on the likely extent of future impacts or that TWF faces a very high risk of extinction in the near future due to decline in geographic distribution or loss or decline in functionally important species.

With respect to Criterion 2 (Limited geographic distribution with demonstrable threat) the DCA states that *“given the limited area and distribution of the ecological community and likelihood of ongoing fragmentation, threatening processes such as weed invasion, and loss through fire or disease will plausibly lead to its loss within the near future (considered to be 5 generations of Eucalyptus gomphocephala, up to the threshold of 100 years for this ecological community). Therefore the ecological community is eligible for listing as endangered under this criterion.”* (emphasis added).

The terms “likelihood”, “plausibly” and “up to 100 years” are not consistent with the requirements of the Act that for an ecological community to be listed as endangered it must be facing a very high risk of extinction in the near future.

Criteria 5 and 6

Criterion 5 (Rate of continuing detrimental change) and Criterion 6 (Quantitative analysis showing probability of extinction) are the only two criteria which may demonstrate that TWF is facing a risk of extinction as required by the Act for listing.

The DCA advises that there is not sufficient information to determine eligibility against these criteria.

It is therefore considered that the evaluation against the six criteria presented in the DCA does not provide a sufficient weight of evidence for listing as either critically endangered or endangered.

No Recovery Plan proposed

It is noted that the DCA proposes that there is not a need to establish a Recovery Plan for TWF. It seems highly inconsistent with the listing intentions of the EPBC Act for an ecological community to be recommended for listing as critically endangered and no Recovery Plan being required. This raises questions as to the purpose and benefits of listing under the Act.

CONCLUSION

The DCA does not provide sufficient evidence to demonstrate that Tuart Woodlands and Forests of the Swan Coastal Plan are eligible for listing as ‘critically endangered’ or ‘endangered’.

Whilst the DCA fails to provide sufficient evidence to demonstrate TWF listing, specific comments relating to the DCA are set out in the attached appendix. Should the Department require any assistance or further information regarding this matter, the UDIA would be delighted to assist. Please do not hesitate to contact me at ahailles@udiawa.com.au or 9215 3400.

Yours sincerely



Allison Hailes
Chief Executive Officer



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2. DESCRIPTION OF THE ECOLOGICAL COMMUNITY	
Table 2	<p>Condition classes for patches of Tuart woodlands and forests</p> <p>The definition of the Tuart Woodlands and Forests of the Swan Coastal Plain (TWF) TEC identifies that a Category C patch (Degraded but retaining important identified habitat, regeneration or landscape features) is part of the TEC. Other federal TEC listings under the EPBC Act 1999 which occur on the Swan Coastal Plain (i.e. Banksia Woodlands of the Swan Coastal Plain) exclude degraded vegetation from the TEC definition. Indeed, as the DCA acknowledges the areas of vegetation critical to the survival of the ecological community are those patches that meet the condition threshold of Categories A (pristine condition) and B (very good-good) (p23). Therefore degraded areas of TWF vegetation should not be identified as a TEC, particularly as degraded vegetation requires intensive management to return it to an improved (good) condition (Keighery, 1994). To support this, the Keighery (1994) definition of “degraded” vegetation is as follows: ‘Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management.’</p> <p>A: Patches that are in Pristine or Excellent condition – ‘benchmarks’ for restoration</p> <p>The Institute queries why no rationale has been provided why a minimum 20 native species is considered to represent ‘pristine’ or ‘excellent’ condition vegetation. The conservation advice states that Tuarts are considered to be dominant within Floristic Community Type 25 and 30b. Based on data by Gibson et al (1994):</p> <ul style="list-style-type: none"> • FCT 25 has a mean species richness of 58.2 spp, with a mean weed frequency of 12.9 per quadrat • FCT 30b has a mean species richness of 37.6 spp, with a mean weed frequency of 7.7 per quadrat <p>The species richness scores provided above, are likely to have included areas of higher quality vegetation relating to Tuart woodlands and these would have been sampled multiple times. As such, further justification of the ‘at least 20 native species’ is required given the work undertaken by Gibson et al (1994) indicates that the number of native species in the understorey would be much higher for the better condition areas of vegetation.</p>



