

South Australia

## **National Parks and Wildlife Act 1972**

An Act to provide for the establishment and management of reserves for public benefit and enjoyment; to provide for the conservation of wildlife in a natural environment; and for other purposes.

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Legislative history

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**The Parliament of South Australia enacts as follows:**

## **Part 1—Preliminary**

### **1—Short title**

This Act may be cited as the *National Parks and Wildlife Act 1972*.

### **5—Interpretation**

In this Act, unless the contrary intention appears—

**Aboriginal** means of, or pertaining to, the people who inhabited Australia before European colonisation or their descendants;

**Aboriginal-owned land** means land the fee simple in which is vested in—

- (a) the Aboriginal Lands Trust; or
- (b) a body that represents the interests of the relevant Aboriginal group;

**Aboriginal person** means a person of Aboriginal descent who is accepted as a member by a group in the community who claim Aboriginal descent;

**Adelaide Dolphin Sanctuary** has the same meaning as in the *Adelaide Dolphin Sanctuary Act 2005*;

**aircraft** includes a glider or balloon capable of carrying a person;

**appointed member** in relation to the Council means a member of the Council appointed by the Governor under Part 2 Division 2;

**animal** includes any species of animal;

**carcass** of an animal means the whole or any part of—

- (a) the flesh or internal organs of the animal; or
- (b) the feathers, wool, hair, skin or hide of the animal; or
- (c) the bones, horns or hooves of the animal;

**the Chief Executive** means the person appointed to, or assigned to act in, the position of Chief Executive of the Department;

**co-managed park** means a national park or conservation park in relation to which a co-management agreement is in force under Part 3;

**co-management agreement** means a co-management agreement under Division 6A of Part 3;

**co-management board** for a co-managed park means a board established under Division 6A of Part 3, or under any other Act, to manage the co-managed park;

**conservation park** means land constituted, and for the time being continuing, as a conservation park under Part 3;

**controlled species** means a species of animal declared to be a controlled species pursuant to this Act;

**the Council** means the South Australian National Parks and Wildlife Council established by this Act;

**Crown land** means—

- (a) unalienated land of the Crown; or
- (b) land held by a Minister, agent or instrumentality of the Crown on behalf of the Crown;

**day** means any period of 24 hours, commencing at midnight;

**the Department** means the administrative unit that is responsible for the administration of this Act;

**device** means any trap, net, snare or other device for taking or facilitating the taking of animals and includes any substance that can be used for that purpose;

**the Director** means the person for the time being holding, or acting in, the office of, Director of National Parks and Wildlife;

**egg** includes any part of an egg or egg shell;

**endangered species** means a species of animal or plant referred to in Schedule 7;

**firearm** includes any device from which any kind of shot, bullet, or other missile can be discharged;

**forest reserve** means a forest reserve within the meaning of the *Forestry Act 1950*;

**game reserve** means land constituted, and for the time being continuing, as a game reserve under Part 3;

**land** includes waters;

**marine mammal** means a seal or sea lion (order Pinnipedia) or a dolphin or whale (order Cetacea);

**mining Act** means the *Mining Act 1971*, the *Offshore Minerals Act 2000*, the *Opal Mining Act 1995*, the *Petroleum Act 2000* or the *Petroleum (Submerged Lands) Act 1982*;

**mining production tenement** means—

- (a) a mining lease, or a miscellaneous purposes licence, granted under the *Mining Act 1971*;
- (ab) a registered precious stones claim or a registered opal development lease registered under the *Opal Mining Act 1995*;
- (b) a production licence or a pipeline licence granted under the *Petroleum Act 2000*;
- (c) a production licence, or pipeline licence, granted under the *Petroleum (Submerged Lands) Act 1982*;
- (d) a mining licence (or a works licence for activities that are directly connected with activities that are carried out, or are to be carried out under a mining licence) under the *Offshore Minerals Act 2000*;

**mining tenement** means a claim, lease, licence, permit or other authority granted under a mining Act;



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**minor alterations or additions to a public road** means alterations or additions by way of realignment or reforming of a public road that are desirable in the interests of safety;

**Murray-Darling Basin** has the same meaning as in the *Murray-Darling Basin Act 1993*;

**national park** means land constituted, and for the time being continuing, as a national park under Part 3;

**native plant** means any plant that is indigenous to Australia and includes any plant of a species declared by regulation to be a native plant;

**owner** in relation to land, means the holder of any estate or interest in the land, and includes—

- (a) the occupier of the land; or
- (b) a person to whom the care, control and management of the land has been committed;

**plant** means vegetation of any species including—

- (a) its flowers; or
- (b) its seeds; or
- (c) any other part of the vegetation;

**premises** includes vacant land;

**private land** means any land except Crown land;

**prohibited species** means a species of animal declared to be a prohibited species pursuant to this Act;

**protected animal** means—

- (a) any mammal, bird or reptile indigenous to Australia; or
- (b) any migratory mammal, bird or reptile that periodically or occasionally migrates to, and lives in, Australia; or
- (c) any animal of a species referred to in Schedule 7, 8 or 9; or
- (d) any animal of a species declared by regulation to be a species of protected animals,

but does not include animals of the species referred to in Schedule 10 or any animals declared by regulation to be unprotected;

**public road** means a road—

- (a) to which the public has access; and
- (b) which is under the control of the Commissioner of Highways or a council constituted under the *Local Government Act 1999*;

**rare species** means a species of animal or plant referred to in Schedule 9;

**recreation park** means land constituted, and for the time being continuing, as a recreation park under Part 3;

**relevant Aboriginal group**, in relation to particular land, means an Aboriginal group or community with a traditional association with that land;

**relevant mining Minister** in relation to a mining tenement means the Minister administering the Act under which the tenement is granted;

**reserve** means any national park, conservation park, game reserve, recreation park or regional reserve constituted under this Act;

**River Murray Protection Area** means a River Murray Protection Area under the *River Murray Act 2003*;

**sell** means—

- (a) sell, barter or exchange;
- (b) agree or offer to sell, barter or exchange;
- (c) receive, expose, store, have in possession, send, consign or deliver for or in pursuance of sale, barter or exchange,

and **sale** has a corresponding meaning;

**take**—

- (a) with reference to an animal, includes any act of hunting, catching, restraining, killing or injuring, and any act of attempting or assisting to hunt, catch, restrain, kill or injure; and
- (b) with reference to a plant means—
  - (i) to remove the plant or part of the plant, from the place in which it is growing; or
  - (ii) to damage the plant;

**to hunt** means to take any mammal or bird that has not been domesticated or brought into captivity;

**traditional association**, in relation to particular land, means an association with that land consisting of social, economic or spiritual affiliations with, and responsibilities for, the land in accordance with Aboriginal tradition;

**vehicle** includes—

- (a) a caravan or trailer;
- (b) an aircraft;
- (c) a ship, boat or vessel;

**vulnerable species** means a species of animal or plant referred to in Schedule 8;

**warden** means a person for the time being holding the office of warden under this Act;

**wilderness protection area** means land constituted as a wilderness protection area under the *Wilderness Protection Act 1992*;

**wilderness protection zone** means land constituted as a wilderness protection zone under the *Wilderness Protection Act 1992*;

**wildlife** means all native plants and animals indigenous to Australia existing apart from cultivation or domestication.

## Part 2—Administration

### Division 1—General administrative powers

#### 6—Constitution of Minister as a corporation sole

- (1) The Minister is a corporation sole.
- (2) The Minister is, in that corporate capacity, capable of acquiring, holding and disposing of real and personal property and of performing any other acts that lie within the capacity of a person of full age and capacity.
- (3) In any legal proceedings a document apparently bearing the signature or the common seal of the Minister will, in the absence of evidence to the contrary, be taken to have been duly executed by the Minister.

#### 9—Power of acquisition

- (1) The Minister may, subject to and in accordance with the *Land Acquisition Act 1969*, acquire land for the purposes of this Act.
- (2) Where a notice of intention to acquire land has been served, a person who wilfully damages the land or destroys or harms wildlife on the land is guilty of an offence.  
Maximum penalty: \$5 000 or imprisonment for 12 months.
- (3) Where the Minister has reasonable cause to suspect that a person may act in contravention of subsection (2), the Minister may authorise a warden to enter upon the land and to exercise such force as may be necessary or expedient to prevent the commission of an offence under that subsection.
- (4) A warden authorised under subsection (3) may enter upon the land and use such force as may be necessary or expedient to prevent the commission of an offence under this section.

#### 10—Research and investigations

- (1) The Minister may—
  - (a) cause research to be carried out into problems relating to the conservation of wildlife; or
  - (b) collaborate with any other person, body or authority in the conduct of any such research; or
  - (c) cause an investigation to be made into the possibility of establishing further reserves or adding to existing reserves.
- (2) The Minister may make available to the public the results of any research or investigation conducted under this section.

#### 11—Wildlife Conservation Fund

- (1) The *Wildlife Conservation Fund* is established.
- (2) The fund consists of—
  - (a) money derived by the Minister from any donation or grant made for the purposes of the fund; and

- (b) money provided by Parliament for the purposes of the fund; and
  - (c) money arising from any sale that the Minister is authorised to make in pursuance of powers conferred by this Act; and
  - (ca) money arising from the sale of an animal, or the carcass or eggs of an animal, surrendered to the Minister, the Director or the Department; and
  - (d) fees paid for permits under Part 5A; and
  - (e) fees and royalties to be paid into the fund under any other provision of this Act; and
  - (f) interest and accretions arising from investment of the fund.
- (3) Subject to this Act, the Minister may apply any portion of the fund towards—
- (a) the conservation of wildlife, and land constituting the natural environment or habitat of wildlife, in such manner as the Minister may, upon the recommendation of the South Australian National Parks and Wildlife Council, determine; and
  - (b) the promotion of research into problems relating to the conservation of wildlife; and
  - (c) any other purpose for which the fund may be applied under this Act.
- (4) The Minister may invest any money of the fund that is not immediately required for the purposes of the fund in such manner as is approved by the Treasurer.

## **12—Delegation**

- (1) The Minister may delegate to the Chief Executive, the Director, the Council, an advisory committee or to any other person any of the Minister's powers under this Act.
- (2) The Chief Executive may, with the Minister's consent, delegate to the Director, the Council, an advisory committee or to any other person any of the powers delegated to the Chief Executive.
- (3) The Director may delegate to the Council, an advisory committee or any other person any of the Director's powers under this Act, including, with the consent of the person who has delegated the power, a power delegated to the Director under this section.
- (4) A delegation under this section may be expressed as a delegation to a Public Service employee for the time being performing particular duties or holding or acting in a particular position.
- (5) A delegation under this section may be revoked at will by the delegator and does not prevent the exercise of any power by the delegator.

## **13—Information to be included in annual report**

- (1) The annual report of the Department must include the following information:
  - (a) the aggregate amount of fees paid for entrance to reserves during the relevant year; and
  - (b) the aggregate amount paid pursuant to leases, licences and other agreements referred to in section 35 during the relevant year; and

- (c) the aggregate amount of fees and other charges paid for camping and other accommodation on reserves during the relevant year; and
  - (d) the aggregate amount paid for guided tours during the relevant year.
- (2) Every second annual report referred to in subsection (1) must include an assessment of the desirability of amending Schedules 7, 8, 9 and 10.

#### **14—Minister not to administer this Act**

The Minister administering a mining Act must not assume responsibility for the administration of this Act.

### **Division 2—The South Australian National Parks and Wildlife Council**

#### **15—Establishment and membership of the Council**

- (1) The *South Australian National Parks and Wildlife Council* is established.
- (2) The Council consists of eight members seven of whom will be appointed by the Governor on the recommendation of the Minister.
- (3) The other member of the Council is the Director.
- (4) Of the appointed members—
  - (a) one must have qualifications or experience in the conservation of animals, plants and ecosystems;
  - (b) another must be a person selected by the Minister from a panel of two men and two women nominated by the Conservation Council of South Australia Incorporated;
  - (c) another must have qualifications or experience in the management of natural resources;
  - (d) another must have qualifications or experience in organising community involvement in the conservation of animals, plants or other natural resources;
  - (e) another must have qualifications or experience in a field of science that is relevant to the conservation of ecosystems and to the relationship of wildlife with its environment;
  - (f) each of the remaining two must have qualifications or experience in at least one of the following:
    - (i) ecologically based tourism; or
    - (ii) business management; or
    - (iii) financial management; or
    - (iv) marketing,being an area in which the other does not have qualifications or experience.
- (5) Each of the appointed members of the Council must be a person who, in the opinion of the Minister, has a commitment to the conservation of animals, plants and other natural resources.
- (6) At least two of the members of the Council must be men and two must be women.

- (7) One of the appointed members of the Council will be appointed by the Governor, on the recommendation of the Minister, to be the presiding member of the Council.

### **16—Conditions of membership**

- (1) A member appointed by the Governor will be appointed for a term, not exceeding three years, specified in the instrument of appointment and will, at the expiration of a term of appointment, be eligible for reappointment.
- (2) The Governor may remove an appointed member from office—
- (a) for misconduct; or
  - (b) for failure or incapacity to carry out the duties of his or her office satisfactorily.
- (3) The office of an appointed member becomes vacant if the member—
- (a) dies; or
  - (b) completes a term of office and is not reappointed; or
  - (c) resigns by written notice to the Minister; or
  - (d) is removed from office under subsection (2).
- (4) If the office of an appointed member of the Council becomes vacant a person must be appointed by the Governor in accordance with section 15 to the vacant office.

### **17—Vacancies or defects in appointment of members**

An act of the Council is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

### **18—Direction and control of the Minister**

The Council is subject to the direction and control of the Minister.

### **19—Proceedings of the Council**

- (1) Five of the members of the Council appointed by the Governor constitute a quorum of the Council and no business may be conducted by the Council unless a quorum is present.
- (2) The presiding member will preside at each meeting of the Council at which he or she is present.
- (3) If the presiding member is absent, an appointed member chosen by the appointed members present will preside at the meeting.
- (4) A decision carried by a majority of the votes cast by appointed members at a meeting is a decision of the Council.
- (5) Each appointed member present at a meeting of the Council has one vote on any question arising for decision and, if the votes are equal, the member presiding at the meeting may exercise a casting vote.
- (6) The Director is not entitled to vote at a meeting of the Council.

- (7) A conference by telephone or other electronic means between members will, for the purposes of this section, be taken to be a meeting of the Council at which the participating members are present if—
  - (a) notice of the conference is given to all members in the manner determined by the Council for that purpose; and
  - (b) each participating member is capable of communicating with every other participating member during the conference.
- (8) A proposed resolution of the Council becomes a valid decision of the Council despite the fact that it is not voted on at a meeting of the Council if—
  - (a) notice of the proposed resolution is given to all members in accordance with procedures determined by the Council; and
  - (b) a majority of the appointed members express their concurrence in the proposed resolution by letter, telex, facsimile transmission or other written communication setting out the terms of the resolution.
- (9) The Council must cause accurate minutes to be kept of its proceedings.
- (10) Subject to this Act, the Council may determine its own procedures.

### **19A—Conflict of interest under Public Sector (Honesty and Accountability) Act**

A member of the Council will not be taken to have a direct or indirect interest in a matter for the purposes of the *Public Sector (Honesty and Accountability) Act 1995* by reason only of the fact that the member has an interest in a matter that is shared in common with those engaged in or associated with ecologically-based tourism generally, or a substantial section of those engaged in or associated with ecologically-based tourism.

### **19B—Allowances and expenses**

The appointed members of the Council are entitled to such allowances and expenses as may be determined by the Minister.

### **19C—Functions of the Council**

- (1) The functions of the Council are—
  - (a) to provide advice to the Minister at the Minister's request or on its own initiative on any matter relating to the administration of this Act; and
  - (b) such other functions as are set out in this Act.
- (2) Without limiting subsection (1)(a), the Council may advise the Minister on the following matters relating to the administration of this Act:
  - (a) planning in relation to the management of reserves;
  - (b) the conservation of wildlife;
  - (c) funding (including matters relating to sponsorship) and the development and marketing of commercial activities;
  - (d) community participation in the management of reserves and the conservation of wildlife;

- (e) the development of policy;
- (f) existing or proposed national or international agreements relating to the conservation of animals, plants and ecosystems;
- (g) the promotion (including public education) of the conservation of wildlife and other natural resources;
- (h) the Council's assessment of the performance of the Department in administering this Act;
- (i) any other matter referred to the Council by the Minister or on which the Council believes it should advise the Minister.

### **19D—Annual report**

- (1) The Council must, on or before 30 September in each year, prepare and deliver to the Minister a report on its operations during the preceding financial year.
- (2) The Minister must, within 12 sitting days after receiving a report, cause copies of the report to be laid before both Houses of Parliament.

### **Division 2A—Advisory committees**

#### **19E—Establishment of advisory committees**

- (1) The Minister may establish one or more advisory committees to advise the Minister on any matter relating to the administration of this Act.
- (2) The Minister may, at the request of the Council, establish one or more advisory committees to advise the Council on any matter relating to the performance by the Council of its functions.
- (3) An advisory committee may, but need not, consist of, or include, members of the Council.
- (4) Without limiting the matters on which an advisory committee may advise the Minister or the Council, a committee may provide advice as to—
  - (a) the classification of species of animals or plants on the basis of the species' risk of extinction;
  - (b) the management of wildlife including—
    - (i) the harvesting and farming of wildlife;
    - (ii) population control of wildlife;
    - (iii) the reintroduction of particular species of wildlife to parts of the State in which those species once lived or grew;
    - (iv) the declaration of open seasons in relation to particular species of protected animals;
    - (v) the issuing of permits under this Act;
    - (vi) the management of endangered, vulnerable and rare species;
  - (c) the plan of management for a particular reserve or plans of management generally;



- (d) the involvement of Aboriginal people in the management of land and wildlife;
- (e) private sector sponsorship for the management of reserves and wildlife.

### **19F—Members of advisory committees**

- (1) Members of committees will be appointed by the Minister for a term, not exceeding three years, specified in the instrument of appointment and will, at the expiration of a term of appointment, be eligible for reappointment.
- (2) The Minister may remove a member of a committee from office—
  - (a) for misconduct; or
  - (b) for failure or incapacity to carry out the duties of his or her office satisfactorily.
- (3) The office of a member becomes vacant if the member—
  - (a) dies; or
  - (b) completes a term of office and is not reappointed; or
  - (c) resigns by written notice to the Minister or to the Council; or
  - (d) is removed from office under subsection (2).

### **19G—Quorum**

The quorum for the transaction of business at a meeting of an advisory committee is determined by dividing the number of members of the committee by two, disregarding any fraction and adding one.

### **19H—Proceedings of advisory committees**

- (1) Meetings of advisory committees must be held in accordance with procedures prescribed by regulation.
- (2) To the extent that procedures are not prescribed by regulation, meetings must be held in accordance with directions of the Minister.
- (3) Subject to procedures prescribed by regulation or directed by the Minister, an advisory committee may determine its own procedures.

### **19I—Direction and control of advisory committees**

- (1) Subject to subsection (2), advisory committees are under the direction and control of the Minister.
- (2) An advisory committee established by the Minister at the request of the Council is under the direction and control of the Council.

### **19K—Allowances and expenses**

The members of a committee are entitled to such allowances and expenses as may be determined by the Minister.

### **19L—Annual report**

- (1) A committee must, on or before 30 September in each year, prepare and deliver to the Minister a report on its operations during the preceding financial year.

- (2) The Minister must, within 12 sitting days after receiving a report, cause copies of the report to be laid before both Houses of Parliament.
- (3) Subsection (1) does not apply to a committee that is established on or after 1 July in a financial year and is dissolved before 30 June in the same year.

## **Division 2B—Consultative committees**

### **19M—Establishment of consultative committees**

- (1) The Minister may establish consultative committees to represent the community interest in the management of reserves and the conservation of animals, plants and ecosystems in a particular part of the State.
- (2) The members of a consultative committee must be persons who, in the opinion of the Minister, have local knowledge that is relevant to, or who are interested in, the management of reserves or the conservation of animals, plants and ecosystems in the part of the State in relation to which the consultative committee is established.
- (3) Members of consultative committees hold office at the pleasure of the Minister.

### **19N—Quorum**

The quorum for the transaction of business at a meeting of a consultative committee is determined by dividing the number of members of the committee by two, disregarding any fraction and adding one.

### **19O—Proceedings of consultative committees**

- (1) Meetings of consultative committees must be held in accordance with procedures prescribed by regulation.
- (2) To the extent that procedures are not prescribed by regulation meetings must be held in accordance with directions of the Minister.
- (3) Subject to procedures prescribed by regulation or directed by the Minister, a consultative committee may determine its own procedures.

## **Division 3—Appointment and powers of wardens**

### **20—Appointment of wardens**

- (1) Subject to subsection (7), the Minister may, by instrument in writing, appoint any person who has prescribed qualifications to be a warden under this Act.
- (2) A warden will be appointed for a term specified in the instrument of appointment.
- (3) An appointment under subsection (1) may be subject to conditions or limitations specified in the instrument of appointment that govern the exercise of the appointee's powers as a warden.
- (5) Every police officer is, while holding office as such, a warden competent to exercise powers as such in any part of the State.
- (6) A warden must, while acting as such, carry an identity card issued by the Minister or, if the warden is a police officer, the officer's warrant card, and the warden must produce the card for inspection by the person against whom the warden proposes to exercise any of the powers conferred by this Act.

- (7) The Minister may not appoint a warden with powers limited in application to a co-managed park except—
- (a) if there is a co-management board for the park—with the agreement of the co-management board; or
  - (b) in any other case—after consultation with the other party to the co-management agreement for the park.

## **21—Assistance to warden**

- (1) A warden may request any suitable person to assist the warden in the exercise of powers under this Act.
- (2) A person, while assisting a warden in response to a request for assistance by the warden, has the powers of a warden.

## **22—Powers of wardens**

- (1) If a warden suspects on reasonable grounds that an offence against this Act is being, or has been committed, the warden may—
  - (a) enter and search any premises or vehicle connected with the suspected offence;
  - (b) in order to exercise his or her powers under this section or under any other provision of this Act, give directions to a person in, or in charge of, a vehicle to stop the vehicle or to move it to a particular place;
  - (ba) give directions to a person in, or in charge of, a vehicle in order to facilitate a search of the vehicle;
  - (c) require the person suspected of having committed the offence to state his or her full name and usual place of residence;
  - (ca) subject to subsection (1c), take blood or other material (or authorise any other person to take blood or other material) from an animal, or the carcass or egg of an animal, for the purpose of obtaining a DNA profile;
  - (cb) take photographs, films or video or audio recordings or make a record in any other manner or by any other means;
  - (d) if the suspect is on a reserve—order him or her off the reserve for a stated period (not exceeding 24 hours).
- (1a) Subject to subsection (1c), a person who has possession or control of an animal, or the carcass or egg of an animal, must, if a warden requires him or her to do so, permit the warden, or a person authorised by the warden, to take blood or other material pursuant to subsection (1)(ca) from the animal, carcass or egg.
- (1b) A warden, or a person authorised by a warden, may only take blood or other material from an animal, carcass or egg pursuant to subsection (1)(ca) if he or she does so in a manner that does not injure or cause pain or distress to the animal or damage the carcass or egg to a greater extent than is necessary.
- (1c) A warden cannot act under subsection (1)(ca) or make a requirement under subsection (1a) without the oral or written authority of the Director given by the Director personally.

- (2) If a warden suspects on reasonable grounds that a person is about to commit an offence against this Act the warden may require the person to state his or her full name and usual place of residence.
- (3) If a warden suspects on reasonable grounds that the name or place of residence stated pursuant to this section is false, the warden may require the person to produce evidence of his or her full name or usual place of residence.
- (4) A warden may—
  - (a) enter and inspect premises—
    - (i) on which a protected animal is kept; or
    - (ii) on which some other activity is carried on in pursuance of a permit under this Act;
  - (b) examine a protected animal kept on such premises;
  - (c) require any person carrying on an activity for which a permit is required under this Act to produce the permit for the warden's inspection.
- (5) For the purpose of entering and searching premises or a vehicle, a warden may break into the premises or vehicle, or anything on the premises or in the vehicle, using so much force as is necessary for that purpose—
  - (a) if authorised by warrant under subsection (6); or
  - (b) if the warden has reason to believe that urgent action is necessary in the circumstances of the particular case.
- (6) A justice may, if satisfied on the application of a warden that there is proper ground for the issue of a warrant, issue a warrant authorising the warden to break into and search premises or a vehicle or anything on premises or in a vehicle.
- (7) A person who contravenes, or fails to comply with, a direction, requirement or order of a warden under this section is guilty of an offence.  
Maximum penalty: \$1 000.
- (8) A warden must not exercise a power under this Act in relation to a co-managed park contrary to any provision relating to the exercise of the power contained in the co-management agreement for the reserve.

## **23—Forfeiture**

- (1) An object is liable to confiscation under this section if—
  - (a) it has been used in the commission, or is likely to be used in the commission, of an offence against this Act; or
  - (b) it furnishes evidence of the commission of an offence against this Act; or
  - (c) where the object is an animal, carcass, egg or plant—
    - (i) it has been taken in contravention of this Act; or
    - (ii) it is, or has been, in the possession of a person in contravention of this Act.
- (2) A vehicle is liable to confiscation under subsection (1) only in relation to an offence that is punishable by imprisonment.

- (3) If a warden suspects on reasonable grounds that an object is liable to confiscation under this section, the warden may seize the object.
- (4) Where an object is seized under subsection (3), the following provisions apply:
- (a) if proceedings for an offence against this Act in relation to the object seized are not commenced within three months of the date of seizure, the object must be returned to the owner;
  - (b) if such proceedings are commenced against the owner of the object within three months of the date of seizure and the owner is, in the course of those proceedings, convicted of such an offence—
    - (i) the court may order that the object be forfeited to the Crown; and
    - (ii) where the object is an animal, carcass, egg or plant and the prosecutor applies for its forfeiture—the court must order that the object be forfeited to the Crown;
  - (c) the object must be returned to the owner of the object if—
    - (i) in the circumstances referred to in paragraph (b), the owner is not convicted or the court does not make an order for forfeiture; or
    - (ii) in any other circumstances, the object is no longer required to furnish evidence of the commission of an offence;
  - (d) an object forfeited to the Crown may be sold or disposed of as the Minister thinks fit and, if sold, the proceeds of sale must be paid into the Wildlife Conservation Fund.
- (5) Despite subsection (4)—
- (a) where a living animal is seized under this section, a warden may release it from captivity;
  - (b) if the Minister is unable, after reasonable inquiry, to ascertain the whereabouts of a person to whom an object is to be returned under subsection (4), the object may be sold or disposed of as the Minister thinks fit and, if sold, the proceeds of sale must be paid into the Wildlife Conservation Fund.
- (5a) Despite subsection (4) where, in the opinion of the Minister, an animal, carcass, egg or plant confiscated under subsection (1)(c) will suffer a substantial loss in its value before the question of its forfeiture under this section can be determined, the Minister may sell the object (unless it is required for evidentiary purposes) and the proceeds of the sale will be dealt with under this section as if they were the object.
- (6) In this section—
- convicted** includes found guilty without a conviction being recorded;
- object** includes—
- (a) an animal, carcass or egg;
  - (b) a plant;
  - (c) a vehicle;
  - (d) a cage or container;

- (e) a firearm or device;
- (f) a poison or other substance;
- (g) a document or record;

*owner* in relation to an object seized under this section means either or both of the following persons:

- (a) a person who has legal title to the object;
- (b) a person who was, immediately before seizure of the object, legally in possession or control of the object.

## **24—Hindering of wardens etc**

- (1) A person must not hinder a warden, or a person assisting a warden, in the exercise of powers or functions under this Act.  
Maximum penalty: \$2 500.
- (2) A person must not use abusive, threatening or insulting language to a warden, or a person assisting a warden, in the exercise of powers or functions under this Act.  
Maximum penalty: \$2 500.
- (3) A person must not assault a warden, or a person assisting a warden, in the exercise of powers or functions under this Act.  
Maximum penalty: \$5 000 or imprisonment for 2 years.

## **24A—Offences by wardens etc**

Subject to section 26A, a warden, or a person assisting a warden, who—

- (a) addresses offensive language to any other person; or
- (b) without lawful authority, hinders or obstructs, or uses or threatens to use force in relation to, any other person,

is guilty of an offence.

Maximum penalty: \$2 500.

## **25—Power of arrest**

- (1) A warden may, without warrant, arrest a person—
  - (a) who fails to comply with a direction, requirement or order of a warden under this Act; or
  - (b) who hinders a warden in the exercise of powers or functions under this Act.
- (2) Where a warden arrests a person under this section, the warden must, as soon as possible, take the person, or have the person taken, to the nearest police station at which facilities are continuously available for the care and custody of the person arrested.

## **26—False representation**

A person must not, by words or conduct, falsely represent that he or she is a warden.

Maximum penalty: \$2 000 or imprisonment for 3 months.

## **Part 3—Reserves and sanctuaries**

### **Division 1—National parks**

#### **27—Constitution of national parks by statute**

- (1) The areas declared in Schedule 3 to be national parks are constituted national parks.
- (2) The names assigned in Schedule 3 to the national parks constituted under subsection (1) are, subject to this Division, the names of those national parks.
- (3) The Governor may, by proclamation—
  - (a) abolish a national park constituted under this section; or
  - (b) alter the boundaries of a national park constituted under this section; or
  - (c) alter the name assigned to a national park under this section.
- (4) A proclamation must not be made under subsection (3)(a) or (b) by virtue of which any land ceases to be, or ceases to be included in, a national park except in pursuance of a resolution passed by both Houses of Parliament.
- (5) Notice of a motion for a resolution under subsection (4) must be given at least 14 sitting days before the motion is passed.
- (6) A proclamation must not be made under subsection (3)(b) or (c) in relation to a national park constituted of Aboriginal-owned land except with the agreement of the registered proprietor of the land.

