

Nature Conservation (Birrigai) Activities Declaration 2015 (No 1)

Notifiable instrument NI2015–417

made under the

Nature Conservation Act 2014, s256 (Conservator may make activities declarations)

1 Name of instrument

This instrument is the *Nature Conservation (Birrigai) Activities Declaration 2015 (No1)*.

2 Commencement

This instrument commences on the day after notification.

3 Application

This instrument applies to the area outlined in bold and shown as “reserve” in the map in schedule 1 as “Birrigai” (Birrigai).

4 Declaration

I declare that in Birrigai:

- the activities listed in column 1 of schedule 2 are prohibited activities; and
- the activities listed in column 2 of schedule 2 are restricted activities and may only be carried out if the requirements identified in Column 2 of schedule 2 for the relevant activity are complied with.

Example - prohibited activity

The activity of riding a horse ‘equestrian activities’ is a prohibited activity in the Birrigai as this activity is listed in column 1 of schedule 2. This means that equestrian activities cannot be carried out in the Birrigai Reserve under any circumstances.

Example – restricted activity

The activity of riding a mountain bike is a restricted activity in Birrigai as this activity is listed in column 2 of schedule 2. This means that the activity of riding a mountain bike cannot be carried out in Birrigai unless it is done in a way that meets the required conditions. In this case, the required conditions are that:

- a) the riding of a bike must be on a marked trail only.

Note 1: Under section 256 of the *Nature Conservation Act 2014* (the Act) the Conservator may declare activities in a reserve to be a restricted or prohibited activity if the conservator reasonably believes that a certain activity, if carried out in a reserve, may have a negative impact on the reserve.

Note 2: Under section 169(1)(b) of the Act the area in Birrigai is a “reserve” for the purposes of the Act because the area is both:

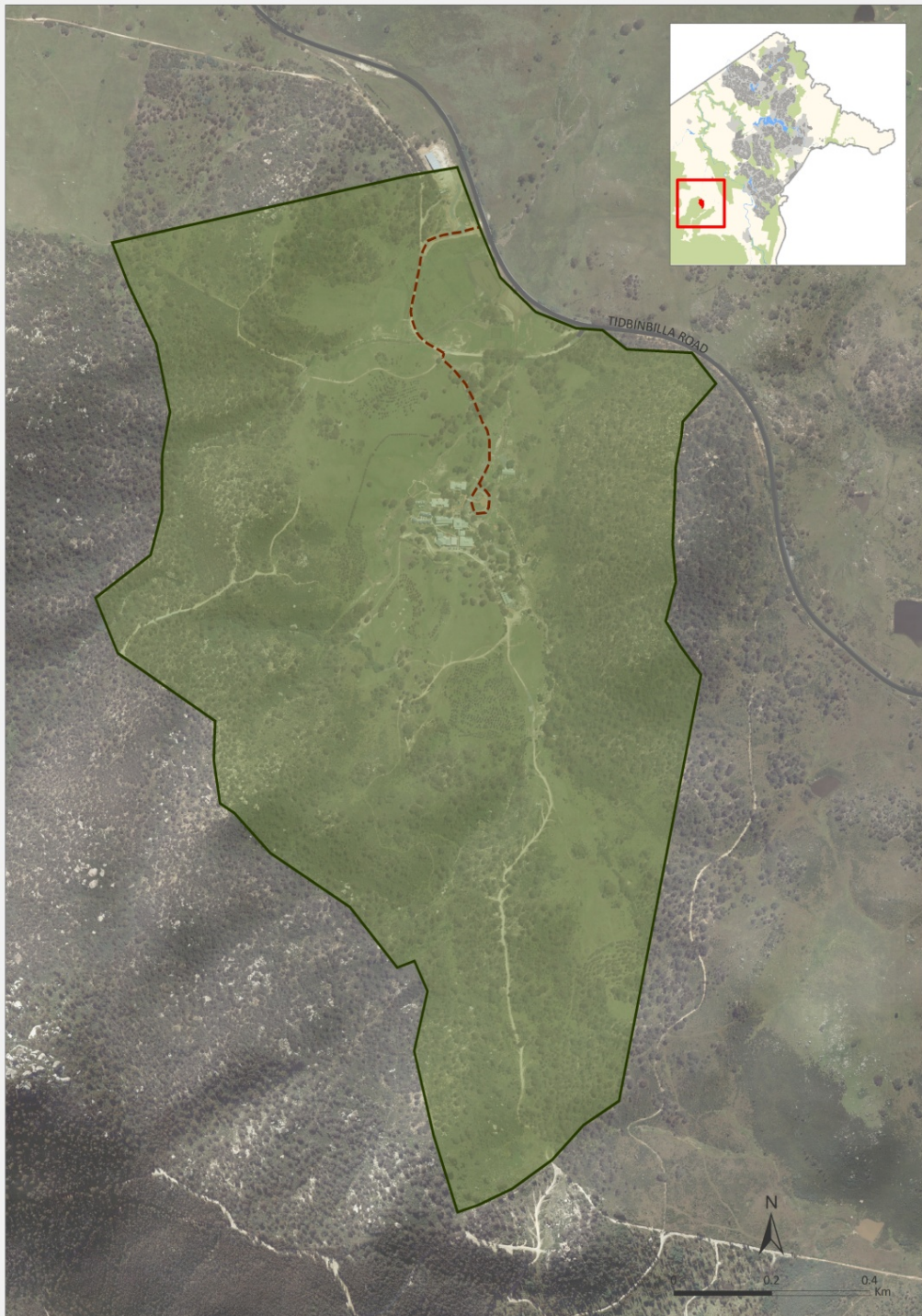
- a) public land reserved in the Territory Plan as a Special Purpose Reserve under section 315(d) of the *Planning and Development Act 2007*; and
- b) prescribed by section 5 of the *Nature Conservation Regulation 2015* as a reserve.


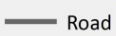
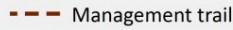
Dr Annie Lane
Conservator of Flora and Fauna
10 July 2015

SCHEDULE 1









BIRRIGAI



-  Reserve
-  Road
-  Management trail

SCHEDULE 2 ACTIVITIES DECLARATION

Column 1		Column 2	
PROHIBITED ACTIVITIES		RESTRICTED ACTIVITIES	
NO DOGS		MOUNTAIN BIKE RIDING/CYCLING On management trails only (see map)	
NO EQUESTRIAN ACTIVITIES		MOTORISED VEHICLES On marked roads only (see map)	
NO FIREWOOD COLLECTION		ENVIRONMENT VOLUNTEER ACTIVITIES May be conducted only in accordance with approved volunteer works programs	

Volunteer works programs means work programs that are (a) developed by volunteer groups under the *Parks, Conservation and Lands Volunteer Policy of September 2009 determined by Territory and Municipal Services (TAMS)* and (b) approved by the Parks and Conservation Service in TAMS, see <http://www.tams.act.gov.au>.