



Australian Capital Territory

# **Nature Conservation Regulation 2015**

**SL2015-23**

made under the

**Nature Conservation Act 2014**

**Republication No 1**

**Effective: 3 July 2015 – 22 February 2017**

Republication date: 3 July 2015

Regulation not amended

## About this republication

### The republished law

This is a republication of the *Nature Conservation Regulation 2015*, made under the *Nature Conservation Act 2014* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 3 July 2015. It also includes any commencement, repeal or expiry affecting this republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial amendments

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

# Nature Conservation Regulation 2015

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Australian Capital Territory

# Nature Conservation Regulation 2015

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made under the

**Nature Conservation Act 2014**

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## Part 1 Preliminary

### 1 Name of regulation

This regulation is the *Nature Conservation Regulation 2015*.

### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

### 4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.



## Part 2                      Reserves—management planning

### 5                      **What is a *reserve*?—Act, s 169 (1), def *reserve*, par (b) (ii)**

- (1) The special purpose reserves mentioned in schedule 1, part 1.1 and outlined in bold in schedule 1, part 1.2 are prescribed.
- (2) In this section:

*special purpose reserve* means an area of public land reserved in the [territory plan](#) as a special purpose reserve under the [Planning and Development Act 2007](#), section 315 (d).

## Part 3 Nature conservation licences

### 6 **Suitability information about a person—Act, s 266, def *suitability information*, par (e)**

The following matters are prescribed:

- (a) the person's qualifications, training, knowledge and experience in carrying out the activity for the licence;
- (b) if the activity for the licence involves a native species that has special protection status, or is a protected native species, and the purpose of the activity is—
  - (i) scientific research, education, or propagation of the species—the person's association with relevant scientific research organisations; or
  - (ii) practice of Aboriginal tradition—the person's membership of the Aboriginal community in the ACT or surrounding region.

### 7 **Unsuitable activities for a licence—Act, s 268 (1), def *suitable activity*, par (b)**

An activity that would constitute an offence under 1 or more of the following provisions of the [Act](#) is prescribed:

- (a) section 144 (Offence—damage native tree—unleased land) if the tree is in a wilderness area;
- (b) section 146 (Offence—damage or take fallen native timber) if the timber is in a wilderness area;
- (c) section 149 (Offence—sell native plant without plant tag—protected or special protection status);
- (d) section 152 (Offence—export plant without plant tag—protected or special protection status);
- (e) section 223 (Offence—make road in wilderness area);

- (f) section 224 (Offence—use motor vehicle off road in wilderness area);
- (g) section 225 (Offence—excavate in wilderness area without licence) if the excavation is for a purpose other than archaeological investigation;
- (h) section 364 (Offences—use or divulge protected information).

**8      Suitability information about an activity—Act, s 269,  
def *suitability information*, par (e)**

The following matters are prescribed:

- (a) if the activity involves killing a native animal—
  - (i) how the animal is to be killed; and
  - (ii) how the carcass is to be disposed of;
- (b) if the activity involves taking a native animal—how the animal is to be taken;
- (c) if the activity involves keeping a native animal—the facilities and care procedures at the place where the animal is to be kept;  
*Note*      The conservator may inspect the place under the [Act](#), s 272.
- (d) if the activity involves selling a native animal—whether the animal was raised in captivity;
- (e) if the activity involves importing or exporting an animal—how the animal is to be transported;
- (f) if the activity involves releasing an animal from captivity—
  - (i) any genetic characteristics of the animal that indicate whether the animal was bred in captivity; and
  - (ii) whether the animal is free from disease;

- (g) if the activity involves excavating in a wilderness area for archaeological investigation—
  - (i) the objectives of the investigation; and
  - (ii) the expected contribution of the investigation to the understanding of Aboriginal prehistory or Australian history in general;
- (h) if the purpose of the activity is scientific research—details of the scientific research.

**9            Conditions—clearing native vegetation in a reserve—  
Act, s 274 (a)**

A licence authorising the clearing of native vegetation in a reserve is subject to the condition that the licensee must tell the conservator before starting to clear the native vegetation.

**10          Conditions—damaging land in a reserve—Act, s 274 (a)**

A licence authorising the damaging of land in a reserve is subject to the condition that the licensee must tell the conservator before starting to damage the land.

**11          Conditions—keeping an animal for public display—  
Act, s 274 (a)**

A licence authorising the keeping of an animal for public display is subject to the condition that the licensee must comply with a risk management plan approved by the conservator for the licence.

**12        Records—licence to keep animals—Act, s 306 (1) (c)  
             and (2) (c)**

- (1) This section applies to a licence to keep an animal that is not a live fish.
- (2) The licensee must keep a record of—
  - (a) the total number of animals kept under the licence; and
  - (b) the species and sex of each animal kept under the licence.
- (3) In addition, the licensee must also keep a record of—
  - (a) if an animal is acquired from another person—
    - (i) the name and address of the other person; and
    - (ii) the date of receipt of the acquired animal; and
    - (iii) the species and sex of the acquired animal; and
  - (b) for an animal that dies or escapes from captivity—
    - (i) the date of death or escape; and
    - (ii) the species and sex of the deceased or escaped animal; and
  - (c) for an animal that is transferred, whether because of a sale or otherwise, to another person—
    - (i) the name and address of the person receiving the animal;  
and
    - (ii) the date of transfer; and
    - (iii) the species and sex of the transferred animal.
- (4) However, a person need not keep a record of the sex of an animal if it is not possible to ascertain without handling the animal.

**13        Records—licence to keep live fish—Act, s 306 (1) (c) and (2) (c)**

- (1) A licensee who is authorised under the licence to keep live fish must keep a record of the species of each fish kept under the licence.
- (2) In addition, the licensee must also keep a record of—
  - (a) for live fish acquired from another person—
    - (i) the name and address of the other person; and
    - (ii) the date of receipt of the acquired fish; and
    - (iii) the species of the acquired fish; and
  - (b) for live fish transferred, whether because of a sale or otherwise, to another person—
    - (i) the name and address of the person receiving the fish; and
    - (ii) the date of transfer; and
    - (iii) the species of the transferred fish; and
  - (c) for live fish exported from the ACT by the licensee—
    - (i) the name and address of the person receiving the fish; and
    - (ii) the date of export; and
    - (iii) the species of the exported fish.

**14        Records—licence to sell or export native plant—Act, s 306 (1) (c) and (2) (c)**

- (1) This section applies to a licensee who is authorised under the licence to—
  - (a) sell a native plant; or

*Note*        **Sell** includes offer for sale (see [Act](#), s 126).

  - (b) export a native plant from the ACT.

