

Legislative Council—No 30

As introduced and read a first time, 7 September 2022

South Australia

**National Parks and Wildlife (Wombat Burrows)
Amendment Bill 2022**

A BILL FOR

An Act to amend the *National Parks and Wildlife Act 1972*.

Contents

Part 1—Preliminary

1 Short title

Part 2—Amendment of *National Parks and Wildlife Act 1972*

2 Insertion of section 68AA
68AA Prohibition on destroying, damaging or disturbing wombat burrow

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

5 This Act may be cited as the *National Parks and Wildlife (Wombat Burrows) Amendment Act 2022*.

Part 2—Amendment of *National Parks and Wildlife Act 1972*

2—Insertion of section 68AA

After section 68 insert:

68AA—Prohibition on destroying, damaging or disturbing wombat burrow

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- (1) A person must not, without a permit granted by the Minister, destroy, damage or disturb the burrow of a wombat.
Maximum penalty: \$5 000 or imprisonment for 12 months.
- 15 (2) It is a defence to a charge of an offence against subsection (1) for the defendant to prove that the defendant exercised such precautions as the defendant might reasonably be expected to have exercised in the circumstances to avoid destroying, damaging or disturbing the burrow.
- 20 (3) Where a permit is granted for the purposes of this section, no further authorisation or permission for the destruction, damage or disturbance of the burrow is required pursuant to any other Act or law.
- 25 (4) This section is in addition to, and does not derogate from, any other provision of this Act relating to the taking or harming of, or interference with, animals.
- (5) In this section—
wombat means an animal of the species *vombatus ursinus* or *lasiorhinus latifrons*.