



Australian Government

Department of the Environment and Heritage

EPBC Act Policy Statement 3.6

Nationally Threatened Species and Ecological Communities



Tasmanian Devil
(*Sarcophilus harrisii*)

July 2006

The Tasmanian Devil was listed as a vulnerable species under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) in May 2006.



What is the Tasmanian Devil?

The Tasmanian Devil is the world's largest surviving carnivorous marsupial. A unique and unmistakeable animal, the Tasmanian Devil resembles a small, robustly built dog with fore limbs longer than hind limbs and a black coat, usually with variable patches of white on its chest, shoulder and rump. Adult Tasmanian Devils typically weigh between 5 and 9 kilograms although very large males weigh as much as 13.5 kilograms and grow to a height of about 30 centimetres at the shoulder.

Where does the Tasmanian Devil live?

The Tasmanian Devil occurs throughout Tasmania (excluding islands not connected to mainland Tasmania at low tide), and is found in a wide range of habitats, from sea level to all but the highest mountain peaks, as well as in forestry plantations and pastures. Open forests and woodlands are preferred by Tasmanian Devils, while tall or dense wet forests are less favoured.

Population densities of the Tasmanian Devil are highest in the dry and mixed sclerophyll forests and coastal heath of Tasmania's eastern half and north-west coast and lowest in the buttongrass plains of the south-west.

Why is the Tasmanian Devil threatened?

The major threat to the Tasmanian Devil is Devil Facial Tumour Disease (DFTD). DFTD causes cancers around the mouth and head, and has been fatal in all cases studied so far. The cancers begin as small lesions or lumps in and around the mouth and quickly develop into large tumours on the face, neck and shoulders. Tasmanian Devils with facial tumours can find it difficult to eat. They usually die either from starvation or the breakdown of body functions within three to eight months of the lesions first appearing.

DFTD-like tumours were first reported in 1996 in the north-east of the State, and the disease is now

present across more than half of Tasmania. Research and management actions are being undertaken to reduce the impact of DFTD on the Tasmanian Devil – see *How does this listing decision relate to conservation initiatives already underway?* for further details.

Although DFTD is the main threat to the Tasmanian Devil, death from road collisions, human persecution (unlawful poisoning, trapping and shooting) and habitat loss and fragmentation are also threats to the species. These threats may be especially important in areas affected by DFTD where only a small number of breeding females may remain.

What other laws currently protect the Tasmanian Devil?

The Tasmanian Devil is listed as a protected species under the Tasmanian *Nature Conservation Act 2002*, meaning it cannot be taken or possessed without a permit.

The Tasmanian Devil has also been recognised as a threatened species by the Tasmanian Government, and was listed as vulnerable under the Tasmanian *Threatened Species Protection Act 1995* (TSP Act) in 2005.

The TSP Act allows the Tasmanian Environment Minister to make an interim protection order to conserve the habitat, or part of the habitat, of a listed threatened species. Under the TSP Act, it is also an offence to take, keep, trade in, or process any specimen of a listed threatened species; disturb any listed threatened species found on land subject to an interim protection order; or disturb any listed threatened species contrary to a land management agreement, without a permit.

More information on Tasmania's approach to conserving Tasmania's threatened species can be obtained from the Threatened Species Strategy, available on the Department of Primary Industries and Water web site at: www.dpiw.tas.gov.au

What are the implications of listing nationally threatened species under the EPBC Act?

Listing the Tasmanian Devil as a nationally threatened species under the EPBC Act means that any action that is likely to have a significant impact on the species will need to be referred to the Australian Government Minister for the Environment and Heritage for a decision before the action can take place. If the action is deemed to be likely to have a significant impact, assessment and approval by the Minister will be required.

It is an offence for any person to undertake an action that is likely to have a significant impact on a matter of national environmental significance – including a nationally-listed threatened species – without approval.

The Australian Government Department of the Environment and Heritage produces EPBC Act Policy Statements to assist you in identifying whether your activity is likely to have a significant impact on a nationally listed species. Generic guidelines, *Significant Impact Guidelines 1.1 – Matters of National Environmental Significance*, can be obtained from the Department's web site at: www.deh.gov.au/about/publications

Included in these guidelines are 'significant impact criteria' for vulnerable species, such as the Tasmanian Devil. These criteria, outlined below, are intended to provide guidance on the types of actions that will require approval and the types of actions that will not require approval under the EPBC Act.