- (2) The licensee must keep a record of the following details for each plant sold, or exported, under the licence:
  - (a) the name and address of the person receiving the plant;
  - (b) the date when the plant was sold or exported;
  - (c) the species of the plant sold or exported.
- (3) The licensee must also keep a record of the total number of plants sold, or exported, under the licence.

**15      Records—licence to sell or export protected invertebrate—Act, s 306 (1) (c) and (2) (c)**

- (1) This section applies to a licensee who is authorised under the licence to—
  - (a) sell an invertebrate that—
    - (i) has special protection status; or
    - (ii) is a protected native species; or

*Note      Sell includes offer for sale (see [Act](#), s 126).*
  - (b) export from the ACT an invertebrate that—
    - (i) has special protection status; or
    - (ii) is a protected native species.
- (2) The licensee must keep a record of the following details for each invertebrate sold, or exported, under the licence:
  - (a) the name and address of the person receiving the invertebrate;
  - (b) the date when the invertebrate was sold or exported;
  - (c) the species of invertebrate sold or exported.
- (3) The licensee must also keep a record of the total number of invertebrates sold, or exported, under the licence.

## **Schedule 1      Reserves**

(see s 5)

### **Part 1.1              Special purpose reserves**

<b>column 1 item</b>	<b>column 2 map and location</b>	<b>column 3 district</b>
1	map 1—Birrigai	Paddys River
2	map 2—Blue Ridge Special Purpose Reserve	Coree
3	map 3—Bullen Range North Special Purpose Reserve	Stromlo
4	map 4—Bullen Range South Special Purpose Reserve	Tuggeranong
5	map 5—Bullen Range Special Purpose Reserve	Stromlo
6	map 6—Cotter Reserve	<ul style="list-style-type: none"><li>• Corey</li><li>• Paddys River</li><li>• Stromlo</li></ul>
7	map 7—Gibraltar Special Purpose Reserve	Paddys River
8	map 8—Kambah Pool Recreation Area	Paddys River
9	map 9—Molonglo River Reserve	Molonglo Valley
10	map 10—Namadgi Special Purpose Reserve	Tennent
11	map 11—Pine Island and Point Hut to Tharwa Bridge	Tuggeranong
12	map 12—Sherwood Forest Special Purpose Reserve	Coree
13	map 13—Stony Creek Special Purpose Reserve	Stromlo

