

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 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 instrument is to amend the list of threatened ecological communities under the Act in accordance with s184 by including in the list in the critically endangered category:

- Blue Gum High Forest of the Sydney Basin Bioregion; and
- Turpentine-Ironbark Forest of the Sydney Basin Bioregion

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

The Committee's recommendations are as follows:

1. Blue Gum High Forest of the Sydney Basin Bioregion.

The evidence presented in the nomination and submitted by experts in the field enabled the Committee to judge that the Blue Gum High Forest of the Sydney Basin Bioregion ecological community is eligible for listing as critically 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, three of the criteria for listing as critically endangered have been met. These are:

Criterion 1: Its decline in geographic distribution is very severe.

Criterion 2: Its geographic distribution is very restricted and and it is subject to ongoing and demonstrable threats.

Criterion 4: Its reduction in integrity is very severe and regeneration is unlikely in the immediate future, even with positive human intervention.

On this basis, the Committee recommends that the ecological community be listed as **critically 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 critically 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.

2. Turpentine-Ironbark Forest of the Sydney Basin Bioregion.

The evidence presented in the nomination and submitted by experts in the field enabled the Committee to judge that the Turpentine-Ironbark Forest of the Sydney Basin Bioregion ecological community is eligible for listing as critically 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 critically endangered, one of the criteria for listing as endangered and one of the criteria for listing as vulnerable have been met. These are:

Criterion 1: Its decline in geographic distribution is very severe.

Criterion 2: Its geographic distribution is restricted and it is subject to ongoing and demonstrable threats.

Criterion 4: Its reduction in integrity is substantial.

On this basis, the Committee recommends that the ecological community be listed as **critically 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 critically 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.