#### **28—Constitution of national parks by proclamation**

- (1) The Governor may, by proclamation—
  - (a) constitute as a national park any specified Crown land, or specified Aboriginal-owned land, the Governor considers to be of national significance by reason of the wildlife or natural features of that land; and
  - (b) assign a name to a national park so constituted.
- (1a) A proclamation must not be made under subsection (1)—
  - (a) constituting a national park of Aboriginal-owned land unless a co-management agreement has been made for the park; or
  - (b) assigning a name to such a park unless the name has been nominated by the registered proprietor of the land.
- (2) The Governor may, by subsequent proclamation—
  - (a) abolish a national park constituted under this section; or
  - (b) alter the boundaries of a national park constituted under this section; or
  - (c) alter the name of a national park constituted under this section.
- (3) A proclamation must not be made under subsection (2)(a) or (b) by virtue of which any land ceases to be, or ceases to be included in, a national park except in pursuance of a resolution passed by both Houses of Parliament.

- (4) Notice of a motion for a resolution under subsection (3) must be given at least 14 sitting days before the motion is passed.
- (5) A proclamation must not be made under subsection (2)(b) or (c) in relation to a national park constituted of Aboriginal-owned land except with the agreement of the registered proprietor of the land.

### **28A—Certain co-managed national parks cease on termination of co-management agreement**

- (1) This section applies to a co-managed national park comprised of Aboriginal-owned land that was Aboriginal-owned land before it was constituted a national park.
- (2) If the co-management agreement for a national park to which this section applies is terminated—
  - (a) the land ceases to be a national park; and
  - (b) the Minister must cause notice of that fact to be published in the Gazette.

## **Division 2—Conservation parks**

### **29—Constitution of conservation parks by statute**

- (1) The areas declared in Schedule 4 to be conservation parks are constituted conservation parks.
- (2) The names assigned in Schedule 4 to the conservation parks constituted under subsection (1) are, subject to this Division, the names of those conservation parks.
- (3) The Governor may, by proclamation—
  - (a) abolish a conservation park constituted under this section; or
  - (b) alter the boundaries of a conservation park constituted under this section; or
  - (c) alter the name assigned to a conservation park under this section.
- (4) A proclamation must not be made under subsection (3)(a) or (b) by virtue of which any land ceases to be, or ceases to be included in, a conservation park, except in pursuance of a resolution passed by both Houses of Parliament.
- (5) Notice of a motion for a resolution under subsection (4) must be given at least 14 sitting days before the motion is passed.
- (6) A proclamation must not be made under subsection (3)(b) or (c) in relation to a conservation park constituted of Aboriginal-owned land except with the agreement of the registered proprietor of the land.

### **30—Constitution of conservation parks by proclamation**

- (1) The Governor may, by proclamation—
  - (a) constitute as a conservation park any specified Crown land, or specified Aboriginal-owned land, that should, in the Governor's opinion, be protected or preserved for the purpose of conserving any wildlife or the natural or historic features of that land; and
  - (b) assign a name to a conservation park so constituted.



- (1a) A proclamation must not be made under subsection (1)—
  - (a) constituting a conservation park of Aboriginal-owned land unless a co-management agreement has been made for the park; or
  - (b) assigning a name to such a park unless the name has been nominated by the registered proprietor of the land.
- (2) The Governor may, by subsequent proclamation—
  - (a) abolish a conservation park constituted under this section; or
  - (b) alter the boundaries of a conservation park constituted under this section; or
  - (c) alter the name of a conservation park constituted under this section.
- (3) A proclamation must not be made under subsection (2)(a) or (b) by virtue of which any land ceases to be, or ceases to be included in, a conservation park, except in pursuance of a resolution passed by both Houses of Parliament.
- (4) Notice of a motion for a resolution under subsection (3) must be given at least 14 sitting days before the motion is passed.
- (5) A proclamation must not be made under subsection (2)(b) or (c) in relation to a conservation park constituted of Aboriginal-owned land except with the agreement of the registered proprietor of the land.

### **30A—Certain co-managed conservation parks cease on termination of co-management agreement**

- (1) This section applies to a co-managed conservation park comprised of Aboriginal-owned land that was Aboriginal-owned land before it was constituted a conservation park.
- (2) If the co-management agreement for a conservation park to which this section applies is terminated—
  - (a) the land ceases to be a conservation park; and
  - (b) the Minister must cause notice of that fact to be published in the Gazette.

## **Division 3—Game reserves**

### **31—Constitution of game reserves by statute**

- (1) The areas declared in Schedule 5 to be game reserves are constituted game reserves.
- (2) The names assigned in Schedule 5 to the game reserves constituted under subsection (1) are, subject to this Division, the names of those game reserves.
- (3) The Governor may, by proclamation—
  - (a) abolish a game reserve constituted under this section; or
  - (b) alter the boundaries of a game reserve constituted under this section; or
  - (c) alter the name of a game reserve constituted under this section.
- (4) A proclamation must not be made under subsection (3)(a) or (b) by virtue of which any land ceases to be, or ceases to be included in, a game reserve, except in pursuance of a resolution passed by both Houses of Parliament.

- (5) Notice of motion for a resolution under subsection (4) must be given at least 14 sitting days before the motion is passed.

### **32—Constitution of game reserves by proclamation**

- (1) The Governor may, by proclamation—
- (a) constitute as a game reserve any Crown land that should in the Governor's opinion be preserved for the conservation of wildlife and management of game; and
  - (b) assign a name to a game reserve so constituted.
- (2) The Governor may, by subsequent proclamation—
- (a) abolish a game reserve constituted under this section; or
  - (b) alter the boundaries of a game reserve constituted under this section; or
  - (c) alter the name assigned to a game reserve under this section.

## **Division 4—Recreation parks**

### **33—Constitution of recreation parks by statute**

- (1) The areas declared in Schedule 6 to be recreation parks are constituted recreation parks.
- (2) The names assigned in Schedule 6 to the recreation parks constituted under subsection (1) are, subject to this Division, the names of those recreation parks.
- (3) The Governor may, by proclamation—
- (a) abolish a recreation park constituted under this section; or
  - (b) alter the boundaries of a recreation park constituted under this section; or
  - (c) alter the name assigned to a recreation park under this section.
- (4) A proclamation must not be made under subsection (3)(a) or (b) by virtue of which any land ceases to be, or ceases to be included in, the Para Wirra Recreation Park except in pursuance of a resolution passed by both Houses of Parliament.
- (5) Notice of a motion for a resolution under subsection (4) must be given at least 14 sitting days before the motion is passed.

### **34—Constitution of recreation parks by proclamation**

- (1) The Governor may, by proclamation—
- (a) constitute as a recreation park any specified Crown land that should in the Governor's opinion be conserved and managed for public recreation and enjoyment; and
  - (b) assign a name to a recreation park so constituted.
- (2) The Governor may, by subsequent proclamation—
- (a) abolish a recreation park constituted under this section; or
  - (b) alter the boundaries of a recreation park constituted under this section; or
  - (c) alter the name assigned to a recreation park constituted under this section.

## **Division 4A—Regional reserves**

### **34A—Constitution of regional reserves by proclamation**

- (1) The Governor may, by proclamation—
  - (a) constitute as a regional reserve any specified Crown land for the purpose of conserving any wildlife or the natural or historic features of that land while, at the same time, permitting the utilisation of the natural resources of that land; and
  - (b) assign a name to a regional reserve so constituted.
- (2) The Governor may, by subsequent proclamation—
  - (a) abolish a regional reserve constituted under this section; or
  - (b) alter the boundaries of a regional reserve constituted under this section; or
  - (c) alter the name of a regional reserve constituted under this section.
- (3) A proclamation must not be made under subsection (2)(a) or (b) by virtue of which any land ceases to be, or ceases to be included in, a regional reserve except in pursuance of a resolution passed by both Houses of Parliament.
- (4) Notice of a motion for a resolution under subsection (3) must be given at least 14 sitting days before the motion is passed.
- (5) The Minister must, in relation to each regional reserve constituted under this Act, at intervals of not more than ten years—
  - (a) prepare a report—
    - (i) assessing the impact of the utilisation of natural resources on the conservation of the wildlife and the natural and historic features of the reserve; and
    - (ii) assessing the impact, or the potential impact, of the utilisation of the natural resources of the reserve on the economy of the State; and
    - (iii) making recommendations as to the future status under this Act of the land constituting the reserve; and
  - (b) cause a copy of the report to be laid before each House of Parliament.

## **Division 4B—Native title**

### **34B—Native title in relation to reserves**

- (1) The constitution of a reserve by proclamation under this Part on or after 1 January 1994 is subject to native title existing when the proclamation was made.
- (2) The addition of land to a reserve by proclamation under this Part on or after 1 January 1994 is subject to native title existing when the proclamation was made.

## Division 5—Control and management of reserves

### 35—Control of reserves

- (1) Subject to Part 3A, the Minister has the control of all reserves, other than co-managed parks, constituted under this Act.
- (2) All reserves, other than national parks or conservation parks constituted of Aboriginal-owned land, are vested in the Crown.
- (2a) A co-managed park is—
  - (a) if there is a co-management board for the park—under the control of the board, subject to Division 6A; or
  - (b) in any other case—under the control of the Minister, subject to the provisions of the co-management agreement for the park.
- (3) The relevant authority may enter into a lease with another person authorising that person, or a person or persons authorised by that person, to enter and use a specified reserve pursuant to the lease for a specified purpose or purposes.
- (4) The relevant authority may grant a licence to, or enter into an agreement with, a person authorising that person, or a person or persons authorised by that person, to enter and use a specified reserve pursuant to the licence or agreement for a specified purpose or purposes.
- (4a) A licence granted under this section cannot be transferred or otherwise dealt with without the consent of the relevant authority that granted the licence.
- (5) Subject to this section, a lease, licence or agreement referred to in subsection (3) or (4) will be subject to such terms, conditions and limitations (including the payment of a fee, a bond or other charge) as the relevant authority thinks fit.
- (5a) If a lease, licence or agreement referred to in subsection (3) or (4) relates to a reserve located wholly or partly within a River Murray Protection Area, the lease, licence or agreement must be consistent with the objects of the *River Murray Act 2003* and the *Objectives for a Healthy River Murray* under that Act.
- (5b) If a lease, licence or agreement referred to in subsection (3) or (4) relates to a reserve located wholly or partly within a River Murray Protection Area and is within a class of lease, licence or agreement prescribed by the regulations for the purposes of this provision (which classes may be prescribed so as to consist of applications for all such leases, licences or agreements), the Minister or the Director (as the case may be) must, before granting the lease or licence or entering into the agreement—
  - (a) consult the Minister to whom the administration of the *River Murray Act 2003* is committed; and
  - (b) comply with the Minister's directions (if any) in relation to the lease, licence or agreement (including a direction that the lease or licence not be granted or the agreement not be entered into, or that if it is to be granted or entered into, then the lease, licence or agreement be subject to conditions specified by the Minister).

- (6) Any lease or licence entered into or granted in respect of land constituted as a reserve under this Act that was in force immediately before the land was so constituted continues, subject to its terms and conditions, in force for the remainder of its term as if it had been entered into by the relevant authority under this section.
- (7) The powers of the Minister under subsections (3), (4), (5) or (6) apply in relation to a co-managed park for which there is not a co-management board subject to the provisions of the co-management agreement for the park.
- (8) In this section—

*relevant authority* means—

  - (a) in relation to a co-managed park for which there is a co-management board—the co-management board for the park; or
  - (b) in any other case—the Minister.

### **36—Management of reserves**

- (1) Subject to this section, and to Part 3A, all reserves, other than co-managed parks, are under the management of the Director.
- (2) A co-managed park is—
  - (a) if there is a co-management board for the park—under the management of the board, subject to Division 6A and the provisions of the co-management agreement; or
  - (b) in any other case—under the management of the Director, subject to the provisions of the co-management agreement for the park.
- (3) The Director must observe any direction of the Minister or the Chief Executive relating to the management of reserves generally or any particular reserve (provided that, in the case of a co-managed park, the direction is consistent with the provisions of the co-management agreement for the park).
- (4) If there is a co-management board for the park, the board must comply with any provisions of the co-management agreement relating to the management of the park.

### **37—Objectives of management**

- (1) The Minister, the Chief Executive, the Director or a co-management board must have regard to the following objectives in managing reserves:
  - (a) the preservation and management of wildlife; and
  - (b) the preservation of historic sites, objects and structures of historic or scientific interest within reserves; and
  - (c) the preservation of features of geographical, natural or scenic interest; and
  - (d) the destruction of dangerous weeds and the eradication or control of noxious weeds and exotic plants; and
  - (e) the control of vermin and exotic animals; and
  - (f) the control and eradication of disease of animals and vegetation; and
  - (g) the prevention and suppression of bush fires and other hazards; and

- (h) the encouragement of public use and enjoyment of reserves and education in, and a proper understanding and recognition of, their purpose and significance; and
  - (i) generally the promotion of the public interest; and
  - (j) in relation to managing a regional reserve—to permit the utilisation of natural resources while conserving wildlife and the natural or historic features of the land; and
  - (k) insofar as a reserve is located wholly or partly within the Murray-Darling Basin, the promotion of the objects of the *River Murray Act 2003* and the *Objectives for a Healthy River Murray* under that Act; and
  - (l) the preservation and protection of Aboriginal sites, features, objects and structures of spiritual or cultural significance within reserves.
- (2) The Minister, the Chief Executive and the Director must, in managing a reserve that is situated wholly or partly within the Adelaide Dolphin Sanctuary, seek to further the objects and objectives of the *Adelaide Dolphin Sanctuary Act 2005* (insofar as they may be relevant).

### **38—Management plans**

- (1) The Minister must—
- (a) in the case of a reserve that is a co-managed park—as soon as practicable after the making of the co-management agreement for the reserve; or
  - (b) in the case of any other reserve—as soon as practicable after the constitution of the reserve,
- prepare a plan of management in relation to the reserve.
- (1a) However, the Minister need not prepare a plan of management in relation to a reserve (whether or not the reserve is a co-managed park) if a plan of management has been adopted under this section in relation to the reserve.
- (2) The Minister may, at any time, prepare an amendment to a plan of management, or prepare a plan of management to be substituted for a previous plan (and in a subsequent provision of this section, a reference to a plan of management includes a reference to such an amendment or plan to be substituted).
- (2a) A plan of management must be prepared—
- (a) after consultation with the Development Policy Advisory Committee under the *Development Act 1993*; and
  - (b) having regard to—
    - (i) the principles and policies of the Planning Strategy under the *Development Act 1993*; and
    - (ii) the provisions of any relevant Development Plan under that Act; and
  - (c) in the case of a co-managed park—
    - (i) for which there is a co-management board—in collaboration with the board; or

- (ii) in any case—after consultation with the other party to the co-management agreement for the park.
- (3) Where the Minister has prepared a plan of management in respect of a reserve the Minister must cause notice that the plan of management has been prepared to be published in the Gazette and in a newspaper circulating generally throughout the State.
- (4) The plan of management must—
  - (a) set forth proposals of the Minister in relation to the management and improvement of the reserve; and
  - (b) set forth any other proposals by which the Minister proposes to accomplish the objectives of this Act in relation to the reserve.
- (4a) The plan of management in respect of a co-managed park must deal with such matters and include such material as is required by regulation.
- (5) The notice must—
  - (a) specify an address at which copies of the plan of management may be inspected; and
  - (b) specify an address to which representations in connection with the plan of management may be forwarded.
- (6) Any person may within three months after publication of the notice, or such longer period as may be specified in the notice, make representations to the Minister in connection with the plan of management.
- (7) At the expiration of the period during which representations may be made, the Minister must refer the plan of management together with any representations to the South Australian National Parks and Wildlife Council for its consideration and advice.
- (8) After consideration by the Council, the plan of management must be forwarded to the Minister together with any comments or suggestions of the Council.
- (9) The Minister may—
  - (a) adopt a management plan—
    - (i) without alteration; or
    - (ii) with such alterations as the Minister thinks reasonable in view of the representations that were made; or
  - (b) may refer the management plan back to the Council for further consideration.
- (9a) The Minister may not exercise a power of the Minister under subsection (9) in relation to a proposed plan of management for a co-managed park except—
  - (a) if there is a co-management board for the park—with the agreement of the board; or
  - (b) in any other case—after consultation with the other party to the co-management agreement for the park.
- (10) When the Minister adopts a plan of management, notice of that fact must be published in the Gazette.

- (10a) A plan of management must not provide for the culling of protected animals from the reserve unless—
- (a) the Minister is of the opinion that the culling of those animals is the only practicable option for controlling an overpopulation of animals of that species in the reserve; and
  - (b) the plan sets out the Minister's reasons for that opinion.
- (11) The Director must, upon the application of any member of the public and payment of the prescribed fee, furnish that person with a copy of a plan of management adopted under this section.

### **39—Creation of zones within a reserve**

- (1) A management plan may provide for the division of a reserve into zones.
- (2) Where a zone is created within a reserve the land within that zone must be kept and maintained in accordance with the conditions, declared by the plan of management to be appropriate to that zone.

### **40—Implementation of management plan**

- (1) Subject to subsection (2), where the Minister has adopted a plan of management in relation to a reserve—
  - (a) the provisions of the plan must be carried out in relation to that reserve; and
  - (b) operations must not be undertaken in relation to that reserve unless those operations are in accordance with the plan of management.
- (2) Where a mining tenement has been granted in relation to land that is, or has become, a regional reserve, the management of the reserve is subject to the exercise by the holder of the tenement of rights under the tenement.

### **40A—Agreement as to conditions**

- (1) The Minister administering this Act and the relevant mining Minister may enter into an agreement with the holder of a mining tenement granted in relation to land that is, or has become, a regional reserve imposing conditions limiting or restricting the exercise of rights under the tenement by the holder of the tenement and by his or her successors in title.
- (2) If a person contravenes, or fails to comply with, a condition imposed by agreement under subsection (1) in relation to a mining tenement, the relevant mining Minister must, at the request of the Minister administering this Act, serve notice on the holder of the tenement requiring the holder to rectify the contravention or failure in the manner and within the period (which must not exceed three months) set out in the notice.
- (3) If the holder of a tenement on whom a notice has been served under subsection (2) fails to comply with the notice, the relevant mining Minister may cancel the tenement.



## Division 6—Miscellaneous provisions relating to reserves

### 41—Approval of proposal for constitution of reserve

- (1) The Minister must—
  - (a) submit any proposal to constitute, or alter the boundaries of, a reserve to the Minister administering the *Crown Lands Act 1929* for approval;
  - (b) submit any such proposal to each Minister administering a mining Act and consider the views of that Minister in relation to the proposal;
  - (c) submit any such proposal in respect of a reserve that includes or is to include land within the Murray-Darling Basin to the Minister to whom the administration of the *River Murray Act 2003* is committed and consider the views of that Minister in relation to the proposal.
- (2) A proposal to constitute, or alter the boundaries of, a reserve that includes or is to include land that is vested in or is under the care, control and management of the Minister administering the *Harbors and Navigation Act 1993* must be submitted to, and approved by, that Minister.
- (3) A proclamation for the purpose of constituting, or altering the boundaries of, a reserve must not be made without the approval or approvals required by this section.

### 41A—Alteration of boundaries of reserves

- (1) The Governor may, by proclamation made on the recommendation of the Minister, alter the boundaries of a reserve for the purpose of making, or allowing for the making of, minor alterations or additions to a public road that intersects, or is adjacent to, the reserve.
- (2) At least two months before making a recommendation to the Governor, the Minister must cause to be published in the Gazette and in a newspaper circulating generally throughout the State an advertisement—
  - (a) giving notice of the place or places at which a plan showing the proposed alterations is available for inspection; and
  - (b) inviting interested persons to make written submissions to the Minister in relation to the proposal.
- (3) The Minister must give consideration to any submissions made in response to an advertisement under subsection (2).
- (4) The Minister must not make a recommendation if the Minister is satisfied that the proposed alteration would—
  - (a) significantly prejudice the fulfilment of the management objectives contained in section 37 as they relate to that reserve; or
  - (b) be contrary to the plan of management prepared in accordance with section 38 in relation to that reserve.
- (5) No parliamentary resolution is required in relation to a proclamation under this section.

- (6) The Minister must, as soon as practicable after a proclamation has been made under subsection (1), cause a copy of the proclamation to be laid before each House of Parliament.

#### **42—Prohibited areas**

- (1) Where the Minister is satisfied that it is expedient for the purpose of protecting human life or conserving native plants or animals the Minister may, by notice published in the Gazette, declare any portion of the reserve to be a prohibited area.
- (1a) Except in an emergency, the Minister may only make a declaration under subsection (1) in relation to a co-managed park—
- (a) if there is a co-management board for the park—with the agreement of the board; or
  - (b) in any other case—after consultation with the other party to the co-management agreement for the park.
- (2) Any notice published under subsection (1) must state the grounds upon which the declaration is made.
- (3) A person must not be within a prohibited area unless authorised to enter the area by a permit issued by the Minister under this section.  
Maximum penalty: \$1 000.
- (4) The Minister may, on appropriate terms and conditions, issue to any person a permit to be within a prohibited area.
- (5) The Minister may, at the request of the co-management board for a co-managed park, exempt members of the relevant Aboriginal group from the restriction applying to a prohibited area within the co-managed park under this section.

#### **43—Rights of prospecting and mining**

- (1) Subject to subsection (2), rights of entry, prospecting, exploration, or mining cannot be acquired or exercised pursuant to a mining Act in respect of land constituting a reserve.
- (1a) Subsection (1) does not apply to a regional reserve.
- (2) The Governor may, by proclamation, declare that subject to any conditions specified in the proclamation rights of entry, prospecting, exploration, or mining may be acquired and exercised in respect of land constituting a reserve or portion of a reserve, to which subsection (1) applies.
- (2a) A person must not contravene or fail to comply with a condition of a proclamation under this section.  
Maximum penalty: \$10 000 or imprisonment for 2 years, or both.
- (3) A proclamation under subsection (2) has effect in accordance with its terms.
- (4) The Governor may, by proclamation, vary or revoke a proclamation under subsection (2).

- (5) A proclamation under this section in respect of land constituting a national park, a conservation park or the Para Wirra Recreation Park (except a proclamation revoking a previous proclamation) must not be made unless—
- (a) the proclamation is made for the purpose of continuing rights of entry, prospecting, exploration or mining vested in any person immediately before the commencement of this Act in respect of that land; or
  - (b) the proclamation is made simultaneously with the proclamation constituting that land a national park or a conservation park; or
  - (c) the proclamation is made in pursuance of a resolution passed by both Houses of Parliament.
- (6) Notice of a motion for a resolution under subsection (5)(c) must be given at least 14 sitting days before the resolution is passed.
- (7) A proclamation must not be made under this section in relation to a co-managed park constituted of Aboriginal-owned land except with the agreement of the registered proprietor of the land.

#### **43A—Prospecting and mining in regional reserves**

- (1) The relevant mining Minister must not grant an application for a mining tenement in relation to a regional reserve without first submitting the application to the Minister administering this Act.
- (2) In the case of an application for a mining production tenement in relation to a regional reserve, the relevant mining Minister must not grant the application without the approval of the Minister administering this Act.
- (3) In the case of an application for any other kind of mining tenement in relation to a regional reserve the relevant mining Minister must not grant the application without considering the views of the Minister administering this Act.
- (4) If the Minister administering this Act refuses to give the approval required by subsection (2) the relevant mining Minister may refer the matter to the Governor and may, with the Governor's approval, grant the application.
- (5) The holder of a precious stones prospecting permit under the *Opal Mining Act 1995* cannot peg out an area for a precious stones tenement on a regional reserve without the approval of the Minister administering this Act, or if the Minister refuses to give approval, without the approval of the Governor.
- (6) Subsection (2) does not apply to a petroleum production licence that the Minister administering the *Cooper Basin (Ratification) Act 1975* is authorised to grant by section 9 of that Act.
- (7) A reference in this section to *the relevant mining Minister* in relation to the granting of a mining tenement is, if the mining Act under which the tenement is granted provides for it to be granted by any authority other than the relevant mining Minister, a reference to that authority.

#### **43AB—Power to prohibit prospecting and mining in the Innamincka Regional Reserve**

- (1) The Governor may, by proclamation, create a zone within the Innamincka Regional Reserve.

- (2) Rights of entry, prospecting, exploration or mining cannot be acquired or exercised pursuant to a mining Act in respect of land within a zone created under this section.
- (3) If or when a proclamation is made under subsection (1), the Governor cannot, by subsequent proclamation, expand the area within the zone, or create a second or subsequent zone.
- (4) However, the Governor may, by subsequent proclamation—
  - (a) vary a proclamation made under subsection (1) to reduce the area of a zone; or
  - (b) revoke a proclamation made under subsection (1).
- (5) A proclamation must not be made under subsection (4) except in pursuance of a resolution of both Houses of Parliament.
- (6) Notice of a motion for a resolution under subsection (5) must be given at least 14 sitting days before the motion is passed.

#### **43B—Entry onto reserves for purpose of investigation and survey**

- (1) The Minister administering a mining Act or a person authorised by that Minister may enter onto any reserve for the purpose of a geological, geophysical or geochemical investigation or survey without the approval of the Minister administering this Act if the investigation or survey will not result in disturbance of the land.
- (2) A person who wishes to enter onto a reserve pursuant to subsection (1) must, before doing so, consult the Minister administering this Act.
- (3) This section does not apply to a zone created within the Innamincka Regional Reserve under section 43AB.

#### **43C—Entrance fees etc for reserves**

- (1) Fees for entrance to reserves, fees for camping in reserves, fees for an activity authorised by a permit or permission granted under the regulations and fees for the use of facilities and services provided in reserves may be fixed by the relevant authority with the approval of the Minister.
- (2) Where a fee fixed under subsection (1) is payable, or has been paid, the relevant authority may, if he or she thinks fit, waive or refund the whole or part of the fee.
- (3) In this section—

*relevant authority* means—

- (a) in relation to a co-managed park for which there is a co-management board—the co-management board for the park; or
- (b) in any other case—the Director.

## **Division 6A—Provisions relating to co-managed parks**

### **Subdivision 1—Preliminary**

#### **43D—Application**

This Division applies to a national park or conservation park, or proposed national park or conservation park, that is or is to be constituted of Aboriginal-owned land or land with which an Aboriginal group or community has a traditional association.

#### **43E—Objects**

- (1) The principal object of this Division is to provide for effective co-management of parks to which this Division applies by representatives of the relevant Aboriginal groups and the Minister, and, as far as practicable, to—
  - (a) ensure the continued enjoyment of the parks by the relevant Aboriginal groups for cultural, spiritual and traditional uses; and
  - (b) ensure the continued enjoyment of the parks by members of the public in a manner consistent with the co-management agreements for the parks; and
  - (c) ensure the preservation and protection of Aboriginal sites, features, objects and structures of spiritual or cultural significance within the parks; and
  - (d) provide protection for the natural resources, wildlife, vegetation and other features of the parks.
- (2) The Minister must, in administering this Division, have regard to, and seek to further, the objects.

### **Subdivision 2—Co-management agreements**

#### **43F—Co-management agreement**

- (1) The Minister may enter into a co-management agreement for—
  - (a) a national park or conservation park to be constituted of Aboriginal-owned land; or
  - (b) a national park or conservation park constituted of land with which an Aboriginal group or community has a traditional association.
- (2) The parties to a co-management agreement will consist of or include the Minister and—
  - (a) in the case of a national park or conservation park to be constituted of Aboriginal-owned land—the registered proprietor of the land, or the body in which the land is to be vested; or
  - (b) in the case of a national park or conservation park constituted of Crown land—a body representing the interests of the relevant Aboriginal group.
- (3) A co-management agreement under this section may provide for—
  - (a) if a co-management board is to be established for the co-managed park—the constitution of the board; and

- (b) if a co-management board is not to be established for the co-managed park—any limitations or conditions applying to the exercise of the Minister's or Director's powers in relation to the park and responsibilities to be assumed by or on behalf of the relevant Aboriginal group; and
  - (c) preparation of a plan of management for the co-managed park; and
  - (d) measures related to the preservation and protection of Aboriginal sites, features, objects and structures of spiritual or cultural significance; and
  - (e) implementation of the plan of management for the co-managed park; and
  - (f) funding arrangements relating to the management of the co-managed park; and
  - (g) the appointment of wardens; and
  - (h) the exercising of powers by wardens in relation to members of the relevant Aboriginal group; and
  - (i) employment of staff; and
  - (j) dispute resolution; and
  - (k) park entrance fees; and
  - (l) access by members of the public to the co-managed park; and
  - (m) the taking of plants and animals by members of the relevant Aboriginal group; and
  - (n) any other matter specified by the Minister.
- (4) A co-management agreement may be varied in accordance with processes set out in the agreement.
- (5) The following provisions apply to the termination of a co-management agreement:
- (a) in the case of a co-management agreement for a national park or conservation park constituted of Aboriginal-owned land that was Aboriginal-owned land before the park was constituted—
    - (i) the agreement may be terminated unilaterally;
    - (ii) the agreement may specify a minimum period that must elapse before the agreement may be terminated;
  - (b) in the case of a co-management agreement for a national park or conservation park constituted of Aboriginal-owned land that was Crown land before the co-management agreement was made—
    - (i) the agreement may only be terminated by agreement between the Minister and registered proprietor of the Aboriginal-owned land;
    - (ii) the agreement may specify a minimum period that must elapse before the agreement may be terminated;
  - (c) in the case of a co-management agreement for a national park or conservation park constituted of Crown land—the agreement may only be terminated by the Minister by notice in writing to the other party to the agreement.

- (6) If a co-management agreement is entered into or terminated under this section, the Minister must cause notice of that fact to be published in the Gazette.
- (7) The Minister must, on the application of a member of the public and payment of the prescribed fee, furnish the person with a copy of a co-management agreement under this section.