Significant impact criteria – vulnerable species

An action is likely to have a significant impact on a vulnerable species if there is a real chance or possibility that it will:

- introduce disease that may cause the species to decline
- lead to a long-term decrease in the size of an important population of the species
- reduce the area of occupancy of an important population
- fragment an existing important population into two or more populations
- adversely affect habitat critical to the survival of the species
- disrupt the breeding cycle of an important population
- modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species likely to decline
- result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat or
- interfere substantially with the recovery of the species.

Examples of activities that *may require* referral under the EPBC Act in relation to the Tasmanian Devil include any actions that may assist or accelerate the spread of DFTD (such as the moving of diseased individuals into an area which is currently disease-free), the construction of new roads or substantial

upgrades to existing roads in sensitive locations, and any actions that involve the loss or intensified use of large or important areas of Tasmanian Devil habitat such as clearing for urban development, flooding associated with dam building, or the intensifying or changing of agricultural land use.

In relation to the Tasmanian Devil, the EPBC Act is unlikely to apply to the death of individuals along existing roads – see *What about Tasmanian Devils being killed on roads?* for further details. The EPBC Act is also unlikely to apply to minor new works that will only affect a small number of Tasmanian Devils in areas that are disease-free. However, in areas affected by DFTD where only a few breeding females may remain, an action that will have or is likely to have an impact on even a small number of Tasmanian Devils may be significant, and therefore the EPBC Act may apply.

Actions undertaken as part of official disease suppression programmes, such as removing diseased individuals from wild populations and establishing disease-free captive populations, are not regarded by the Department of the Environment and Heritage to be likely to have a major adverse impact on Tasmanian Devil populations.

Individuals and organisations should consider the particular facts and circumstances of their activities in deciding whether there is a need to make a referral under the EPBC Act. You must make a referral for an activity if you think it may be likely to have a significant impact on a listed threatened species.



How does this listing decision relate to conservation initiatives already underway?

The listing of the Tasmanian Devil as threatened under the EPBC Act will compliment the significant commitments that have already been made by the Australian and Tasmanian governments, in partnership with universities and other institutions, towards finding a cure for DFTD.

Diagnostic research is underway to understand the cause of the disease whilst field research and management actions are being undertaken to limit the geographical spread of the disease.

Laboratory work

The latest information from laboratory work suggests that DFTD may be spread by 'allograft' – when cancerous cells are directly transmitted between individuals, possibly when they bite each other. Laboratory work is continuing to pinpoint the origin of the disease, to find a test to diagnose individuals before cancers appear, and hopefully to find a cure.

Field monitoring

Monitoring is continuing across the State to map the spread of the disease and to learn more about its impact on the Tasmanian Devil. DFTD has been confirmed across northern, eastern, central and southern Tasmania. However, there is still no evidence of the disease in the far south, far north-west and west coast populations, or at Narawntapu National Park on the central north coast.

Management strategies

As more is learnt about DFTD, management strategies are being implemented to combat the impact of the disease. These include trialling disease suppression by removing diseased individuals from wild populations and establishing disease-free captive populations which may be released back into the wild in the future.

Further information on the response to DFTD is available on the Department of Primary Industries and Water web site at: www.dpiw.tas.gov.au/dft

The EPBC Act requires that recovery plans be developed for listed threatened species. A recovery plan will be developed for the Tasmanian Devil, acknowledging the substantial work being undertaken to address DFTD, and outlining further actions to support the recovery of the Tasmanian Devil.

How does this decision affect forestry operations?

Under section 38 of the EPBC Act, forestry operations undertaken in accordance with Regional Forestry Agreements are exempt from Part 3 of the EPBC Act, in this case the provisions relating to listed threatened species. However, Forestry Tasmania is required to have operational procedures in place to protect and manage listed threatened species on forestry managed land as part of the Tasmanian Regional Forest Agreement.

Sarcophilus harrisii

What about Tasmanian Devils being killed on roads?

Tasmanian Devils are mainly scavengers, and are attracted to rich food sources such as rubbish dumps and carcasses on roads. Tasmanian Devils also disperse along roads and may use them as latrines.

Unfortunately, this behaviour places Tasmanian Devils at risk of being struck by vehicles. Therefore, new roads or upgrades in sensitive locations that may substantially increase the risk of Tasmanian Devils being killed are likely to require referral and consideration under the EPBC Act.