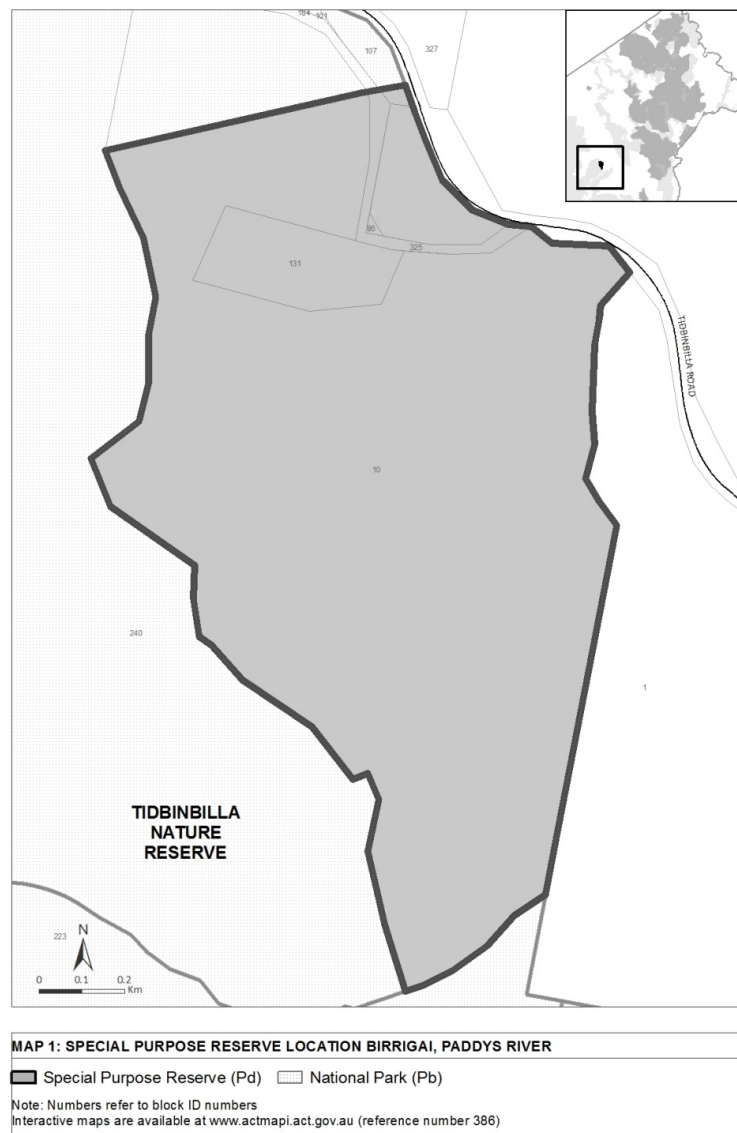


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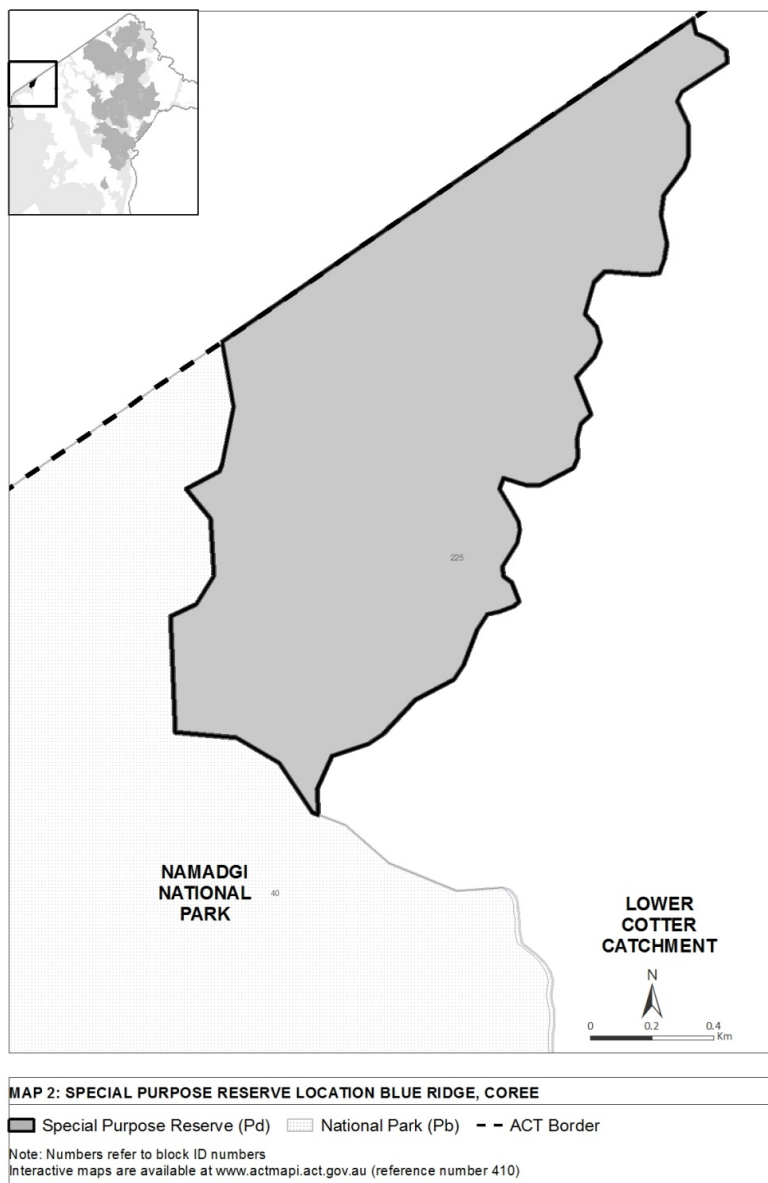
<b>column 1 item</b>	<b>column 2 map and location</b>	<b>column 3 district</b>
14	map 14—Tidbinbilla Special Purpose Reserve and Jedbinbilla	Paddys River
15	map 15—Uriarra Crossing Recreation Area	<ul style="list-style-type: none"><li>• Coree</li><li>• Stromlo</li></ul>
16	map 16—Woodstock and Woodstock West Special Purpose Reserve	<ul style="list-style-type: none"><li>• Belconnen</li><li>• Stromlo</li></ul>

