

THREATENED SPECIES SCIENTIFIC COMMITTEE

C/- Species Listing and Policy Section
Department of the Environment and Heritage
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Dr Neil Byron
Commissioner
Productivity Commission
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Dear Dr Byron

Re Draft Report ‘Impacts of Native Vegetation and Biodiversity Regulation’

Thank you for the opportunity to provide comments on the Productivity Commission’s Draft Report on ‘Impacts of Native Vegetation and Biodiversity Regulation’.

I am writing on behalf of the Australian Government’s Threatened Species Scientific Committee (the Committee), which was established under the *Environment Protection and Biodiversity Conservation Act 1999* (the Act). The functions of the Committee are provided for under section 503 the Act, and include advising the Australian Government Minister for the Environment and Heritage on the amendment and updating of lists for nationally threatened species, threatened ecological communities and key threatening processes together with the making or adoption of national recovery plans and threat abatement plans under the Act.

At a recent meeting, the Committee noted the Productivity Commission’s Draft Report on ‘Impacts of Native Vegetation and Biodiversity Regulation’. In particular, the Committee noted the Productivity Commission’s findings that there is potential for duplication or inconsistency between Australian Government and State/Territory legislation with respect to the listing of threatened entities. Section 4.4 of the Draft Report states that ‘there may be scope to define more clearly which jurisdiction is responsible for this, or to improve coordination of listings.’

The Committee agrees that there is a need to improve alignment between the Australian Government and State/Territory lists of threatened entities.

The purpose of this submission is to summarise some of the issues involved in aligning Australian Government and State/Territory threatened species lists and to inform the Productivity Commission of work being undertaken by the Committee to address this issue.

Issues for aligning threatened species listing processes

In June 2002, the Committee reviewed the threatened species listing process in all States and Territories to assess their compatibility with the *Environment Protection and Biodiversity Conservation Act 1999* listing process. This review highlighted that, while there are similarities between Australian Government threatened species listing process and those used in the States/Territories, there are a number of issues that need to be addressed before listed threatened species can be easily and consistently included on both State/Territory and Australian Government lists. These issues arise because there are differences between the Australian Government and State/Territory listing processes with respect to:

- the listing categories and criteria;

- the level of available supporting data and documentation that is required to support a listing under the Act; and,
- the public consultation process.

To achieve alignment between the Australian Government and State/Territory lists of threatened entities, these issues need to be formally addressed.

Improving alignment between Australian Government and State/Territory listing processes.

The Committee is seeking to develop strategies to align the threatened species listing processes through a consultation process with the States and Territories.

In December 2002, the Committee held a joint meeting with representatives of the State and Territory threatened species committees to discuss this matter. At the meeting, representatives from the committees developed a draft set of objectives, which if met, could streamline the identification of threatened species by Australian Government, State and Territory organisations. The objectives are in the process of being finalised.

Strategies for achieving the objectives endorsed by the State and Territory threatened species committees will require further consideration and development. The Committee is committed to developing these strategies in order to achieve improved alignment between the Australian Government and State/Territory lists of threatened species.

Issues of Science and Sustainability

In the Draft Report a number of other issues are raised about how entities are defined and how science is used to arrive at decisions. These areas have been under considerable debate in the Committee and a number of advices on these issues have been supplied to the Minister. The Commission may wish to review how our decisions were made and how data has been used. This information has, since the Committee was established, been published on The Department of the Environment and Heritage web site and been made freely available to all stakeholders.

I hope that the information provided in this submission will assist the Productivity Commission in preparing the final report on 'Impacts of Native Vegetation and Biodiversity Regulation'.

Should the Commission wish, I would be happy to discuss these issues at a mutually convenient time.

Yours sincerely



Associate Professor Robert J.S. Beeton
Chair
Threatened Species Scientific Committee
16 December 2003