

Australian Capital Territory

Nature Conservation (Key Threatening Processes Eligibility) Criteria 2016*

Disallowable Instrument DI2016—256

made under the

Nature Conservation Act 2014, s78 (Key threatening processes - eligibility criteria)

1 Name of instrument

This instrument is the *Nature Conservation (Key Threatening Processes Eligibility) Criteria 2016*.

2 Commencement

This instrument commences on the day after it is notified.

3 Details of instrument

I declare that the key threatening processes list eligibility criteria are those set out in the schedule.

Simon Corbell
Minister for the Environment and Climate Change
5 September 2016

*Name amended under Legislation Act, s 60

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

SCHEDULE

(see section 3)

CRITERIA FOR LISTING OF KEY THREATENING PROCESSES

To be recommended to be listed as a Key Threatening Process under the Act, a process must meet at least **one** of these criteria:

Criterion A The threatening process could cause a native species or an ecological community to become eligible for listing in any category, other than the national category of conservation dependent and the regional category of provisional.

This criterion refers to species or ecological communities that are not currently listed under the Act, but which could become eligible for listing due to the impacts of the nominated threatening process. To meet this criterion there must be a high likelihood of a significant effect, to the extent that the species or ecological community will meet at least one of the criteria for listing, within an indicated timeframe, should the threat continue.

The conservation status categories of listing relevant to this criterion are:

- For species –the national categories of Extinct, Extinct in the Wild, Critically Endangered, Endangered and Vulnerable and the regional categories of Regionally Threatened and Regionally Conservation Dependent.
- For ecological communities – Collapsed, Critically Endangered, Endangered and Vulnerable.

The criteria for listing species and ecological communities in each of these categories can be found in the Instruments for Threatened Native Species Eligibility Criteria and Threatened Ecological Communities Eligibility Criteria as they exist from time to time.

Criterion B The threatening process could cause a listed threatened species or listed threatened ecological community to become eligible to be listed in another category representing a higher degree of endangerment.

This criterion refers to species or ecological communities which are currently listed under the Act which may be eligible for relisting at a higher category of threat due to the impacts of the nominated threatening process. In order to cause a species or ecological community to become eligible for listing in a category representing a higher degree of endangerment, there must be a high likelihood of a significant effect, to the extent that the species or ecological community will meet at least one criterion for the higher category, within an indicated timeframe, should the threat continue.

The conservation status categories of listing relevant to this criterion are:

- For species –the national categories of Extinct in the Wild, Critically Endangered, Endangered and Vulnerable and the regional categories of Regionally Threatened and Regionally Conservation Dependent.
- For ecological communities – Critically Endangered, Endangered and Vulnerable.

The categories Extinct for species and Collapsed for ecological communities are not relevant, since there are no categories representing a higher degree of endangerment. The criteria for listing species and ecological communities in each of these status categories can be found in the Instruments for Threatened Native Species Eligibility Criteria and Threatened Ecological Communities Eligibility Criteria as they exist from time to time.

Criterion C The threatening process adversely affects two or more listed threatened species (other than the national category of conservation dependent species and the regional category of provisional) or two or more listed threatened ecological communities.

This criterion refers to species or ecological communities which are currently listed under the Act. In order to be adversely affecting a species or ecological community, the threatening process must currently occur where the species or ecological community occurs, and there must be evidence of a current effect.

Adverse effects can include mortality, injury, spread of disease, disturbance to breeding, feeding or roosting habits, habitat alteration or habitat destruction. The extent of impact which can be considered to be an adverse effect depends on the attributes of the population, ecological characteristics, and category in which the species/ecological community is listed.

The conservation status categories of listing relevant to this criterion are:

- For species – the national categories of Extinct in the Wild, Critically Endangered, Endangered and Vulnerable and the regional categories of Regionally Threatened and Regionally Conservation Dependent.
- For ecological communities – Critically Endangered, Endangered and Vulnerable.

The categories Extinct for species and Collapsed for ecological communities are not included since there cannot be a current adverse effect if a species is already extinct. However, if there is evidence of a previous adverse impact before the species became extinct, and this is highly relevant to current impacts of the threatening process, this evidence can also be included.