



# HUMANE SOCIETY INTERNATIONAL

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13 December 2011

Dear Sir or Madam

**Re: Inquiry into the Environment Protection and Biodiversity Conservation Amendment (Emergency Listings) Bill 2011**

Humane Society International (HSI), the world's largest conservation and animal welfare organisation, welcomes the opportunity to provide the following submission to this Senate inquiry on behalf of 11 million supporters worldwide, and 40,000 Australian supporters.

HSI has substantive experience in preparing and submitting nominations for listing under the *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*. Between 2007 and 2010 alone, HSI nominations formed 20 of the 103 nominations (or 19.4%) added to the Final Priority Assessment List (FPAL) and therefore eligible for further consideration by the Threatened Species Scientific Committee. These were comprised of threatened species, threatened ecological community and key threatening process nominations. However this figure is only the tip of the iceberg. HSI has submitted many more nominations for species listings, threatened ecological community listings, heritage listings and key threatening processes which we believe to be candidates for inclusion under the EPBC Act, however many of these have not made it past the first 'hurdle' of the FPAL.

HSI therefore welcomes the proposals as foreshadowed by Senator Larissa Waters to fast-track proposals for emergency listing of threatened species and ecological communities where they are at risk from a significant and imminent adverse impact under the EPBC Act.

HSI strongly believes that very little is known about many of our species and ecological communities, yet these species and communities are often threatened by developments or other impacts. As noted above, we have substantial experience of the current listing process, which we consider to be a thorough process. However this thoroughness has led to a situation where an assessment of a species or ecological community nomination often takes many years to reach a conclusion.

If excessive timeframes for assessing nominations remain, HSI believes the need for emergency listing provisions remains as important as ever. The Minister needs to have the ability to act swiftly where there are immediate or ongoing threats of significant impact to a nominated species or ecological community. Otherwise, given the typical timeframes currently given for assessing nominations, a species or ecological community could well find itself qualifying for a higher category of threat at the point of listing to what it did at the point of nomination.

Furthermore, HSI strongly supports the proposed amendment of s158A of the EPBC Act, which

would ensure that any newly discovered species, place or other area deemed to be worthy of emergency listing, should subsequently be taken into account and made a condition of any development in that same place. Emergency listings are only likely to be applied to those species, communities or places which are in dire need of action. Not deeming them to be a controlled action, even if this action must be designated after a project or development is underway is unacceptable. Not amending S158A of the EPBC Act would therefore result in a completely inadequate process and provide the public with insufficient time to seek emergency listings for any species they may be aware of on a site which would qualify for such a listing. As development continues, it will become increasingly likely that species yet to be discovered will be found as a result of their habitat being subject to an EIS process. These species or ecological communities must therefore not be ignored in any subsequent development of that site.

HSI considers the proposed Bill to be an appropriate mechanism to provide the Minister, under the guise of the EPBC Act with flexibility so that they may respond rapidly when there are significant threats facing a particular species or ecological community. HSI therefore supports the proposed Bill.

Yours sincerely

Alexia Wellbelove  
Senior Program Manager