

Frequently Asked Questions Western Australia's Threatened Ecological Communities

What is a TEC?

An ecological community is a naturally occurring assemblage of plants, animals or other organisms that occur in a particular habitat and have special biodiversity conservation value. A threatened ecological community (TEC) is an ecological community that is at risk of being destroyed ('collapsing'). Identifying and listing TECs is the first step in conserving and recovering these important parts of Western Australia's world-renowned biodiversity.

New legislation to protect TECs

The *Biodiversity Conservation Act 2016* (BC Act) provides for the listing and protection of threatened ecological communities (TECs) in Western Australia. This Act is administered by the Department of Biodiversity, Conservation and Attractions (DBCA).

Is protection of TECs new?

No. In Western Australia, TECs have been protected through other legislation and policy since 2001. Possible impacts to TECs have also been taken into account by state assessment bodies when applications to develop or clear land are evaluated during land use planning and environmental impact assessment processes.

DBCA notifies people that a TEC has been identified on land they own or manage. This helps to ensure the TEC is not accidentally damaged.

How does the department know of a TEC on private property?

Data about TECs is kept in a database maintained by DBCA. It includes information from many sources including regional surveys, reports from environmental consultants, and surveys by DBCA and other government departments, and local government authorities.

If you have questions about the TEC on your land, you can contact the Species and Communities Program. Where there is a dispute about a TEC on private land, the Threatened Ecological Communities Scientific Committee assesses scientific information and makes a determination.

How are TECs managed?

In the past, conservation of Western Australia's rich biodiversity was mainly on a species-by-species basis. As an additional important part of our biodiversity, ecological communities, or ecosystems, also need to be conserved, and may require special management. It is important to identify, maintain and manage at risk ecological communities, their processes and assemblages that comprise them (including the many thousands of species of invertebrates and non-flowering plants like fungi, and micro-organisms they contain). Some TECs may require special management such as weed control, fencing or limits on burning to help maintain or improve their condition.

How is the level of risk to a TEC assessed?

TECs are listed based on their risk of collapse. Prior to 2014, there was no commonly accepted global standard for assessing the level of risk to ecological communities ('ecosystems'). Previously the level of risk to Western Australia's ecological communities was assessed through government policy using criteria developed in the 1990s.

A new global standard was developed in 2014 by the International Union for the Conservation of Nature (IUCN) to assess the level of risk to ecosystems (termed the Red List of Ecosystems criteria (IUCN RLE)).

The implementation of the BC Act for TECs provides an opportunity to apply the IUCN RLE criteria to improve consistency in the way the level of threat to TECs is assessed at national and state scales.

The application of the IUCN RLE has resulted in some changes in the threat rank to TECs due to changes in the level of risk since the original listing in Western Australia and some differences in the way the two ranking systems assess risk.

Why is DBCA using the IUCN RLE?

The original ranking criteria applied to determine the level of risk to Western Australian TECs were developed in Western Australia in the 1990s as there was no global or other commonly accepted system for ranking the level of threat to ecosystems at that time (ecosystems are considered equivalent to ecological communities in this context). Consequently, the original Western Australian criteria for ranking do not align with ranking criteria in use in other Australian states or the Commonwealth.

The IUCN RLE is similar to that applied to ranking threatened species of plants and animals for many years. It differs from the original criteria applied to TECs in Western Australia as it includes more quantitative information, comparable to that used for species. This includes levels of decline in distribution, or restricted distribution, and levels of biological decline and environmental degradation, over specified time periods, and quantitative analysis of the probability of collapse.

What's happening nationally and in other states?

The Commonwealth does not currently use the IUCN RLE under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Australian Capital Territory applies the IUCN RLE for ranking ecological communities under their legislation, and New South Wales applies criteria that are equivalent to the IUCN RLE to their TECs.

Do I have to look after the TEC on my land?

The new BC Act states that TECs shall not be modified, that is damaged or destroyed, by any person without the authorisation of the Minister for Environment. This obligation applies to the owner/occupier of the land, or any visitors to the land. You and any person you allow on the land should not undertake operations on the land that would modify (damage or destroy) the TEC without an authorisation.

A guidance note is available on the [department's website](#) to assist any person proposing to take an action that may impact a TEC occurrence to decide whether they should submit an application for an authorisation under the BC Act. This document also provides information on the application, assessment and authorisation process.

Please note that an exemption is in place for undertaking a bushfire mitigation activity or bushfire suppression **that has been specified in the *Biodiversity Conservation (Exemptions) Amendment Order 2021 (Amendment Order)***. Further information on planned fire activities can be found on the department's website (<https://www.dbca.wa.gov.au/biodiversity-conservation-act/fire-information-notes>).

Do I get any financial assistance for having a TEC on my land?

The department can direct you towards, and assist you with, approaches for assistance with future conservation management for the TEC, from both government and non-government programs. For example, support to manage TECs may be available through State Natural Resource Management programs via a local catchment group. Other programs may also offer the possibility of direct financial assistance for conservation plans and action for TECs.

What happens next?

Landholders may receive formal notice of the presence of a TEC on land they own or occupy. The notice will include a description and a map of the TEC.

DBCA will continue to provide advice on proposed impacts to TEC's to state assessment bodies when applications to develop or clear land are evaluated during land use planning and environmental impact assessment processes.

Under section 45 of the BC Act the Minister may authorise a person to modify an occurrence of a TEC. A guidance note is available on the department's website to assist any person proposing to take an action that may impact a TEC occurrence to decide whether they should submit an application for an authorisation under the BC Act. This document also provides information on the application, assessment and authorisation process.

Listing under the BC Act has increased the level of protection for TECs, with significant penalties applying for illegal modification of a TEC (up to \$500,000 for individuals and \$2.5 million for bodies corporate).