## Part 1.2 Special purpose reserve maps

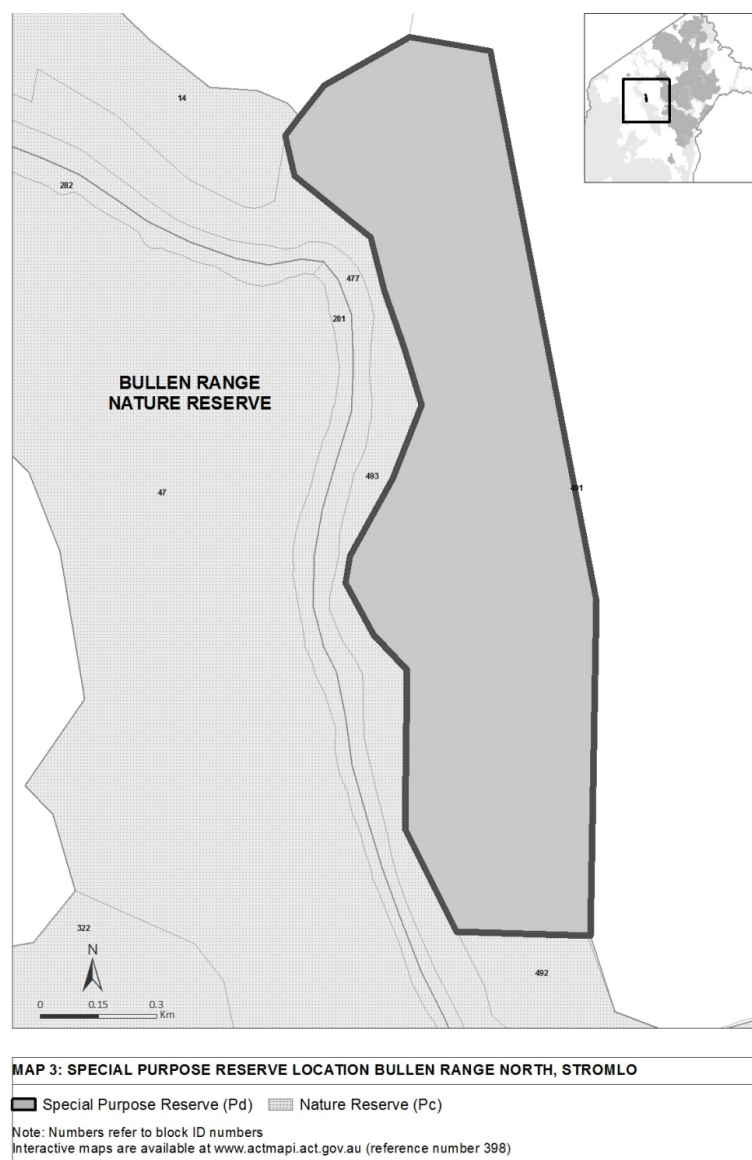
### Division 1.2.1 Birrigai



## Division 1.2.2      Blue Ridge Special Purpose Reserve

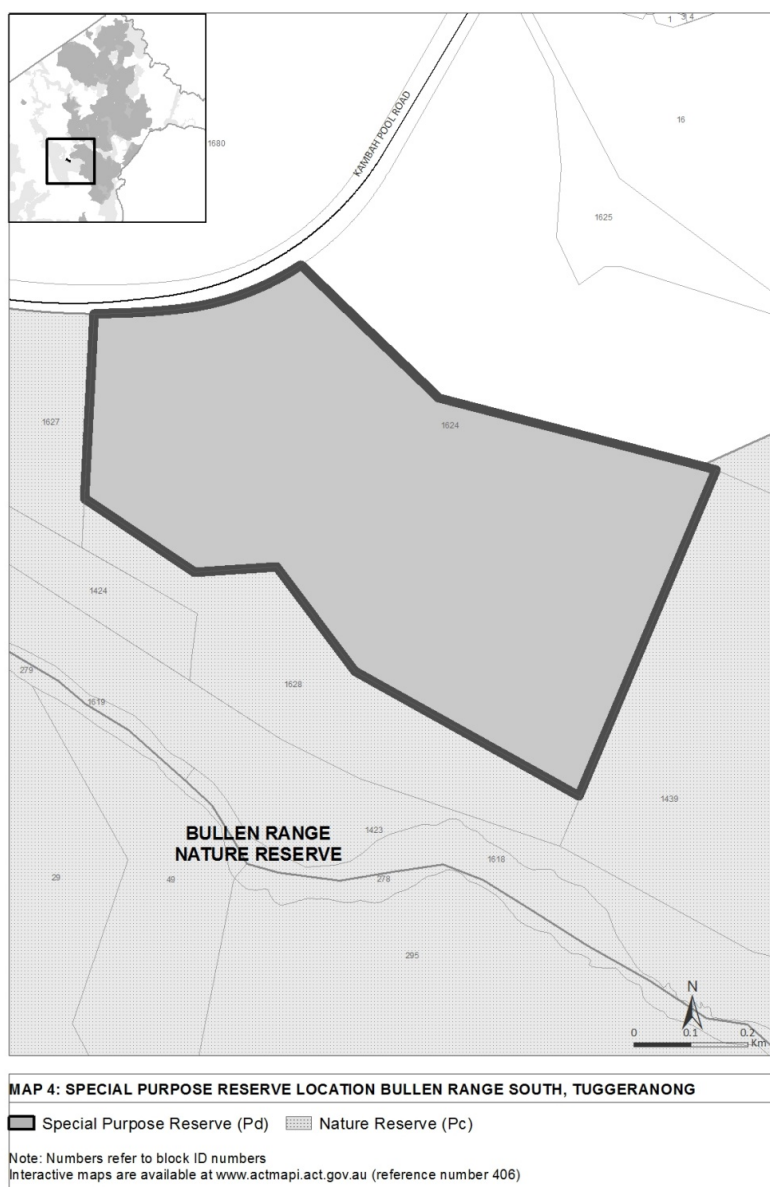


## Division 1.2.3      Bullen Range North Special Purpose Reserve

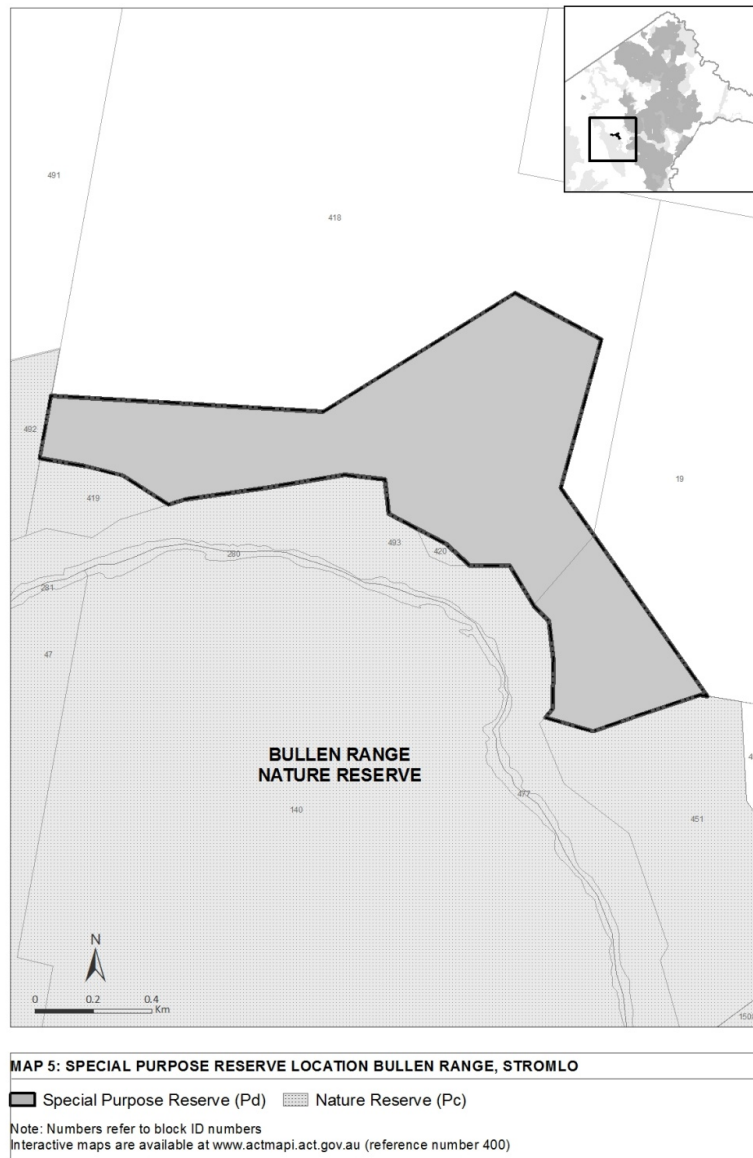


**Division 1.2.4**

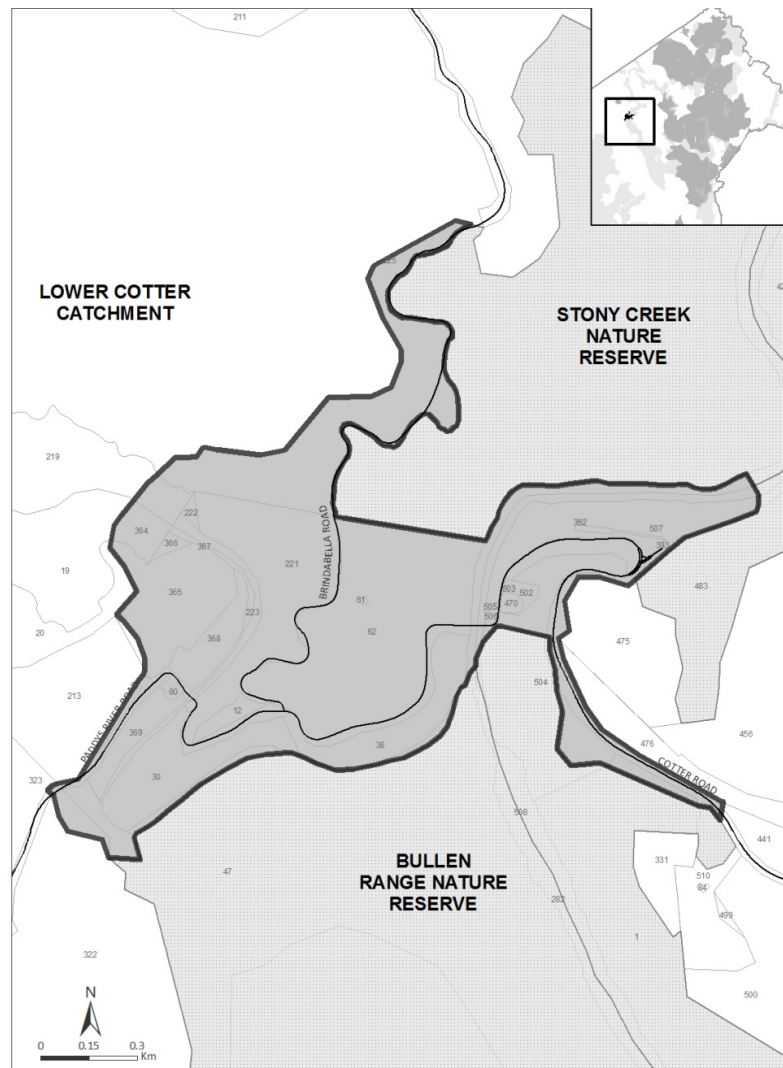
**Bullen Range South Special Purpose Reserve**