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	<p><i>B: Patches that are in Very good or Good condition</i></p> <p>The threshold for ‘very good’ and ‘good’ condition should be different given the substantial difference in the quality of the vegetation within each category. In particular, the native species richness will be substantially less in ‘good’ condition vegetation compared to ‘very good’ condition vegetation, while the level of disturbance and /or weed species will be higher. This has significant implications for restoration and management actions. In addition, the description of ‘largely intact or is altered’ needs to be further defined as it is not clear what this relates to and how this would be quantified.</p> <p>Consideration should also be given to either the ‘Gibson et al (1994) dataset which indicates that average species richness is much higher, or clarification should be provided on why 12 species is considered an appropriate minimum.</p> <p><i>C: Patches that are degraded but retain important habitat, regeneration or landscape features</i></p> <p>The category C definition of “<i>basic vegetation structure has been severely impacted by disturbance. There is scope for regeneration but requires intensive management</i>” is difficult to quantify based on diagnostic criteria.</p> <p>As with differentiating ‘very good to good’ condition vegetation, clarification is also need regarding the statement “<i>there are obvious signs of disturbance such as very frequent fires, tree dieback of decline, logging, partial clearing or grazing</i>”.</p> <p>UDIA generally supports the definition of regeneration however, further clarification is required to quantify the definition of ‘natural regeneration’. For instances, would one or two saplings growing over a 2 ha patch be sufficient to meet this criteria. We suggest that this is measured within 10 x 10 m quadrats and is quantified by an average number of saplings per quadrat.</p> <p>The description of ‘important habitat’ habitat is too broad and open to wide variation in interpretation. In theory all TWF provide habitat for native fauna (both conservation significant and not), which is no different to habitat provided by other vegetation within Western Australia (which is not identified as a TEC).</p> <p>Many of the species identified as important for the functionality of Tuart woodlands (i.e. Quenda, Woylie, honey-eater possum, black cockatoos etc.) are functionally important species for all areas of native vegetation due to the processes they support (i.e. soil engineers, pollinators, trophic regulators). Further clarification on ‘important habitat’ is required.</p> <p>Likewise, ‘native vegetation’ is a broad definition and the presence of ‘native vegetation’ within 100 m of a potential patch of ‘degraded’ TWF does not necessarily mean the TWF has an important landscape role, particularly if the ‘native vegetation’ is also in degraded (or worse) condition. If the area of TWF</p>



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	<p>only has a basic vegetation structure and has been severely impacted by disturbance, can it be considered a ‘significant’ example? As such, the definition of ‘important landscape role’ should be reconsidered.</p> <p>D: Patches that are in a Degraded or Completely Degraded condition with NO identified important habitat, regeneration or features remaining</p> <p>As with the other condition categories, it is difficult to quantify the impact based on diagnostic criteria and differentiate the impact between the various condition classes.</p> <p>The final statement, “<i>DOES NOT retain any of the habitat, regeneration or landscape features identified in Category C</i>” should be reworded, “<i>DOES NOT retain any of the <u>‘important’</u> habitat, regeneration or landscape features identified in Category C.</i>”</p>
2.7	<p>Further information to assist in determining the presence of the ecological community:</p> <p><i>Defining a patch</i></p> <p>Based on the information provided in the conservation advice, it is unclear what rationale has been used to justify how breaks of up to 40m can be considered as a continuous area of vegetation, especially given the width of breaks within the Banksia Woodland conservation advice is only up to 30m. Given this, the 40m value appears arbitrary, and further clarification is required within the conservation advice on how this figure has been determined. The Department should consider using the same value included in the Banksia Woodland conservation advice for ease of interpretation and implementation.</p> <p>Areas of vegetation that do contain breaks of up to 40m, can actually be considered ecologically separate, especially if that break consists of hard linear infrastructure such as solid fences/noise walls and/or a bituminised two-lane road. Hard infrastructure can act as a barrier to the movement of fauna and to the linkage between two stands of vegetation, therefore ecologically separating the vegetation into two patches of the community. Further clarification should be provided within the conservation advice to define a 40m break, taking into consideration the effects of hard linear infrastructure.</p> <p>From experience with the Banksia Woodland conservation advice, the inclusion of small scale breaks within a community has made the patch size calculations very difficult to identify during on ground surveys. Vegetation often extends over multiple landholdings, which is typically separated by access tracks and fences that are less than 40m in width. This results in vegetation within adjacent landholdings potentially being considered as part of the same patch, and therefore count towards the patch size condition thresholds detailed within the conservation advice. This is problematic when quantify impacts during surveys, given that access to adjacent landholdings is typically limited, meaning ecological data cannot be collected. It is also unclear why the patch size in this circumstance is relevant given that it is not proposed to be impacted.</p>



