

EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Declaration 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 Australian Government to protect and conserve threatened species and ecological communities and recognise, and where possible abate, key threatening processes listed on the lists of threatened species, ecological communities and key threatening processes under the Act.

The purpose of this declaration is to amend the list of ecological communities under the Act in accordance with s184 by including in the list in the endangered category:

- Upland Wetlands of the New England Tablelands (New England Tableland Bioregion) and the Monaro Plateau (South Eastern Highlands Bioregion)

as recommended by the Threatened Species Scientific Committee (the Committee), having regard to the definition of endangered ecological communities in s182 of the Act.

The Committee's recommendation is as follows:

1. Upland Wetlands of the New England Tablelands (New England Tableland Bioregion) and the Monaro Plateau (South Eastern Highlands Bioregion)

The evidence presented in the nomination and submitted by stakeholders, the public and experts in the field enabled the Committee to judge that the Upland Wetlands of the New England Tablelands (New England Tableland Bioregion) and the Monaro Plateau (South Eastern Highlands Bioregion) ecological community is eligible for listing as endangered under the Act. The ecological community met the criteria in the Act and EPBC Regulations (Part 7, Division 7.1 and 7.2). In particular, one of the criteria for listing as endangered:

Criterion 2: Its geographic distribution is restricted and the nature of its distribution makes it likely that the action of a threatening process could cause it to be lost in the near future.

On this basis, the Committee recommends that the ecological community Upland Wetlands of the New England Tablelands (New England Tableland Bioregion) and the Monaro Plateau (South Eastern Highlands Bioregion), 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 the ecological community is eligible to be included in the endangered category.

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

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.