## Division 1.2.5 Bullen Range Special Purpose Reserve



## Division 1.2.6 Cotter Reserve



**MAP 6: SPECIAL PURPOSE RESERVE LOCATION COTTER, COREE, PADDYS RIVER, STROMLO**

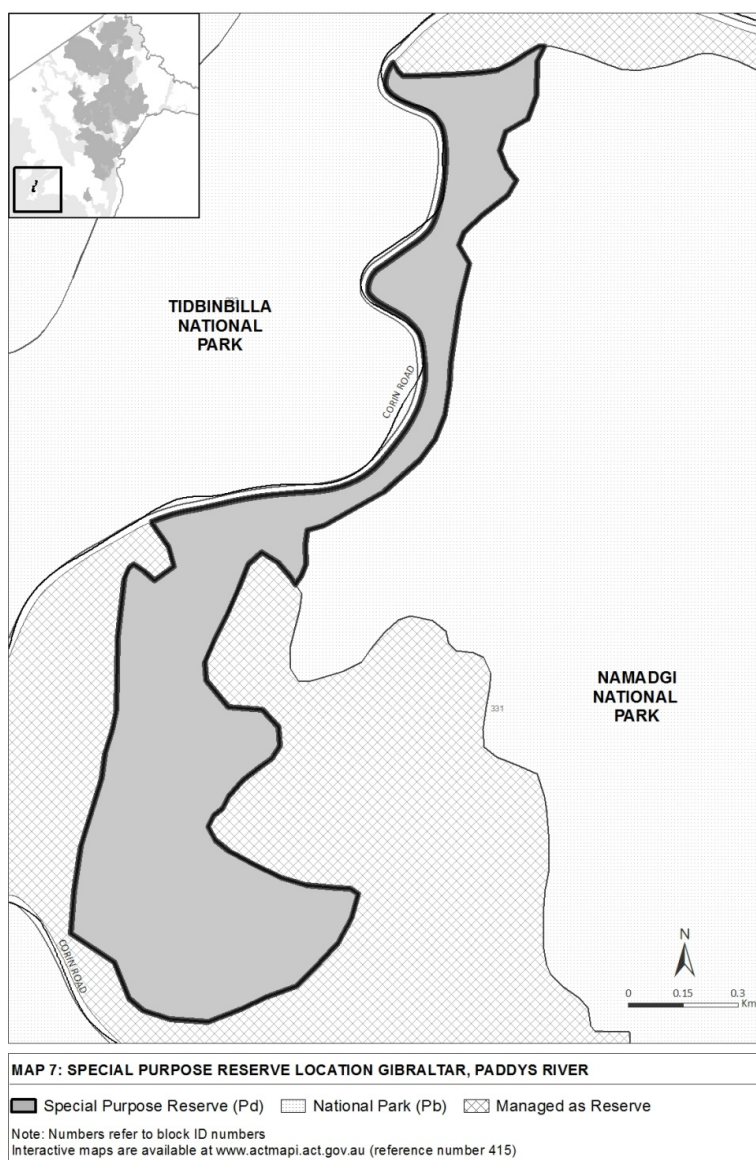
■ Special Purpose Reserve (Pd) ■ Nature Reserve (Pc)

Note: Numbers refer to block ID numbers

Interactive maps are available at [www.actmapi.act.gov.au](http://www.actmapi.act.gov.au) (reference numbers 360 390 399 2406 3399)



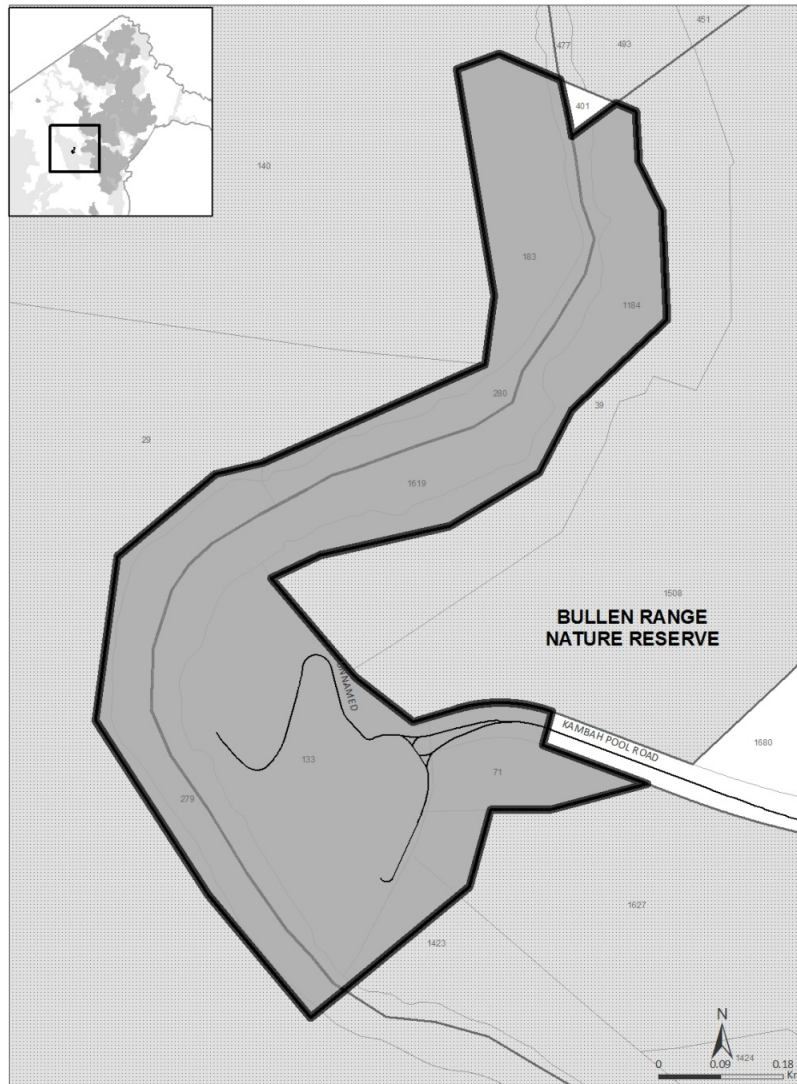
## Division 1.2.7 Gibraltar Special Purpose Reserve