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	<p>Based on the above, consideration should be given to limiting the patch size calculations to areas within the proponent’s landholdings and within the proposed action area, especially when there are access tracks and fences along the landholding boundaries effectively separating the stands of vegetation.</p> <p>Further clarification must be provided as to whether the area of these breaks should be included within the total patch size calculation, given that these breaks do not contain vegetation. For instance, currently a patch of TWF TEC may be identified as 6 ha in size, however only 5 ha contains vegetation while the remaining 1 ha is composed of tracks and cleared areas which are less than 40m in width.</p> <p>Patch size calculation, and the potential impacts associated with this, should be limited to the area of vegetation only (i.e. 5 ha). The cleared tracks do not contain any ecological characteristics of the TEC and therefore should only be considered in the context of determining contiguous areas of vegetation. The conservation advice should be updated to include this definition.</p> <p>It is also unclear how the edge of the patch, defined as 20m beyond the outer edge of the canopy will be implemented. The conservation advice states that this criterion is only relevant when this 20m area contains the species richness applicable to the condition rating. However, it does not include detail of the area in which species richness needs to be measured, i.e. with 10 x 10 quadrats, or the entire 20m. In addition, measuring the native species richness within 20m of the canopy cover throughout the site would be unachievable on ground, and is likely to result in areas being included within the TEC patch that shouldn’t and vice versa. For these reasons the criterion does not appear well defined and further clarification is required to ensure consistency in the survey approach within the field.</p> <p>Buffer Zone</p> <p>In addition to the 20m zone around the trees which is proposed to be included in the patch boundary, a minimum buffer zone of 30m is recommended in the conservation advice. The purpose of the buffer zone is identified to be protection of the root zone and also protection against spray drift (fertiliser, pesticide or herbicide sprayed on adjacent land), weed invasion, water runoff and other damage.</p> <p>It is suggested that buffer zone should be determined on a case-by-case basis to take into consideration the individual potential impacts in each situation, rather than a set distance (for example, spray drift will not always be a relevant impact to be considered). The appropriate buffer can then be agreed in land use planning approvals stage for projects which may impact TEC areas. The calculation of an appropriate buffer should also take into account the information within Australian Standard AS4970-2009 (Protection of Trees on Development Sites) regarding structural root zones and tree protection zones. It should also take into account the condition of the patch and the condition of surrounding land and vegetation not considered to be included in the TEC patch.</p>



