



Ancillary rules: Impacts on threatened species and ecological communities excluded from application of variation rules

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Biodiversity Conservation Regulation 2017**

1. Introduction

The Biodiversity Conservation Regulation 2017 (the Regulation) allows the Chief Executive of the Office of Environment and Heritage to publish ancillary rules for the interpretation and application of the offset rules and variation rules made under the Regulation. Clause 6.5(2)(b) allows for the ancillary rules to set out any impacts on threatened species or ecological communities that are excluded from the application of the variation rules.

2. Impacts on threatened entities excluded from application of variation rules

Impacts on threatened species or threatened ecological communities that are listed as critically endangered under the *Biodiversity Conservation Act 2017* or the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* are excluded from application of the variation rules that are established by the Regulation. This does not apply to the application of the offset and other rules under clause 6.6 of the Regulation by the Biodiversity Conservation Trust.

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