### **Subdivision 3—Co-management Boards**

#### **43G—Establishment of co-management boards by regulation**

- (1) The Governor may, by regulation, establish a co-management board for a co-managed park.
- (2) Subject to this section, regulations establishing a co-management board—
  - (a) must not be inconsistent with the co-management agreement for the co-managed park; and
  - (b) must name the board; and
  - (c) must provide for the appointment, term and conditions of office and removal of the members of the board; and
  - (d) must provide for the procedures governing the board's proceedings; and
  - (e) may limit the powers and functions of the board; and
  - (f) may provide for delegation by the board; and
  - (g) may provide for the remuneration of members; and
  - (h) may require reporting by the board to the Minister; and
  - (i) may make any other provision (not inconsistent with this Act) that is necessary or expedient for the purposes of this Act.
- (3) The regulations establishing a co-management board for a co-managed park constituted of Aboriginal-owned land must (in addition to providing for the matters required under subsection (2)) provide for—
  - (a) the co-management board to have a majority of members who are members of the relevant Aboriginal group; and
  - (b) the co-management board to be chaired by a person nominated by the registered proprietor of the land constituting the co-managed park; and
  - (c) the quorum of the co-management board to have a majority of members who are members of the relevant Aboriginal group.
- (4) If a regulation establishing a co-management board is disallowed by either House of Parliament, the assets and liabilities of the board will be dealt with in accordance with the directions of the Minister.

#### **43H—Corporate nature of co-management board**

- (1) A co-management board established under this Division—
  - (a) is a body corporate; and
  - (b) has perpetual succession and a common seal; and

- (c) can sue and be sued in its corporate name; and
  - (d) has all the powers of a natural person that are capable of being exercised by a body corporate; and
  - (e) has the functions and powers assigned or conferred by or under this or any other Act.
- (2) If a document appears to bear the common seal of the co-management board, it will be presumed, in the absence of proof to the contrary, that the common seal of the co-management board was duly fixed to the document.

#### **43I—Dissolution or suspension of co-management boards**

- (1) Subject to this section, the Governor may, by regulation, dissolve or suspend a co-management board established under this Division.
- (2) The co-management board for a co-managed park must not be dissolved under this section unless—
- (a) the co-managed park is abolished; or
  - (b) the co-management agreement for the co-managed park is terminated.
- (3) The co-management board for a co-managed park must not be suspended under this section unless the Minister is satisfied that such action is warranted due to continuing failure by the board properly to discharge its responsibilities.
- (4) On dissolution and during any suspension of a co-management board under this section, any assets and liabilities of the board will be dealt with or disposed of in accordance with the directions of the Minister.

#### **Subdivision 4—Miscellaneous**

##### **43J—Staff**

- (1) The staffing arrangements for a co-management board established under this Division will be determined or approved by the Minister after consultation with the relevant Aboriginal group.
- (2) Any staff under subsection (1) will be—
- (a) Public Service employees assigned to work with the co-management board; or
  - (b) if appointments have been made under subsection (3)—the persons holding those appointments.
- (3) A co-management board established under this Division may, with the approval of the Minister—
- (a) appoint persons to the staff of the board; and
  - (b) appoint persons to assist in the management of a co-managed park.
- (4) A co-management board established under this Division may, with the approval of the Minister administering an administrative unit of the Public Service, on terms and conditions mutually arranged, make use of the services of any officer, or use any facilities or equipment, of that unit.



- (5) A person employed under subsection (3) is not a Public Service employee.

#### **43K—Accounts and audit**

- (1) A co-management board established under this Division must cause proper accounts to be kept of its financial affairs.
- (2) The Auditor-General may at any time, and must in respect of each financial year, audit the accounts of the co-management board.

#### **43L—Annual report**

- (1) A co-management board established under this Division must, on or before 30 September in each year, prepare and deliver to the Minister a report on its operations during the preceding financial year.
- (2) The report must include—
- (a) the audited accounts of the co-management board; and
  - (b) any other information required by or under the regulations.
- (3) The Minister must, within 6 sitting days after receiving a report, cause copies of the report to be laid before both Houses of Parliament.

### **Division 7—Sanctuaries**

#### **44—Establishment of sanctuaries**

- (1) If the Minister is of the opinion that it is desirable to conserve the animals or plants for which any land is a natural habitat or environment and—
- (a) where the land is reserved for or dedicated to, a public purpose, the person to whom the care, control and management of that land has been committed has consented to a declaration under this section; or
  - (b) where the land is private land, the owner and occupier of the land have consented to a declaration under this section,
- the Minister may, by notice in the Gazette, declare the land to be a sanctuary.
- (1a) The declaration of land as a sanctuary under subsection (1) on or after 1 January 1994 is subject to native title existing when the declaration was made.
- (2) The Minister—
- (a) may revoke any declaration under this section; and
  - (b) where private land constitutes a sanctuary, and the owner of that land, by instrument in writing, requests that the land should cease to be a sanctuary, must revoke the declaration under which that land is constituted a sanctuary.
- (3) In this section—
- owner* in relation to private land means—
- (a) in the case of private land that is held in fee simple—the holder of the estate in fee simple; or

- (b) in the case of private land that is subject to a lease granted under the *Crown Land Management Act 2009* or the *Pastoral Land Management and Conservation Act 1989*—the lessee under that lease.
- (4) If, before the commencement of Schedule 1 Part 2 of the *Crown Land Management Act 2009*—
- (a) a declaration was purportedly made under this section in relation to land subject to a lease under the *Crown Lands Act 1929* or the *Pastoral Land Management and Conservation Act 1989*; and
- (b) the lessee under that lease consented to the making of the declaration,
- the declaration will not be taken to be invalid by reason only that the consent of the owner of the land (as defined under subsection (3) as in force before the commencement of Schedule 1 Part 2 of the *Crown Land Management Act 2009*) was not obtained before the making of the declaration.

#### **45—Protection of animals and plants in sanctuary**

- (1) A person must not take an animal, or the eggs of an animal, or a native plant within a sanctuary except in pursuance of this section.

Maximum penalty:

In the case of an animal, or the eggs of an animal, or a native plant of an endangered species, \$10 000 or imprisonment for 2 years.

In the case of an animal, or the eggs of an animal, or a native plant of a vulnerable species, \$7 500 or imprisonment for 18 months.

In the case of an animal, or the eggs of an animal, or a native plant of a rare species, \$5 000 or imprisonment for 12 months.

In any other case, \$2 500 or imprisonment for 6 months.

- (2) The Minister may, if satisfied that it is in the interests of conserving wildlife to do so, grant a permit authorising the holder of the permit to take animals, or the eggs of animals, or native plants within a sanctuary in accordance with the terms of the permit.
- (3) The owner of land constituting a sanctuary, or a person authorised by the owner, may take an animal, or the eggs of an animal that is not a protected animal in the sanctuary without a permit under subsection (2).

## Part 3A—Development Trusts

### Division 1—Development Trusts

#### 45A—Interpretation and application

- (1) In this Part—

*General Reserves Trust* means the General Reserves Trust established by proclamation under section 45B on 30 November 1978 (see *Gazette 30.11.1978 p2096 and 2097*);

*reserve* means a park, reserve, wilderness protection area or wilderness protection zone and includes a part of a park, reserve, wilderness protection area or wilderness protection zone or any 2 or more parks, reserves, wilderness protection areas or wilderness protection zones;

*Trust* means a development trust established under section 45B.

- (2) This Part does not apply to a co-managed park constituted of Aboriginal-owned land.

#### 45B—Development Trusts

- (1) The Governor may, by proclamation, establish a Development Trust in respect of a reserve.
- (2) A proclamation under subsection (1) must—
- (except in the case of the General Reserves Trust) designate the reserve in relation to which the Development Trust is to be created;
  - designate the Trust by a distinctive name;
  - fix the number of members of the Trust and the method by which they are appointed or elected;
  - fix the quorum for meetings of the Trust;
  - fix the terms and conditions upon which members of the Trust will hold office;
  - provide for the removal of members of the Trust from office and for the filling of vacant offices.
- (3) The Governor may, by further proclamation, vary any proclamation made under subsection (1).

#### 45BA—The General Reserves Trust

The General Reserves Trust will be taken to have been established in relation to all reserves constituted under this Act except those in relation to which another Development Trust is for the time being established by proclamation under section 45B.

#### 45C—Trust to be body corporate

- (1) A Trust is a body corporate with perpetual succession and a common seal, and—
- is capable of suing and being sued; and

- (b) is capable of holding, acquiring, dealing with and disposing of real and personal property; and
  - (c) is capable of acquiring or incurring any other rights and liabilities; and
  - (d) has the powers, rights, duties and functions conferred, imposed or prescribed by or under this Act or any other Act; and
  - (e) holds its property on behalf of the Crown.
- (2) Where an apparently genuine document purports to bear the common seal of a Trust, it will be presumed in any legal proceedings, in the absence of proof to the contrary, that the common seal of that Trust has been duly affixed to that document.

#### **45D—Appointment of members to a Trust**

- (1) Upon the establishment of a Trust under this Act the members of the Trust must be appointed or elected, as the case may require, in accordance with the proclamation.
- (2) A member of a Trust is entitled to payment from the funds of the Trust of such remuneration, allowances and expenses as the Governor may determine.
- (3) An act or proceeding of a Trust is not invalid by reason of a vacancy in its membership or any defect in the appointment or election of a member.
- (4) No liability attaches to a member of a Trust for an act or omission by the member or the Trust in good faith and in the exercise or purported exercise of functions under this Act.
- (5) A member of a Trust who is an officer or employee of the Trust will not by reason of that fact be taken to have a financial or material interest in any matter or thing relating to rates of remuneration or other terms and conditions of employment of officers or employees of the Trust.

#### **45E—Chairman and meetings of a Trust**

- (1) The members of a Trust must elect one of their number to be presiding member of the Trust for such period as the Trust may determine.
- (2) The presiding member, if present at a meeting of the Trust, must preside at that meeting.
- (3) In the absence of the presiding member, the members present at a meeting must elect one of their number to preside at that meeting.
- (4) A decision carried by a majority of the votes cast by the members present at a meeting is a decision of the Trust.
- (5) The person presiding at a meeting of a Trust has, in the event of an equality of votes, a casting vote in addition to a deliberative vote.
- (6) Subject to this Act, a Trust may conduct its business in such manner as it thinks fit.

#### **45F—Functions of Trust**

- (1) Subject to this section and the other provisions of this Act, the functions of a Trust are to perform such duties in relation to the development or management of the reserve in relation to which it was established as are from time to time assigned to it by the Minister by notice in writing.

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- (1b) It is an additional function of the General Reserves Trust to manage and control the General Reserves Trust Fund established under Division 2.
- (2) A Trust has and may exercise all such powers as are necessary for or incidental to the performance of its functions.
- (2a) Without limiting subsection (2), a Trust may charge and recover such amounts as it thinks fit in respect of facilities and services provided to the public by the Trust.
- (2b) Where the Minister has entered into a lease, or the Minister or the Director has granted a licence or entered into an agreement, in relation to a reserve under section 35, the Minister or Director may direct that money payable pursuant to the lease, licence or agreement be paid to the Trust that has been established in relation to the reserve.
- (2c) A Trust (not being the General Reserves Trust) may retain and apply money received by the Trust—
- (a) pursuant to subsection (2b); or
  - (b) being fees paid for entrance to the reserve or reserves in relation to which the Trust has been established (the Trust's reserves); or
  - (c) being fees or other money paid for—
    - (i) the use of the Trust's reserves; or
    - (ii) the use of facilities or services provided by the Trust; or
  - (ca) under the *Wilderness Protection Act 1992*; or
  - (d) being money that it has borrowed with the approval of the Treasurer for the purposes of the Trust; or
  - (e) as a donation or grant for the purposes of the Trust; or
  - (f) as interest or accretions arising from investment of money held by the Trust, for the purpose of performing and discharging its functions and duties under this or any other Act without further appropriation by Parliament.
- (2d) A Trust must keep proper accounts of receipts and payments in relation to performing and discharging its functions and duties under this or any other Act and the Auditor-General may at any time, and must at least once in each year, audit the accounts kept by the Trust under this subsection.
- (3) In the exercise of its powers and the performance of its functions a Trust is, except where it is required to make a report to the Minister, subject to the general control and direction of the Minister.

#### **45G—Trust may delegate**

- (1) A Trust may delegate any of its powers, functions or duties to any committee appointed by the Trust, or to any member of the Trust or officer or employee of the Trust.
- (2) A delegation of powers, functions or duties by a Trust does not derogate from the power of the Trust to act itself in any matter and is revocable by the Trust at will.

#### **45H—Staff of a Trust**

- (1) A Trust may appoint, upon terms and conditions approved by the Minister, such officers and employees as it thinks necessary or desirable for the proper carrying out of the functions and duties of the Trust.
- (2) The employment of an officer or employee by a Trust will be taken, for the purposes of the *Superannuation Act 1988*, to be employment to which that Act applies.
- (3) Where a person becomes an officer or employee of a Trust, that person's existing and accruing rights in respect of recreation leave, sick leave and long service leave will, where employment by the trust follows immediately upon—
  - (a) employment in the Public Service of the State; or
  - (b) employment by another Trust; or
  - (c) any other prescribed employment,

continue in full force and effect as if that previous employment were employment with the Trust.

#### **45I—Acquisition of land**

A Trust may, with the approval of the Minister, acquire land pursuant to a contract with the owner of the land or pursuant to the *Land Acquisition Act 1969*—

- (a) for the purposes of carrying out its functions;
- (b) without limiting paragraph (a)—for the purposes of a reserve or to enlarge or extend an existing reserve.

#### **45J—Financial provisions**

- (1) A Trust may, with the approval of the Treasurer, borrow money for the purpose of enabling it to perform and discharge its functions and duties under this or any other Act.
- (2) The Treasurer may, at his or her discretion, guarantee the discharge by a Trust of any liability incurred by it in respect of any loan under subsection (1).
- (3) The Treasurer may, without any authority other than this section, pay out of the Consolidated Account any money required for the purpose of discharging obligations arising by virtue of a guarantee given under this section.
- (4) A Trust may, with the approval of the Treasurer, invest any of the money of the Trust that is not for the time being required for the purposes of the Trust, in such investments as may be approved by the Treasurer.

#### **45L—Dissolution of a Trust**

- (1) The Governor may, by proclamation, dissolve a Trust.
- (2) Upon the dissolution of a Trust pursuant to subsection (1), the assets of the Trust will be disposed of and the liabilities of the Trust will be discharged in accordance with the directions of the Governor.

## **Division 2—The General Reserves Trust Fund**

### **45M—Establishment of Fund**

- (1) The General Reserves Trust Fund is established.
- (2) The fund is under the management and control of the General Reserves Trust.
- (3) The fund consists of—
  - (a) money provided by Parliament for the purposes of the fund; and
  - (b) fees paid for entrance to reserves in relation to which the General Reserves Trust has been established (the Trust's reserves); and
  - (c) money that is payable pursuant to a lease, licence or other agreement entered into by the Minister or Director under section 35 in relation to a reserve for which the General Reserve Trust is responsible that the Minister or Director has directed be paid into the fund; and
  - (d) fees or other money not referred to in paragraph (c) paid for—
    - (i) the use of the Trust's reserves; or
    - (ii) the use of facilities or services provided on the Trust's reserves; and
  - (da) money required to be paid into the Fund under the *Wilderness Protection Act 1992*; and
  - (e) money borrowed by the Trust with the approval of the Treasurer for the purposes of the fund; and
  - (f) any donation or grant made for the purposes of the fund; and
  - (g) interest and accretions arising from investment of the fund.
- (4) The Trust may apply the fund—
  - (a) for or in relation to the development and management of one or more of its reserves; and
  - (b) in repayment of money borrowed by the Trust for the purposes of the fund and interest payable in respect of that money; and
  - (c) for or in relation to the management and control of the fund.

### **45N—Investment of the fund**

The Trust may invest any of the money of the fund that is not immediately required for the purposes of the fund in such manner as is approved by the Treasurer.

### **45O—Accounts and auditing**

- (1) The Trust must keep proper accounts of receipts and payments in relation to the fund.
- (2) The Auditor-General may at any time, and must at least once in each year, audit the accounts kept by the Trust under subsection (1).





## **Part 4—Conservation of native plants**

### **46—Application of this Part**

- (1) Subject to this section, this Part applies throughout the State.
- (2) The Governor may, by proclamation, declare that this Part, or any provisions of this Part specified in the proclamation, will not apply at any time or during periods specified in the proclamation—
  - (a) within a part of the State specified in the proclamation; or
  - (b) to a specified species of native plant; or
  - (c) to a specified species of native plant in a specified part of the State,and the operation of this Part will be modified accordingly.
- (3) The Governor may, by proclamation, revoke or vary a proclamation under this section.

### **47—Unlawful taking of native plants**

- (1) Subject to this Part, a person must not take a native plant—
  - (a) on any reserve, wilderness protection area or wilderness protection zone; or
  - (b) on any other Crown land; or
  - (c) on any land reserved for or dedicated to public purposes; or
  - (d) on any forest reserve.
- (2) A person must not take a native plant of a prescribed species on private land.
- (3) A person who contravenes subsection (1) or (2) is guilty of an offence.

Maximum penalty:

In the case of a native plant of an endangered species, \$10 000 or imprisonment for 2 years.

In the case of a native plant of a vulnerable species, \$7 500 or imprisonment for 18 months.

In the case of a native plant of a rare species, \$5 000 or imprisonment for 12 months.

In any other case, \$2 500 or imprisonment for 6 months.

- (4) A person must not take a native plant on private land without the consent of the owner of the land.

Maximum penalty: \$1 000.

Expiation fee: \$150.

- (5) If in proceedings for an offence against this section it is proved that the defendant was found in possession of a native plant, it will be presumed, in the absence of proof to the contrary, that the defendant took the plant in contravention of this Act.

- (6) It is a defence to a charge of an offence against this section to prove that the act alleged against the defendant—
- (a) was neither intentional nor negligent; or
  - (b) was done in pursuance of some statutory authority.

#### **48—Unlawful disposal of native plants**

- (1) A person must not sell or give away a native plant of a prescribed species.

Maximum penalty:

In the case of a native plant of an endangered species, \$10 000 or imprisonment for 2 years.

In the case of a native plant of a vulnerable species, \$7 500 or imprisonment for 18 months.

In the case of a native plant of a rare species, \$5 000 or imprisonment for 12 months.

In any other case, \$2 500 or imprisonment for 6 months.

- (2) It is a defence to a charge of an offence against this section to prove that the native plant was taken pursuant to a licence under the *Forestry Act 1950*.

#### **48A—Illegal possession of native plants**

- (1) A person must not have in his or her possession or control a native plant that has been illegally taken or acquired.

Maximum penalty:

In the case of a native plant of an endangered species, \$10 000 or imprisonment for 2 years.

In the case of a native plant of a vulnerable species, \$7 500 or imprisonment for 18 months.

In the case of a native plant of a rare species, \$5 000 or imprisonment for 12 months.

In any other case, \$2 500 or imprisonment for 6 months.

- (2) For the purposes of this section, a native plant is illegally taken or acquired if taken or acquired contrary to this Act or any other Act or law of the State, or contrary to the law of another State or Territory of the Commonwealth.
- (3) In proceedings for an offence against this section the onus lies on the defendant to prove that the native plant was not taken or acquired illegally.

#### **49—Permits**

- (1) The Minister may grant a permit authorising—
- (a) the taking of native plants; or
  - (b) the sale or gift of native plants,
- subject to the conditions of the permit.

- (2) No offence is committed by reason of the taking, or the sale, of native plants in accordance with a permit under this section.

#### **49A—Permits for commercial purposes**

- (1) The Minister may, by notice published in the Gazette and in a newspaper circulating generally throughout the State—
- (a) declare that this section applies to, and in relation to, a species of plant; and
  - (b) vary or revoke a declaration referred to in paragraph (a).
- (2) Where this section applies to, and in relation to, a species of plant, the Minister must prepare draft recommendations in relation to the following matters:
- (a) the effect of taking individual plants for commercial purposes on the species and on the ecosystem of which the plants taken formed part; and
  - (b) the need for research in relation to that species; and
  - (c) the identification of plants and plant products; and
  - (d) any other matters that should, in the opinion of the Minister be addressed,
- and must make the recommendations available to the public for at least three months for comment before adoption by the Minister.
- (3) Before adopting the draft recommendation, the Minister must have regard to comments (if any) made by members of the public and may, if the Minister thinks fit, vary the recommendations to take account of those comments.
- (4) Recommendations adopted by the Minister must be published in the Gazette and in a newspaper circulating generally throughout the State and may be revoked or varied by further recommendations prepared by the Minister in accordance with this section.
- (5) The taking and sale of plants of a species to which this section applies for commercial purposes pursuant to a permit under section 49 is subject to restrictions or conditions imposed from time to time by regulation or by the Minister when granting the permit.
- (6) Restrictions and conditions imposed by regulation must implement recommendations adopted by the Minister under this section in relation to the commercial taking and sale of plants of the species concerned.
- (7) Where a permit granted for commercial purposes relates to plants of a species to which this section applies and a royalty is payable under this Act in respect of the taking of plants of that species, the Minister may require the applicant to pay in advance an amount equal to the total amount of royalty that would be payable if all the plants that could be taken pursuant to the permit were taken.



## **Part 5—Conservation of native animals**

### **Division 1—Application of this Part**

#### **50—Application of this Part**

- (1) Subject to this section, this Part applies throughout the State.
- (2) The Governor may, by proclamation, declare that this Part or any provisions of this Part specified in the proclamation do not apply—
  - (a) within a part of the State defined or referred to in the proclamation; or
  - (b) to a specified species of animal; or
  - (c) to a specified species of animal in a specified part of the State.
- (3) The Governor may, by proclamation, revoke or vary any proclamation under this Part.

### **Division 2—Restrictions upon the taking of protected animals**

#### **51—Taking of protected animals etc**

- (1) Subject to this Part, a person must not take a protected animal or the eggs of a protected animal.

Maximum penalty:

In the case of a marine mammal—\$100 000 or imprisonment for 2 years.

In the case of an animal (not being a marine mammal), or the eggs of an animal, of an endangered species—\$10 000 or imprisonment for 2 years.

In the case of an animal (not being a marine mammal), or the eggs of an animal, of a vulnerable species—\$7 500 or imprisonment for 18 months.

In the case of an animal (not being a marine mammal), or the eggs of an animal, of a rare species—\$5 000 or imprisonment for 12 months.

In any other case—\$2 500 or imprisonment for 6 months.

- (2) In any prosecution under this section, it is a defence that the defendant did not wilfully or negligently commit the act subject to the charge.

#### **52—Open season**

- (1) The Minister may, by notice published in a newspaper circulating generally throughout the State, declare an open season for the taking of protected animals of a specified species.
- (2) A notice under this section—
  - (a) must not relate to animals of an endangered species; and
  - (b) does not apply in relation to animals within—
    - (i) a reserve, other than a game reserve; or
    - (ii) a wilderness protection area or wilderness protection zone; and

- (c) does not apply in relation to animals within a game reserve unless the notice expressly provides that the open season applies in relation to that reserve.
- (3) A notice under this section—
- (a) must state—
    - (i) the period of the open season (including, if the Minister thinks fit, the hours of the day during which animals may be taken); and
    - (ii) the parts of the State to which the open season applies; and
    - (iii) whether eggs may be taken; and
  - (b) may prescribe restrictions or conditions applicable to the open season; and
  - (c) may be varied or revoked by the Minister by a subsequent notice published in a newspaper circulating generally throughout the State.
- (4) It is lawful to take a protected animal in accordance with a notice under this section.

### **53—Permits to take protected animals**

- (1) The Minister may grant to any person a permit to take protected animals or the eggs of protected animals, if satisfied that it is desirable to grant the permit—
- (a) to facilitate scientific research; or
  - (b) to enable the person to place bands, marks or tags upon such animals and then to release them; or
  - (c) to permit the destruction or removal of animals that are causing, or are likely to cause, damage to the environment or to crops, stock or other property; or
  - (d) for any other purpose (other than for sale) that the Minister considers proper and not inconsistent with the objectives of this Act.
- (2) A permit under this section remains in force for such term, not exceeding 12 months, as is specified in the permit.
- (3) The Minister may at any time revoke a permit granted under this section.
- (4) A person to whom a permit to take protected animals has been granted must, within 14 days after the expiration or revocation of the permit, deliver to the Minister a report in the prescribed form stating the number of animals of each species taken in pursuance of the permit and the number of eggs of any protected animal taken in pursuance of the permit.
- Maximum penalty: \$1 000.  
Expiation fee: \$150.
- (5) Without limiting the conditions subject to which a permit may be granted under this section those conditions may—
- (a) limit the areas in which protected animals or the eggs of protected animals may be taken; and
  - (b) limit the number of animals or eggs that may be taken in pursuance of the permit.

- (6) Where a permit relates to animals in respect of which a royalty is payable under this Act, the Minister may require the applicant to pay in advance an amount equal to the amount of royalty that would be payable in respect of all the animals in respect of which the permit is granted.

### **53A—Review of decision of the Minister under section 53**

- (1) The South Australian National Parks and Wildlife Council may, on the application of a person who has applied for a permit under section 53, review a decision of the Minister—
- (a) to refuse to grant the permit; or
  - (b) to grant the permit subject to limitations, restrictions or conditions; or
  - (c) as to the term of the permit; or
  - (d) to revoke the permit.
- (2) The application must be made—
- (a) within two months after the applicant is notified by the Minister of the decision; and
  - (b) in accordance with the requirements of the Council.
- (3) The Council may, following the review, make recommendations to the Minister.
- (4) The Minister may, after considering the Council's recommendations—
- (a) vary or revoke the decision; or
  - (b) substitute any other decision that he or she could have made in the first instance for the original decision; or
  - (c) confirm the original decision.

### **54—Dangerous magpies and poisonous reptiles**

- (1) It is lawful for any person without any permit or other authority under this Act, to kill any Australian magpie that has attacked or is attacking any person.
- (2) It is lawful for any person without any permit or other authority under this Act, to kill any poisonous reptile that—
- (a) has attacked, is attacking or is likely to attack, any person; or
  - (b) is in dangerous proximity to any person; or
  - (c) is, or has been, in such proximity to a person as to cause reasonable anxiety to that person.

## **Division 3—Release of protected animals**

### **55—Restriction on release of protected animals**

A person must not release a protected animal or an animal of a species listed in Schedule 10 from captivity unless that person is authorised to do so by a permit granted by the Minister.

Maximum penalty: \$2 500.

Expiation fee: \$210.

## **Division 4—Prohibitions and restrictions upon the keeping of protected animals and certain dealings in protected animals**

### **58—Keeping and sale of protected animals**

- (1) Subject to this section, a person must not—
  - (a) keep more than one animal that is a protected animal of a prescribed species; or
  - (b) keep a protected animal of any other species,unless authorised to do so by permit granted by the Minister.  
Maximum penalty: \$2 500.
- (2) Subject to this section, a person must not—
  - (a) have possession or control of more than five eggs that are the eggs of a protected animal of a prescribed species; or
  - (b) have possession or control of the eggs of a protected animal of any other species,unless authorised to do so by permit granted by the Minister.  
Maximum penalty: \$2 500.
- (3) Subject to this section, a person must not sell or give away a protected animal or the carcass or eggs of a protected animal unless authorised to do so by permit granted by the Minister.  
Maximum penalty: \$2 500.
- (4) Subsections (1), (2) and (3) do not apply in relation to an animal, or the carcass or eggs of an animal, of a species that is excluded from the operation of those subsections by proclamation.
- (4a) A proclamation under subsection (4)—
  - (a) may operate in relation to one or two or all of subsections (1), (2) and (3);
  - (b) may operate differently in relation to different classes of persons or in relation to different circumstances specified in the proclamation;
  - (c) is subject to such conditions or restrictions as are specified in the proclamation.
- (5) The Governor may, by proclamation, vary or revoke a proclamation referred to in subsection (4).
- (6) A permit granted by the Minister under this section does not apply in relation to an animal, or the carcass or eggs of an animal, taken illegally or brought into this State illegally.
- (7) The holder of a permit under this section must provide the Minister with such information as is required by regulation.



- (8) A person who keeps an animal, or has possession or control of the eggs of an animal, taken in pursuance of a permit granted by the Minister to take protected animals, or the eggs of protected animals, for scientific research does not contravene subsection (1).

### 58A—Restriction on keeping protected animals in certain areas

A person must not keep a protected animal in an area declared by regulation to be a prohibited area in relation to animals of that species unless that person is authorised to do so by a permit granted by the Minister.

Maximum penalty: \$2 500.

### 59—Export and import of protected animals and native plants

- (1) A person must not—
- (a) export—
    - (i) a protected animal or the carcass or egg of a protected animal; or
    - (ii) a native plant of a species prescribed by regulation,
 from a place within the State to a place outside the State except in pursuance of a permit granted under this section; or
  - (b) import into the State—
    - (i) a protected animal or the carcass or egg of a protected animal; or
    - (ii) a native plant of a species prescribed by regulation,
 from a place outside the State except in pursuance of a permit granted under this section.

Maximum penalty: \$2 000.

Expiation fee: \$200.

- (2) The Minister may grant to any person a permit to export from the State or import into the State a protected animal, or the carcass or eggs of a protected animal, of a species specified in the permit or a native plant of a species specified in the permit.
- (3) In this section—
- to export* in relation to an animal, carcass, egg or plant includes to remove the animal, carcass, egg or plant from the State for any reason;
- to import* in relation to an animal, carcass, egg or plant includes to bring the animal, carcass, egg or plant into the State for any reason.

### 60—Illegal possession of animals etc

- (1) A person must not have in his or her possession or control—
- (a) an animal; or
  - (b) the carcass of an animal; or
  - (c) an egg,

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that has been illegally taken or acquired.

Maximum penalty:

In the case of a marine mammal or the carcass of a marine mammal—\$100 000 or imprisonment for 2 years.

In the case of an animal, (not being a marine mammal), or the carcass or eggs of an animal, of an endangered species—\$10 000 or imprisonment for 2 years.

In the case of an animal (not being a marine mammal), or the carcass or eggs of an animal, of a vulnerable species—\$7 500 or imprisonment for 18 months.

In the case of an animal (not being a marine mammal), or the carcass or eggs of an animal, of a rare species—\$5 000 or imprisonment for 12 months.

In any other case—\$2 500 or imprisonment for 6 months.