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	<p><i>Sampling protocol</i></p> <p>The sampling protocol guidance set out on page 21 lacks detail, further guidance is needed to clarify any requirements.</p> <p><i>Timing of ecological surveys</i></p> <p>The conservation advice initially notes that surveys to identify the presence of TWF communities can be undertaken irrespective of the season (p17). Subsequently it is stated that surveys in more than one season to maximise the chance of detecting all species present (p22). This inconsistency should be removed and noting that vegetation condition can be assessed at any time of the year, it is suggested that only one survey would be necessary to define a community, unless it appears likely that the species richness or diversity would vary significantly enough to change the condition category if a spring survey was undertaken. In the case of condition being initially assessed in spring, no additional surveys should be required.</p>
3.1.1	<p>Patch size and distribution</p> <p>A patch is defined as extending to 20m beyond the outer edge of the canopy of individual trees where the understorey consists of native vegetation which meets the TEC condition class definitions. The rationale for extending the patch boundary for a further 20m past the trees is not discussed in the conservation advice. We suggest use of Tree Protection Zone (TPZ) standard calculations as outlined in Australian Standard AS4970-2009 (Protection of Trees on Development Sites) is more appropriate to use to define the edge of the patch, rather than an arbitrary 20m.</p> <p>The minimum threshold of three established Tuart trees (at least two living) to constitute a patch is considered very low and should be reconsidered taking into account the minimum patch sizes according to condition categories. E.g. Three trees within a minimum 0.5 ha patch at Pristine to Excellent condition is unlikely to ever occur.</p>
4.	<p>Criterion 1 – Decline in geographic distribution</p> <p>It is recognised that the TWF ecological community has been subject to significant historic disturbance, largely as a result of the early settlement of the Swan Coastal Plain during the late 1800’s and early 1900’s, however it is no evidence is provided to demonstrate that the community ‘is facing an extremely high risk of extinction in the wild in the immediate future, as determined in accordance with the prescribed criteria’.</p> <p>Within the Guidelines for nominating and assessing the eligibility for listing of ecological communities as threatened according to the Environment Protection and Biodiversity Conservation Act 1999 and the EPBC Regulations 2000 (2017), “immediate future (or past)” is described as ‘the next (or previous) 10 years, or</p>



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	<p>3 generations of any long-lived or key species believed to play a major role in sustaining the ecological community, (whichever is the longer), up to a maximum of 60 years’.</p> <p>Data available suggests that more than 27 % of the remaining areas of TWF (even when you considered which vegetation associations are ‘Tuart dominated’) are formally protected within conservation reserves. This does not include areas that have been recommended and/or committed to be retained for conservation purposes through planning or environmental impact assessment processes (such as Bush Forever Sites, Section 16 (e) advice prepared by the Environmental Protection Authority, or structure plan processes which determine conservation priorities) but have not yet been formally protected. Therefore, while there are broader landscape/ecological changes occurring that are resulting in ongoing change to the TWF ecological community (which could be argued would also be affecting all areas of remnant native vegetation), based on the level of existing protection and limited population viability analysis, it does not seem reasonable that the ecological community would become extinct in the immediate future. Further clarification should be provided on this point.</p>
4.2	<p>Criterion 2– Limited geographic distribution coupled with demonstrable</p> <p>The conservation advice indicates that due to the likelihood of ongoing fragmentation, threatening processes such as weed invasion and loss through fire or disease, this will ‘plausibly’ lead to the community’s loss in the ‘near future’ (up to 100 years), meaning it is ‘endangered’. However, whilst it is acknowledged that the community has been impacted by historically by clearing and land degradation, limited population data has been presented that indicates threatening processes could cause it to be lost, particularly in the immediate (critically endangered) or near future (endangered).</p> <p>The advice states that the ongoing urbanisation of the Perth metropolitan region is indicated as a key limit to recovery, and the presence of smaller remnant patches, making them more susceptible to ‘edge effects’ (and the associated degradation). However, the conservation advice provides data which shows the community remains largely consolidated and not fragmented with a large average patch size of 45 ha (average across all remaining areas). Further the conservation advice also states that:</p> <ul style="list-style-type: none"> • 77% of the TW ecological community remaining is within patches >100 ha (i.e. 40 of the remaining 563 patches are >100 ha in size) • 96% of the TW community remaining is within patches >10 ha (i.e. 184 of the remaining 563 patches are >10 ha in size) <p>Only 4.2% of the TW ecological community remaining is found in patches <10 ha in size.</p> <p>Larger patches are known to be impacted less by edge effects and degradation from ‘urbanisation’, which is indicated as one of the main threats. A high proportion of these larger patches are formally protected for conservation purposes, meaning they should not be fragmented further due to clearing or similar.</p>



