

EXPLANATORY STATEMENT

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

Environment Protection and Biodiversity Conservation Act 1999

Threat abatement plan for predation, habit degradation, competition and disease transmission by feral pigs (*Sus scrofa*) 2017

The *Environment Protection and Biodiversity Conservation Act 1999* (the Act) provides for the protection of the environment and conservation of biodiversity, including the protection of native species and ecological communities impacted by key threatening processes.

Background

Part 13, Division 5, Subdivision A of the Act provides for the making of threat abatement plans in relation to key threatening processes, which bind the Commonwealth and Commonwealth agencies.

*Predation, habitat degradation, competition and disease transmission by feral pigs (*Sus scrofa*)* is listed as a key threatening process under the Act.

The Minister may make a threat abatement plan under section 270B of the Act if the Minister's most recent decision under section 270A is to have a threat abatement plan for the key threatening process.

The *Threat abatement plan for predation, habitat degradation, competition and disease transmission by feral pigs (*Sus scrofa*) (2017)* (the plan) was developed in consultation with relevant experts, Commonwealth, state and territory governments and informed by advice from the Threatened Species Scientific Committee. Public consultation was undertaken from 7 April 2015 to 24 July 2015; a longer period than the statutory three month period.

Purpose of the Instrument

The purpose of the Instrument is to reduce the effects of the key threatening process on Australia's biodiversity. The plan provides a framework for prioritising investment in threat abatement and identifies management and other actions required to ensure the long-term survival of native species and ecological communities affected by feral pigs. The content of the plan complies with section 271 of the Act and regulation 7.12 of the *Environment Protection and Biodiversity Conservation Regulations 2000*.

Consultation

Before making a threat abatement plan, the Minister must:

- consult about the draft plan and consider public comments in accordance with sections 275 and 276 of the Act; and

- consider the advice of the Threatened Species Scientific Committee in accordance with section 274(1) of the Act.

In accordance with section 275 of the Act, notices were published in the *Gazette*, *The Australian* newspaper and the *Koori Mail* inviting written comments on the draft plan. One public response was received during the three-month period for public comment from 7 April 2015 to 24 July 2015. Responses from governmental stakeholders were received and Indigenous input was received during targeted Indigenous consultation. All comments received on the draft plan were taken into consideration in revising and finalising the plan. Consultation was also undertaken with the relevant Commonwealth and state and territory Ministers.

The Minister obtained and considered the advice of the Threatened Species Scientific Committee in accordance with section 274(1) of the Act. The Threatened Species Scientific Committee recommended that the plan be made by the Minister under section 270(B) of the Act.

The plan is available from the Australian Government Department of the Environment and Energy's website at: <http://www.environment.gov.au/biodiversity/threatened/tap-approved.html>. Copies of the plan can also be requested from the Department's Community Information Unit (ciu@environment.gov.au or by telephone on 1800 803 772); or by post to the Australian Government Department of the Environment and Energy, GPO Box 787, Canberra ACT 2601.

The threat abatement plan is a legislative instrument for the purposes of the *Legislation Act 2003*.

The plan came into force on the day after it was registered on the Federal Register of Legislation.

Authority: section 270B of the *Environment Protection and Biodiversity Conservation Act 1999*.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011 (Cth)

Threat abatement plan for predation, habitat degradation, competition and disease transmission by feral pigs (*Sus scrofa*) (2017)

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011 (Cth)*.

Overview of the Legislative Instrument

The purpose of the Legislative Instrument is to make the *Threat abatement plan for predation, habitat degradation, competition and disease transmission by feral pigs (Sus scrofa) (2017)* (the plan). The plan provides a framework for prioritising investment in threat abatement and identifies management and other actions required to ensure the long-term survival of native species and ecological communities affected by feral pigs.

Human rights implications

This Legislative Instrument does not engage any of the applicable rights or freedoms.

Conclusion

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.

Josh Frydenberg, Minister for the Environment and Energy