- (2) For the purposes of this section an animal, carcass or egg is illegally taken or acquired if taken or acquired contrary to this Act or any other Act or law of the State, or contrary to the law of another State or Territory of the Commonwealth.
- (3) In proceedings for an offence against this section the onus lies on the defendant to prove that the animal, carcass or egg was not taken or acquired illegally.

## **Division 4A—Farming of protected animals**

### **60B—Interpretation**

In this Division, unless the contrary intention appears—

*animal* means—

- (a) a protected animal of a species named in Schedule 11; or
- (b) a protected animal of a species that is the subject of a declaration under section 60BA that is in force;

*the business of farming animals* means the business of farming animals for one or both of the following purposes:

- (a) to produce carcasses, skins and other products upon slaughter of the animals;
- (b) to sell live animals or eggs to another person who carries on the business of farming animals of the same species;

*commercial farming of protected animals* means the business of farming protected animals of a species named in Schedule 11;

*trial farming of protected animals* means the business of farming protected animals of a species that is not named in Schedule 11 but that is the subject of a declaration under section 60BA that is in force.

### **60BA—Declaration of species for trial farming**

- (1) The Governor may by regulation declare that a species of protected animal is a species for the purpose of trial farming under this Division.
- (2) The Minister must, by notice published in the Gazette, set out conditions to which a permit granted under this Division in relation to animals of the species referred to in a regulation under subsection (1) will be subject.

- (3) The notice must be published in the same issue of the Gazette as the regulation.
- (4) Subsection (2) does not limit the imposition of other conditions under section 60C(6).
- (5) A regulation under subsection (1) expires on the fourth anniversary of its commencement and cannot be remade in relation to the same species of animal.

### **60C—Permit for farming protected animals**

- (1) The Minister may grant to a person a permit—
  - (a) to take an animal or the eggs of an animal from the wild or to slaughter or destroy in any other manner an animal in captivity; or
  - (b) to keep an animal or to have possession or control of the eggs of an animal; or
  - (c) to sell an animal or the carcass or eggs of an animal,in the course of carrying on the business of farming animals of that species.
- (2) A person is not entitled to carry on the commercial farming of protected animals pursuant to a permit granted under any other provision of this Act after the expiration of 12 months following the inclusion in Schedule 11 of the species to which the animals belong.
- (3) The Minister must not grant a permit under subsection (1) for the commercial farming of protected animals—
  - (a) if a code of management has not been adopted by the Minister under this Division in respect of the species of animal to which the permit will relate; or
  - (b) if the permit would, in the Minister's opinion, be seriously at variance with the code of management referred to in paragraph (a).
- (4) A permit for the trial farming of protected animals of a particular species expires at the expiration of the term for which it was granted or when the declaration under section 60BA in relation to that species expires whichever occurs first.
- (5) The Minister must not grant a permit under subsection (1) to take an animal or the eggs of an animal from the wild unless he or she is satisfied that the removal of animals or eggs pursuant to the permit is desirable in order to reduce or control a population of animals that is causing, or is likely to cause, damage to the environment or to crops, stock or other property.
- (6) A permit granted under subsection (1) is subject to such limitations, restrictions or conditions as are imposed by this section or by the Minister under section 69 or by a notice under section 60BA or are prescribed from time to time by regulation.
- (7) An animal taken from the wild or an animal raised from an egg taken from the wild cannot be slaughtered or destroyed in any other manner pursuant to a permit granted under subsection (1) except—
  - (a) as a last resort to terminate the animal's suffering; or
  - (b) to prevent the spread of a disease with which the animal is infected.
- (8) A permit that enables the holder to take an animal or the eggs of an animal from the wild is subject to a condition requiring the holder within 14 days after taking animals or eggs pursuant to the permit to deliver to the Minister a report in the prescribed form stating the number of animals and eggs taken.

- (9) A permit granted under subsection (1) authorises—
- (a) the sale of eggs of the species to which the permit relates to a person who carries on the business of farming animals of that species; and
  - (b) the sale of eggs of that species to any other person subject to the written approval of the Minister.
- (10) It is lawful to—
- (a) take a protected animal or the eggs of a protected animal from the wild or to slaughter or destroy in any other manner an animal in captivity; or
  - (b) keep a protected animal or to have possession or control of the eggs of a protected animal; or
  - (c) sell a protected animal or the carcass or eggs of a protected animal, pursuant to a permit granted under subsection (1).

### **60D—Code of management**

- (1) The Minister must prepare a draft code of management in respect of each species of animal named in Schedule 11.
- (1a) The Minister may prepare a draft code of management in respect of a species of animal that has been declared to be a species for the purpose of trial farming under this Division.
- (2) A draft code must address the following matters:
- (a) the effect of taking individual animals or eggs from the wild on the species concerned and on the ecosystem of which they formed part; and
  - (b) the welfare of the animals in captivity; and
  - (c) the need for research in relation to farming the species concerned; and
  - (d) the identification of animals and animal products; and
  - (e) any other matters that should, in the opinion of the Minister, be addressed.
- (3) A draft code may incorporate the whole or part of the Australian Model Code of Practice for the time being applicable to the welfare of the species to which the draft code relates by reference to the model code or to the relevant parts of it.
- (4) The Minister must provide the Minister administering the *Livestock Act 1997* with a copy of the draft code of management for comment.
- (5) The Minister must, by notice published in the Gazette and in a newspaper circulating generally throughout the State—
- (a) state the place or places at which copies of the draft code can be inspected or purchased; and
  - (b) invite interested persons to provide the Minister with written comments in relation to the draft code.
- (5a) A draft code must be made available for public comment for at least three months before adoption by the Minister.

- (6) Before adopting a draft code of management the Minister must have regard to comments (if any) made by the Minister administering the *Livestock Act 1997* or by members of the public and may, if the Minister thinks fit, vary the draft code to take account of those comments.
- (7) A code of management adopted by the Minister must be published in the Gazette and a notice stating the place or places at which copies of the code may be inspected or purchased must be published in a newspaper circulating generally throughout the State.
- (8) A code of management may be replaced or varied by a further code prepared and adopted by the Minister in accordance with this section.
- (9) If a draft code of management has been prepared under subsection (1a) and made available to the public for comment within 12 months before the species to which the code relates is named in Schedule 11, the draft code will be taken to have been drafted and made available to the public after the species was named in Schedule 11.

### **60E—Royalty**

- (1) Where royalty is payable under this Act in respect of a species to which a permit granted under this Division applies, royalty is payable—
  - (a) in respect of an animal or the eggs of an animal of that species taken from the wild pursuant to the permit; and
  - (b) in respect of an animal of that species slaughtered in captivity pursuant to the permit.
- (2) Where a permit relates to animals in respect of which a royalty is payable under this Act, the Minister may require the applicant to pay (when the permit is granted or at any later time) an amount equal to the total amount of royalty that would be payable if all the animals that could be taken or slaughtered, and all the eggs that could be taken, pursuant to the permit were taken or slaughtered.

### **60F—Application of fees and royalty**

- (1) Fees paid in respect of permits granted under this Division and royalty paid under this Act in respect of animals or eggs to which those permits relate must be paid into the Wildlife Conservation Fund and must be applied from the Fund—
  - (a) in payment of the costs of administering this Division; and
  - (b) for the benefit of the industry of farming the species of animal to which the permits relate; and
  - (c) for research into the impact upon the species of animal to which the permits relate of the taking of animals and eggs from the wild pursuant to those permits.
- (2) The fees fixed by regulation in respect of permits granted under this Division may exceed the Minister's costs in granting the permits and administering this Division in relation to the permits.

## Division 4B—Harvesting of protected animals

### 60G—Application of Division

- (1) The Minister may, by notice published in the Gazette, declare that this Division applies to, and in relation to, animals of one or more of the following species:
  - (a) red kangaroo—*macropus rufus*;
  - (b) western grey kangaroo—*macropus fuliginosus melanops*;
  - (c) euro (wallaroo) (hill kangaroo)—*macropus robustus*.
- (2) The Minister may, by subsequent notice published in the Gazette, vary or revoke a notice under subsection (1).
- (3) The Governor may, by regulation made on the recommendation of the Minister, declare that this Division applies to, and in relation to, protected animals of a species (not being a species referred to in subsection (1)) named in the regulation.
- (4) The Minister must not make a recommendation under subsection (3) unless he or she is satisfied that there is sufficient scientific knowledge available in relation to the species concerned to enable the matters referred to in section 60I(2)(a), (b), (c) and (d) to be addressed adequately.

### 60H—Interpretation

In this Division, unless the contrary intention appears—

*harvesting* of a protected animal means—

- (a) to kill the protected animal in the wild; or
  - (b) to capture the protected animal from the wild and then kill it,
- in order to sell the carcass of the animal or to use it for any other purpose.

### 60I—Plan of management

- (1) The Minister must prepare a draft plan of management in relation to the harvesting of each species of protected animal to which this Division applies.
- (2) The draft plan must—
  - (a) assess the likely impact of harvesting animals of that species—
    - (i) on the species concerned; and
    - (ii) on the ecosystems which animals of that species form part; and
    - (iii) on the diversity of the species of animals and plants comprising those ecosystems; and
    - (iv) on the ability of the species to maintain natural genetic diversity throughout its population; and
  - (b) identify factors that are likely to reduce or increase the number of animals of the species to be harvested; and
  - (c) identify any other factors that will affect the species as a renewable resource for the purposes of harvesting in the future; and

- (d) assess whether there is a need to reduce the number of animals of the species to protect the environment, crops, stock or other property; and
  - (e) specify humane methods and procedures for the killing, capturing and killing and treatment after capture of animals pursuant to a permit under this Division; and
  - (f) address any other matters that should, in the opinion of the Minister, be addressed.
- (3) The Minister must provide the Minister administering the *Livestock Act 1997* with a copy of the draft plan of management for comment.
  - (4) The Minister must, by notice published in the Gazette and in a newspaper circulating generally throughout the State—
    - (a) state the place or places at which copies of the draft plan can be inspected or purchased; and
    - (b) invite interested persons to provide the Minister with written comments in relation to the draft plan.
  - (5) A draft plan must be made available for public comment for at least three months before adoption by the Minister.
  - (6) Before adopting a draft plan the Minister must have regard to comments (if any) made by the Minister administering the *Livestock Act 1997* or by members of the public and may, if the Minister thinks fit, vary the draft plan to take account of those comments.
  - (7) Notice that a plan of management has been adopted by the Minister must be published in the Gazette and a newspaper circulating generally throughout the State.
  - (7a) A notice under subsection (7) must state the place or places at which copies of the plan may be inspected or purchased.
  - (8) A plan of management may be replaced or varied by a further plan prepared and adopted by the Minister in accordance with this section.

### **60J—Permit for harvesting protected animals**

- (1) If a plan of management has been adopted by the Minister under this Division in relation to a species of protected animal, the Minister may grant a permit to a person to harvest animals of that species and to sell or use the carcasses of the animals that have been harvested.
- (2) The Minister must not grant a permit under subsection (1) to take animals on a reserve except animals of the following species—
  - (a) red kangaroo—*macropus rufus*;
  - (b) western grey kangaroo—*macropus fuliginosus melanops*;
  - (c) euro (wallaroo) (hill kangaroo)—*macropus robustus*,
 and then only if—
  - (d) the Minister has adopted a plan of management under section 38 in relation to the reserve; and

- (e) the plan of management provides for the culling of animals of the species to which the permit relates in order to preserve animal or plant habitats or wildlife; and
  - (f) the permit only authorises the harvesting of animals that would otherwise be culled from the reserve pursuant to the plan of management.
- (3) The Minister must not grant a permit under subsection (1) unless he or she is satisfied that the taking of animals of the species concerned pursuant to the permit and all other permits granted under this section or under some other section of this Act—
  - (a) will not adversely affect the ecosystems which animals of that species form part or the diversity of the species of animals and plants comprising those ecosystems; and
  - (b) will not adversely affect the species as a renewable resource for harvesting in the future.
- (4) A permit granted under subsection (1) is subject to such limitations, restrictions or conditions as are imposed by this section or by the Minister under section 69 or are prescribed from time to time by regulation.
- (5) A permit granted under subsection (1) is subject to a condition requiring the holder of the permit to use the methods and observe the procedures set out in the management plan for the killing, the capture and killing and the treatment after capture, of animals of the species to which the permit relates.
- (6) It is lawful to—
  - (a) harvest protected animals; and
  - (b) sell, use or give away the carcass of a protected animal,pursuant to a permit granted under subsection (1).

### **60K—Royalty**

Where a permit under this Division relates to animals in respect of which a royalty is payable under this Act, the Minister may require the applicant to pay (when the permit is granted or at any later time) an amount equal to the total amount of royalty that would be payable if all the animals that could be harvested pursuant to the permit were harvested.

### **60L—Application of fees and royalty**

- (1) Fees paid in respect of permits granted under this Division and royalty paid under this Act in respect of animals to which those permits relate must be paid into the Wildlife Conservation Fund and must be applied from the Fund—
  - (a) in payment of the costs of administering this Division; and
  - (b) for research into the impact on the species of animals to which the permits relate of the harvesting of animals pursuant to those permits.
- (2) The fees fixed by regulation in respect of permits granted under this Division may exceed the Minister's costs in granting the permits and administering this Division in relation to the permits.



## **Division 5—Royalty**

### **61—Royalty**

- (1) The Governor may, by regulation, declare that royalty is payable to the Wildlife Conservation Fund—
  - (a) on an animal specified in the regulation; or
  - (b) on the carcass or skin of an animal specified in the regulation; or
  - (c) on any egg of an animal specified in the regulation; or
  - (d) on a native plant specified in the regulation,by any person by whom any such animal, carcass, skin, egg or plant is taken.
- (2) An animal, or the carcass, skin or egg of an animal or a native plant may be specified in a regulation under subsection (1) by reference to the species of the animal or plant or by reference to any other class to which the animal or plant belongs.
- (3) The amount of royalty fixed by a regulation may vary according to—
  - (a) the species or other class to which the animal or plant belongs; or
  - (b) the size, age, quality, standard or condition of the animal, carcass, skin, egg or plant; or
  - (c) a combination of the factors referred to in paragraphs (a) and (b).
- (4) Without limiting any other provision of this section, a regulation under this section may provide that it applies only in respect of an animal, or the carcass, skin or egg of an animal, taken in a game reserve.

### **62—Demand for royalty**

- (1) The Director or a warden may demand orally or in writing that any person pay to the Director all royalty for which that person is liable under this Act.
- (2) A person who fails to comply with a demand under subsection (1) within 48 hours of the demand is guilty of an offence.  
Maximum penalty: \$1 000.
- (3) In any proceedings under this section the court may order the defendant to pay to the Director any amount fixed by the court by way of royalty under this Act.
- (4) Where a person fails to comply with a demand under subsection (1), the Director or a warden may seize any animals, carcasses, skins, eggs or plants upon which royalty is unpaid.
- (5) The Minister may sell any animals, carcasses, skins, eggs or plants seized under this section and must apply any proceeds of the sale in payment of the unpaid royalty and any amount remaining to the owner of the animals, carcasses, skins, eggs or plants.

### **63—Recovery of royalty by civil action**

- (1) The Minister may, by action in any court of competent jurisdiction, recover, as a debt, from any person an amount of royalty for which that person is liable under this Act.

- (2) This section does not derogate from any other remedy available to the Minister for the recovery of royalty.

## Division 6—General provisions

### 64—Unlawful entry on land

- (1) A person must not be on any land for the purpose of taking a protected animal, or the eggs of a protected animal, unless the owner of that land has given that person, not more than six months beforehand, permission in writing to be on the land for that purpose.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.
- (2) If the owner or occupier of any land, or the servant or agent of the owner of the land, suspects that a person trespassing on the land is committing, has committed, or is about to commit an offence against this Act, he or she may request the trespasser—
- (a) to state the trespasser's full name and usual place of residence; and
  - (b) to leave the land.
- (3) A person of whom a request is made under subsection (2) must comply with it forthwith.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.
- (4) A person who has been requested to leave land under this section must not re-enter the land without the permission of the owner.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.
- (5) In proceedings for an offence against this section, proof that a person has possession or control of a dog, firearm or device capable of being used for taking a protected animal is evidence that that person was on the land for the purpose of taking a protected animal.
- (6) In this section—
- owner** means—
- (a) in relation to private land, the owner of the land; and
  - (b) in relation to land held by a Minister, agent or instrumentality of the Crown, that Minister, agent or instrumentality or a person authorised by the Minister, agent or instrumentality; and
  - (c) in relation to unalienated land of the Crown, the Minister administering the *Crown Lands Act 1929* or a person authorised by that Minister.

### 65—Use of poison

- (1) A person who, without a permit granted by the Minister, uses poison for the purpose of taking a protected animal is guilty of an offence.  
Maximum penalty: \$2 000.

- (2) If a protected animal is taken as a result of the use of poison by a person without a permit granted by the Minister, that person is guilty of an offence.  
Maximum penalty: \$2 000.
- (3) It is a defence to a charge under subsection (2) that the defendant—
- (a) used the poison in good faith for the purpose of destroying vermin in pursuance of the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986*; and
  - (b) exercised such precautions as the defendant might reasonably be expected to have exercised in the circumstances to avoid endangering protected animals by the use of poison.
- (4) In this section—  
*poison* means any substance that might endanger the life or health of a protected animal.

### 66—Restriction on use of certain devices

- (1) The Governor may, by proclamation, restrict or prohibit the use of firearms or devices of a specified class for the taking of particular species of animals or for the taking of animals generally.
- (2) A person who contravenes a restriction or prohibition imposed under subsection (1) is guilty of an offence.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.

### 67—Devices for the illegal taking of animals

- (1) A warden may dismantle and remove any device by which animals have been taken illegally or by which animals are in the warden's opinion likely to be taken illegally.
- (2) Any device removed by a warden pursuant to this section is forfeited to the Crown and may be sold or otherwise disposed of by the Director.

### 68—Molestation etc of protected animals

- (1) A person must not—
- (a) interfere with, harass or molest, or cause or permit the interference with, harassment or molestation of, a protected animal; or
  - (b) undertake or continue an act or activity that is, or is likely to be, detrimental to the welfare of a protected animal after being directed by a warden not to undertake, or to stop, that act or activity; or
  - (c) undertake or continue an act or activity in relation to a protected animal that is contrary to regulations promulgated under this section,

unless he or she acts in pursuance of this Act or a permit granted by the Minister under this section or another provision of this Act or in pursuance of some other Act or statutory instrument.

Maximum penalty:

In the case of a marine mammal—\$100 000 or imprisonment for 2 years.

In the case of an animal (not being a marine mammal) of an endangered species—\$10 000 or imprisonment for 2 years.

In the case of an animal (not being a marine mammal) of a vulnerable species—\$7 500 or imprisonment for 18 months.

In the case of an animal (not being a marine mammal) of a rare species—\$5 000 or imprisonment for 12 months.

In any other case—\$2 500 or imprisonment for 6 months.

- (2) The Minister may grant a permit to a person to undertake an act or activity that would otherwise contravene paragraph (a), (b) or (c) of subsection (1).
- (3) It is a defence to a charge of an offence against subsection (1)(a) to prove—
  - (a) that the defendant acted in the best interests of the animal concerned; or
  - (b) that the defendant acted reasonably to frighten the animal in order to protect himself or herself or another person or to protect—
    - (i) property comprising plants cultivated for commercial or other purposes or animals; or
    - (ii) property of any other kind.

## **Part 5A—Hunting**

### **Division 1—Hunting generally**

#### **68A—Hunting permits**

- (1) Except as provided in subsection (5), a person must not hunt, or have possession of any firearm or device for the purpose of hunting, unless that person holds a permit under this section.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.
- (2) The Minister may grant to any person a permit under this section.
- (3) A permit under this section cannot authorise hunting within the Adelaide Dolphin Sanctuary or the possession by any person, while in that Sanctuary, of a firearm or other device for the purpose of hunting.
- (4) Where it is proved, in any proceedings for an offence against this section, that the defendant had possession of any firearm or device capable of being used for the purpose of hunting in circumstances that lead to a reasonable suspicion that the defendant had the firearm or device for that purpose, it will be presumed, in the absence of proof to the contrary, that the defendant had possession of that firearm or device for the purpose of hunting.
- (5) No permit is required under this section for the purpose of—
  - (a) the destruction of animals that are endangering human life; or
  - (b) the destruction of animals (other than protected animals) by the owner of any land, a member of his or her household, or an employee or agent of the owner, that are causing damage to crops, stock or other property on the land; or
  - (c) the taking of an animal in pursuance of any other permit under this Act.

#### **68B—Unlawful entry on land**

- (1) A person must not be on land for the purpose of hunting unless the owner of the land has given that person, within the preceding six months, permission in writing to be on the land for that purpose.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.
- (2) If the owner of land reasonably suspects that a person has committed or is about to commit an offence against this Act on the land, the owner may request the person—
  - (a) to state his or her full name and usual place of residence; and
  - (b) to leave the land.

- (3) A person of whom a request is made under subsection (2) must comply with it forthwith.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.
- (4) A person who has been requested to leave land under this section must not re-enter the land without the permission of the owner.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.
- (5) Where it is proved, in proceedings for an offence against subsection (1), that, while on the land, the defendant had possession or control of an animal, firearm, device, poison or bait capable of being used for hunting it will be presumed, in the absence of proof to the contrary, that the person was on the land for the purpose of hunting.
- (6) In this section—  
**owner** means—
- (a) in relation to private land, the owner of the land; and
  - (b) in relation to land held by a Minister, agent or instrumentality of the Crown, that Minister, agent or instrumentality or a person authorised by the Minister, agent or instrumentality; and
  - (c) in relation to unalienated land of the Crown, the Minister administering the *Crown Lands Act 1929* or a person authorised by that Minister.

## **Division 2—Hunting and food gathering by Aboriginal persons**

### **68C—Interpretation**

- (2) This Division does not apply to the taking of—
- (a) an animal, or the eggs of an animal, of a prescribed species or a plant of a prescribed species; or
  - (b) an animal, egg or plant by a prescribed means or in prescribed circumstances.

### **68D—Hunting and food gathering by Aboriginal persons**

- (1) It is not illegal by virtue of section 47(1) or (2) for an Aboriginal person to take a native plant in pursuance of this Division from land that is not a reserve or a wilderness protection area or wilderness protection zone.
- (2) It is not illegal by virtue of section 51 for an Aboriginal person to take a protected animal, or the eggs of a protected animal, in pursuance of this Division from land that is not a reserve or a wilderness protection area or wilderness protection zone.
- (3) It is not illegal by virtue of section 47(1) for an Aboriginal person to take a native plant from a reserve (other than a co-managed park) or from a wilderness protection area or a wilderness protection zone in pursuance of this Division if the native plant is taken in accordance with a proclamation permitting the taking of the plant from the reserve or wilderness protection area or wilderness protection zone.

- (4) It is not illegal by virtue of section 51 for an Aboriginal person to take a protected animal, or the eggs of a protected animal, from a reserve (other than a co-managed park) or from a wilderness protection area or a wilderness protection zone in pursuance of this Division if the animal or eggs are taken in accordance with a proclamation permitting the taking of the animal or eggs from the reserve or wilderness protection area or wilderness protection zone.
- (5) The Governor may, by proclamation, vary or revoke a proclamation referred to in subsection (3) or (4).
- (5a) It is not illegal by virtue of section 47(1) or 51 for an Aboriginal person who is a member of the relevant Aboriginal group to take a native plant, protected animal or the eggs of a protected animal in pursuance of this Division from a co-managed park if the native plant, protected animal or eggs are taken—
- (a) if there is a co-management board for the park—in accordance with a permission granted by the board (which may be general or specific and conditional or unconditional); or
  - (b) in accordance with the provisions of the co-management agreement for the park.
- (6) An animal, egg or plant is taken in pursuance of this Division if it is taken—
- (a) for food for the person who takes it or for his or her dependants; or
  - (b) solely for cultural purposes of Aboriginal origin.

**68E—Exemption from requirement to hold hunting permit**

An Aboriginal person is not required to hold a permit under section 68A in relation to hunting if the animal hunted will be used—

- (a) as food for the hunter or for his or her dependants; or
- (b) solely for cultural purposes of Aboriginal origin.





## Part 6—Miscellaneous provisions

### 69—Permits

- (1) An applicant for a permit under this Act—
  - (a) must make the application in a manner and form determined by the relevant authority; and
  - (b) must, subject to subsection (2), pay to the relevant authority the appropriate fee fixed by regulation in respect of the permit at the time of the application.
- (2) The relevant authority may, if satisfied that there are special reasons for doing so, remit the whole or any portion of any fee payable in respect of the grant of a permit under this Act.
- (2a) The relevant authority may refuse to grant a permit under any provision of this Act if, in the relevant authority's opinion—
  - (a) the applicant is not a fit and proper person to hold the permit; or
  - (b) to grant the permit would be prejudicial to the interests of conservation; or
  - (c) the applicant should fulfil certain requirements specified by the relevant authority before the permit is granted and the applicant has not fulfilled those requirements.
- (2b) If a permit granted under any provision of this Act relates to an activity that is to be, or may be, undertaken within a River Murray Protection Area, the permit must be consistent with the objects of the *River Murray Act 2003* and the *Objectives for a Healthy River Murray* under that Act.
- (2c) If an application for a permit under any provision of this Act relates to an activity that is to be, or may be, undertaken within a River Murray Protection Area and is within a class of applications prescribed by the regulations for the purposes of this provision (which class may be prescribed so as to consist of applications for all such permits), the relevant authority must, before making a decision on the application—
  - (a) consult the Minister to whom the administration of the *River Murray Act 2003* is committed; and
  - (b) comply with the Minister's directions (if any) in relation to the application (including a direction that the application not be granted, or that if it is to be granted, then the permit be subject to conditions specified by the Minister).
- (2d) If a permit granted under any provision of this Act relates to an activity that is to be, or may be, undertaken within the Adelaide Dolphin Sanctuary, the permit must be consistent with the objects and objectives of the *Adelaide Dolphin Sanctuary Act 2005*.
- (2e) If an application for a permit under any provision of this Act relates to an activity that is to be, or may be, undertaken within the Adelaide Dolphin Sanctuary and is within a class of applications prescribed by the regulations for the purposes of this provision (which class may be prescribed so as to consist of applications for all such permits), the Minister must, before making a decision on the application, consult with and have regard to the views of the Minister to whom the administration of the *Adelaide Dolphin Sanctuary Act 2005* is committed.

- (3) A permit—
- (a) is subject to such limitations, restrictions and conditions as the relevant authority thinks fit and includes in the permit; and
  - (b) may, if the holder of the permit has in the opinion of the relevant authority contravened or failed to comply with any limitation, restriction or condition of the permit, be revoked by the relevant authority by instrument in writing served personally or by post upon that person; and
  - (c) may be revoked by the relevant authority by instrument in writing served personally or by post upon the holder of the permit if, in the opinion of the relevant authority, it is in the interests of conservation to do so.
- (4) Without limiting the conditions upon which a permit relating to animals may be granted under this Act, those conditions may—
- (a) provide for marking, or otherwise identifying, animals to which the permit relates; and
  - (b) require the holder of the permit to report the escape, illness or death of any animal to which the permit relates; and
  - (c) require the holder of the permit to report to the relevant authority the birth of any progeny to the animals to which the permit relates.
- (4a) A condition of a permit may require compliance with a specified code of practice, standard or other document as in force at a specified time or as in force from time to time.
- (5) A permit—
- (a) comes into operation on the day fixed in the permit for its commencement or, if no such day is fixed, on the day on which it is granted; and
  - (b) expires on the day fixed in the permit for its expiry or, if no such day is fixed, on the expiration of 12 months from the day on which it came into operation.
- (6) Where—
- (a) a permit is granted for a term of more than 12 months; and
  - (b) the permit includes a condition that entitles the holder of the permit to surrender it to the relevant authority; and
  - (c) the holder of the permit surrenders the permit 12 months or more before its specified term expires,
- a proportionate part of the fee paid for the permit reflecting each complete year of the unexpired term is payable by the relevant authority to the former holder of the permit.
- (7) Where—
- (a) a hunting permit granted under section 68A authorises the hunting of ducks but does not authorise the hunting of any other animal; and
  - (b) during the whole of a particular year of the term of the permit it is not legally possible to hunt ducks pursuant to the permit because the relevant authority has not declared an open season under section 52 for duck hunting in any part of the State to which the permit applies,

the term of the permit is extended by one year without the payment of a fee in respect of the extension.

(7a) A permit granted under a provision of this Act may be transferred only if it is a permit for a prescribed activity or a permit of a prescribed class and the transfer complies with any prescribed conditions.

(8) In this section—

*relevant authority* means—

(a) in relation to a permit issued by, or to be issued by, a co-management board for a co-managed park constituted of Aboriginal-owned land—the co-management board for the park; or

(b) in any other case—the Minister.

### **70—Obligation to produce permit**

A person required by this Act to hold a permit, or to have written permission, must if requested by a warden, produce the permit or written permission for inspection by the warden as soon as practicable after the request is made.

Maximum penalty: \$1 000.

Expiation fee: \$150.

### **70A—Failure to comply with authority**

(1) If the holder of an authority, or a person acting in the employment or with the authority of the holder of an authority, contravenes or fails to comply with a limitation, restriction, condition or provision of the authority, the holder of the authority is guilty of an offence.

Maximum penalty: \$2 500.

Expiation fee: \$210.

(2) In this section—

*authority* means a permit, permission or other authority granted by the Director, the Minister or a co-management board under this Act or other law.

### **71—Duplicate**

(1) If the relevant authority is satisfied—

(a) that any permit or other document issued to any person under this Act has been lost, destroyed or defaced; and

(b) that no improper use has been made of that permit or document,

the relevant authority may on the application of that person, and on payment of the prescribed fee, issue a duplicate of the permit or other document.

(2) A duplicate issued under this section has the same force and effect as the original of which it is a duplicate.

- (3) In this section—

*relevant authority* means—

- (a) in relation to a co-managed park constituted of Aboriginal-owned land—the co-management board for the park; or
- (b) in any other case—the Minister.

