

Australian Capital Territory

Nature Conservation (Conservator) Appointment 2011 (No1)

Notifiable instrument NI2011–386

made under the

Nature Conservation Act 1980, section 7 (Conservator of Flora and Fauna)

EXPLANATORY STATEMENT

The Conservator of Flora and Fauna is established under section 7 of the *Nature Conservation Act 1980*.

Under section 7 of the *Nature Conservation Act 1980* (NCA), the Director-General must appoint a public servant as the Conservator of Flora and Fauna (Conservator).

The Conservator acts on issues that affect conservation matters embodied in the NCA. In particular there are powers within the NCA to direct land occupiers to protect or conserve native animals, plants and timber which are on their land. There is also provision for the development of management agreements between the Conservator and other agencies for example suppliers of gas, electricity, sewerage services, and telecommunications services, where their activities may affect public land or unleased Territory Land (as defined in the *Planning and Development Act 2007*).

The Conservator is the decision maker or has statutory responsibilities under other Acts as well. These are: the *Tree Protection Act 2005*; the *Fisheries Act 2000*; and the *Planning and Development Act 2007*.

This instrument appoints the person occupying the public service position listed in the instrument's Schedule and revokes the previous instrument NI2010-192.

The appointment is made according to the requirements of the *Nature Conservation Act 1980* and in accordance with the relevant provisions under the *Legislation Act 2001*.