



Biodiversity Fact Sheets Protecting Tasmania's Threatened Species

Native species which are listed as threatened species under state and federal legislation receive special protection. This fact sheet looks at protection of Tasmania's threatened species. For more information about protection of threatened species at a national level, see "**Biodiversity Fact Sheets - Protecting Nationally Threatened Species**"

What are 'threatened species'?

There are three different categories of threatened species protected under the *Threatened Species Protection Act 1995* (Tas):

STATUS	CRITERIA
Endangered	<ul style="list-style-type: none">▪ Presumed to be extinct because no occurrence in the wild has been confirmed within 50 years.▪ In danger of extinction because long term survival is unlikely while the factors causing the species to be endangered continue.
Vulnerable	<ul style="list-style-type: none">▪ Likely to become endangered while the factors causing the species to be vulnerable continue
Rare	<ul style="list-style-type: none">▪ A small population that is not immediately vulnerable or endangered but is still at risk

How does a species become listed?

The Scientific Advisory Committee (SAC) may make a recommendation to the Minister that a species be included in, or removed from, the threatened species list. The Minister can then make an order including the species, removing the species or amending the listing for the species. Any person can appeal to the Resource Management and Planning Appeal Tribunal to challenge the decision.

Any person may also nominate a native species to be listed (or de-listed) as a threatened species by completing a nomination form. Before nominating a species, you should read the *Guidelines For Listing of Threatened Species* available at www.dpiw.tas.gov.au.

The SAC has 12 months to assess each nomination against the Guidelines and any other scientific information it considers relevant. The SAC then publishes its preliminary recommendations and any person can make a submission about the recommendation within 30 days.

Following consideration of any submissions made by the public, the SAC makes a final recommendation to the Minister for Primary Industries and Water. The Minister then makes a final decision about whether to list or de-list a threatened species and what category is appropriate. There is no appeal to the Tribunal from this decision, but you may be able to challenge the decision under the Judicial Review Act.

How are threatened species protected?

It is an offence to ‘take’ a threatened species without a permit. “Take” includes kill, injure, catch, damage, destroy or collect and can include the destruction of critical habitat for a threatened species.

However, no permit is required to take threatened species if a person acts in accordance with a certified Forest Practices Plan. Forest Practices Plans may include special provisions for the protection of threatened species on the logging coupe.

There are also a number of management options to ensure threatened species and their habitats are protected under the *Threatened Species Protection Act 1995*. These include:

- **Declaring Critical Habitat**

The SAC can recommend that habitat critical to the survival of a threatened species is declared “critical habitat”. Councils and government agencies are required to consider potential impacts on threatened species and critical habitats when assessing proposed developments.

- **Preparing recovery and threat abatement plans**

Recovery plans can be prepared setting out long-term strategies for protection and recovery of a particular species.

Threat abatement plans can be prepared to address particular processes that threaten listed species, such as vegetation clearance in coastal areas. The plans must specify objectives for removing or controlling the threatening process and may set out research and actions required to manage the threat.

Public comments are considered in preparing recovery and threat abatement plans.

- **Implementing Land Management Plans**

Land management plans aim to protect threatened species on private land or land owned by Council. Land management plans specify objectives for management of the land, and actions to be taken by the Department of Tourism, Arts and the Environment and the landowners to achieve those objectives. The plans may be supported by an agreement with the landowner relating to payment for works and compensation for financial loss.

It is an offence to disturb threatened species contrary to a land management plan. If convicted, a person may be ordered to carry out restoration work on the land.

- **Interim Protection Orders**

The Minister for the Environment may make an interim protection order to conserve the habitat of a listed threatened species on private land, or Crown land that is not subject to a land management agreement. An interim protection order can prohibit or restrict particular activities on the land which may affect the habitat or require specified work to be undertaken.

It is an offence not to comply with an interim protection order. Interim protection orders are enforceable even if the order is inconsistent with a planning scheme (for example, if the order prohibits an activity that would be permitted under the planning scheme).