## 72—False or misleading statement

- (1) A person must not make, or cause to be made, a false or misleading statement in relation to the administration of this Act.  
Maximum penalty: \$2 500.
- (1a) Without limiting subsection (1), a person must not make, or cause to be made, a false or misleading statement in an application, return or other document under this Act.  
Maximum penalty: \$2 500.
- (2) It is a defence to a charge for an offence under this section that the defendant believed on reasonable grounds that the statement was true.

## 73—Offences against provisions of proclamations and notices

- (1) A person must not contravene, or fail to comply with, any provision or condition of a proclamation or notice under this Act.  
Maximum penalty: \$1 000.  
Expiation fee: \$150.

## 73A—Liability of vehicle owners and expiation of certain offences

- (1) In this section—  
*owner*, in relation to a vehicle, includes—
- (a) a person registered or recorded as an owner of the vehicle under a law of this State or of the Commonwealth or another State or Territory of the Commonwealth; and
  - (b) a person to whom a trade plate, a permit or other authority has been issued under the *Motor Vehicles Act 1959* or a similar law of the Commonwealth or another State or Territory of the Commonwealth, by virtue of which the vehicle is permitted to be driven on roads; and
  - (c) a person who has possession of the vehicle by virtue of the hire or bailment of the vehicle;

*prescribed offence* means an offence against a provision of this Act prescribed by regulation for the purposes of this definition;

*principal offender* means a person who has committed a prescribed offence.

- (2) Without derogating from the liability of any other person, but subject to this section, if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this section.

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- (3) Where there are two or more owners of the same vehicle a prosecution for an offence against subsection (2) may be brought against one of the owners or against some or all of the owners jointly as co-defendants.
  - (4) The owner of a vehicle and the principal offender are not both liable through the operation of this section to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the principal offender and conversely conviction of the principal offender exonerates the owner.
  - (5) An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the owner of a vehicle for an alleged offence against this section involving the vehicle must be accompanied by a notice inviting the owner, if he or she was not the principal offender, to provide the person specified in the notice, within the period specified in the notice, with a statutory declaration—
    - (a) setting out the name and address of the principal offender; or
    - (b) if he or she had transferred ownership of the vehicle to another prior to the time of the alleged offence and, in the case of a motor vehicle defined by section 5(1) of the *Road Traffic Act 1961*, has complied with the *Motor Vehicles Act 1959* in respect of the transfer—setting out details of the transfer (including the name and address of the transferee).
  - (6) Before proceedings are commenced against the owner of a vehicle for an offence against this section involving the vehicle, the complainant must send the owner a notice—
    - (a) setting out particulars of the alleged prescribed offence; and
    - (b) inviting the owner, if he or she was not the principal offender, to provide the complainant, within 21 days of the date of the notice, with a statutory declaration setting out the matters referred to in subsection (5).
  - (7) Subsection (6) does not apply to—
    - (a) proceedings commenced where an owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
    - (b) proceedings commenced against an owner of a vehicle who has been named in a statutory declaration under this section as the principal offender.
  - (8) Where a person is found guilty of, or expiates, a prescribed offence or an offence against this section, neither that person nor any other person is liable to be found guilty of, or to expiate, an offence against this section or a prescribed offence in relation to the same incident.
  - (9) Subject to subsection (10), in proceedings against the owner of a vehicle for an offence against this section, it is a defence to prove—
    - (a) that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or
    - (b) that—
      - (i) the driver or operator of the vehicle was not the principal offender or one of the principal offenders; and

- (ii) the owner does not know and cannot reasonably be expected to know the identity of the principal offender or of any one of the principal offenders; or
  - (c) that, at the time of the alleged prescribed offence, the vehicle was being used for a commercial purpose; or
  - (d) that the owner provided the complainant with a statutory declaration in accordance with an invitation under this section.
- (10) The defence in subsection (9)(d) does not apply if it is proved that the owner made the declaration knowing it to be false in a material particular.
- (11) If—
  - (a) an expiation notice is given to a person named as the alleged principal offender in a statutory declaration under this section; or
  - (b) proceedings are commenced against a person named as the alleged principal offender in such a statutory declaration,the notice or summons, as the case may be, must be accompanied by a notice setting out particulars of the statutory declaration that named the person as the alleged principal offender.
- (12) In proceedings against a person named in a statutory declaration under this section for the offence to which the declaration relates, it will be presumed, in the absence of proof to the contrary, that the person was the principal offender.
- (13) In proceedings against the owner or the principal offender for an offence against this Act, an allegation in the complaint that a notice was given under this section on a specified day will be accepted as proof, in the absence of proof to the contrary, of the facts alleged.
- (14) A vehicle will be taken to be involved in a prescribed offence for the purposes of subsection (2) if it was used in, or in connection with, the commission of the offence.
- (15) Without limiting subsection (14), a vehicle will be taken to be used in connection with the commission of an offence if it is used to convey the principal offender or equipment, articles or other things used in the commission of the offence to the place where, or to the general area in which, the offence was committed.

#### **74—Additional penalty**

- (1) Where a person is convicted of an offence involving any unlawful act in relation to animals and the court is satisfied that more than one animal was involved in the offence, it must, in addition to imposing a penalty authorised by the provisions of this Act under which the offence arises, impose an additional fine based on the number of animals involved in the commission of the offence.
- (2) The amount of the additional fine is—
  - (a) not more than \$1 000 for each animal of an endangered species involved in the commission of the offence; and
  - (b) not more than \$750 for each animal of a vulnerable species involved in the commission of the offence; and

- (c) not more than \$500 for each animal of a rare species involved in the commission of the offence; and
- (d) not more than \$250 for each animal (not being an animal referred to in paragraph (a), (b) or (c)) involved in the commission of the offence.

#### **74A—Maximum penalties in relation to wilderness protection areas and zones**

The maximum penalties prescribed by sections 47(3) and 51 are increased by one half of those penalties in respect of the taking of a native plant or a protected animal or the eggs of a protected animal in a wilderness protection area or wilderness protection zone.

#### **75—Evidentiary provisions**

- (1) In any proceedings for an offence against this Act, an apparently genuine document purporting to be signed by the Director, and to state that at any specified time or during any specified period a person was or was not the holder of a permit under this Act is proof of the matter so stated in the absence of proof to the contrary.
- (2) In any proceedings for an offence against this Act, an allegation in a complaint that a place referred to in the complaint is, or was at a time specified in the complaint, a reserve or sanctuary under this Act or a wilderness protection area or wilderness protection zone or is situated within a reserve, sanctuary, wilderness protection area or zone, will be accepted as proved in the absence of proof to the contrary.
- (3) Where in any proceedings for an offence against this Act, any question arises as to whether the defendant was duly authorised pursuant to this Act to perform the action subject to the charge, the onus of proving that authorisation lies upon the defendant.
- (4) In any proceedings for an offence against this Act, an allegation in the complaint that a person named in the complaint is, or was at a time specified in the complaint, a warden will be accepted as proved in the absence of proof to the contrary.
- (5) In proceedings for an offence against this Act, an allegation in the complaint that an animal referred to in the complaint was a protected animal, or that a carcass or egg referred to in the complaint was the carcass or egg of a protected animal, will be accepted as proved in the absence of proof to the contrary.
- (6) In any proceedings for an offence against this Act, an allegation in the complaint that an animal referred to in the complaint was of a specified species, or that a carcass or egg referred to in the complaint was the carcass or egg of an animal of a specified species, will be accepted as proved in the absence of proof to the contrary.

#### **75A—Defence**

It is a defence to a charge of an offence against this Act to prove that the defendant—

- (a) acted in a manner authorised by or under the *Native Vegetation Act 1991*; or
- (b) acted in compliance with a requirement of the *Natural Resources Management Act 2004*; or
- (c) acted in compliance with a requirement of any other Act.

### **77—Powers of court**

Upon convicting any person for an offence against this Act, the court may, in addition to imposing any other penalty, order—

- (a) that any permit of the convicted person be cancelled; and
- (b) that the convicted person be disqualified for such period as the court may specify from holding and obtaining a permit under this Act.

### **78—Financial provision**

- (1) Subject to this Act, the money required for the purposes of this Act will be paid out of money provided by Parliament for those purposes.
- (2) Any money received or recovered by the Minister, the Chief Executive or the Director under this Act must, except as otherwise provided by this Act, be paid into the Consolidated Account.

### **79—Wilful damage to reserve or property of Minister or relevant board**

- (1) A person who, intentionally and without lawful authority, destroys or damages any part of a reserve or any property of the Minister or a co-management board on a reserve is guilty of an offence.

Maximum penalty: \$2 000 or imprisonment for 6 months.

- (2) Upon convicting a person for an offence against this section, the court may order the convicted person to pay to the Minister or a co-management board such sum as the court thinks just by way of compensation.

### **80—Regulations**

- (1) The Governor may make such regulations as are contemplated by this Act, or as are necessary or expedient for the purposes or objects of this Act.
- (2) Without limiting the generality of subsection (1), the regulations may—
  - (a) confer powers, authorities, duties and obligations upon the Minister, the Chief Executive, or the Director, or any officers appointed under this Act, that may be necessary or expedient for the administration or enforcement of this Act; and
  - (b) regulate the use and enjoyment of reserves; and
  - (c) provide for the safety of persons in reserves; and
  - (d) establish standards of conduct to which those who may resort to a reserve must conform while on the reserve; and
  - (e) provide for the removal of trespassers from reserves; and
  - (f) restrict or prohibit access to reserves or any portions of reserves; and
  - (g) provide for the preservation and protection of natural features of reserves; and
  - (h) provide for the protection, conservation and management of animals and plants in reserves; and
  - (i) regulate, restrict or prohibit the taking of animals and plants into reserves or the removal of animals and plants from reserves; and



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- (ia) regulate, restrict or prohibit the removal of wood, mulch or other dead vegetation from reserves; and
  - (j) provide for the impounding, removal, destruction, or disposal of animals found straying upon reserves; and
  - (k) regulate, restrict or prohibit the taking of firearms or other devices into, or the use of firearms or other devices in, a reserve or sanctuary; and
  - (l) provide for the collection of scientific specimens and the pursuit of research in reserves; and
  - (m) reserve the whole or any portion of a reserve for a separate or exclusive use prescribed by the regulations; and
  - (n) restrict or prohibit access to a reserve or any portion of a reserve by any person or class of persons; and
  - (o) regulate, restrict or prohibit the use of roads or tracks in reserves; and
  - (p) regulate, restrict or prohibit the use of motor vehicles or other vehicles in reserves; and
  - (pa) empower the Director to fix one or more speed limits for vehicles driven within a reserve or any part of a reserve; and
  - (q) provide for the impounding, removal or disposal of any vehicle or property found in a reserve in contravention of a regulation; and
  - (r) prescribe fees or other charges relating to the administration of this Act; and
  - (ra) provide for the recovery of fees or charges imposed by or under this Act; and
  - (s) regulate, restrict or prohibit the parking of vehicles in a reserve; and
  - (t) regulate, restrict or prohibit camping within a reserve; and
  - (u) regulate, restrict or prohibit the erection of buildings, signs or other structures in reserves; and
  - (v) provide for the protection and preservation of buildings, structures, signs and other improvements in reserves; and
  - (w) exempt, conditionally or unconditionally, Aboriginal persons generally, or Aboriginal persons of a specified class, from all or any of the provisions of this Act in such portions of the State as may be specified in the regulations; and
  - (wa) regulate the taking, keeping or selling of—
    - (i) protected animals or other animals indigenous to Australia; or
    - (ii) the eggs or carcasses of protected animals or other animals indigenous to Australia,(including pursuant to permits granted by the Minister under this Act); and
  - (x) make any other provision that may in the opinion of the Governor conduce to the preservation or conservation of wildlife; and
  - (y) prescribe penalties, recoverable summarily, for breach of, or non-compliance with, any regulation; and

- (z) fix expiation fees for alleged offences against the regulations.
- (2a) The Governor may, by regulation, amend Schedule 7, 8, 9 or 10 by deleting species of animals or plants from, or including species of animals or plants in, the Schedule.
- (2b) A regulation may require compliance with a specified code of practice, standard or other document as in force at a specified time or as in force from time to time.
- (3) Any fees prescribed under this Act may be differential, varying according to any factor stated in the regulation.
- (4) A fee specifically prescribed to recover the cost of issuing a permit under this Act in the form of a plastic card may, when recovered, be retained by the Director and applied for the purposes of administering this Act without further appropriation by Parliament.

### **81—Codes of practice etc**

Subject to this Act, where a code of practice, standard or other document is incorporated into or referred to in this Act, the regulations or a permit granted under this Act—

- (a) a copy of the code, standard or other document must be kept available for inspection by members of the public, without charge and during normal office hours, at an office determined by the Minister; and
- (b) evidence of the contents of the code, standard or other document may be given in any legal proceedings by production of a copy of a document apparently certified by or on behalf of the Minister to be a true copy of the code, standard or other document.

### **Schedule 3—National parks**

The following areas are hereby constituted National Parks:

Lincoln National Park	Hundred Flinders, Section 2, 3, 5, 6, 12–14 Smith Island, Hopkins Island, Lewis Island, Little Island, Owen Island, Albatross Island, Liguanea Island, Rabbit Island (being Section 395, North out of Hundreds) Curta Rocks Hundred Flinders, Section 4
Flinders Ranges National Park	Hundred Edeowie, Section 148 Hundred Bunyeroo, Section 177 Hundred Parachilna, Section 61 North out of Hundreds, Section 473 North out of Hundreds, Section 333 North out of Hundreds, Section 106
Gammon Ranges National Park	North out of Hundreds, Section 464 North out of Hundreds, Section 35
Innes National Park	Hundred Warrenben, Section 99–102 Islands of Pondalowie Bay (excluding South Island, being Section 88, Hundred Warrenben)
Coorong National Park	Hundred Glyde, Section 17, 60 Hundred Santo, Section 6 Hundred Glyde, Section 59 Hundred Santo, Section 43 Hundred Santo, Section 52
Canunda National Park	Hundred Rivoli Bay, Section 377, 378, 379, 396 Hundred Mayurra, Section 157 Hundred Benara, Section 386
Flinders Chase National Park	Hundred Border, Section 11 Hundred Gosse, Section 64 Hundred McDonald, Section 17 South out of Hundreds, Section 66 Casuarina Islets (The Brothers)
Mount Remarkable National Park	Hundred Winninowie, Section 176 Hundred Wongyarra, Section 471 Hundred Wongyarra, Section 474, 489 Hundred Wongyarra, Section 488 Hundred Baroota, Section 218 Hundred Baroota, Section 216, 217 Hundred Baroota, Section 180, 210, 219

### **Schedule 4—Conservation parks**

The following areas are hereby constituted Conservation Parks:

Nixon-Skinner Conservation Park	Hundred Myponga, Section 245
Ferries-McDonald Conservation Park	Hundred Freeling, Section 266–268, 103, 271, 272, 238, 241, 242, 245, 246
Fairview Conservation Park	Hundred Woolumbool, Section 93, 98

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Waitpinga Conservation Park	Hundred Waitpinga, Section 355
Eric Bonython Conservation Park	Hundred Waitpinga, Section 356, 357
Spring Gully Conservation Park	Hundred Clare, Section 568, 572 Hundred Clare, Section 365
Hincks Conservation Park	Hundred Hincks, Section 2 Hundred Murlong, Section 25 Hundred Nicholls, Section 11 Hundred Nicholls, Section 12 North out of Hundreds, Section 365
Peebinga Conservation Park	Hundred Peebinga, Section 21, 22, 31, 19, 30
Hambidge Conservation Park	Hundred Hambidge, Section 7 North out of Hundreds, Section 364
Kellidie Bay Conservation Park	Hundred Lake Wangary, Section 1–13, 21, 273–277, 295
Mount Rescue Conservation Park	Hundred Archibald, Section 7, 8, 9, 10 Hundred Makin, Section 3, 4
Billiatt Conservation Park	Hundred Auld, Section 26 Hundred Billiatt, Section 15, 18
Cleland Conservation Park	Hundred Adelaide, Section 608 Hundred Adelaide, Section 637 Hundred Adelaide, Section 500 Hundred Onkaparinga, Section 424 Hundred Adelaide, Section 920
Horsnell Gully Conservation Park	Hundred Adelaide, Section 609, 618
The Knoll Conservation Park	Hundred Adelaide, Section 612
Penguin Island Conservation Park	Hundred Rivoli Bay, Section 374 South out of Hundreds, Un-numbered Section (Penguin Island) Mundoora Conservation Park Hundred Mundoora, Section 439–441 Hundred Mundoora, Section 442
Torrens Island Conservation Park	Hundred Port Adelaide, Section 467
Messent Conservation Park	Hundred Messent, Section 1 Hundred Colebatch, Section 1
Hale Conservation Park	Hundred Barossa, Section 119, 124, 125, 135, 138, 315
Big Heath Conservation Park	Hundred Spence, Section 17–20, 169
Sandy Creek Conservation Park	Hundred Barossa, Section 72 Hundred Barossa, Section 317, 319
Spring Mount Conservation Park	Hundred Encounter Bay, Section 633, 715
Warren Conservation Park	Hundred Barossa, Section 321 Hundred Para Wirra, Section 118, 387, 388
Calectasia Conservation Park	Hundred Short, Section 157
Desert Camp Conservation Park	Hundred Marcollat, Section 87 Hundred Marcollat, Section 105
Guichen Bay Conservation Park	Hundred Waterhouse, Section 360, 361

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Jip Jip Conservation Park	Hundred Peacock, Section 86
Mount Magnificent Conservation Park	Hundred Kuitpo, Section 293
Morialta Conservation Park	Hundred Adelaide, Section 833 Hundred Adelaide, Section 834
Elliot Price Conservation Park	North out of Hundreds, Section 49
Mount Boothby Conservation Park	Hundred Colebatch, Section 3
Simpson Desert Conservation Park	North out of Hundreds, Section 48
Ridley Conservation Park	Hundred Ridley, Section 479, 480, 483 Hundred Fisher, Section 144
Yumbarra Conservation Park	North out of Hundreds, Section 457
Beachport Conservation Park	Hundred Lake George, Section 5, 31, 32, 40, 58
Parndana Conservation Park	Hundred Seddon, Section 58
Warrenben Conservation Park	Hundred Warrenben, Section 97 Hundred Warrenben, Section 44, 45, 54
Wittelbee Conservation Park	Hundred Bonython, Section 101
Scott Conservation Park	Hundred Goolwa, Section 218, 347
White's Dam Conservation Park	Hundred Lindley, Section 202 Hundred Lindley, Section 197, 199, 201 Hundred Maude, Section 252
Carcuma Conservation Park	Hundred Carcuma, Section 23
Karte Conservation Park	Hundred Kingsford, Section 3, 4
Piccaninnie Ponds Conservation Park	Hundred Caroline, Section 598, 692
Sleaford Mere Conservation Park	Hundred Sleaford, Section 36
Unnamed Conservation Park	Hundred Messent, Section 14 Hundred Santo, Section 19
Cox's Scrub Conservation Park	Hundred Kondoparinga, Section 1972, 1979–1985
Dudley Conservation Park	Hundred Dudley, Section 294–296, 302, 303
Unnamed Conservation Park	North out of Hundreds, Section 50
Pooginook Conservation Park	Hundred Pooginook, Section 7, 8, 14
Swan Reach Conservation Park	Hundred Fisher, Section 38, 39, 55, 56, 59, 60
Mount Taylor Conservation Park	Hundred Newland, Section 102
Bascombe Well Conservation Park	Hundred Kappawanta, Section 2 Hundred Barwell, Section 29 Hundred Blesing, Section 11 Hundred Cowan, Section 39, 65
Scorpion Springs Conservation Park	Hundred Fisk, Section 16 Hundred Quirke, Section 9, 10 South out of Hundreds, Section 65
Gum Lagoon Conservation Park	Hundred Wells, Section 9, 30 Hundred Petherick, Section 8, 37
Telowie Gorge Conservation Park	Hundred Telowie, Section 439, 491
Penola Conservation Park	Hundred Monbulla, Section 255, 256

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Clinton Conservation Park	Hundred Clinton, Section 568
Glen Roy Conservation Park	Hundred Comaum, Section 276, 279, 479
Pinkawillinie Conservation Park	Hundred Pinkawillinie, Section 114 Hundred Panitya, Section 29
Gower Conservation Park	Hundred Hindmarsh, Section 517
Cape Torrens Conservation Park	Hundred Borda, Section 10
Cape Hart Conservation Park	Hundred Dudley, Section 377, 384
Cape Gantheaume Conservation Park	Hundred Haines, Section 258, 275–279, 284 Hundred MacGillivray, Section 66, 67 Hundred Seddon, Section 52 plus Pelorus Island (s.e. from Vivonne Bay)
Western River Conservation Park	Hundred Gosse, Section 8, 47
Vivonne Bay Conservation Park	Hundred Newland, Section 7, 8, 106
Kelly Hill Conservation Park	Hundred Ritchie, Section 5 Hundred Ritchie, Section 9 and 10
Seddon Conservation Park	Hundred Seddon, Section 67
Port Gawler Conservation Park	Hundred Port Gawler, Section 616 Hundred Port Adelaide, Section 483
Kelvin Powrie Conservation Park	Hundred Archibald, Section 34 Hundred Stirling, Section 475
Padthaway Conservation Park	Hundred Parsons, Section 136
Cudlee Creek Conservation Park	Hundred Talunga, Section 57
Montacute Conservation Park	Hundred Onkaparinga, Section 473, 523, 524, 5586, 5587, 5589, 5590
Lowan Conservation Park	Hundred Bowhill, Section 71
Deep Creek Conservation Park	Hundred Waitpinga, Section 130, 216, 217, 365
Lake Gilles Conservation Park	Hundred O'Connor, Section 1–14, 16–20, 43 North out of Hundreds, Pastoral Block 958, Section 316
Whyalla Conservation Park	Hundred Cultana, Section 14
Mount Shaugh Conservation Park	Hundred Shaugh, Section 5
Black Hill Conservation Park	Hundred Adelaide, Section 669, 670, 671 Hundred Onkaparinga, Section 526
Dingley Dell Conservation Park	Hundred MacDonnell, Part Section 138, C.T. Vol. 1231, Fol. 123
Fort Glanville Conservation Park	Hundred Port Adelaide, Part Section 415, C.T. Vol. 1987, Fol. 104
Naracoorte Caves Conservation Park	Hundred Jessie, Section 466 Hundred Joanna, Section 392, 395, 396, 398, 397
Tantanoola Caves Conservation Park	Hundred Hindmarsh, Section 213
Tumby Island Conservation Park	North out of Hundreds, Section 682
Kapunda Island Conservation Park	Hundred Bookpurnong (Kapunda Island) in River Murray
Media Island Conservation Park	Hundred Gordon (Media Island) in River Murray

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Rilli Island Conservation Park	Hundred Gordon (Rilli Island) in River Murray
Seal Bay Conservation Park	That portion of Hundred of Seddon, bounded as follows: Commencing at S.W. corner of Section 2, Hundred Seddon, thence generally E. along S. boundary of latter section and across road to S.W. corner of Section 52; generally S.E. along S.W. boundary of latter Section to its intersection with E. boundary of said Hundred; S. along portion of latter boundary to L.W.M.; generally N.W. and W. along portion of said L.W.M. to its intersection with production S.E. of S.W. boundary of Section 2, Hundred Seddon; thence N.W. along said production to point of commencement
	Nobby Island
Eba Island Conservation Park	In Streaky Bay, adjacent to Hundred Scott, out of Hundreds
West Island Conservation Park	Hundred Waitpinga, Section 360
Nuyt's Archipelago Conservation Park	Eyre Island Franklin Islands, Goat Island, Lacey Island, Lound Island, Purdie Island
Isles of St. Francis Conservation Park	Freeling Island, Smooth Island St. Francis Island (excluding Section 220, North out of Hundreds) Dog Island, Egg Island, Fenelong Island, Masillon Island, West Island, Hart Island
Investigator Group Conservation Park	Topgallant Island, Ward Island, Pearson Island (excluding Section 12 and 13, North out of Hundreds)
Gambier Islands Conservation Park	Three islets S. and W. from Wedge Island North Island
Sir Joseph Banks Group Conservation Park	Blyth Island, Boucaut Island, Duffield Island, English Island, Sibsey Island
Whidbey Isles Conservation Park	Four Hummocks Islands (excluding Southern-most Island) Perforated Island, Price Island Unnamed Island south from Pt. Avoid
Beatrice Islet Conservation Park	Beatrice Islet, N.N.E. from Kingscote
Busby Islet Conservation Park	Busby Islet, N.N.E. from Kingscote
The Pages Conservation Park	The Pages Islands, S.E. from Cape Jervis
Pullen Island Conservation Park	Pullen Island, adjacent Port Elliot
Neptune Islands Conservation Park	North and South Neptunes (excluding southern-most Island of South Neptunes)
Althorpe Islands Conservation Park	Althorpe Islands (excluding Section 13 and 61, South out of Hundreds)
Lipson Island Conservation Park	Lipson Island (N.E. from Tumby Bay)
Olive Island Conservation Park	Olive Island (N.W. from Streaky Bay)
Rocky Island (north) Conservation Park	Rocky Island (N. from Coffin Bay)
Rocky Island (south) Conservation Park	Rocky Island (W. from Four Hummocks)
Sinclair Island Conservation Park	Sinclair Island (E.S.E. from Fowlers Bay)

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### Schedule 4—Conservation parks

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Cap Island Conservation Park	Cap Island (N.W. from Mount Hope)
Baird Bay Islands Conservation Park	Hundred Wrenfordsley, Section 181, island in Baird Bay Jones Island
Nuyt's Reef Conservation Park	Hundred Wookata, Nuyt's Reefs south of Cape Adieu
Greenly Island Conservation Park	Hundred Lake Wangary, Greenly Island, 20 miles W.S.W. from Port Whidbey
Mount Dutton Bay Conservation Park	All Islands in Mount Dutton Bay The Brothers, Goat Island and Rabbit Island
Waldegrave Islands Conservation Park	Waldegrave Island and small island west of Waldegrave Island adjacent to Hundred Ward
Pelican Lagoon Conservation Park	Hundred Dudley, Section 475, 476, 477, 478 and 479
Pigface Island Conservation Park	Pigface Island, Hundred Scott, adjacent to Section 54
Avoid Bay Islands Conservation Park	Black Rocks adjacent Coffin Bay Peninsula and small unnamed islands, S.E. from Section 107 and 108, Hundred Lake Wangary
Bird Islands Conservation Park	Bird Islands, S.W. from Wallaroo, Hundred of Wallaroo
Salt Lagoon Islands Conservation Park	Islands E. of Section 78 and 80, Hundred Baker and waters within 5 chains
Maize Island Lagoon Conservation Park	Section 365, 427, Waikerie Irrigation Area, Holder Division, Hundred Holder
Baudin Rocks Conservation Park	Godfrey Islands, north of town of Robe and west from Hundred Waterhouse
Myponga Conservation Park	Hundred Myponga, Section 269 and 270
Belt Hill Conservation Park	Hundred Rivoli Bay, Section 339
Carribie Conservation Park	Hundred Carribie, Section 153
Goose Island Conservation Park	Goose Island and White Rocks Island N.W. of Wardang Island and N.W. from Port Victoria
Kyeema Conservation Park	Hundred Kuitpo, Section 92, 522, 688, 850 and 302
Hacks Lagoon Conservation Park	Hundred Robertson, Section 249

## Schedule 5—Game reserves

The following areas are hereby constituted Game Reserves:

Katarapko Game Reserve	Hundred Katarapko, Cobdogla Irrigation Area, Weigall Division, Section 73, 74
Bool Lagoon Game Reserve	Hundred Robertson, Section 223, 224, Section 356



Coorong Game Reserve	Hundred Santo, that portion of the Coorong situate between a straight line joining Jacks Point to the N.E. corner of Section 5 and a straight line, being the production of the S.E. boundary of Section 5 to the Eastern boundary of the Coorong Teal Island, North Pelican Island, Halfway Island, Pelican Island and Mellor Island Hundred Santo, Section 1, 5, 36 and 37, and 150 link reserve adjacent to Section 5 and 13, Pelican Reef, South Reef, Seagull Island, Snipe Island and Wild Dog Island Hundred Santo, Section 31, 40, 44–48, 50 and 51
Mud Islands Game Reserve	Hundred Baker, Section 642–644, 646–652
Tolderol Game Reserve	Hundred Freeling, Section 349 and 150 link reserve adjacent to section 349
Bucks Lake Game Reserve	Hundred Kongorong, Section 618

## Schedule 6—Recreation parks

The following areas are hereby constituted Recreation Parks:

Belair Recreation Park	Hundred Adelaide, Section 675
Para Wirra Recreation Park	Hundred Barossa, Section 311 Hundred Barossa, Section 183–185, 217, 181, 237, 238 and 299 Hundred Para Wirra, Section 423 Hundred Para Wirra, Section 428 Hundred Para Wirra, Section 429
Glossop Recreation Park	Berri Irrigation Area, Section 1444
Totness Recreation Park	Hundred Macclesfield, Section 124
Caratoola Recreation Park	Hundred Haslam, Section 53
Brownhill Creek Recreation Park	Hundred Adelaide, Section 676
Coulthard Recreation Park	Hundred Moorooroo, Part Section 161, C.T. 2362/58
The Elbow Recreation Park	Hundred Adelaide, Part Section 1285, C.T. 1655/79
Ferguson Recreation Park	Hundred Adelaide, Part Section 289, C.T. 367/196, C.T. 2051/195
Greenhill Recreation Park	Hundred Adelaide, Section 578
Kingston Park	Recreation Park Hundred Noarlunga, Section 1540, 1541
Lenswood Recreation Park	Hundred Onkaparinga, Part Section 5148, C.T. 2126/186
Loftia Recreation Park	Hundred Noarlunga, Part Section 421 and 422, C.T. 3635/150
Windy Point Recreation Park	Hundred Adelaide, Section 597
Shepherds Hill Recreation Park	Hundred Adelaide, Part Section 14 and Part Section 35, C.T. 2396/141 Hundred Adelaide, Part Section 15, C.T. 3481/181 Hundred Adelaide, Part Section 36, C.T. 2201/97

