

Attachment 3: Information to be provided in the Major Project Impact Statement in addressing the matters identified in the Assessment Requirement Notice

In order to satisfy section 60 ZA(6) of the *Land Use Planning and Approvals Act 1993* (LUPAA) which specifies that the assessment criteria must be relevant to the Regulator's final advice that it would give under section 60ZZF (1) in relation to the Whaleback Ridge Renewable Energy Major Project, the Department of Natural Resources and Environment Tasmania (NRE Tas) requests that the Major Project Impact Statement (MPIS) addresses the matters outlined below under NRE Tas's role as Relevant Regulator with project associated Acts administering threatened flora species, threatened fauna species and products of wildlife.

(1) Threatened Flora Species listed under the *Threatened Species Protection Act 1995*

NRE Tas considers the desktop assessment for threatened flora to be inadequate to assess potential impacts to flora species due to the lack of survey data for this area. The majority of the development area has never been botanically surveyed, which represents a significant knowledge gap in the available flora data.

NRE Tas requests that on-ground, systematic botanical surveys be undertaken for threatened flora for the proposed wind farm development, including all associated infrastructure locations such as access roads and tracks, parking, staff accommodation, material storage areas and areas to be impacted during construction. Targeted surveys (explained further below) should be undertaken for threatened flora species identified in Table 8 of the Major Project Proposal (pg. 33), as well as broader vegetation surveys capable of detecting additional threatened flora species. Representative examples of each vegetation type from across the development area should be surveyed to determine the presence of threatened flora species. This will improve the certainty of whether any proposed wind turbine generator (WTG) locations are likely to contain threatened flora and thus inform the need for any follow-up surveys (e.g. for micro-siting).

Targeted surveys for threatened flora should focus on the following:

- Species known to occur within the development area (see notes on specific species below).
- Suitable habitat for threatened plant species known to occur within 5km of the development area.
- Unusual geologies in the area (e.g. ultramafic, basalt).
- Vegetation types that have a high likelihood of containing threatened flora species (e.g. coastal heath/scrub, and dry eucalypt forests, and *Eucalyptus ovata* forest).

Where threatened flora populations are recorded within the Project land, extension surveys should be conducted in surrounding areas to provide context for impact assessments i.e. to determine the proportional impact on threatened flora species.

Specific species known to occur within the development area

northwest heath

The Project area contains numerous records of northwest heath *Epacris curtisiae*, which is listed as Rare under the *Threatened Species Protection Act 1995* (TSPA), however no detailed surveys have been undertaken for this species and information on its distribution and abundance is lacking. It is likely that the species is more widespread in the Project area than current records suggest. There is very little information about the size of the population, which could make it difficult to assess impacts. It is recommended that targeted surveys for this species are undertaken during spring (August - October) when it is flowering and more conspicuous.

There is a risk that construction of road infrastructure for the Project will increase pathways for *Phytophthora* incursion. This poses a risk for susceptible threatened flora species such as *Epacris curtisiae*. Construction activity should therefore be avoided in areas known to be free of *Phytophthora* that are known to contain *Phytophthora*-susceptible species.

horned orchid

The Project area is a stronghold for horned orchid *Orthoceras strictum*, which is listed as Rare under the TSPA. This species has been flagged for reassessment and uplisting due to increasing threats and requires special consideration. The species occurs in a wide range of habitat types including buttongrass moorland, and sedgy and scrubby heathland. There is a high likelihood of horned orchid occurring within the development footprint. The species is cryptic and can easily be overlooked, thus requiring targeted surveys which are recommended in summer (December - February) and should be conducted by orchid specialists. Surveys should be undertaken over successive years in suitable habitat to account for dormancy and fluctuations in populations.

leafless milkwort

There are several known populations of leafless milkwort *Comesperma defoliatum*, which is listed as Rare under the TSPA, within the Project area and it is likely to be more widespread within the site. Habitat for this species includes wet heathland/sedgeland, buttongrass moorland, and coastal scrub. There is a high probability of this species occurring within the development footprint. Targeted surveys should be timed to coincide with peak flowering which is in summer (January - February), and it is more likely to be detected after fire.

Flora surveys must be undertaken by a suitably qualified person in accordance with the NRE Tas *Guidelines for Natural Values Surveys*. The Guidelines can be found at:

<https://nre.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments>.

(2) Threatened Fauna Species listed under the *Threatened Species Protection Act 1995*

The desktop assessment of the Project area indicates that there are records of, or potentially suitable habitat for, at least 23 fauna species listed under the TSPA, that are likely to occur within the development footprint and may be impacted by the proposed development.

NRE Tas requests that on-ground surveys for threatened fauna and threatened fauna habitat are undertaken for the proposed renewable energy development, including associated infrastructure locations such as access roads and tracks, parking, staff accommodation, material storage areas and areas to be impacted during construction. Surveys should also include those areas that are likely to experience off-site or downstream impacts, such as noise impacts or water quality, or an increase in existing road use that may impact threatened fauna and/or threatened fauna habitat within those locations.

The criteria against which the Major Project is assessed must include an assessment of fauna species that may occur within the Project land (based on desktop surveys), and whether or not they have been specifically targeted during the on-ground surveys (and, if not, include an explanation of why they have not been included). The MPIS must include maps of all threatened fauna species and their foraging, roosting and/or nesting habitat, recorded in the on-ground surveys, overlaid with the proposed WTG layout and associated infrastructure, and a detailed assessment of the predicted impacts of the wind farm development to the recorded threatened fauna species. The MPIS must also include measures to minimise and mitigate impacts to threatened fauna species and their habitat from the wind farm development.

Fauna surveys must be undertaken by a suitably qualified person in accordance with the NRE Tas *Guidelines for Natural Values Surveys*. The guidelines can be found at:

<https://nre.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments>.

(3) Products of Wildlife listed under the *Nature Conservation Act 2002*

The proposed major project may result in impacts to the nests, dens and/or burrows of Tasmanian fauna species, including species listed under the TSPA (Tasmanian devil, spotted-tailed quoll, white-bellied sea-eagle and Tasmanian wedge-tailed eagle) and non-threatened fauna (Tasmanian wombat, platypus and rakali). Nests, dens and burrows are listed under the *Nature Conservation Act 2002* (NCA) as products of wildlife. Any impacts to products of wildlife listed under the NCA, requires a permit to take.

As such, products of wildlife will need to be included any Major Project permit and the on-ground surveys of the Project land will need to include surveys for, and an assessment of, the impacts to nests, dens and/or burrows from the Project. The assessment will need to include a discussion of the numbers of nests, dens and/or burrows observed in the surveys and the likelihood of these needing to be decommissioned for the development. In addition, it is recommended that den surveys and impact assessments for the Tasmanian devil are undertaken in line with the *Tasmanian Devil Survey Guidelines and Management Advice* which can be accessed on the NRE Tas website: [Tasmanian Devil Survey Guidelines and Management Advice](#). In the absence of specific guidelines for the Spotted-tailed Quoll, the Devil Survey Guidelines can be applied, given the species has similar habitat requirements to the Devil and are susceptible to a similar range of threats. The MPIS must also include measures to avoid, minimise and mitigate impacts to nests, dens and/or burrows from the wind farm development.