EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Instrument under section 184(1)

(Issued under the Authority of the Minister for the Environment and Heritage)

The Environment Protection and Biodiversity Conservation Act 1999 (the Act) places certain obligations on the Commonwealth to protect and conserve threatened species and ecological communities, and recognise, and where possible, abate key threatening processes listed on the list of threatened species, ecological communities and key threatening processes under the Act.

The purpose of this instrument is to amend the list of threatened species and key threatening processes under the Act in accordance with s184 by

- adding ‘the biological effects, including lethal toxic ingestion, caused by Cane Toads (Bufo marinus)’ to the list of key threatening processes; and
- adding Dasyurus hallucatus (Northern Quoll) to the list of endangered species

as recommended by the Threatened Species Scientific Committee (the Committee), having regard to the definition of critically endangered in s179(3) of the Act, endangered in s179(4) of the Act, vulnerable in s179(5) of the Act, and key threatening process in s188(4) of the Act.

The Committee’s recommendations are as follows:

1. ‘The biological effects, including lethal toxic ingestion, caused by Cane Toads (Bufo marinus)’

The evidence presented in the nomination and submitted by experts in the field enabled the Committee to judge that ‘the biological effects, including lethal toxic ingestion, caused by Cane Toads (Bufo marinus)’ is eligible for listing as a key threatening process under the Act. The threatening process met the criteria in the Act and EPBC Regulations (Part 7, Division 7.2). In particular, one criterion for listing as a key threatening process was met:

Criterion A: It could cause a native species or an ecological community to become eligible for listing in any category, other than conservation dependent

On this basis, the Committee recommends that ‘the biological effects, including lethal toxic ingestion, caused by Cane Toads (Bufo marinus)’ be listed as a key threatening process under the Environment Protection and Biodiversity Conservation Act 1999.

On the basis of the advice of the Committee, I am satisfied that ‘the biological effects, including lethal toxic ingestion, caused by Cane Toads (Bufo marinus)’
is eligible to be included in the key threatening process category.

2. *Dasyurus hallucatus* (Northern Quoll)

The evidence presented in the nomination and submitted by experts in the field enabled the Committee to judge that *Dasyurus hallucatus* (Northern Quoll) is eligible for listing as endangered under the Act. The species met the criteria in the Act and EPBC Regulations (Part 7, Division 7.1 and 7.2). In particular, one criterion for listing as endangered was met:

**Criterion 1:** It has undergone, is suspected to have undergone, or is likely to undergo in the immediate future, a very severe reduction in numbers

On this basis, the Committee recommends that *Dasyurus hallucatus* (Northern Quoll) be listed as *endangered* under the *Environment Protection and Biodiversity Conservation Act 1999*.

On the basis of the advice of the Committee, I am satisfied that *Dasyurus hallucatus* (Northern Quoll) is eligible to be included in the endangered category.

In deciding to include this species in the list, I did not consider any matter that does not relate to the survival of the species.

This instrument is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The instrument commenced on the day after it was registered on the Federal Register of Legislative Instruments.