

Australian Capital Territory

# Nature Conservation (Threatened Ecological Communities and Species) Action Plan 2012 (No 1)

Disallowable instrument DI2012–108

made under the

Nature Conservation Act 1980, s 42 (Preparation of action plan)

## EXPLANATORY STATEMENT

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The *Nature Conservation Act 1980* (the Act) is the primary ACT legislation for the protection of native plants and animals. A 1994 amendment to the Act established the Flora and Fauna Committee as an expert advisory body to the Minister. The Flora and Fauna Committee advises the Minister of ACT species and ecological communities that are threatened with extinction and recommend that they be declared accordingly.

Section 42 of the Act provides for the Conservator of Flora and Fauna to prepare an Action Plan for each species or community that has been the subject of a declaration. An Action Plan is a management response to a recognised ecological threat. It is required to include proposals for the identification, protection and survival of the species or community concerned.

Section 41 of the Act requires public consultation on Action Plans before they are prepared. A public consultation process has been undertaken for all of these Action Plans. In accordance with Section 42 of the Act public comments were taken into account in preparing the Action Plans.

This instrument revokes the previous instrument for Action Plans (DI2007-85). This instrument is to replace the revoked instrument.

This instrument reinstates the following Action Plans that were in the revoked instrument without any changes:

- Action Plan No. 5 A subalpine herb (*Gentiana baeuerlenii*)
- Action Plan No. 22 Brush-tailed Rock Wallaby (*Petrogale penicillata*)
- Action Plan No. 23 Smoky Mouse (*Pseudomys fumeus*)
- Action Plan No. 30 Spotted-tailed Quoll (*Dasyurus maculatus*)

In addition, this instrument makes the following new and revised Action Plans:

- Action Plan No. 6 Northern Corroboree Frog (*Pseudophryne pengilleyi*)

- Action Plan No. 31 Canberra Spider Orchid (*Arachnorchis actensis*)
- Action Plan No. 32 Brindabella Midge Orchid (*Corunastylis ectopa*)

The Action Plans for the Canberra Spider Orchid and Brindabella Midge Orchid are in the forms which were adopted as Commonwealth recovery plans for these species under the Commonwealth *Environment Protection and Biodiversity Conservation Act* 1999 as in force on commencement of this instrument with minor modifications. These modifications are listed on the instrument. Both species are endemic to the ACT and the recovery plans meet requirements for ACT Action Plans.

An Action Plan is a disallowable instrument. The *Legislation Act* 2001 requires this instrument be notified and presented to the ACT Legislative Assembly.

While the legal authority of the Action Plans is confined to the Australian Capital Territory, management considerations are addressed in a regional context.

Note: Copies of the above Action Plans are available from [http://www.environment.act.gov.au/cpr/conservation\\_and\\_ecological\\_communities/threatened\\_species\\_action\\_plans](http://www.environment.act.gov.au/cpr/conservation_and_ecological_communities/threatened_species_action_plans)