Division 1.2.8

Kambah Pool Recreation Area



MAP 8: SPECIAL PURPOSE RESERVE LOCATION KAMBAH POOL RECREATION AREA,  
PADDYS RIVER

Special Purpose Reserve (Pd) Nature Reserve (Pc)

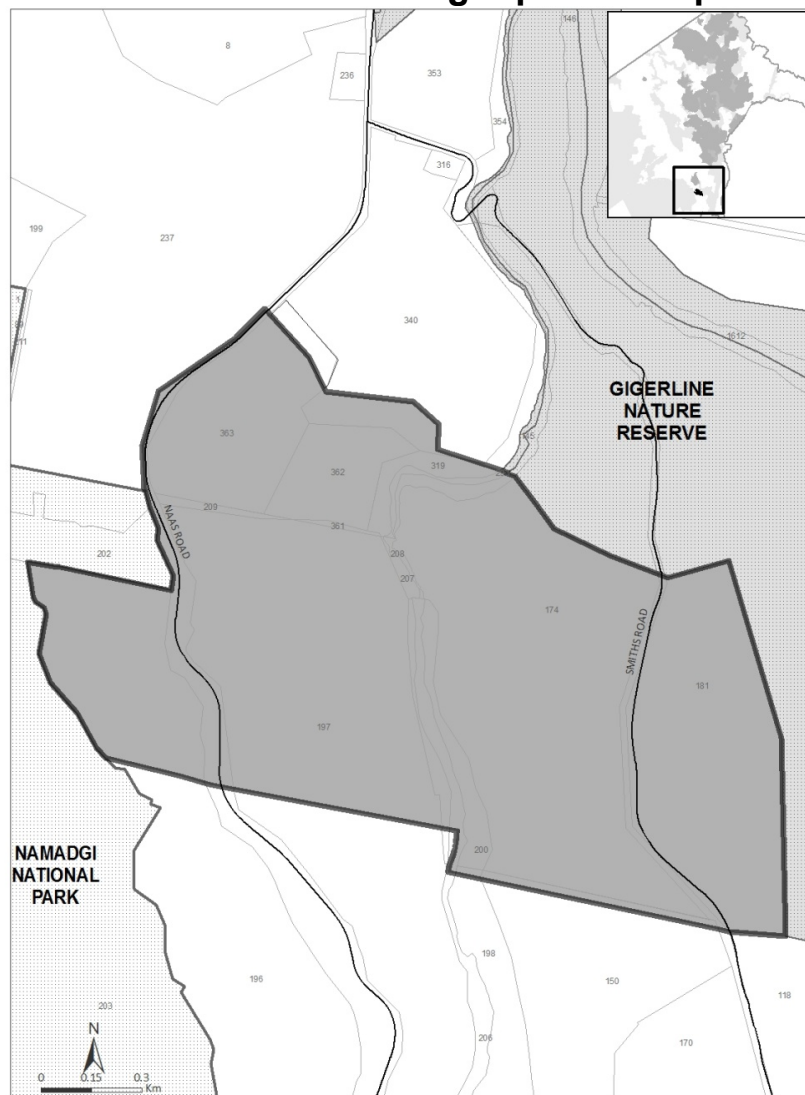
Note: Numbers refer to block ID numbers

Interactive maps are available at [www.actmapi.act.gov.au](http://www.actmapi.act.gov.au) (reference numbers 391 408)

## Division 1.2.9 Molonglo River Reserve



## Division 1.2.10 Namadgi Special Purpose Reserve



MAP 10: SPECIAL PURPOSE RESERVE LOCATION NAMADGI, TENNENT

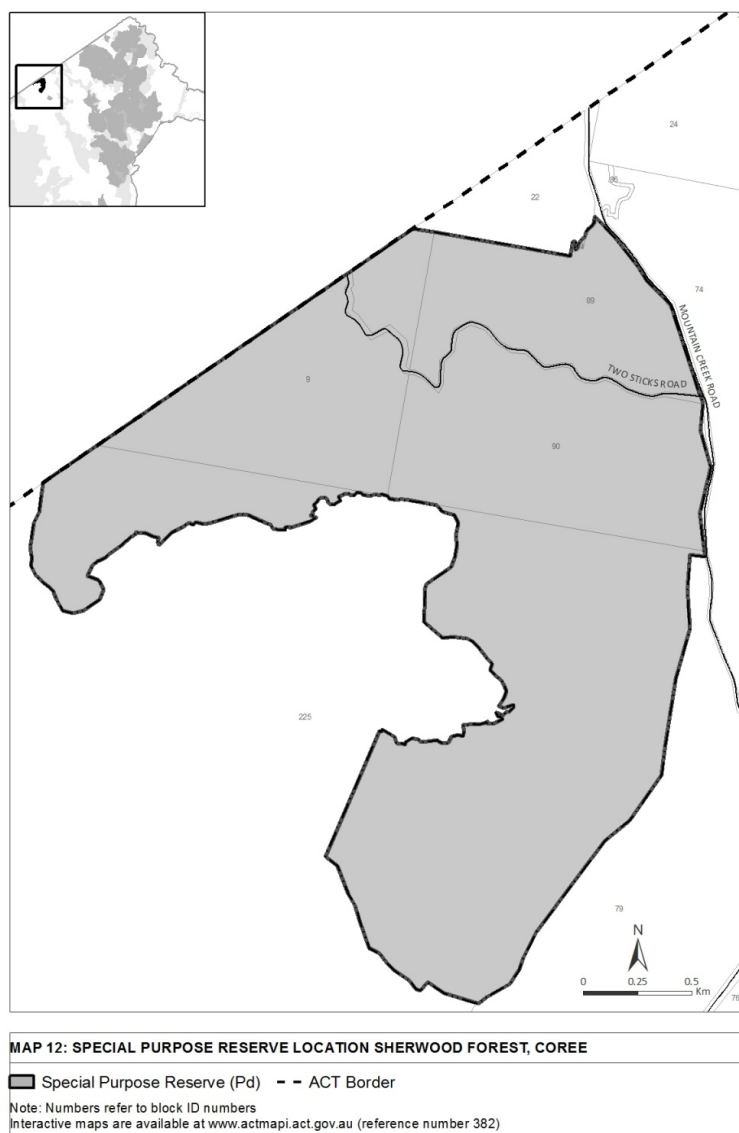
Special Purpose Reserve (Pd) Nature Reserve (Pc) National Park (Pb)