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	<p>Whilst the advice states the fire will plausibly lead to its loss within the near future, section 2.2.2, which states that the <i>'seasonal climate predisposes the ecological communities in the region to summer fires.'</i></p>
4.3	<p>Criterion 3 – Loss or decline of functionally important species</p> <p>This section states that there has been a substantial decline of TWF whilst Appendix E states that the decline has been severe. This inconsistency raises doubts about accuracy of evidence provided. Indeed, limited evidence has been provided that demonstrates that “at least 50% of the population of the key canopy species [i.e. Tuart trees] has been lost over the last 60 years (three generations of Tuart) “, particularly given that for Criterion 5, it is stated that much of the primary clearing ‘may have occurred more than 100 years ago’. Therefore, while ‘endangered’ seems a reasonable assessment, there is limited evidence provided that the decline is ‘severe’.</p>
4.4	<p>Criterion 4 – Reduction in community integrity</p> <p>The conservation advice indicates that many of the changes to the ecological functions underpinning the TWF ecological community are ‘very severe and of a long-term nature’, which compromise the restoration ability of the community, with the presence of the Perth metropolitan region across a portion of the community’s range a major barrier ‘such that restoration is unlikely within the immediate future’. While it is acknowledged that the presence of the Perth metropolitan region would prevent full restoration of the ecological community to its complete range, however, large areas of the community are still in existence, with patches present across the extent of its original range, with many of these areas formally protected for conservation purposes.</p> <p>With regard to the information presented within the conservation advice, we note:</p> <ul style="list-style-type: none"> • The conservation advice states ‘the 2003 assessment indicates that potentially only 10% of the original extent retained an intact understorey’ (page 118). However, the 2003 Tuart Atlas indicates that 36% of the area mapped had an intact native understorey, while 60% had a disturbed understorey. The information presented in the conservation advice is contrary to the data presented in the source material. • Habitat features and fauna species are identified as important to maintaining the integrity of the community, and that due to the loss of these features/functions (due to a range of impacts, not just the loss of the ecological community), the changes to the community will be difficult to overcome. This would be true for most areas of remnant vegetation throughout Australia, whether it is a TEC or not.
4.5	<p>Criterion 5 – Rate of continuing detrimental change</p>



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	<p>Evidence that accurately quantifies the criterion is important for determining if the community was at an “extremely high risk of extinction in the wild in the immediate future”. However the advice fails to provide this and yet whilst the advice contends that insufficient data is available to address this criterion, it still makes comment about the rate of continuing detrimental change, noting that the majority of clearing and fragmentation impacting this community occurred more than a century ago. UDIA understands that ‘recent past’ refers to the last ‘20 years or five generations (up to a maximum of 100 years)’, and based on this definition, the majority of impacts on this community occurred outside the ‘recent past’.</p> <p>The advice goes on to state that the ecological community continues to be cleared for development and the ‘Perth and Peel Green Growth Plan for 3.5 million’ is likely to result in further losses. However, no evidence of this provided to support this. Based on the information prepared to support ‘Perth and Peel Green Growth Plan for 3.5 million’, a level of understanding could be determined particularly based on the proposed development footprints which were well articulated as part of this assessment. Further the advice fails to recognise that the majority of TWF is located within conservation reserves.</p> <p>Limited evidence is provided to support the claims that the advice sets out. To the contrary, the evidence is clear that TWF is not facing an extremely high risk of extinction in the immediate future due to land clearing.</p>
4.6	<p>Criterion 6 – Quantitative analysis showing probability of extinction</p> <p>No quantitative studies undertaken to show likelihood of extinction, therefore it has not been demonstrated that there is an “extremely high risk of extinction in the wild in the immediate future”</p>
5.5	<p>Offsets</p> <p>UDIA supports the potential for offsets to be utilised to compensate for damage to an ecological community that cannot be avoided.</p>
6	<p>The advice states that there is no need to establish a Recovery Plan for TWF. It seems highly inconsistent with the listing intentions of the EPBC Act for an ecological community to be recommended for listing as critically endangered and no Recovery Plan being required. This raises genuine questions as to the purpose and benefits of listing under the Act.</p>