

RESPONSE TO PETITION

Petition No. 6 of 2022 House of Assembly

The petitioners ask the House to:

The petition of the undersigned residents of Tasmania draws to the attention of the House the killing of Tasmanian eagles by an ever-increasing number of wind turbines.

- The threatened Tasmanian Wedge-tailed Eagle (*Aquila audax fleayi*) and White-bellied Sea-eagle (*Haliaeetus leucogaster*) are protected species with no proven protective measures in place for wind farms.
- The most recent Threatened Tasmanian Eagles Recovery Plan (2006-2010) is out of date and applies inappropriate safeguards.
- The EPA Board grants permit conditions to wind farm operators allowing eagles to be killed.
- Every year, an unknown number of these raptors are slaughtered, maimed and displaced by the State's ever-increasing number of wind turbines.
- This is in addition to those that collide with or are electrocuted by powerlines and poles, killed on our roads, poisoned or shot.
- World's best practice for minimising turbine blade collisions, using minimum 3.7km nest buffers, is well known to State regulators, but is not being implemented.
- Regulators have no strategic plan to site wind farms away from areas of high eagle activity; instead they are sited where developers choose.
- The current 1km buffer distance of turbines from eagle nests was developed 35 years ago to protect nests from disturbance by forestry operations and does not protect nests from +240m high wind turbines.

Your petitioners therefore, request the House to call on the Government to defer all wind farm developments in this State, until world's best practice is adopted by the EPA Board and an updated Threatened Tasmanian Eagles Recovery Plan is finalised.

GOVERNMENT POSITION:

The Tasmanian Government takes the protection of threatened eagle species seriously and works cooperatively with a wide range of stakeholders – including the energy sector, researchers, the Environment Protection Authority, the Forest Practices Authority and the Australian Government - to ensure the best available technology and systems are in place to understand and mitigate threats.

RESPONSE:

Recovery Plans are discretionary instruments available under both the *Tasmanian Threatened Species Protection Act 1995* (TPSA) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) that aim to maximise long-term survival in the wild of threatened species and should state what must be done to protect and restore important populations of threatened species and habitat, as well as how to manage and reduce threatening processes.

The Tasmanian Threatened Eagle Recovery Plan is adopted under both the TPSA and the EPBCA. The Recovery Plan expires for the Commonwealth Government on 1 April 2022, however under the TSPA there is no expiration date.

The Department of Natural Resources and Environment Tasmania (NRET) recently completed a comprehensive review of the Recovery Plan, in consultation with an Eagle Conservation Planning Reference Group comprising representatives from key sectors, and provided a suite of recommendations, including that the Recovery Plan be remade. NRET will be progressing the development of a best practice, contemporary Recovery Plan this year.

In the interim, my Department has initiated a series of interrelated projects aimed at enhancing existing conservation and management measures of the wedge-tailed eagle and white-bellied sea eagle, including:

- establishing a Threatened Eagle Conservation Fund for consolidating offset (and potentially other) funds and directing it to priority research and other conservation actions. The Fund is expected to be in operation by mid 2022;
- developing comprehensive Listing Statements for the wedge-tailed eagle and white-bellied sea eagle - as required under the TSPA - which will provide up to date guidance for fund administrators, species managers and regulators on where to focus conservation efforts and funding; and,
- maintaining the Eagle Conservation Planning Reference Group, currently consisting of 15 representatives from six sectors (government, academic, forestry, electricity, renewable and natural resource management), to ensure key stakeholders are represented and engaged in conservation planning process for the Tasmanian threatened eagles to facilitate effective communication and coordinated conservation and recovery action.

In relation to the EPA Board, it is responsible for assessing the potential environmental impacts of wind farms under the provisions of the *Environmental Management and Pollution Control Act 1994* (EMPCA). The environmental impact assessment process set out by EMPCA focuses on

minimising environmental harm, nuisance and pollution relating to noise, air quality, and water quality, as well as natural values, with a focus on threatened flora and fauna, including avian fauna.

A range of mitigation measures have been implemented at existing wind farms to reduce the risk of impact on all avian fauna, including eagles. These include infrastructure placement to avoid areas of high bird utilisation and technologies such as Identiflight, which has been installed at the Cattle Hill Wind Farm to reduce the risk of collision with wind turbines.

Each development proposal assessed by the EPA Board has environmental permit conditions and restriction imposed upon it with which the activity must comply. These conditions require the proponent to undertake their development within a framework which reduces the risk to the overall environment.

All operational wind farms are required to monitor and report to the EPA any avian fauna collisions, including eagles, as part of their environmental permit conditions.

While the limitations of using a 1 km buffer distance for turbines to be located from nest sites is recognised, it is only one measure that is considered by the EPA when addressing the risk of collision of eagles with wind turbines. Site utilisation data is also used to enable decisions to be made on avoidance of impacts by preferentially locating turbines in low utilisation areas. Where impacts are likely to be unavoidable, mitigation measures such as habitat management and technologies such as Identiflight are all considered.

The EPA is also currently contributing to world-leading research into GPS tracking of eagles in Tasmania by Dr James Pay, University of Tasmania. It is hoped this work will lead to a better understanding of species behaviour in the landscape and result in more targeted protection measures.



Roger Jaensch
Minister for Environment

Date: ~~February~~ 2022

3 March