## Schedule 7—Endangered species

### Part 1—Animals

Common name	Species
<b>Mammals</b>	
ACROBATIDAE	
Feathertail Glider	<i>Acrobates pygmaeus</i>
BALAENOPTERIDAE	
Blue Whale	<i>Balaenoptera musculus</i>
DASYURIDAE	
Agile Antechinus	<i>Antechinus agilis</i>
Swamp Antechinus	<i>Antechinus minimus</i>
Mulgara	<i>Dasyercus cristicauda cristicauda</i>
Western Quoll	<i>Dasyurus geoffroi</i>
Spotted-tailed Quoll	<i>Dasyurus maculatus</i>
Eastern Quoll	<i>Dasyurus viverrinus</i>
Red-tailed Phascogale	<i>Phascogale calura</i>
Brush-tailed Phascogale	<i>Phascogale tapoatafa</i>
Kangaroo Island Dunnart	<i>Sminthopsis aitkeni</i>
MACROPODIDAE	
Rufous Hare-wallaby	<i>Lagorchestes hirsutus</i>
Eastern Hare-wallaby	<i>Lagorchestes leporides</i>
Tammar Wallaby (mainland South Australia subspecies)	<i>Macropus eugenii eugenii</i>
Toolache Wallaby	<i>Macropus greyi</i>
Crescent Nailtail Wallaby	<i>Onychogalea lunata</i>
Black-footed Rock-wallaby (MacDonnell Ranges race)	<i>Petrogale lateralis</i> (MacDonnell Ranges race)
Tasmanian Pademelon	<i>Thylogale billardierii</i>
MEGADERMATIDAE	
Ghost Bat	<i>Macroderma gigas</i>
MURIDAE	
White-footed Tree-rat	<i>Conilurus albipes</i>

Common name	Species
Lesser Stick-nest Rat	<i>Leporillus apicalis</i>
Short-tailed Hopping-mouse	<i>Notomys amplus</i>
Long-tailed Hopping-mouse	<i>Notomys longicaudatus</i>
Shark Bay Mouse	<i>Pseudomys fieldi</i>
Gould's Mouse	<i>Pseudomys gouldii</i>
Heath Rat	<i>Pseudomys shortridgei</i>
Pale Field-rat	<i>Rattus tunneyi</i>
	MYRMECOBIIDAE
Numbat	<i>Myrmecobius fasciatus</i>
	ORNITHORHYNCHIDAE
Platypus	<i>Ornithorhynchus anatinus</i>
	OTARIIDAE
Subantarctic Fur-seal	<i>Arctocephalus tropicalis</i>
	PERAMELIDAE
Pig-footed Bandicoot	<i>Chaeropus ecaudatus</i>
Golden Bandicoot	<i>Isoodon auratus</i>
Lesser Bilby	<i>Macrotis leucura</i>
Western Barred Bandicoot	<i>Perameles bougainville</i>
Desert Bandicoot	<i>Perameles eremiana</i>
Eastern Barred Bandicoot	<i>Perameles gunnii</i>
	PETAURIDAE
Yellow-bellied Glider	<i>Petaurus australis</i>
Squirrel Glider	<i>Petaurus norfolcensis</i>
	POTORIDAE
Burrowing Bettong	<i>Bettongia lesueur</i>
Brush-tailed Bettong (eastern subspecies)	<i>Bettongia penicillata penicillata</i>
Desert Rat-kangaroo	<i>Caloprymnus campestris</i>
Long-nosed Potoroo	<i>Potorous tridactylus</i>
	VESPERTILIONIDAE
Little Pied Bat	<i>Chalinolobus picatus</i>

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## Schedule 7—Endangered species

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<b>Common name</b>	<b>Species</b>
Eastern Falsistrelle	<i>Falsistrellus tasmaniensis</i>
Large Bent-wing Bat (southern subspecies)	<i>Miniopterus schreibersii bassanii</i>
Southern Myotis	<i>Myotis macropus</i>
Gould's Long-eared Bat	<i>Nyctophilus gouldi</i>
<b>Birds</b>	
ACANTHIZIDAE	
Chestnut-rumped Heathwren (Mount Lofty Ranges subspecies)	<i>Calamanthus pyrrhopygius parkeri</i>
ACCIPITRIDAE	
Grey Goshawk	<i>Accipiter novaehollandiae</i>
White-bellied Sea-Eagle	<i>Haliaeetus leucogaster</i>
Square-tailed Kite	<i>Lophoictinia isura</i>
Osprey	<i>Pandion haliaetus</i>
ALCEDINIDAE	
Azure Kingfisher	<i>Alcedo azurea</i>
ANSERANATIDAE	
Magpie Goose	<i>Anseranas semipalmata</i>
ARDEIDAE	
Little Bittern	<i>Ixobrychus minutus</i>
ARTAMIDAE	
Pied Currawong (south east subspecies)	<i>Strepera graculina ashbyi</i>
Grey Currawong (north western subspecies)	<i>Strepera versicolor plumbea</i>
CACATUIDAE	
Red-tailed Black-Cockatoo (south east subspecies)	<i>Calyptorhynchus banksii graptogyne</i>
Glossy Black-Cockatoo (Kangaroo Island subspecies)	<i>Calyptorhynchus lathami halmaturinus</i>
CASUARIIDAE	
Kangaroo Island Emu	<i>Dromaius baudinianus</i>

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Common name	Species
	DICRURIDAE
Satin Flycatcher	<i>Myiagra cyanoleuca</i>
	DIOMEDEIDAE
Yellow-nosed Albatross (Indian Ocean subspecies)	<i>Diomedea chlororhynchos carteri</i>
Yellow-nosed Albatross (Atlantic Ocean subspecies)	<i>Diomedea chlororhynchos chlororhynchos</i>
Royal Albatross (northern subspecies)	<i>Diomedea epomophora sanfordi</i>
Sooty Albatross	<i>Diomedea fusca</i>
	EUPETIDAE
Spotted Quail-thrush (Mount Lofty Ranges subspecies)	<i>Cinclosoma punctatum anachoreta</i>
Spotted Quail-thrush (south east subspecies)	<i>Cinclosoma punctatum punctatum</i>
Western Whipbird (eastern subspecies)	<i>Psophodes nigrogularis leucogaster</i>
	LARIDAE
Little Tern	<i>Sterna albifrons</i>
Fairy Tern	<i>Sterna nereis</i>
	MALURIDAE
Southern Emu-wren (Mount Lofty Ranges subspecies)	<i>Stipiturus malachurus intermedius</i>
Southern Emu-wren (Eyre Peninsula subspecies)	<i>Stipiturus malachurus parimeda</i>
Mallee Emu-wren	<i>Stipiturus mallee</i>
	MELIPHAGIDAE
Yellow Chat	<i>Epthianura crocea</i>
Yellow-throated Miner (Black-eared subspecies)	<i>Manorina flavigula melanotis</i>
Regent Honeyeater	<i>Xanthomyza phrygia</i>
	PACHYCEPHALIDAE
Olive Whistler (westernmost subspecies)	<i>Pachycephala olivacea hesperus</i>
	PEDIONOMIDAE
Plains-wanderer	<i>Pedionomus torquatus</i>
	PHASIANIDAE
King Quail	<i>Coturnix chinensis</i>

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## Schedule 7—Endangered species

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<b>Common name</b>	<b>Species</b>
	POMATOSTOMIDAE
Grey-crowned Babbler (south east subspecies)	<i>Pomatostomus temporalis temporalis</i>
	PSITTACIDAE
Little Lorikeet	<i>Glossopsitta pusilla</i>
Swift Parrot	<i>Lathamus discolor</i>
Orange-bellied Parrot	<i>Neophema chrysogaster</i>
Night Parrot	<i>Pezoporus occidentalis</i>
Ground Parrot	<i>Pezoporus wallicus</i>
	PTILONORHYNCHIDAE
Spotted Bowerbird	<i>Chlamydera maculata</i>
	STRIGIDAE
Powerful Owl	<i>Ninox strenua</i>
	SYLVIIDAE
Spinifexbird	<i>Eremiornis carteri</i>
	TYTONIDAE
Masked Owl	<i>Tyto novaehollandiae</i>
<b>Reptiles</b>	
	CHELONIIDAE
Loggerhead Turtle	<i>Caretta caretta</i>
	GEKKONIDAE
Mallee Worm-lizard	<i>Aprasia aurita</i>
Striped Snake-lizard	<i>Delma impar</i>
	SCINCIDAE
Swamp Skink	<i>Egernia coventryi</i>
Cunningham's Skink	<i>Egernia cunninghami</i>
Tjakura	<i>Egernia kintorei</i>
Black-striped Desert Skink	<i>Egernia slateri</i>
Salamander Skink	<i>Nannoscincus maccoyi</i>

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Common name	Species
Pygmy Bluetongue	<i>Tiliqua adelaidensis</i>

## Part 2—Plants

Common Name	Species
	ACANTHACEAE
	<i>Xerothamnella parvifolia</i>
	AMARANTHACEAE
lamb's tails	<i>Ptilotus exaltatus</i> var. <i>semilanatus</i>
	ASPLENIACEAE
mother spleenwort	<i>Asplenium bulbiferum</i> ssp. <i>gracillimum</i>
	BLECHNACEAE
lance water-fern	<i>Blechnum chambersii</i>
small rasp-fern	<i>Doodia caudata</i>
	CARYOPHYLLACEAE
tufted knawel	<i>Scleranthus diander</i>
	CASUARINACEAE
Mount Compass oak-bush	<i>Allocasuarina robusta</i>
	CHENOPODIACEAE
coral saltbush	<i>Atriplex papillata</i>
black cotton-bush	<i>Maireana decalvans</i>
five-wing bonefruit	<i>Osteocarpum pentapterum</i>
	COMPOSITAE
spiny everlasting	<i>Acanthocladium dockeri</i>
field daisy	<i>Brachyscome decipiens</i>
tall daisy	<i>Brachyscome diversifolia</i>
Corunna daisy	<i>Brachyscome muelleri</i>
milky beauty-heads	<i>Calocephalus lacteus</i>
	<i>Cassinia rugata</i>
	<i>Cassinia tegulata</i>

<b>Common Name</b>	<b>Species</b>
pale everlasting	<i>Helichrysum rutidolepis</i>
sand ixodia	<i>Ixodia achillaeoides</i> ssp. <i>arenicola</i>
moth daisy-bush	<i>Olearia erubescens</i>
sticky daisy-bush	<i>Olearia glutinosa</i>
small-flower daisy-bush	<i>Olearia microdisca</i>
clustered daisy-bush	<i>Olearia suffruticosa</i>
	<i>Pycnosorus chrysanthes</i>
chamomile everlasting	<i>Rhodanthe anthemoides</i>
Behr's groundsel	<i>Senecio behrianus</i>
	<i>Senecio helichrysoides</i>
superb groundsel	<i>Senecio megaglossus</i>
	<b>CRASSULACEAE</b>
Sieber's crassula	<i>Crassula sieberiana</i>
	<b>CRUCIFERAE</b>
winged peppergrass	<i>Lepidium monoplocoides</i>
erect peppergrass	<i>Lepidium pseudopapillosum</i>
	<b>CYPERACEAE</b>
bristle-rush	<i>Chorizandra australis</i>
leafy flat-sedge	<i>Cyperus lucidus</i>
button grass	<i>Gymnoschoenus sphaerocephalus</i>
needle bog-rush	<i>Tricostularia pauciflora</i>
	<b>DENNSTAEDTIACEAE</b>
lacy ground-fern	<i>Dennstaedtia davallioides</i>
bat's-wing fern	<i>Histiopteris incisa</i>
	<b>DICKSONIACEAE</b>
soft tree-fern	<i>Dicksonia antarctica</i>
	<b>DILLENACEAE</b>
	<i>Hibbertia sessiliflora</i>
	<i>Hibbertia tenuis</i>



Common Name	Species
	DRYOPTERIDACEAE
shiny shield-fern	<i>Lastreopsis acuminata</i>
mother shield-fern	<i>Polystichum proliferum</i>
	ERIOCAULACEAE
salt pipewort	<i>Eriocaulon carsonii</i>
	EUPHORBIACEAE
Kangaroo Island turpentine bush	<i>Beyeria subsecta</i>
	GENTIANACEAE
Cleland's gentian	<i>Gentianella clelandii</i>
	GOODENIACEAE
Aldinga dampiera	<i>Dampiera lanceolata</i> var. <i>intermedia</i>
lanky goodenia	<i>Goodenia elongata</i>
creeping fanflower	<i>Scaevola hookeri</i>
	GRAMINEAE
fine-head spear-grass	<i>Austrostipa oligostachya</i>
lake millet	<i>Echinochloa lacunaria</i>
Spalding blown-grass	<i>Lachnagrostis limitanea</i>
	GYROSTEMONACEAE
slender bell-fruit	<i>Codonocarpus pyramidalis</i>
	HALORAGACEAE
prickly raspwort	<i>Haloragis eyreana</i>
clustered milfoil	<i>Myriophyllum glomeratum</i>
	JUNCACEAE
	<i>Juncus prismatocarpus</i>
	LABIATAE
Monarto mintbush	<i>Prostanthera eurybioides</i>
	<i>Teucrium grandiusculum</i> ssp. <i>pilosum</i>

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<b>Common Name</b>	<b>Species</b>
	LEGUMINOSAE
spidery wattle	<i>Acacia araneosa</i>
chalky wattle	<i>Acacia cretacea</i>
jumping-jack wattle	<i>Acacia enterocarpa</i>
broom wattle	<i>Acacia genistifolia</i>
hairy-pod wattle	<i>Acacia glandulicarpa</i>
fat-leaf wattle	<i>Acacia pinguifolia</i>
senna wattle	<i>Acacia praemorsa</i>
Spiller's wattle	<i>Acacia spilleriana</i>
three-nerve wattle	<i>Acacia trineura</i>
Whibley's wattle	<i>Acacia whibleyana</i>
mountain scurf-pea	<i>Cullen microcephalum</i>
disjunct bitter-pea	<i>Daviesia sejugata</i>
grey parrot-pea	<i>Dillwynia cinerascens</i>
silky swainson-pea	<i>Swainsona sericea</i>
	LILIACEAE
swamp flax-lily	<i>Dianella callicarpa</i>
late-flowered flax-lily	<i>Dianella tarda</i>
many-flower mat-rush	<i>Lomandra multiflora</i> ssp. <i>multiflora</i> <i>Thysanotus nudicaulis</i>
lagoon Nancy	<i>Wurmbea dioica</i> ssp. <i>lacunaria</i> <i>Wurmbea sinora</i>
one-flower Nancy	<i>Wurmbea uniflora</i>
pygmy yacca	<i>Xanthorrhoea minor</i> ssp. <i>lutea</i>
	LYCOPODIACEAE
bog clubmoss	<i>Lycopodiella serpentina</i>
bushy clubmoss	<i>Lycopodium deuterodensum</i>
	MYRTACEAE
Mount Compass swamp gum	<i>Eucalyptus paludicola</i>
western swamp-paperbark	<i>Melaleuca cuticularis</i>
	NAJADACEAE
water nymph	<i>Najas tenuifolia</i>

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Common Name	Species
	OPHIOGLOSSACEAE
austral moonwort	<i>Botrychium australe</i>
	ORCHIDACEAE
white beauty spider-orchid	<i>Caladenia argocalla</i>
Audas' spider-orchid	<i>Caladenia audasii</i>
pink-lip spider-orchid	<i>Caladenia behrii</i>
limestone spider-orchid	<i>Caladenia calcicola</i>
plain-lip spider-orchid	<i>Caladenia clavigera</i>
coloured spider-orchid	<i>Caladenia colorata</i>
crimson spider-orchid	<i>Caladenia concolor</i>
coast spider-orchid	<i>Caladenia conferta</i>
green-comb spider-orchid	<i>Caladenia dilatata</i>
	<i>Caladenia fulva</i>
bayonet spider-orchid	<i>Caladenia gladiolata</i>
musky caladenia	<i>Caladenia gracilis</i>
large-club spider-orchid	<i>Caladenia macroclavia</i>
	<i>Caladenia ornata</i>
Kangaroo Island spider-orchid	<i>Caladenia ovata</i>
small green-comb spider-orchid	<i>Caladenia parva</i>
Little Dip spider-orchid	<i>Caladenia richardsiorum</i>
stiff white spider-orchid	<i>Caladenia rigida</i>
Bordertown spider-orchid	<i>Caladenia</i> sp. <i>Bordertown</i> (R.S.Rogers 788)
	<i>Caladenia</i> sp. <i>Brentwood</i> (R.J.Bates 53510)
Finniss spider-orchid	<i>Caladenia</i> sp. <i>Finniss</i> (R.Bates 308)
	<i>Caladenia</i> sp. <i>Monarto South</i> (H.Goldsack 163 AD97708605A)
robust spider-orchid	<i>Caladenia valida</i>
Grampians spider-orchid	<i>Caladenia versicolor</i>
Woolcock's spider-orchid	<i>Caladenia woolcockiorum</i>
yellow-lip spider-orchid	<i>Caladenia xanthochila</i>
Flinders Ranges white caladenia	<i>Caladenia xantholeuca</i>
copper beard-orchid	<i>Calochilus cupreus</i>
green bird-orchid	<i>Chiloglottis cornuta</i>
dainty bird-orchid	<i>Chiloglottis trapeziformis</i>
toothed helmet-orchid	<i>Corybas dentatus</i>
swamp helmet-orchid	<i>Corybas fordhamii</i>

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<b>Common Name</b>	<b>Species</b>
	<i>Dipodium punctatum</i>
short-leaf donkey-orchid	<i>Diuris brevifolia</i>
	<i>Diuris chryseopsis</i>
purple donkey-orchid	<i>Diuris punctata</i> var. <i>punctata</i>
	<i>Eriochilus</i> sp. <i>Swamp</i> (D.E.Murfet 1950b)
swamp midge-orchid	<i>Genoplesium ciliatum</i>
bearded midge-orchid	<i>Genoplesium morrisii</i>
	<i>Microtis eremaea</i>
black-beak duck-orchid	<i>Paracaleana disjuncta</i>
maroon leek-orchid	<i>Prasophyllum frenchii</i>
Goldsack's leek-orchid	<i>Prasophyllum goldsackii</i>
coast leek-orchid	<i>Prasophyllum litorale</i>
	<i>Prasophyllum murfeti</i>
	<i>Prasophyllum rotundiflorum</i>
	<i>Prasophyllum</i> sp. <i>Enigma</i> (R.Bates 2350)
	<i>Prasophyllum</i> sp. <i>Waterholes</i> (R.Bates 9037)
	<i>Prasophyllum</i> sp. <i>West Coast</i> (R.Tate AD96945167)
dense leek-orchid	<i>Prasophyllum spicatum</i>
Hindmarsh Valley greenhood	<i>Pterostylis bryophila</i>
	<i>Pterostylis chlorogramma</i>
trim greenhood	<i>Pterostylis concinna</i>
leafy greenhood	<i>Pterostylis cucullata</i>
	<i>Pterostylis despectans</i>
	<i>Pterostylis falcata</i>
	<i>Pterostylis lingua</i>
large rufous greenhood	<i>Pterostylis maxima</i>
	<i>Pterostylis melagramma</i>
	<i>Pterostylis parviflora</i>
bristly greenhood	<i>Pterostylis setifera</i>
Halbury greenhood	<i>Pterostylis</i> sp. <i>Halbury</i> (R.Bates 8425)
	<i>Pterostylis</i> sp. <i>Rock ledges</i> (pl. 185, Bates & Weber 1990)
	<i>Pterostylis</i> sp. <i>Sand plain</i> (D.N. Kraehenbuehl 5670)
	<i>Pterostylis</i> sp. <i>Triloba</i> (pl. 191, Bates & Weber 1990)
marsh greenhood	<i>Pterostylis uliginosa</i>
great sun-orchid	<i>Thelymitra aristata</i>
naked sun-orchid	<i>Thelymitra circumsepta</i>

Common Name	Species
	<i>Thelymitra cyanapicata</i>
	<i>Thelymitra cyanea</i>
metallic sun-orchid	<i>Thelymitra epipactoides</i>
spotted sun-orchid	<i>Thelymitra ixioides</i>
mauve-tufted sun-orchid	<i>Thelymitra malvina</i>
spiral sun-orchid	<i>Thelymitra matthewsii</i>
	<i>Thelymitra merraniae</i>
	OSMUNDACEAE
king fern	<i>Todea barbara</i>
	PITTOSPORACEAE
	<i>Billardiera</i> sp. Yorke Peninsula (P.C.Heyligers 80164)
	PROTEACEAE
	<i>Grevillea angustiloba</i>
	PSILOTACEAE
skeleton fork-fern	<i>Psilotum nudum</i>
	RHAMNACEAE
MacGillivray spyridium	<i>Spyridium eriocephalum</i> var. <i>glabrisepalum</i>
	RUBIACEAE
	<i>Asperula</i> sp. A (A.B. Cashmore September 1933)
Maori bedstraw	<i>Galium propinquum</i>
matted nertera	<i>Nertera granadensis</i>
	RUTACEAE
De Mole River correa	<i>Correa calycina</i> var. <i>halmaturorum</i>
Kangaroo Island phebalium	<i>Leionema equestre</i>
glandular phebalium	<i>Phebalium glandulosum</i> ssp. <i>glandulosum</i>
scaly phebalium	<i>Phebalium squamulosum</i> ssp. <i>squamulosum</i>
	SANTALACEAE
	<i>Leptomeria preissiana</i>

Common Name	Species
	SAPINDACEAE
	<i>Dodonaea subglandulifera</i>
	SCROPHULARIACEAE
Derwent speedwell	<i>Derwentia derwentiana</i> ssp. <i>derwentiana</i>
Mount Lofty speedwell	<i>Derwentia derwentiana</i> ssp. <i>homalodonta</i>
Mueller's eyebright	<i>Euphrasia collina</i> ssp. <i>muelleri</i>
Osborn's eyebright	<i>Euphrasia collina</i> ssp. <i>osbornii</i>
swamp eyebright	<i>Euphrasia collina</i> ssp. <i>paludosa</i>
	<i>Euphrasia collina</i> ssp. <i>trichocalycina</i>
rough eyebright	<i>Euphrasia scabra</i>
Port Lincoln speedwell	<i>Veronica parnkalliana</i>
	STERCULIACEAE
	<i>Commersonia multiloba</i>
	THYMELAEACEAE
tall riceflower	<i>Pimelea ligustrina</i> ssp. <i>ligustrina</i>
	UMBELLIFERAE
Kangaroo Island pennywort	<i>Hydrocotyle diantha</i>
Australian caraway	<i>Oreomyrrhis eriopoda</i>
	VIOLACEAE
showy violet	<i>Viola betonicifolia</i> ssp. <i>betonicifolia</i>

## Schedule 8—Vulnerable species

### Part 1—Animals

Common name	Species
<b>Mammals</b>	
	BALAENIDAE
Southern Right Whale	<i>Eubalaena australis</i>
	BALAENOPTERIDAE
Sei Whale	<i>Balaenoptera borealis</i>
Fin Whale	<i>Balaenoptera physalus</i>

Common name	Species
Humpback Whale	<i>Megaptera novaeangliae</i>
	BURRAMYIDAE
Eastern Pygmy-possum	<i>Cercartetus nanus</i>
	DASYURIDAE
Yellow-footed Antechinus	<i>Antechinus flavipes</i>
Kowari	<i>Dasyercus byrnei</i>
Sandhill Dunnart	<i>Sminthopsis psammophila</i>
	MACROPODIDAE
Yellow-footed Rock-wallaby	<i>Petrogale xanthopus</i>
Swamp Wallaby	<i>Wallabia bicolor</i>
	MOLOSSIDAE
Hairy-rostrum Freetail-bat	<i>Mormopterus species 6</i> ("hairy rostrum")
	MURIDAE
Greater Stick-nest Rat	<i>Leporillus conditor</i>
Fawn Hopping-mouse	<i>Notomys cervinus</i>
Dusky Hopping-mouse	<i>Notomys fuscus</i>
Plains Mouse	<i>Pseudomys australis</i>
	NOTORYCTIDAE
Southern Marsupial Mole (Itjari-itjari)	<i>Notoryctes typhlops</i>
	OTARIIDAE
Australian Sea-lion	<i>Neophoca cinerea</i>
	PERAMELIDAE
Southern Brown Bandicoot (Nuyts Archipelago subspecies)	<i>Isodon obesulus nauticus</i>
Southern Brown Bandicoot (SA mainland and Kangaroo Island subspecies)	<i>Isodon obesulus obesulus</i>
Greater Bilby	<i>Macrotis lagotis</i>
	VESPERTILIONIDAE
Greater Long-eared Bat (south eastern form)	<i>Nyctophilus timoriensis</i> (south eastern form)

Common name	Species
<b>Birds</b>	
ACANTHIZIDAE	
Slender-billed Thornbill (St Vincent Gulf subspecies)	<i>Acanthiza iredalei rosinae</i>
Chestnut-rumped Heathwren (Flinders Ranges subspecies)	<i>Calamanthus pyrrhopygius pedleri</i>
Chestnut-rumped Heathwren (south east subspecies)	<i>Calamanthus pyrrhopygius pyrrhopygius</i>
ANATIDAE	
Freckled Duck	<i>Stictonetta naevosa</i>
ARDEIDAE	
Australasian Bittern	<i>Botaurus poiciloptilus</i>
CACATUIDAE	
Yellow-tailed Black-Cockatoo	<i>Calyptorhynchus funereus</i>
CHARADRIIDAE	
Hooded Plover	<i>Thinornis rubricollis</i>
DIOMEDEIDAE	
Buller's Albatross	<i>Diomedea bulleri</i>
Shy Albatross	<i>Diomedea cauta cauta</i>
Salvin's Albatross	<i>Diomedea cauta salvini</i>
Grey-headed Albatross	<i>Diomedea chrysostoma</i>
Royal Albatross (southern subspecies)	<i>Diomedea epomophora epomophora</i>
Wandering Albatross	<i>Diomedea exulans</i>
Black-browed Albatross (Campbell Island subspecies)	<i>Diomedea melanophrys impavida</i>
Light-mantled Sooty Albatross	<i>Diomedea palpebrata</i>
ESTRILDIDAE	
Diamond Firetail	<i>Stagonopleura guttata</i>
GRUIDAE	
Brolga	<i>Grus rubicunda</i>



Common name	Species
	LARIDAE
Great Skua (Macquarie and Heard Island subspecies)	<i>Catharacta skua lonnbergi</i>
	MEGAPODIIDAE
Malleefowl	<i>Leipoa ocellata</i>
	MELIPHAGIDAE
Black-chinned Honeyeater (south eastern subspecies)	<i>Melithreptus gularis gularis</i>
	OTIDIDAE
Australian Bustard	<i>Ardeotis australis</i>
	PETROICIDAE
Scarlet Robin (western subspecies)	<i>Petroica multicolor campbelli</i>
Flame Robin	<i>Petroica phoenicea</i>
	PHASIANIDAE
Brown Quail	<i>Coturnix ypsilophora</i>
	PROCELLARIIDAE
Southern Giant-Petrel	<i>Macronectes giganteus</i>
	PSITTACIDAE
Blue-winged Parrot	<i>Neophema chrysostoma</i>
Princess Parrot	<i>Polytelis alexandrae</i>
Regent Parrot (eastern subspecies)	<i>Polytelis anthopeplus monarchoides</i>
	RALLIDAE
Lewin's Rail	<i>Rallus pectoralis</i>
	RECURVIROSTRIDAE
Banded Stilt	<i>Cladorhynchus leucocephalus</i>
	ROSTRATULIDAE
Painted Snipe	<i>Rostratula benghalensis</i>

<b>Common name</b>	<b>Species</b>
	SCOLOPACIDAE
Eastern Curlew	<i>Numenius madagascariensis</i>
<b>Reptiles</b>	
	CHELIDAE
Broad-shelled Tortoise	<i>Chelodina expansa</i>
Macquarie Tortoise	<i>Emydura macquarii</i>
	CHELONIIDAE
Green Turtle	<i>Chelonia mydas</i>
	DERMOCHELYIDAE
Leathery Turtle	<i>Dermochelys coriacea</i>
	ELAPIDAE
Desert Death Adder	<i>Acanthopis pyrrhus</i>
	SCINCIDAE
Yellow-bellied Water Skink	<i>Eulamprus heatwolei</i>
Musgrave Slider	<i>Lerista speciosa</i>
Glossy Grass Skink	<i>Pseudemoia rawlinsoni</i>
	VARANIDAE
Heath Goanna	<i>Varanus rosenbergi</i>
<b>Amphibians</b>	
	HYLIDAE
Golden Bell Frog	<i>Litoria raniformis</i>
	MYOBATRACHIDAE
Shoemaker Frog	<i>Neobatrachus sutor</i>
Orange-crowned Toadlet	<i>Pseudophryne occidentalis</i>
Marbled Toadlet	<i>Pseudophryne semimarmorata</i>

## Part 2—Plants

Common name	Species
	ADIANTACEAE
dainty maiden-hair	<i>Adiantum capillus-veneris</i>
	AIZOACEAE
ridged noon-flower	<i>Sarcozona bicarinata</i>
	AMARANTHACEAE
pigface hemichroa	<i>Hemichroa mesembryanthea</i>
	<i>Ptilotus aristatus</i> var. <i>eichlerianus</i>
ironstone mulla mulla	<i>Ptilotus beckerianus</i>
	<i>Ptilotus robynsianus</i>
	<i>Ptilotus</i> sp. <i>Cordillo Downs</i> (B.Lay 1487)
	BORAGINACEAE
	<i>Plagiobothrys orthostatus</i>
	CALLITRICHACEAE
	<i>Callitriche umbonata</i>
	CAMPANULACEAE
showy lobelia	<i>Lobelia beaugleholei</i>
	<i>Pratia puberula</i>
naked bluebell	<i>Wahlenbergia gymnoclada</i>
	CARYOPHYLLACEAE
coast colobanth	<i>Colobanthus apetalus</i>
	CHENOPODIACEAE
	<i>Atriplex humifusa</i>
Koch's saltbush	<i>Atriplex kochiana</i>
	<i>Atriplex morrisii</i>
	<i>Halosarcia cupuliformis</i>
bead samphire	<i>Halosarcia flabelliformis</i>
bottle fissure-plant	<i>Maireana excavata</i>
slender soft-horns	<i>Malacocera gracilis</i>

