#### EXPLANATORY STATEMENT

**(Issued under the Authority of the Minister for the Environment)**

### *Environment Protection and Biodiversity Conservation Act 1999* (Cth)

#### Environment Protection and Biodiversity Conservation (Recovery Plan—White‑throated Snapping Turtle (*Elseya albagula*)) Instrument 2021

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) provides for the protection of the environment and conservation of biodiversity, including the protection and conservation of threatened species and ecological communities.

Part 13, Division 5, subdivision A of the EPBC Act provides for the making, or adoption, of recovery plans for listed threatened species or listed threatened ecological communities, which bind the Commonwealth and Commonwealth agencies.

The purpose of this instrument is to make a recovery plan for the following threatened species:

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| *Elseya albagula* (White-throated Snapping Turtle) |

**Making the National Recovery Plan for the White-throated Snapping Turtle (*Elseya albagula*)**

Subsection 269A(2) of the EPBC Act enables the Minister to make a written recovery plan for the purposes of the protection, conservation and management of a listed threatened species or listed threatened ecological community.

This recovery plan meets the requirements of section 270 of the EPBC Act and regulation 7.11 of the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth). It sets out the research and management actions necessary to stop the decline of, and support the recovery of, the White-throated Snapping Turtle.

Section 274 of the EPBC Act, which requires the Minister to obtain and consider advice from the Threatened Species Scientific Committee on the content of the recovery plan, has been met.

In accordance with section 275 of the EPBC Act, the draft recovery plan was open for comment for a period of three months. A notice inviting comments on the recovery plan was advertised in the Commonwealth of Australia Government Notices Gazette, *The Australian* newspaper and on the website of the Australian Government Department of the Environment and Energy. As per section 276 of the EPBC Act, all comments were considered before making the recovery plan.

This recovery plan is a legislative instrument for the purposes of the *Legislation Act 2003* (Cth).

The National Recovery Plan for the White-throated Snapping Turtle (*Elseya albagula*)commences on the day after this recovery plan is registered on the Federal Register of Legislation.

Authority: Subsection 269A(2) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

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| **Statement of Compatibility with Human Rights**  *Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*  **Environment Protection and Biodiversity Conservation (Recovery Plan—White‑throated Snapping Turtle (*Elseya albagula*)) Instrument 2021**  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*.  **Overview of the Legislative Instrument**  The purpose of this Legislative Instrument is to make the National Recovery Plan for the White-throated Snapping Turtle (*Elseya albagula*). The plan establishes a national framework to guide and coordinate the recovery of the White-throated Snapping Turtle throughout its range in Australia. *Elseya albagula* is listed in the Critically Endangered category under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).  The recovery plan was developed through extensive consultation with a broad range of stakeholders and affected interests in accordance with section 275 of the EPBC Act. The draft version of the plan was opened for public consultation in February 2017 for a period of three months, and the final version of the plan was endorsed by the Threatened Species Scientific Committee in November 2018 before being made by the Minister.  The conventions listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* were considered in the preparation of the National Recovery Plan for the White-throated Snapping Turtle (*Elseya albagula*).  **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.  **Sussan Ley MP, Minister for the Environment** |

Note: The name of this instrument was amended on registration as the instrument as lodged did not have a unique name (see subsection 10(2), *Legislation Rule 2016*).