#### SUPPLEMENTARY EXPLANATORY STATEMENT

### *Environment Protection and Biodiversity Conservation Act 1999*

Environment Protection and Biodiversity Conservation (Recovery Plans) Revocation Instrument 2024

**(Issued under the Authority of the Delegate of the Minister for the Environment and Water)**

**Purpose of the Supplementary Explanatory Statement**

The purpose of the Supplementary Explanatory Statement is to provide additional information about the consultation that was undertaken prior to the making of the *Environment Protection and Biodiversity Conservation (Recovery Plans) Revocation Instrument 2024* (the revocation instrument).

**Requirements under the Act**

When proposing a decision not to have a recovery plan, subsection 269AA(5) of the *Environment Protection and Biodiversity Conservation Act 1999* (the Act) provides that the Minister must:

* ask the Threatened Species Scientific Committee (TSSC) for advice relating to the proposed decision and take account of any advice provided by the TSSC in relation to the proposed decision; and
* publish a notice inviting comments on the proposed decision and take account of the comments received in response to the notice.

**Consultation**

The public comment process was open from 17 September 2021 to 2 November 2021. Comments could be provided by completing the survey on the ‘Have Your Say’ platform or provided by post or email to the Department.

Themes in the consultation included the benefits of recovery plans, actions to improve recovery plans, the approach taken to Conservation Advice and consultation processes, the principles to be applied by the TSSC and funding for recovery actions/programs.

Taking into account the consultation comments, the TSSC advised the former Minister for the Environment (former Minister) that 176 species and ecological communities did not require a recovery plan. In March 2022, the former Minister decided not to have a recovery plan for these 176 species and ecological communities.

In making the decision, the former Minister was provided with and considered:

* all public comments received through the public consultation process (subparagraph 269AA(5)(c)(ii) of the Act);
* the advice and recommendations of the TSSC for each of the 176 species and ecological communities (subparagraph 269AA(5)(c)(i) of the Act);
* the precautionary principle as required by section 391 of the Act;
* outcomes of consultation with State and Territory Governments;
* outcomes of consultation with relevant Australian Government departments.

The Delegate considered the consultation outcome and the TSSC’s advice when giving effect to the former Minister’s decision in the revocation instrument.