

EXPLANATORY STATEMENT

Environment Protection and Biodiversity Conservation Act 1999

Adoption of State or Territory Plans as Recovery Plans

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

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.

Subsection 269A(7) of the Act enables the Minister, by instrument in writing, to adopt as a recovery plan a plan made by a State, a self-governing Territory or an agency of a State or self-governing Territory.

The purpose of this instrument is to adopt the following recovery plans (the adopted plans):

(i) Prepared by Western Australia:

1. Kundip Wattle *Acacia rhamphophylla* recovery plan
2. Slender Andersonia *Andersonia gracilis* recovery plan
3. Feather-leaved Banksia *Banksia brownii* recovery plan
4. Manypeaks Rush *Chordifex abortivus* recovery plan
5. Dunsborough Spider-orchid *Caladenia viridescens* recovery plan
6. Grass Conostylis *Conostylis misera* recovery plan
7. Yellow Mountain Bell *Darwinia collina* recovery plan
8. Wittwer's Mountain Bell *Darwinia wittwerorum* recovery plan
9. Long-sepalled Daviesia *Daviesia megacalyx* recovery plan
10. Naturaliste Nancy *Wurmbea calcicola* recovery plan

(ii) Prepared by Queensland:

11. Boggomoss Snail *Adclarkia dawsonensis* recovery plan
12. Yellow Chat (Dawson) *Epthianura crocea macgregori* recovery plan
13. Mabi Forest (Complex Notophyll Vine Forest 5b) Ecological Community recovery plan

Before the Minister may adopt a recovery plan under subsection 269A(7) of the Act, the Minister must be satisfied that the plan meets the requirements of section 270 of the Act, and that, under subsection 277(1), an appropriate level of consultation has been undertaken in making the plan. In addition subsection 277(2) requires that the Minister obtain and consider advice from the Scientific Committee on the content of the plan. The adopted plans have been assessed and comply with section 270 of the Act and regulation 7.11 of the Environment Protection and Biodiversity Conservation Regulations 2000.

The adopted plans provide for the research and management actions necessary to stop the decline of, and support the recovery of, the listed threatened species and ecological community so that their chances of long-term survival in nature are maximised. The adopted plans were placed on public exhibition and comments were invited from the public. All comments were taken into account in finalising the adopted plans.

The advice of the Threatened Species Scientific Committee on the content of the plans was obtained under section 274 of the Act. The Committee advised that it recommends the plans for adoption by the Minister.

The adopted plans are available from the Australian Government Department of the Environment, Water, Heritage and the Arts website:

<http://www.environment.gov.au/biodiversity/threatened/recovery-list-scientific.html>

or from the Community Information Unit, Department of the Environment, Water, Heritage and the Arts, GPO Box 787, Canberra ACT 2601 or by phoning on 1800 803 772. Further information about the department can be found at

www.environment.gov.au.

The instrument adopting the recovery plans is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*. The adopted recovery plans will come into force on the day after they are registered on the Federal Register of Legislative Instruments.