Common name	Species
	<i>Sclerolaena fusiformis</i>
Symon's bindyi	<i>Sclerolaena symoniana</i>
	COMPOSITAE
black-fruit daisy	<i>Brachyscome melanocarpa</i>
swamp buttons	<i>Craspedia paludicola</i>
slender bottle-daisy	<i>Lagenophora gracilis</i>
	<i>Leptorhynchos melanocarpus</i>
desert daisy-bush	<i>Olearia arida</i>
swamp daisy-bush	<i>Olearia glandulosa</i>
silver daisy-bush	<i>Olearia pannosa</i> ssp. <i>pannosa</i>
	<i>Ozothamnus pholidotus</i>
	<i>Ozothamnus scaber</i>
silver candles	<i>Pleuropappus phyllocalymmeus</i>
button podolepis	<i>Podolepis muelleri</i>
drumsticks	<i>Pycnosorus globosus</i>
twin-leaf everlasting	<i>Rhodanthe oppositifolia</i> ssp. <i>oppositifolia</i>
large-fruit groundsel	<i>Senecio macrocarpus</i>
	<i>Senecio psilocarpus</i>
	<i>Vittadinia australasica</i> var. <i>oricola</i>
	CONVOLVULACEAE
Tasmanian dodder	<i>Cuscuta tasmanica</i>
	CRUCIFERAE
spade-leaf bitter-cress	<i>Cardamine gunnii</i>
shade peppercress	<i>Lepidium pseudotasmanicum</i>
	<i>Microlepidium alatum</i>
Nullarbor cress	<i>Phlegmatospermum richardsii</i>
	CYPERACEAE
	<i>Cyperus dactylotes</i>
tuber spike-rush	<i>Eleocharis atricha</i>
nutty club-rush	<i>Isolepis producta</i>
stiff rapier-sedge	<i>Lepidosperma neesii</i>
medusa bog-rush	<i>Schoenus latelaminatus</i>

Common name	Species
	DILLENiaceae
Ooldea guinea-flower	<i>Hibbertia crispula</i> <i>Hibbertia obtusibracteata</i>
	DROSERACEAE
erect sundew	<i>Drosera</i> sp. <i>Rigid</i> (R.J.Bates 2268)
	ELATINACEAE
	<i>Bergia occultipetala</i>
	EUPHORBIACEAE
	<i>Sauropus ramosissimus</i>
	FRANKENIACEAE
	<i>Frankenia plicata</i>
	GENTIANACEAE
mountain gentian	<i>Gentianella gunniana</i>
	GOODENIACEAE
	<i>Goodenia lineata</i>
leafless lechenaultia	<i>Lechenaultia aphylla</i>
dune fanflower	<i>Scaevola calendulacea</i> <i>Scaevola obovata</i>
	GRAMINEAE
club spear-grass	<i>Austrostipa nullanulla</i>
prickly spear-grass	<i>Austrostipa pilata</i>
small bent-grass	<i>Deyeuxia minor</i>
ruddy bent-grass	<i>Lachnagrostis scabra</i>
fine-leaf tussock-grass	<i>Poa meionectes</i> <i>Polypogon tenellus</i>
hairy rice-grass	<i>Tetrarrhena distichophylla</i>
	HALORAGACEAE
upright milfoil	<i>Myriophyllum crispatum</i>

Common name	Species
	JUNCACEAE
	<i>Juncus amabilis</i>
wiry rush	<i>Juncus homalocaulis</i>
hoary rush	<i>Juncus radula</i>
pale woodrush	<i>Luzula flaccida</i>
	JUNCAGINACEAE
turret arrowgrass	<i>Triglochin turriterum</i>
	LABIATAE
West Coast mintbush	<i>Prostanthera calycina</i>
Mount Illbilie mintbush	<i>Prostanthera nudula</i>
	<i>Teucrium grandiusculum</i> ssp. <i>grandiusculum</i>
	LEGUMINOSAE
needle wattle	<i>Acacia carneorum</i>
Arkaroola wattle	<i>Acacia confluens</i>
Menzel's wattle	<i>Acacia menzelii</i>
weeping myall	<i>Acacia pendula</i>
resin wattle	<i>Acacia rheticarpa</i>
sweet wattle	<i>Acacia suaveolens</i>
sword bossiaea	<i>Bossiaea ensata</i>
small scurf-pea	<i>Cullen parvum</i>
clover glycine	<i>Glycine latrobeana</i>
variable glycine	<i>Glycine tabacina</i>
	<i>Hovea linearis</i>
	<i>Pultenaea villifera</i> var. <i>glabrescens</i>
Behr's swainson-pea	<i>Swainsona behriana</i>
	<i>Swainsona dictyocarpa</i>
	<i>Swainsona kingii</i>
small-flower swainson-pea	<i>Swainsona minutiflora</i>
Murray swainson-pea	<i>Swainsona murrayana</i>
Broughton pea	<i>Swainsona procumbens</i>
	<i>Swainsona vestita</i>
creeping Darling pea	<i>Swainsona viridis</i>
leafy templetonia	<i>Templetonia stenophylla</i>

Common name	Species
	LENTIBULARIACEAE
Beaglehole's bladderwort	<i>Utricularia beagleholei</i>
small bladderwort	<i>Utricularia lateriflora</i>
	LILIACEAE
pale vanilla-lily	<i>Arthropodium milleflorum</i>
eastern blue tinsel-lily	<i>Calectasia intermedia</i>
	<i>Dianella porracea</i>
nodding grass-lily	<i>Stypandra glauca</i>
tufted lily	<i>Thelionema caespitosum</i>
tuber fringe-lily	<i>Thysanotus tuberosus</i>
broad-leaf Nancy	<i>Wurmbea latifolia</i> ssp. <i>latifolia</i>
	<i>Wurmbea</i> sp. <i>Nilpinna</i> (F.J.Badman 7107)
	LOGANIACEAE
Kangaroo Island logania	<i>Logania insularis</i>
hairy mitrewort	<i>Mitrasacme pilosa</i> var. <i>pilosa</i>
	<i>Phyllangium sulcatum</i>
	MALVACEAE
Australian mallow	<i>Althaea australis</i>
	<i>Alyogyne pinoniana</i> var. <i>microandra</i>
	MENYANTHACEAE
entire marshwort	<i>Nymphoides geminata</i>
Beaglehole's marsh-flower	<i>Villarsia umbricola</i> var. <i>beagleholei</i>
	MYRTACEAE
southern blue gum	<i>Eucalyptus globulus</i> ssp. <i>bicostata</i>
glaucous long-leaf box	<i>Eucalyptus goniocalyx</i> ssp. <i>exposa</i>
snow gum	<i>Eucalyptus pauciflora</i> ssp. <i>pauciflora</i>
Carpenter Rocks manna gum	<i>Eucalyptus splendens</i> ssp. <i>arcana</i>
	ORCHIDACEAE
	<i>Caladenia bicallata</i> ssp. <i>cleistogama</i>
winter spider-orchid	<i>Caladenia brumalis</i>
drooping spider-orchid	<i>Caladenia flaccida</i>

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<b>Common name</b>	<b>Species</b>
elegant spider-orchid	<i>Caladenia formosa</i>
scented spider-orchid	<i>Caladenia fragrantissima</i> ssp. <i>fragrantissima</i>
large white spider-orchid	<i>Caladenia venusta</i>
large duck-orchid	<i>Caleana major</i>
red beard-orchid	<i>Calochilus paludosus</i>
dune helmet-orchid	<i>Corybas expansus</i>
moose orchid	<i>Cryptostylis subulata</i>
bell-flower hyacinth-orchid	<i>Dipodium campanulatum</i>
leopard hyacinth-orchid	<i>Dipodium pardalinum</i>
Behr's cowslip orchid	<i>Diuris behrii</i>
	<i>Gastrodia vescula</i>
sharp midge-orchid	<i>Genoplesium despectans</i>
swamp onion-orchid	<i>Microtis orbicularis</i>
small duck-orchid	<i>Paracaleana minor</i>
limestone leek-orchid	<i>Prasophyllum calcicola</i>
plum leek-orchid	<i>Prasophyllum pruinosum</i>
Mount Remarkable leek-orchid	<i>Prasophyllum validum</i>
sandhill greenhood	<i>Pterostylis arenicola</i>
	<i>Pterostylis</i> sp. <i>Eyre Peninsula</i> (R. Bates 19474)
	<i>Pterostylis</i> sp. <i>Sandheath</i> (D. Murfet 3190)
	<i>Pterostylis</i> sp. <i>Veined leaf</i> (R.J. Bates 59781)
	<i>Pterostylis tasmanica</i>
swamp greenhood	<i>Pterostylis tenuissima</i>
desert greenhood	<i>Pterostylis xerophila</i>
blue star sun-orchid	<i>Thelymitra holmesii</i>
	<i>Thelymitra inflata</i>
	<i>Thelymitra peniculata</i>
	<i>Thelymitra</i> sp. <i>Black buds</i> (R.J.Bates 64389)
	<b>PITTOSPORACEAE</b>
twining finger-flower	<i>Cheiranthra volubilis</i>
	<b>PLANTAGINACEAE</b>
	<i>Plantago multiscapa</i>
	<b>PORTULACACEAE</b>
waterblinks	<i>Montia fontana</i> ssp. <i>chondrosperma</i>



Common name	Species
	POTAMOGETONACEAE
thin pondweed	<i>Potamogeton australiensis</i>
	PROTEACEAE
rough spider-flower	<i>Grevillea muricata</i>
scarlet grevillea	<i>Grevillea treueriana</i>
	RANUNCULACEAE
mountain clematis	<i>Clematis aristata</i>
shining buttercup	<i>Ranunculus glabrifolius</i>
large river buttercup	<i>Ranunculus papulentus</i>
smooth-fruit ferny buttercup	<i>Ranunculus pumilio</i> var. <i>politus</i>
annual buttercup	<i>Ranunculus sessiliflorus</i> var. <i>pilulifer</i>
	RESTIONACEAE
	<i>Baloskion tetraphyllum</i> ssp. <i>tetraphyllum</i>
bundled cord-rush	<i>Desmocladius diacolpicus</i>
flat cord-rush	<i>Eurychorda complanata</i>
	RHAMNACEAE
	<i>Pomaderris halmaturina</i> ssp. <i>continentis</i>
Kangaroo Island pomaderris	<i>Pomaderris halmaturina</i> ssp. <i>halmaturina</i>
Marble Range spyridium	<i>Spyridium bifidum</i> var. <i>Marble Range</i> (W.R.Barker 7601)
Wanilla spyridium	<i>Spyridium bifidum</i> var. <i>Wanilla</i> (K.Clipstone 88)
butterfly spyridium	<i>Spyridium coactilifolium</i>
cloaked spyridium	<i>Spyridium erymnocladum</i>
rusty spyridium	<i>Spyridium tricolor</i>
	RUBIACEAE
broad-leaf woodruff	<i>Asperula euryphylla</i> var. <i>tetraphylla</i>
	RUTACEAE
downy star-bush	<i>Asterolasia phebalioides</i>
desert lime	<i>Citrus glauca</i>
Hindmarsh correa	<i>Correa calycina</i> var. <i>calycina</i>

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<b>Common name</b>	<b>Species</b>
Deep Creek correa	<i>Correa eburnea</i>
Lowan phebalium	<i>Phebalium lowanense</i>
small-leaf wax-flower	<i>Philotheca difformis</i> ssp. <i>difformis</i>
Bendigo wax-flower	<i>Philotheca verrucosa</i>
	<b>SANTALACEAE</b>
sandalwood	<i>Santalum spicatum</i>
	<b>SAPINDACEAE</b>
trailing hop-bush	<i>Dodonaea procumbens</i>
	<b>SCHIZAEACEAE</b>
forked comb-fern	<i>Schizaea bifida</i>
narrow comb-fern	<i>Schizaea fistulosa</i>
	<b>SCROPHULARIACEAE</b>
purple eyebright	<i>Euphrasia collina</i> ssp. <i>collina</i>
	<i>Glossostigma</i> sp. <i>Long stout-pedicelled</i> (W.R.Barker 2481)
granite mudwort	<i>Limosella granitica</i>
swamp mazus	<i>Mazus pumilio</i>
slender speedwell	<i>Veronica gracilis</i>
	<i>Veronica</i> sp. <i>Narrow-linear leaves</i> (B.G.Briggs 2531)
	<b>SOLANACEAE</b>
	<i>Nicotiana burbidgeae</i>
	<b>STACKHOUSIACEAE</b>
annual candles	<i>Stackhousia annua</i>
	<b>STERCULIACEAE</b>
	<i>Rulingia craurophylla</i>
	<b>STYLIDIACEAE</b>
slender stylewort	<i>Levenhookia sonderi</i>
	<i>Stylidium desertorum</i>
	<i>Stylidium inaequipetalum</i>

Common name	Species
	THYMELAEACEAE
	<i>Pimelea hewardiana</i>
	UMBELLIFERAE
	<i>Centella uniflora</i>
blue devil	<i>Eryngium rostratum</i>

## Schedule 9—Rare species

### Part 1—Animals

Common name	Species
<b>Mammals</b>	
	BALAENOPTERIDAE
Minke Whale	<i>Balaenoptera acutorostrata</i>
Bryde's Whale	<i>Balaenoptera edeni</i>
	DASYURIDAE
Lesser Hairy-footed Dunnart	<i>Sminthopsis youngsoni</i>
	DELPHINIDAE
Short-finned Pilot Whale	<i>Globicephala macrorhynchus</i>
Risso's Dolphin	<i>Grampus griseus</i>
False Killer Whale	<i>Pseudorca crassidens</i>
	EMBALLONURIDAE
Yellow-bellied Sheathtail Bat	<i>Saccolaimus flaviventris</i>
Hill's Sheathtail Bat	<i>Taphozous hilli</i>
	KOGIIDAE
Pygmy Sperm Whale	<i>Kogia breviceps</i>
Dwarf Sperm Whale	<i>Kogia simas</i>
	MACROPODIDAE
Eastern Grey Kangaroo	<i>Macropus giganteus</i>
Red-necked Wallaby	<i>Macropus rufogriseus</i>

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<b>Common name</b>	<b>Species</b>
Black-footed Rock Wallaby	<i>Petrogale lateralis pearsoni</i>
	MURIDAE
Swamp Rat	<i>Rattus lutreolus</i>
	NEOBALAENIDAE
Pygmy Right Whale	<i>Caperea marginata</i>
	OTARIIDAE
Australian Fur-seal	<i>Arctocephalus pusillus</i>
	PETAURIDAE
Sugar Glider	<i>Petaurus breviceps</i>
	PHALANGERIDAE
Common Brushtail Possum	<i>Trichosurus vulpecula</i>
	PHOCIDAE
Leopard Seal	<i>Hydrurga leptonyx</i>
Southern Elephant Seal	<i>Mirounga leonina</i>
	PHYSETERIDAE
Sperm Whale	<i>Physeter macrocephalus</i>
	POTORIDAE
Brush-tailed Bettong (western subspecies)	<i>Bettongia penicillata ogilbyi</i>
	PTEROPODIDAE
Grey-headed Flying-fox	<i>Pteropus poliocephalus</i>
Little Red Flying-fox	<i>Pteropus scapulatus</i>
	VOMBATIDAE
Common Wombat	<i>Vombatus ursinus</i>
	ZIPHIIDAE
Arnoux's Beaked Whale	<i>Berardius arnouxii</i>
Southern Bottlenose Whale	<i>Hyperoodon planifrons</i>

<b>Common name</b>	<b>Species</b>
Andrew's Beaked Whale	<i>Mesoplodon bowdoini</i>
Gray's Beaked Whale	<i>Mesoplodon grayi</i>
Hector's Beaked Whale	<i>Mesoplodon hectori</i>
Shepherd's Beaked Whale	<i>Tasmacetus shepherdi</i>
Cuvier's Beaked Whale	<i>Ziphius cavirostris</i>
<b>Birds</b>	
ACANTHIZIDAE	
Slender-billed Thornbill (eastern subspecies)	<i>Acanthiza iredalei hedleyi</i>
Slender-billed Thornbill (western subspecies)	<i>Acanthiza iredalei iredalei</i>
Chestnut-breasted Whiteface	<i>Aphelocephala pectoralis</i>
Shy Heathwren (Shy Hylacola)	<i>Calamanthus cautus</i>
Rufous Bristlebird (south east SA subspecies)	<i>Dasyornis broadbenti broadbenti</i>
Western Gerygone	<i>Gerygone fusca</i>
White-throated Gerygone	<i>Gerygone olivacea</i>
ACCIPITRIDAE	
Letter-winged Kite	<i>Elanus scriptus</i>
Black-breasted Buzzard	<i>Hamirostra melanosternon</i>
ANATIDAE	
Australasian Shoveler	<i>Anas rhynchos</i>
Musk Duck	<i>Biziura lobata</i>
Cape Barren Goose	<i>Cereopsis novaehollandiae</i>
Blue-billed Duck	<i>Oxyura australis</i>
ANHINGIDAE	
Darter	<i>Anhinga melanogaster</i>
ARDEIDAE	
Cattle Egret	<i>Ardea ibis</i>
Intermediate Egret	<i>Ardea intermedia</i>
Little Egret	<i>Egretta garzetta</i>
Eastern Reef Egret	<i>Egretta sacra</i>
BURHINIDAE	
Bush Stone-curlew	<i>Burhinus grallarius</i>

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## Schedule 9—Rare species

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<b>Common name</b>	<b>Species</b>
	CACATUIDAE
Major Mitchell's Cockatoo	<i>Cacatua leadbeateri</i>
	CAMPEPHAGIDAE
White-bellied Cuckoo-shrike	<i>Coracina papuensis</i>
	CHARADRIIDAE
Great Sand Plover	<i>Charadrius leschenaultii</i>
Lesser Sand Plover	<i>Charadrius mongolus</i>
Pacific Golden Plover	<i>Pluvialis fulva</i>
	CLIMACTERIDAE
White-browed Treecreeper	<i>Climacteris affinis</i>
	COLUMBIDAE
Spinifex Pigeon	<i>Geophaps plumifera</i>
Flock Bronzewing	<i>Phaps histrionica</i>
	CORCORACIDAE
White-winged Chough	<i>Corcorax melanorhamphos</i>
	DICRURIDAE
Restless Flycatcher	<i>Myiagra inquieta</i>
	ESTRILDIDAE
Painted Finch	<i>Emblema pictum</i>
Beautiful Firetail	<i>Stagonopleura bella</i>
	EUPETIDAE
Chestnut Quail-thrush (eastern subspecies)	<i>Cinclosoma castanotus castanotus</i>
Western Whipbird (Kangaroo Island subspecies)	<i>Psophodes nigrogularis lashmari</i>
	FALCONIDAE
Grey Falcon	<i>Falco hypoleucos</i>
Peregrine Falcon	<i>Falco peregrinus</i>

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Common name	Species
	HAEMATOPODIDAE
Sooty Oystercatcher	<i>Haematopus fuliginosus</i>
Pied Oystercatcher	<i>Haematopus longirostris</i>
	LARIDAE
Kelp Gull	<i>Larus dominicanus</i>
Common Tern	<i>Sterna hirundo</i>
	MALURIDAE
Grey Grasswren	<i>Amytornis barbatus</i>
Striated Grasswren	<i>Amytornis striatus</i>
Southern Emu-wren (Kangaroo Island subspecies)	<i>Stipiturus malachurus halmaturinus</i>
Southern Emu-wren (south east SA subspecies)	<i>Stipiturus malachurus polionotum</i>
Rufous-crowned Emu-wren	<i>Stipiturus ruficeps</i>
	MELIPHAGIDAE
Grey Honeyeater	<i>Conopophila whitei</i>
Blue-faced Honeyeater	<i>Entomyzon cyanotis</i>
Painted Honeyeater	<i>Grantiella picta</i>
Purple-gaped Honeyeater (mainland subspecies)	<i>Lichenostomus cratitius occidentalis</i>
Brown Honeyeater	<i>Lichmera indistincta</i>
Black-chinned Honeyeater (northern subspecies)	<i>Melithreptus gularis laetior</i>
Little Friarbird	<i>Philemon citreogularis</i>
Striped Honeyeater	<i>Plectorhyncha lanceolata</i>
Bassian Thrush	<i>Zoothera lunulata</i>
	ORIOLIDAE
Olive-backed Oriole	<i>Oriolus sagittatus</i>
	PACHYCEPHALIDAE
Crested Shrike-tit	<i>Falcunculus frontatus</i>
Gilbert's Whistler	<i>Pachycephala inornata</i>
Red-lored Whistler	<i>Pachycephala rufogularis</i>
	PETROICIDAE
Hooded Robin (south east subspecies)	<i>Melanodryas cucullata cucullata</i>
Jacky Winter (south east subspecies)	<i>Microeca fascinans fascinans</i>

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<b>Common name</b>	<b>Species</b>
Scarlet Robin (eastern subspecies)	<i>Petroica multicolor boodang</i>
	PODICIPEDIDAE
Great Crested Grebe	<i>Podiceps cristatus</i>
	POMATOSTOMIDAE
Grey-crowned Babbler (northern subspecies)	<i>Pomatostomus temporalis rubeculus</i>
	PROCELLARIIDAE
Fleshy-footed Shearwater	<i>Puffinus carneipes</i>
	PSITTACIDAE
Red-winged Parrot	<i>Aprosmictus erythropterus</i>
Elegant Parrot	<i>Neophema elegans</i>
Rock Parrot	<i>Neophema petrophila</i>
Scarlet-chested Parrot	<i>Neophema splendida</i>
Blue Bonnet (western subspecies)	<i>Northiella haematogaster narethae</i>
	PTILONORHYNCHIDAE
Western Bowerbird	<i>Chlamydera guttata</i>
	RALLIDAE
Spotless Crake	<i>Porzana tabuensis</i>
	SCOLOPACIDAE
Common Sandpiper	<i>Actitis hypoleucos</i>
Ruddy Turnstone	<i>Arenaria interpres</i>
Sanderling	<i>Calidris alba</i>
Pectoral Sandpiper	<i>Calidris melanotos</i>
Long-toed Stint	<i>Calidris subminuta</i>
Great Knot	<i>Calidris tenuirostris</i>
Latham's Snipe	<i>Gallinago hardwickii</i>
Grey-tailed Tattler	<i>Heteroscelus brevipes</i>
Bar-tailed Godwit	<i>Limosa lapponica</i>
Black-tailed Godwit	<i>Limosa limosa</i>
Whimbrel	<i>Numenius phaeopus</i>
Ruff	<i>Philomachus pugnax</i>



<b>Common name</b>	<b>Species</b>
Wood Sandpiper	<i>Tringa glareola</i>
Terek Sandpiper	<i>Xenus cinereus</i>
	<b>STRIGIDAE</b>
Barking Owl	<i>Ninox connivens</i>
	<b>THRESKIORNITHIDAE</b>
Glossy Ibis	<i>Plegadis falcinellus</i>
	<b>TURNICIDAE</b>
Red-chested Button-quail	<i>Turnix pyrrhоторax</i>
Painted Button-quail	<i>Turnix varia</i>
	<b>TYTONIDAE</b>
Grass Owl	<i>Tyto capensis</i>
<b>Reptiles</b>	
	<b>AGAMIDAE</b>
Jacky Lizard	<i>Amphibolurus muricatus</i>
Spotted Dragon	<i>Ctenophorus maculatus</i>
McKenzie's Dragon	<i>Ctenophorus mckenziei</i>
Claypan Dragon	<i>Ctenophorus salinarum</i>
	<b>BOIDAE</b>
Woma	<i>Aspidites ramsayi</i>
Carpet Python	<i>Morelia spilota</i>
	<b>ELAPIDAE</b>
Channel Country Whipsnake	<i>Demansia</i> sp. 'Channel Country Whipsnake'
White-lipped Snake	<i>Drysdalia coronoides</i>
Bardick	<i>Echiopsis curta</i>
Spotted Brown Snake	<i>Pseudonaja guttata</i>
Western Black-naped Snake	<i>Simoselaps bimaculatus</i>
Common Bandy-Bandy	<i>Vermicella annulata</i>
	<b>GEKKONIDAE</b>
Northern Snake-lizard	<i>Delma borea</i>

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## Schedule 9—Rare species

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<b>Common name</b>	<b>Species</b>
Patchwork Gecko	<i>Diplodactylus pulcher</i>
Map Gecko	<i>Diplodactylus steindachneri</i>
Pernatty Knob-tailed Gecko	<i>Nephrurus deleani</i>
Marbled Velvet Gecko	<i>Oedura marmorata</i>
Bronzeback Legless Lizard	<i>Ophidiocephalus taeniatus</i>
SCINCIDAE	
Western Three-lined Skink	<i>Bassiana trilineata</i>
Ashy-downs Ctenotus	<i>Ctenotus astarte</i>
Giant Desert Ctenotus	<i>Ctenotus grandis</i>
Greer's Ctenotus	<i>Ctenotus greeri</i>
Blacksoil Ctenotus	<i>Ctenotus joanae</i>
Paleface Ctenotus	<i>Ctenotus piankai</i>
Southern Water Skink	<i>Eulamprus tympanum</i>
Beach Slider	<i>Lerista arenicola</i>
Speckled Slider	<i>Lerista baynesi</i>
Dwarf four-toed Slider	<i>Lerista distinguenda</i>
Long-legged Slider	<i>Lerista microtis</i>
Desert Glossy Skink	<i>Notoscincus ornatus</i>
Blacksoil Skink	<i>Proablepharus kinghorni</i>
Bight Coast Skink	<i>Pseudemoia baudini</i>
Tussock Skink	<i>Pseudemoia pagenstecheri</i>
VARANIDAE	
Short-tailed Pygmy Goanna	<i>Varanus brevicauda</i>
Tree Goanna	<i>Varanus varius</i>
<b>Amphibians</b>	
HYLIDAE	
Knife-footed Frog	<i>Cyclorana cultripes</i>
Smooth Frog	<i>Geocrinia laevis</i>
Brown Toadlet	<i>Pseudophryne bibroni</i>
Small-headed Toadlet	<i>Uperoleia capitulata</i>

## Part 2—Plants

Common name	Species
	ADIANTACEAE
annual fern	<i>Anogramma leptophylla</i>
	AMARANTHACEAE
	<i>Ptilotus aristatus</i> var. <i>aristatus</i>
Barker's mulla mulla	<i>Ptilotus barkeri</i>
hairy-tails	<i>Ptilotus erubescens</i>
	<i>Ptilotus schwartzii</i> f. <i>schwartzii</i>
Symon's mulla mulla	<i>Ptilotus symonii</i>
	ARACEAE
	<i>Typhonium alismifolium</i>
	ASPLENIACEAE
common spleenwort	<i>Asplenium trichomanes</i>
	BAUERACEAE
wiry bauera	<i>Bauera rubioides</i>
	BLECHNACEAE
fishbone water-fern	<i>Blechnum nudum</i>
hard water-fern	<i>Blechnum watsii</i>
	BORAGINACEAE
	<i>Embadium johnstonii</i>
	<i>Embadium stagnense</i>
	CALLITRICHACEAE
matted water starwort	<i>Callitriche sonderi</i>
	CAMPANULACEAE
swamp isotome	<i>Isotoma fluviatilis</i> ssp. <i>australis</i>
salt isotome	<i>Isotoma scapigera</i>
	<i>Lobelia heterophylla</i>
poison lobelia	<i>Lobelia pratioides</i>

Common name	Species
poison pratia	<i>Pratia concolor</i>
	CARYOPHYLLACEAE
rayless starwort	<i>Stellaria multiflora</i>
swamp starwort	<i>Stellaria palustris</i> var. <i>tenella</i>
prickly starwort	<i>Stellaria pungens</i>
	CENTROLEPIDACEAE
cushion centrolepis	<i>Centrolepis cephaliformis</i> ssp. <i>cephaloformis</i>
cushion centrolepis	<i>Centrolepis cephaliformis</i> ssp. <i>murrayi</i>
smooth centrolepis	<i>Centrolepis glabra</i>
	CERATOPHYLLACEAE
hornwort	<i>Ceratophyllum demersum</i>
	CHENOPODIACEAE
	<i>Atriplex australasica</i>
Eichler's saltbush	<i>Atriplex eichleri</i>
papery goosefoot	<i>Chenopodium erosum</i>
	<i>Halosarcia lepidosperma</i>
black-fruit bluebush	<i>Maireana melanocarpa</i>
slender fissure-plant	<i>Maireana pentagona</i>
Rohrlach's bluebush	<i>Maireana rohrlachii</i>
lax bluebush	<i>Maireana suaedifolia</i>
wingless bonefruit	<i>Osteocarpum acropterum</i> var. <i>deminutum</i>
Black's bindyi	<i>Sclerolaena blackiana</i>
	<i>Sclerolaena fontinalis</i>
five-spine bindyi	<i>Sclerolaena muricata</i> var. <i>villosa</i>
	COMPOSITAE
Kangaroo Island river daisy	<i>Achnophora tatei</i>
swamp daisy	<i>Allittia cardiocarpa</i>
	<i>Allittia uliginosa</i>
	<i>Basedowia tenerrima</i>
swamp daisy	<i>Brachyscome basaltica</i> var. <i>gracilis</i>
short-stem daisy	<i>Brachyscome breviscapis</i>
	<i>Brachyscome ciliaris</i> var. <i>subintegrifolia</i>