However, the EPBC Act is unlikely to apply to the death of a few individuals along existing roads (without any enlargement, expansion or intensification), as this action would be considered a continuation of land use – see *How does this decision affect current activities?* for further details.

What about Tasmanian Devils being killed as a result of persecution?

Anecdotal evidence suggests that some people kill Tasmanian Devils by such methods as unlawful poisoning, trapping and shooting. These activities are usually undertaken in an effort to protect stock, however, there is limited evidence to confirm that Tasmanian Devils present a threat to stock, particularly if the stock are healthy. The persecution of any Tasmanian Devils without a permit is prohibited under Tasmanian legislation – see *What other laws currently protect the Tasmanian Devil?* for further details. The EPBC Act would apply in cases of persecution where a significant impact on the species has or is likely to have occurred, for example in areas affected by DFTD where only a few breeding females may remain.

What about Tasmanian Devils being relocated by people?

There is also anecdotal evidence to suggest that some people may live-trap and relocate nuisance Tasmanian Devils (for example those living near poultry or denning under houses). However, the relocation of any Tasmanian Devils without a permit is prohibited under Tasmanian legislation – see *What other laws currently protect the Tasmanian Devil?* for further details. Since relocating Tasmanian Devils may assist the spread of DFTD, the EPBC Act may also apply to this type of action.

The translocation of Tasmanian Devils within areas affected by DFTD, for example ahead of urban development, is likely to be significant and therefore require referral and consideration under the EPBC Act.

What do I do if I see a sick or injured Tasmanian Devil, or hit one with my car?

You can assist by reporting sightings of dead or sick Tasmanian Devils to the Wildlife Management Branch of the Tasmanian Department of Primary Industries and Water on (03) 6233 6556 or via the web site: www.dpiw.tas.gov.au/dftd

Digital photographs are an excellent way of recording and relaying information. Please take all appropriate precautions regarding your safety, and never touch live or dead animals with bare hands.





Photos: © Dave Watts

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How does this decision affect current activities?

The EPBC Act allows for some exemptions to the requirement for assessment and approval. Any actions you undertake, which involve the use of your land, do not require assessment or approval if you meet the following requirements.

Exemption due to prior authorisation

- Your action or activities were specifically authorised by a permit, or other authorisation, issued under a Commonwealth, state or territory law before 16 July 2000 *and*
- On 15 July 2000 (immediately before the EPBC Act started) you did not need any further permits or other authorisations to carry out your action or activity in compliance with all relevant environmental laws.

Exemption due to lawful continuation of land use

- You started your action or activity before 16 July 2000
- Your action or activity does not have, and does not require, any permit or other authorisation to be carried out in compliance with all relevant environmental laws *and*
- Your action or activity has continued in the same location without any enlargement, expansion or intensification.

Please note that an EPBC Act approval does not remove the need to obtain the necessary state or territory government authorisations or other Commonwealth authorisations, including permits under the EPBC Act, for an activity.

Where can I get further information?

EPBC Act Policy Statements regarding what constitutes a 'significant impact' as well as referral forms and a guide for submitting a referral are available from the Australian Government Department of the Environment and Heritage web site at:

www.deh.gov.au/epbc/assessmentsapprovals/index.html

Email: ciu@deh.gov.au

Freecall: 1800 803 772.

A copy of the criteria used to assess the Tasmanian Devil's eligibility for listing under the EPBC Act as well as the Threatened Species Scientific Committee's listing advice can also be obtained from the Department's web site at:

www.deh.gov.au/biodiversity/threatened/species

Funding for projects to recover threatened species and ecological communities is available through the Threatened Species Network Community Grants, which are normally opened for application in autumn each year. More information is available at:

www.wwf.org.au/ourwork/species/tsn

Small community-based projects may also be eligible for funding under Envirofund grants. More information on these grants is available at: **www.nht.gov.au/envirofund**

You may also wish to participate in the development and implementation of your region's Natural Resource Management Regional Plan. In this case, contact your local land management agency.

Further information on the Tasmanian Devil may also be obtained from:

Tasmanian Department of Primary Industries and Water:

www.dpiw.tas.gov.au/dft

Tasmanian Parks and Wildlife Service:

www.parks.tas.gov.au/tpws.html