EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Instrument under section 184(1)(a)

(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.

The purpose of this instrument is to amend the list of threatened species under the Act in accordance with s184(1)(a) of the Act by:

- deleting from the list of threatened species in the *extinct* category
  - *Haloragis platycarpa* (Broad-fruited Haloragis)
  - *Hydatella leptogyne* (Few-flowered Hydatella)
  - *Gyrostemon reticulatus* (Net-veined Gyrostemon)
  - *Frankenia parvula* (Short-leaved Frankenia)
  - *Eremophila vernicosa Chinnock ms* (Resinous Poverty Bush)
  - *Nemcia lehmannii* (Cranbrook Pea)
  - *Pseudanthus nematophorus* (Three-flowered Pseudanthus)
  - *Ptilotus fasciculatus* (Fitzgerald’s Mulla-mulla)

- including in the list of threatened species in the *critically endangered* category
  - *Haloragis platycarpa* (Broad-fruited Haloragis)
  - *Hydatella leptogyne* (Few-flowered Hydatella)
  - *Gyrostemon reticulatus* (Net-veined Gyrostemon)

- including in the list of threatened species in the *endangered* category
  - *Frankenia parvula* (Short-leaved Frankenia)
  - *Ptilotus fasciculatus* (Fitzgerald’s Mulla-mulla)

- including in the list of threatened species in the *vulnerable* category
  - *Eremophila vernicosa Chinnock ms* (Resinous Poverty Bush)
  - *Gastrolobium lehmannii* (Cranbrook Pea)
  - *Stachystemon nematophorus* (Three-flowered Stachystemon)

Consultation on the nominations to amend the list of threatened species under the Act to transfer these species between categories was undertaken before the legislative instrument was made. The nominations were placed on public exhibition, and public comments were sought. Parties with relevant expertise were directly consulted regarding their views.

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.