Note: Numbers refer to block ID numbers  
Interactive maps are available at [www.actmapi.act.gov.au](http://www.actmapi.act.gov.au) (reference numbers 394 3331)

## Division 1.2.11 Pine Island and Point Hut to Tharwa Bridge

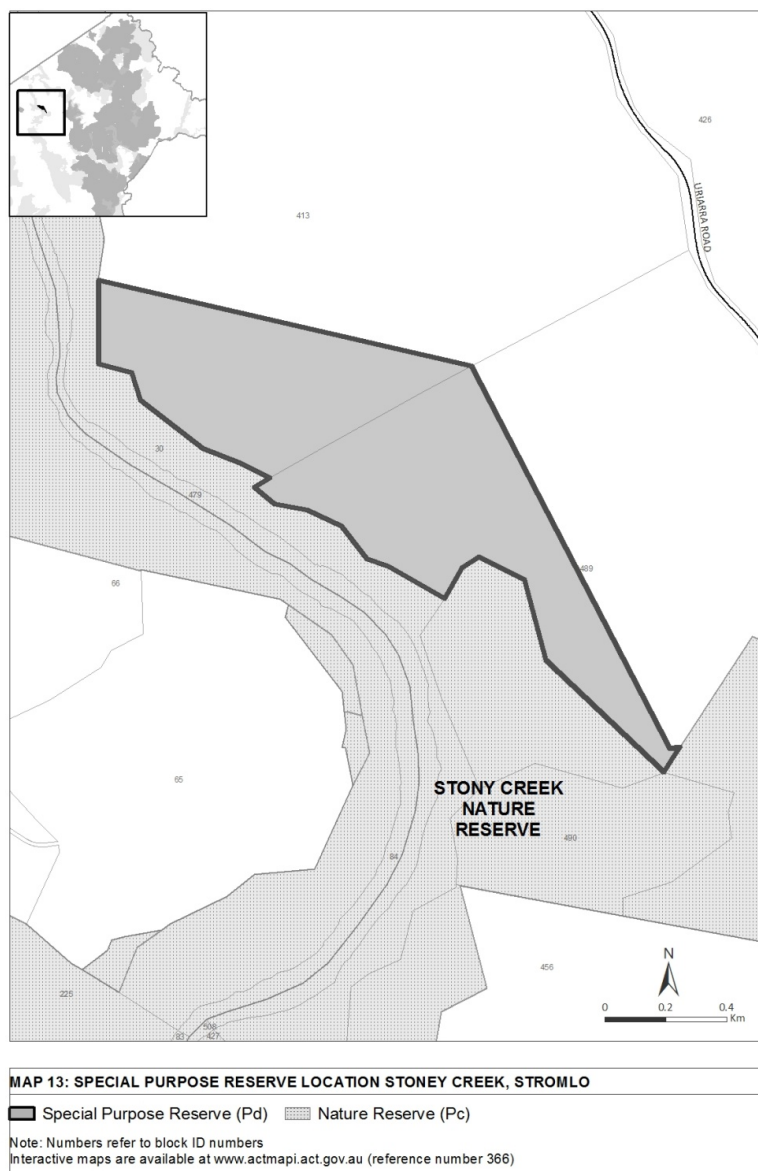


**Division 1.2.12      Sherwood Forest Special Purpose Reserve**

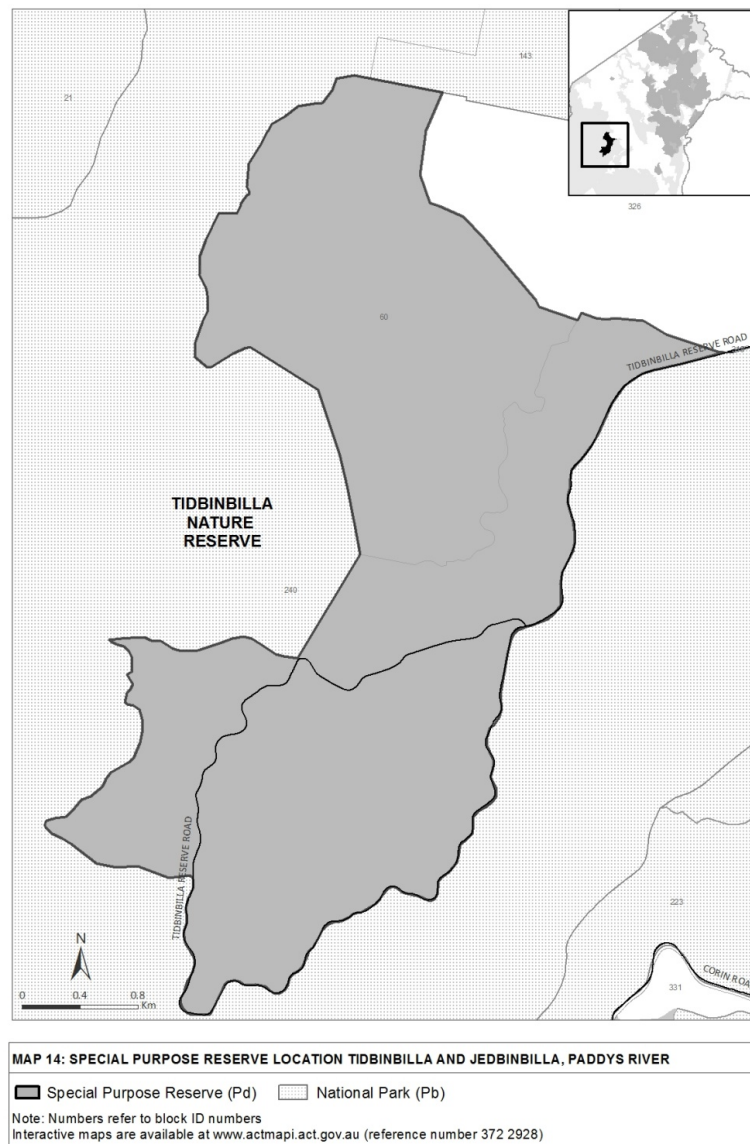




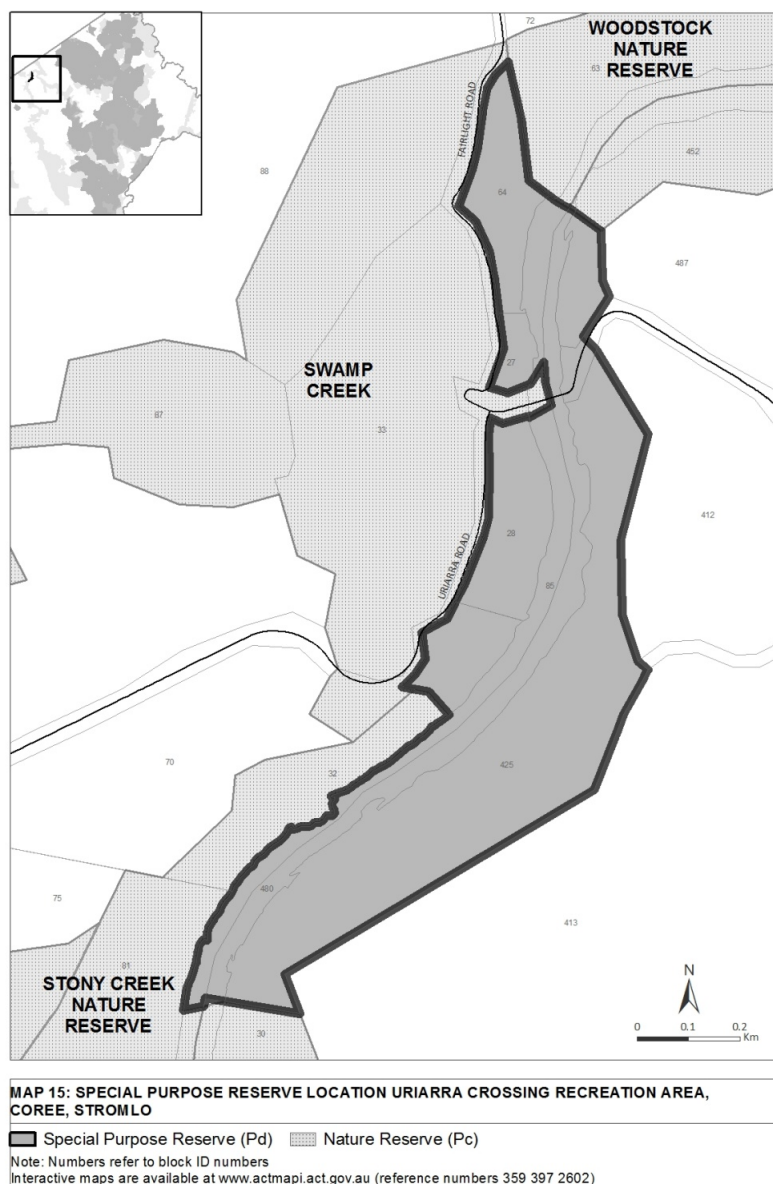
## Division 1.2.13      Stony Creek Special Purpose Reserve



## Division 1.2.14 Tidbinbilla Special Purpose Reserve and Jedbinbilla

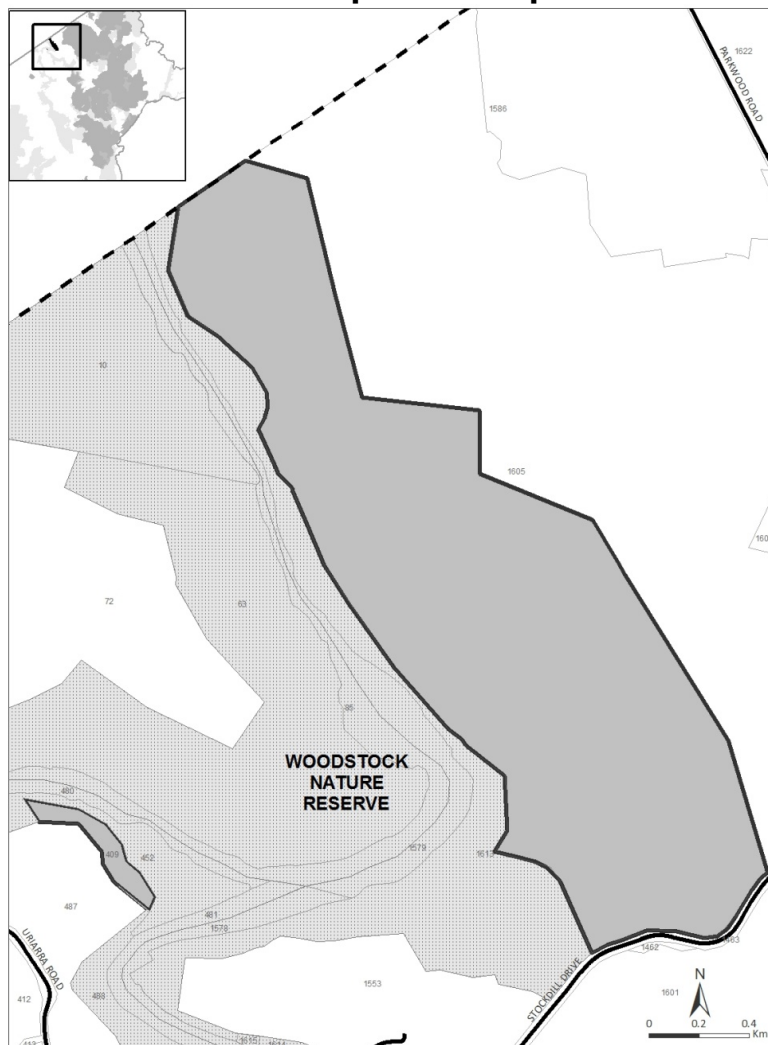


## Division 1.2.15 Uriarra Crossing Recreation Area





## Division 1.2.16 Woodstock and Woodstock West Special Purpose Reserve



**MAP 16: SPECIAL PURPOSE RESERVE LOCATION WOODSTOCK AND WOODSTOCK WEST, BELCONNEN, STROMLO**

Special Purpose Reserve (Pd) Nature Reserve (Pc) - - ACT Border

Note: Numbers refer to block ID numbers

Interactive maps are available at [www.actmap.act.gov.au](http://www.actmap.act.gov.au) (reference numbers 356 365)

## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- may (see s 146)
- must (see s 146).

*Note 3* Terms used in this regulation have the same meaning that they have in the [Nature Conservation Act 2014](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Nature Conservation Act 2014](#), dict:

- animal (see s 11)
- clearing
- conservator (see s 20)
- damage
- export
- keep
- licence
- native animal (see s 12)
- native plant (see s 14)
- native species (see s 16)
- native timber
- native vegetation
- plant (see s 13)
- plant reproductive material
- protected native species (see s 110)
- reserve (see s 169)
- sell
- special protection status
- take
- wilderness area (see s 170).

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

#### **Nature Conservation Regulation 2015 SL2015-23**

notified LR 2 July 2015

s 1, s 2 commenced 2 July 2015 (LA s 75 (1))

remainder commenced 3 July 2015 (s 2)

### 4 Amendment history

#### **Commencement**

s 2 om LA s 89 (4)

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