Common name	Species
	<i>Brachyscome eriogona</i>
grass daisy	<i>Brachyscome graminea</i>
coast daisy	<i>Brachyscome parvula</i>
Reader's daisy	<i>Brachyscome readeri</i>
Nullarbor daisy	<i>Brachyscome tatei</i>
yellow-fruit daisy	<i>Brachyscome xanthocarpa</i>
pale beauty-heads	<i>Calocephalus sonderi</i>
yellow burr-daisy	<i>Calotis lappulacea</i>
tufted burr-daisy	<i>Calotis scapigera</i>
wingwort	<i>Ceratogyne obionoides</i>
salt button-daisy	<i>Chondropyxis halophila</i>
shiny elachanth	<i>Elachanthus glaber</i>
	<i>Gratwickia monochaeta</i>
dogwood haeckeria	<i>Haeckeria cassiniiformis</i>
small nut-heads	<i>Haegiela tatei</i>
	<i>Hyalosperma stoveae</i>
	<i>Leiocarpa pluriseta</i>
	<i>Leptinella reptans</i>
lanky buttons	<i>Leptorhynchos elongatus</i>
	<i>Leptorhynchos orientalis</i>
annual buttons	<i>Leptorhynchos scaber</i>
wiry buttons	<i>Leptorhynchos tenuifolius</i>
musk daisy-bush	<i>Olearia adenolasia</i>
velvet daisy-bush	<i>Olearia pannosa</i> ssp. <i>cardiophylla</i>
sticky daisy-bush	<i>Olearia passerinoides</i> ssp. <i>glutescens</i>
rasp daisy-bush	<i>Olearia picridifolia</i>
squat picris	<i>Picris squarrosa</i>
showy copper-wire daisy	<i>Podolepis jaceoides</i>
gypsum groundsel	<i>Senecio gypsicola</i>
	CRASSULACEAE
large-fruit crassula	<i>Crassula exserta</i>
purple crassula	<i>Crassula peduncularis</i>
	CRUCIFERAE
annual bitter-cress	<i>Cardamine paucijuga</i>
slender bitter-cress	<i>Cardamine tenuifolia</i>

Common name	Species
Kangaroo Island cress	<i>Irenepharsus phasmatodes</i>
bushy peppergrass	<i>Lepidium desvauxii</i>
	<i>Lepidium pseudoruderale</i>
	<i>Menkea lutea</i>
hairy shepherd's-purse	<i>Microlepidium pilosulum</i>
spreading cress	<i>Phlegmatospermum eremaeum</i>
forest bitter-cress	<i>Rorippa dictyosperma</i>
jagged bitter-cress	<i>Rorippa laciniata</i>
	CYPERACEAE
pale twig-rush	<i>Baumea acuta</i>
slender twig-rush	<i>Baumea gunnii</i>
lax twig-rush	<i>Baumea laxa</i>
	<i>Bulbostylis pyriformis</i>
	<i>Bulbostylis turbinata</i>
mountain sedge	<i>Carex gunniana</i>
leafy twig-rush	<i>Cladium procerum</i>
downs flat-sedge	<i>Cyperus bifax</i>
	<i>Cyperus castaneus</i>
	<i>Cyperus concinnus</i>
flaccid flat-sedge	<i>Cyperus flaccidus</i>
	<i>Cyperus lhotskyanus</i>
	<i>Cyperus nervulosus</i>
dark flat-sedge	<i>Cyperus sanguinolentus</i>
	<i>Cyperus sphaeroideus</i>
	<i>Eleocharis geniculata</i>
	<i>Eleocharis papillosa</i>
	<i>Eleocharis plana</i>
summer fringe-rush	<i>Fimbristylis aestivalis</i>
tall saw-sedge	<i>Gahnia clarkei</i>
spiky saw-sedge	<i>Gahnia hystrix</i>
thatch saw-sedge	<i>Gahnia radula</i>
	<i>Gahnia</i> sp. West Bay (B.M.Overton 2685)
remote sword-sedge	<i>Lepidosperma avium</i>
	<i>Lepidosperma leptophyllum</i>
tiny bog-rush	<i>Schoenus discifer</i>
	<i>Schoenus laevigatus</i>

Common name	Species
slender bog-rush	<i>Schoenus lepidosperma</i> ssp. <i>lepidosperma</i>
gimlet bog-rush	<i>Schoenus sculptus</i>
grassy bog-rush	<i>Schoenus tesquorum</i>
	DENNSTAEDTIACEAE
ruddy ground-fern	<i>Hypolepis rugosula</i>
	DILLENACEAE
Central Australian guinea-flower	<i>Hibbertia glaberrima</i> <i>Hibbertia</i> sp. <i>Humilis</i> (H.R.Toelken 9196)
	DROSERACEAE
forked sundew	<i>Drosera binata</i>
early sundew	<i>Drosera praeefolia</i>
	ELATINACEAE
waterwort	<i>Elatine gratioloides</i>
	EPACRIDACEAE
Cleland's beard-heath	<i>Leucopogon clelandii</i>
hairy beard-heath	<i>Leucopogon hirsutus</i> <i>Leucopogon revolutus</i>
pink swamp-heath	<i>Sprengelia incarnata</i>
	EUPHORBIACEAE
snowdrop spurge	<i>Phyllanthus calycinus</i>
fringed pseudanthus	<i>Pseudanthus micranthus</i>
	FRANKENIACEAE
	<i>Frankenia cinerea</i> <i>Frankenia cupularis</i> <i>Frankenia subteres</i>
	GERANIACEAE
	<i>Erodium</i> sp. <i>Blesing</i> (J.R.Wheeler 471) <i>Geranium</i> sp. <i>Linear segments</i> (K.Preiss 128)

Common name	Species
	GLEICHENIACEAE
coral fern	<i>Gleichenia microphylla</i>
	GOODENIACEAE
	<i>Dampiera roycei</i>
	<i>Goodenia anfracta</i>
Bentham's goodenia	<i>Goodenia benthamiana</i>
	<i>Goodenia brunnea</i>
	<i>Goodenia chambersii</i>
	<i>Goodenia glandulosa</i>
spreading goodenia	<i>Goodenia heteromera</i>
Flinders Range goodenia	<i>Goodenia saccata</i>
myrtle fanflower	<i>Scaevola myrtifolia</i>
	<i>Velleia cynopotamica</i>
	GRAMINEAE
pointed swamp wallaby-grass	<i>Amphibromus archeri</i>
long-nosed swamp wallaby-grass	<i>Amphibromus macrorhinus</i>
dark swamp wallaby-grass	<i>Amphibromus recurvatus</i>
	<i>Aristida arida</i>
	<i>Aristida australis</i>
smooth wallaby-grass	<i>Austrodanthonia laevis</i>
short-awn wallaby-grass	<i>Austrodanthonia tenuior</i>
cane spear-grass	<i>Austrostipa breviglumis</i>
foxtail spear-grass	<i>Austrostipa densiflora</i>
spiny spear-grass	<i>Austrostipa echinata</i>
	<i>Austrostipa gibbosa</i>
	<i>Austrostipa multispiculis</i>
Flinders Range spear-grass	<i>Austrostipa petraea</i>
	<i>Austrostipa plumigera</i>
	<i>Austrostipa tenuifolia</i>
Tucker's spear-grass	<i>Austrostipa tuckeri</i>
Vickery's spear-grass	<i>Austrostipa vickeryana</i>
red-leg grass	<i>Bothriochloa macra</i>
heath bent-grass	<i>Deyeuxia densa</i>
rough-bearded grass	<i>Echinopogon ovatus</i>
barren cane-grass	<i>Eragrostis infecunda</i>



Common name	Species
purple love-grass	<i>Eragrostis lacunaria</i>
Bentham's fescue	<i>Festuca benthamiana</i>
narrow-leaf blown-grass	<i>Lachnagrostis punicea</i> var. <i>filifolia</i> <i>Lachnagrostis punicea</i> var. <i>punicea</i>
tall blown-grass	<i>Lachnagrostis robusta</i>
woolly mulga-grass	<i>Neurachne lanigera</i>
five-awn spear-grass	<i>Pentapogon quadrifidus</i> var. <i>quadrifidus</i>
knotted poa	<i>Poa drummondiana</i>
scaly poa	<i>Poa fax</i>
soft tussock-grass	<i>Poa morrisii</i>
velvet tussock-grass	<i>Poa rodwayi</i> <i>Poa sieberiana</i> var. <i>sieberiana</i>
shade tussock-grass	<i>Poa umbricola</i>
gummy spinifex	<i>Triodia pungens</i> <i>Zoysia macrantha</i> ssp. <i>walshii</i>
	GUTTIFERAE
matted St John's wort	<i>Hypericum japonicum</i>
	HALORAGACEAE
shade raspwort	<i>Gonocarpus humilis</i>
creeping raspwort	<i>Gonocarpus micranthus</i> ssp. <i>micranthus</i>
swamp raspwort	<i>Haloragis brownii</i>
Eichler's raspwort	<i>Haloragis eichleri</i> <i>Haloragis myriocarpa</i>
broad milfoil	<i>Myriophyllum amphibium</i>
tiny milfoil	<i>Myriophyllum integrifolium</i>
robust milfoil	<i>Myriophyllum papillosum</i>
varied milfoil	<i>Myriophyllum variifolium</i>
	HYDROCHARITACEAE
waterthyme	<i>Hydrilla verticillata</i>
swamp lily	<i>Ottelia ovalifolia</i> ssp. <i>ovalifolia</i>
	ISOETACEAE
plain quillwort	<i>Isoetes drummondii</i> ssp. <i>drummondii</i>

Common name	Species
	JUNCACEAE
austral rush	<i>Juncus australis</i>
tall rush	<i>Juncus procerus</i>
	<i>Luzula ovata</i>
	JUNCAGINACEAE
Alcock's water-ribbons	<i>Triglochin alcockiae</i>
tiny arrowgrass	<i>Triglochin minutissimum</i>
	LABIATAE
slender mint	<i>Mentha diemenica</i>
native pennyroyal	<i>Mentha satureioides</i>
	<i>Microcorys macrediana</i>
green mintbush	<i>Prostanthera chlorantha</i>
dwarf skullcap	<i>Scutellaria humilis</i>
	LEGUMINOSAE
Alcock's wattle	<i>Acacia alcockii</i>
	<i>Acacia ammobia</i>
Baratta wattle	<i>Acacia barattensis</i>
hop-bush wattle	<i>Acacia dodonaeifolia</i>
prickly wattle	<i>Acacia erinacea</i>
Georgina gidgea	<i>Acacia georginae</i>
graceful wattle	<i>Acacia gracilifolia</i>
ploughshare wattle	<i>Acacia gunnii</i>
Helm's wattle	<i>Acacia helmsiana</i>
	<i>Acacia hemiteles</i>
six-nerve spine-bush	<i>Acacia hexaneura</i>
feathery wattle	<i>Acacia imbricata</i>
Flinders Ranges wattle	<i>Acacia iteaphylla</i>
Coonavitttra wattle	<i>Acacia jennerae</i>
Latz's wattle	<i>Acacia latzii</i>
streaked wattle	<i>Acacia lineata</i>
nealie	<i>Acacia loderi</i>
Mitchell's wattle	<i>Acacia mitchellii</i>
mallee wattle	<i>Acacia montana</i>
	<i>Acacia mutabilis</i> ssp. <i>angustifolia</i>

<b>Common name</b>	<b>Species</b>
Pickard's wattle	<i>Acacia pickardii</i>
Quorn wattle	<i>Acacia quornensis</i>
dagger-leaf wattle	<i>Acacia rhigiophylla</i>
minni ritchi	<i>Acacia rhodophloia</i>
	<i>Acacia simmonsiana</i>
hop wattle	<i>Acacia stricta</i>
Symon's wattle	<i>Acacia symonii</i>
	<i>Acacia tenuior</i>
	<i>Acacia tenuissima</i>
	<i>Acacia toondulya</i>
mallee bitter-pea	<i>Daviesia benthamii</i> ssp. <i>humilis</i>
zig-zag bitter-pea	<i>Daviesia pectinata</i>
Flinders Ranges bitter-pea	<i>Daviesia stricta</i>
	<i>Hovea purpurea</i>
clustered bush-pea	<i>Pultenaea dentata</i>
Tothill bush-pea	<i>Pultenaea kraehenbuehlii</i>
rough bush-pea	<i>Pultenaea scabra</i>
tufted bush-pea	<i>Pultenaea trichophylla</i>
leafless globe-pea	<i>Sphaerolobium minus</i>
	<i>Swainsona fuscoviridis</i>
Lee's swainson-pea	<i>Swainsona leeana</i>
wild violet	<i>Swainsona microcalyx</i>
	<i>Swainsona oligophylla</i>
yellow swainson-pea	<i>Swainsona pyrophila</i>
spiny templetonia	<i>Templetonia battii</i>
native broom	<i>Viminaria juncea</i>
	<b>LENTIBULARIACEAE</b>
yellow bladderwort	<i>Utricularia australis</i>
violet bladderwort	<i>Utricularia violacea</i>
	<b>LILIACEAE</b>
pale grass-lily	<i>Caesia parviflora</i> var. <i>minor</i>
sand lily	<i>Corynotheca licrota</i>
	<i>Dianella longifolia</i> var. <i>grandis</i>
wattle mat-rush	<i>Lomandra filiformis</i> ssp. <i>coriacea</i>
grassy fringe-lily	<i>Thysanotus tenellus</i>

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## Schedule 9—Rare species

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<b>Common name</b>	<b>Species</b>
Eyre Peninsula fringe-lily	<i>Thysanotus wangariensis</i>
trailing Nancy	<i>Wurmbea decumbens</i>
desert Nancy	<i>Wurmbea deserticola</i>
	<i>Wurmbea latifolia</i> ssp. <i>vanessae</i>
	<i>Wurmbea stellata</i>
Tate's grass-tree	<i>Xanthorrhoea semiplana</i> ssp. <i>tateana</i>
desert grass-tree	<i>Xanthorrhoea thorntonii</i>
	<b>LOGANIACEAE</b>
rock logania	<i>Logania saxatilis</i>
rough logania	<i>Logania scabrella</i>
tiny mitrewort	<i>Phyllangium distylis</i>
	<b>LYCOPODIACEAE</b>
slender clubmoss	<i>Lycopodiella lateralis</i>
pigmy clubmoss	<i>Phylloglossum drummondii</i>
	<b>LYTHRACEAE</b>
purple loosestrife	<i>Lythrum salicaria</i>
	<b>MALVACEAE</b>
	<i>Abutilon oxycarpum</i> var. <i>incanum</i>
showy lawrencia	<i>Lawrencia berthae</i>
	<i>Sida</i> sp. <i>Wakaya Desert</i> (C.Dunlop 1984)
	<b>MARSILEACEAE</b>
austral pillwort	<i>Pilularia novae-hollandiae</i>
	<b>MENYANTHACEAE</b>
wavy marshwort	<i>Nymphoides crenata</i>
	<b>MYOPORACEAE</b>
	<i>Eremophila praecox</i>
Blue Range emubush	<i>Eremophila barbata</i>
coccid emubush	<i>Eremophila gibbifolia</i>
Hill's emubush	<i>Eremophila hillii</i>
	<i>Eremophila interstans</i> var. <i>interstans</i>

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Common name	Species
small-leaf emubush	<i>Eremophila parvifolia</i>
	<i>Eremophila pentaptera</i>
twiggy emubush	<i>Eremophila polyclada</i>
green-flower emubush	<i>Eremophila subfloccosa</i> ssp. <i>glandulosa</i>
creeping boobialla	<i>Myoporum parvifolium</i>
	MYRTACEAE
prickly bottlebrush	<i>Callistemon brachyandrus</i>
Kangaroo Island heath-myrtle	<i>Calytrix smeatoniana</i>
white box	<i>Eucalyptus albens</i>
broad-leaf box	<i>Eucalyptus behriana</i>
Spafford's square-fruit mallee	<i>Eucalyptus calycogona</i> ssp. <i>spaffordii</i>
	<i>Eucalyptus canescens</i> ssp. <i>beadellii</i>
Port Lincoln mallee	<i>Eucalyptus conglobata</i>
Darke Peak mallee	<i>Eucalyptus cretata</i>
candlebark gum	<i>Eucalyptus dalrympleana</i> ssp. <i>dalrympleana</i>
	<i>Eucalyptus diversifolia</i> ssp. <i>hesperia</i>
pink gum	<i>Eucalyptus fasciculosa</i>
Mount Lindsay gum	<i>Eucalyptus gillenii</i>
Kingsmill mallee	<i>Eucalyptus kingsmillii</i> ssp. <i>alatissima</i>
whipstick mallee	<i>Eucalyptus leptopoda</i> ssp. <i>elevata</i>
large-fruit blue gum	<i>Eucalyptus leucoxydon</i> ssp. <i>megalocarpa</i>
red stringybark	<i>Eucalyptus macrorhyncha</i> ssp. <i>macrorhyncha</i>
ribbed white mallee	<i>Eucalyptus percostata</i>
	<i>Eucalyptus phenax</i> ssp. <i>compressa</i>
	<i>Eucalyptus</i> sp. <i>Flinders Ranges</i> (D.Nicolle 562)
manna gum	<i>Eucalyptus viminalis</i> ssp. <i>viminalis</i>
green mallee	<i>Eucalyptus viridis</i> ssp. <i>viridis</i>
Wimmera mallee	<i>Eucalyptus wimmerensis</i>
Wyola Lake mallee	<i>Eucalyptus wyolensis</i>
needle-leaf honey-myrtle	<i>Melaleuca armillaris</i> ssp. <i>akineta</i>
wrinkled honey-myrtle	<i>Melaleuca fulgens</i> ssp. <i>corrugata</i>
pungent honey-myrtle	<i>Melaleuca leiocarpa</i>
dwarf-leaf honey-myrtle	<i>Melaleuca nanophylla</i>
pointed-leaf honey-myrtle	<i>Melaleuca oxyphylla</i>
swamp honey-myrtle	<i>Melaleuca squamea</i>
bottlebrush tea-tree	<i>Melaleuca squarrosa</i>

Common name	Species
Wilson's honey-myrtle	<i>Melaleuca wilsonii</i>
fringed heath-myrtle	<i>Micromyrtus ciliata</i>
	OLACACEAE
	<i>Olax obcordata</i>
	OPHIOGLOSSACEAE
large adder's-tongue	<i>Ophioglossum polyphyllum</i>
	ORCHIDACEAE
	<i>Caladenia bicalliata</i> ssp. <i>bicalliata</i>
black-tongue caladenia	<i>Caladenia congesta</i>
hooded caladenia	<i>Caladenia cucullata</i>
late spider-orchid	<i>Caladenia necrophylla</i>
pygmy caladenia	<i>Caladenia pusilla</i>
	<i>Caladenia sanguinea</i>
star spider-orchid	<i>Caladenia stellata</i>
plain caladenia	<i>Caladenia vulgaris</i>
plains beard-orchid	<i>Calochilus campestris</i>
small helmet-orchid	<i>Corybas unguiculatus</i>
tiger orchid	<i>Diuris sulphurea</i>
potato orchid	<i>Gastrodia sesamoides</i>
yellow onion-orchid	<i>Microtis atrata</i>
sweet onion-orchid	<i>Microtis rara</i>
austral leek-orchid	<i>Prasophyllum australe</i>
tawny leek-orchid	<i>Prasophyllum constrictum</i>
fertile leek-orchid	<i>Prasophyllum fecundum</i>
cryptic leek-orchid	<i>Prasophyllum occultans</i>
pale leek-orchid	<i>Prasophyllum pallidum</i>
blunt greenhood	<i>Pterostylis curta</i>
slender greenhood	<i>Pterostylis foliata</i>
	<i>Pterostylis striata</i>
austral lady's tresses	<i>Spiranthes australis</i>
frog-mouth sun-orchid	<i>Thelymitra batesii</i>
small pink sun-orchid	<i>Thelymitra carnea</i>
twisted sun-orchid	<i>Thelymitra flexuosa</i>
giant sun-orchid	<i>Thelymitra grandiflora</i>

Common name	Species
plum sun-orchid	<i>Thelymitra mucida</i>
western sky sun-orchid	<i>Thelymitra occidentalis</i>
	OROBANCHACEAE
native broomrape	<i>Orobanche cernua</i> var. <i>australiana</i>
	PITTOSPORACEAE
eastern apple-berry	<i>Billardiera scandens</i> var. <i>scandens</i>
white rhytidosporum	<i>Rhytidosporum procumbens</i>
	PLANTAGINACEAE
	<i>Plantago</i> sp. A (A.C.Robinson 704)
	POLYGONACEAE
spiny lignum	<i>Muehlenbeckia horrida</i> ssp. <i>horrida</i>
wiry dock	<i>Rumex dumosus</i>
	PORTULACACEAE
bead purslane	<i>Calandrinia sphaerophylla</i>
	<i>Calandrinia stagnensis</i>
white purslane	<i>Neopaxia australasica</i>
	POTAMOGETONACEAE
blunt pondweed	<i>Potamogeton ochreatus</i>
	PRIMULACEAE
desert samolus	<i>Samolus eremaeus</i>
	PROTEACEAE
	<i>Grevillea anethifolia</i>
prickly grevillea	<i>Grevillea aquifolium</i>
	<i>Grevillea halmaturina</i> ssp. <i>halmaturina</i>
	<i>Grevillea halmaturina</i> ssp. <i>laevis</i>
	<i>Grevillea lavandulacea</i> ssp. <i>rogersii</i>
	<i>Grevillea pauciflora</i> ssp. <i>leptophylla</i>
Kangaroo Island hakea	<i>Hakea aenigma</i>
hooked needlewood	<i>Hakea tephrosperma</i>

Common name	Species
	PTERIDACEAE
tender brake	<i>Pteris tremula</i>
	RANUNCULACEAE
river buttercup	<i>Ranunculus inundatus</i>
slender buttercup	<i>Ranunculus robertsonii</i>
	RESTIONACEAE
Kangaroo Island scale-rush	<i>Lepyrodia valliculae</i>
	RHAMNACEAE
long-flower cryptandra	<i>Cryptandra</i> sp. <i>Long hypanthium</i> (C.R. Alcock 10626) <i>Pomaderris forrestiana</i> <i>Spyridium bifidum</i> var. <i>integrifolium</i>
rough spyridium	<i>Spyridium halmaturinum</i> var. <i>scabridum</i>
silvery spyridium	<i>Spyridium leucopogon</i>
spoon-leaf spyridium	<i>Spyridium spathulatum</i>
	RUBIACEAE
water woodruff	<i>Asperula subsimplex</i>
Southern Flinders woodruff	<i>Asperula syrticola</i>
tight bedstraw	<i>Galium curvihirtum</i>
dwarf nertera	<i>Leptostigma reptans</i>
	RUTACEAE
rough star-bush	<i>Asterolasia muricata</i> <i>Boronia nana</i> var. <i>hyssopifolia</i> <i>Boronia nana</i> var. <i>pubescens</i>
swamp boronia	<i>Boronia parviflora</i>
hairy boronia	<i>Boronia pilosa</i> ssp. <i>torquata</i>
hairy correa	<i>Correa aemula</i>
white correa	<i>Correa alba</i> var. <i>pannosa</i> <i>Correa backhouseana</i> var. <i>orbicularis</i> <i>Correa glabra</i> var. <i>leuoclada</i>
wilga	<i>Geijera parviflora</i>
Mount Lofty phebalium	<i>Leionema hillebrandii</i>



Common name	Species
	<i>Leionema microphyllum</i>
narrow-leaf wax-flower	<i>Philotheca angustifolia</i> ssp. <i>angustifolia</i> <i>Zieria veronicea</i> ssp. <i>insularis</i> <i>Zieria veronicea</i> ssp. <i>veronicea</i>
	SANTALACEAE
yellow-flower sour-bush	<i>Choretrum glomeratum</i> var. <i>chrysanthum</i>
spiked sour-bush	<i>Choretrum spicatum</i>
pale-fruit cherry	<i>Exocarpos strictus</i>
	SCROPHULARIACEAE
showy speedwell	<i>Derwentia decorosa</i>
Kangaroo Island speedwell	<i>Derwentia derwentiana</i> ssp. <i>anisodonta</i>
stalked brooklime	<i>Gratiola pedunculata</i>
glandular brooklime	<i>Gratiola pubescens</i>
dwarf brooklime	<i>Gratiola pumilo</i>
small monkey-flower	<i>Mimulus prostratus</i>
Haegi's stemodia	<i>Stemodia</i> sp. <i>Haegii</i> (J.Z.Weber 9055)
	SOLANACEAE
narrow-leaf ray-flower	<i>Anthocercis angustifolia</i>
Port Lincoln ray-flower	<i>Anthocercis anisantha</i> ssp. <i>anisantha</i> <i>Nicotiana truncata</i>
rare nightshade	<i>Solanum eremophilum</i>
	STERCULIACEAE
western tar-vine	<i>Gilesia biniflora</i>
	STYLIDIACEAE
	<i>Levenhookia stipitata</i>
Beaglehole's trigger-plant	<i>Stylidium beagleholei</i> <i>Stylidium ecorne</i>
Kangaroo Island trigger-plant	<i>Stylidium tepperianum</i>
	THELYPTERIDACEAE
soft shield-fern	<i>Christella dentata</i>

Common name	Species
	THYMELAEACEAE
	<i>Pimelea curviflora</i> var. <i>subglabrata</i>
sandhill riceflower	<i>Pimelea penicillaris</i>
Williamson's riceflower	<i>Pimelea williamsonii</i>
	UMBELLIFERAE
prostrate blue devil	<i>Eryngium vesiculosum</i>
fringe-fruit pennywort	<i>Hydrocotyle comocarpa</i>
spreading pennywort	<i>Hydrocotyle crassiuscula</i>
	<i>Neosciadium glochidiatum</i>
Kangaroo Island platysace	<i>Platysace heterophylla</i> var. <i>tepperi</i>
native parsnip	<i>Trachymene anisocarpa</i>
southern xanthosia	<i>Xanthosia tasmanica</i>
	XYRIDACEAE
tall yellow-eye	<i>Xyris operculata</i>
	ZANNICHELLIACEAE
	<i>Zannichellia palustris</i>
	ZOSTERACEAE
garweed	<i>Zostera muelleri</i> ssp. <i>mucronata</i>
	ZYGOPHYLLACEAE
thick twinleaf	<i>Zygophyllum crassissimum</i>
small-fruit twinleaf	<i>Zygophyllum humillimum</i>
	<i>Zygophyllum hybridum</i>

## Schedule 10—Unprotected species

Zebra Finch (*Poephila guttata*)  
Budgerygah (*Melopsittacus undulatus*)  
Red Wattlebird (*Anthochaera carunculata*)  
Grey-backed Silvereye (*Zosterops lateralis halmaturina*)  
Galah (*Cacatua roseicapilla*)  
Little Corella (*Cacatua sanguinea*)  
Australian Raven (*Corvus coronoides*)  
Little Crow (*Corvus bennetti*)  
Australian Crow (*Corvus orru ceciliae*)

Little Raven (*Corvus mellori*)  
Wild Dog (Dingo) (*Canis familiaris*)

## **Schedule 11—Species to which Part 5 Division 4A applies**

Emu

DROMAIUS NOVAEHOLLANDIAE



## Legislative history

### Notes

- This version is comprised of the following:

Part 1	1.7.2005
Part 2	1.2.2010
Part 3	16.6.2011
Part 3A	16.5.2013
Part 4	24.11.2003 (Reprint No 11)
Part 5	21.2.2008
Part 5A	4.6.2005
Part 6	16.6.2011
Schedules	21.2.2008
- Amendments of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this Act (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Legislation repealed by principal Act

The *National Parks and Wildlife Act 1972* repealed the following:

*Fauna and Flora Reserve Act 1919*

*Fauna and Flora Reserve Act Amendment Act 1940*

*Fauna Conservation Act 1964*

*Fauna Conservation Act Amendment Act 1965*

*National Parks Act 1966*

*The National Pleasure Resorts Act 1914*

*National Pleasure Resorts Act Amendment Act 1960*

*Native Plants Protection Act 1936*

### Legislation amended by principal Act

The *National Parks and Wildlife Act 1972* amended the following:

*The Lands for Public Purposes Acquisition Act 1914*

*Statute Law Revision Act 1935*

## Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
1972	56	<i>National Parks and Wildlife Act 1972</i>	27.4.1972	3.7.1972 ( <i>Gazette</i> 29.6.1972 p2689)
1974	130	<i>National Parks and Wildlife Act Amendment Act 1974</i>	12.12.1974	1.2.1975 ( <i>Gazette</i> 30.1.1975 p341)
1978	35	<i>National Parks and Wildlife Act Amendment Act 1978</i>	6.4.1978	8.6.1978 ( <i>Gazette</i> 8.6.1978 p1973)
1978	100	<i>National Parks and Wildlife Act Amendment Act (No. 2) 1978</i>	7.12.1978	14.8.1980 ( <i>Gazette</i> 14.8.1980 p528)
1981	19	<i>National Parks and Wildlife Act Amendment Act 1981</i>	19.3.1981	2.4.1981 ( <i>Gazette</i> 2.4.1981 p1017)
1981	54	<i>National Parks and Wildlife Act Amendment Act (No. 2) 1981</i>	25.6.1981	25.6.1981
1987	94	<i>National Parks and Wildlife Act Amendment Act 1987</i>	17.12.1987	17.12.1987 ( <i>Gazette</i> 17.12.1987 p1851) except ss 29, 30, 32 and 37—1.7.1988 ( <i>Gazette</i> 23.6.1988 p1983)
1991	(57)	<i>National Parks and Wildlife Endangered, Vulnerable and Rare Species (Amendment of Schedules) Regulations 1991</i> ( <i>Gazette</i> 16.5.1991 p1590)	—	16.5.1991
1992	28	<i>Wilderness Protection Act 1992</i>	21.5.1992	25.6.1992 ( <i>Gazette</i> 18.6.1992 p1756)
1992	71	<i>Statutes Amendment (Expiation of Offences) Act 1992</i>	19.11.1992	1.3.1993 ( <i>Gazette</i> 18.2.1993 p600)
1993	45	<i>National Parks and Wildlife (Miscellaneous) Amendment Act 1993</i>	20.5.1993	1.8.1993 ( <i>Gazette</i> 22.7.1993 p598)
1993	54	<i>Statutes Repeal and Amendment (Development) Act 1993</i>	27.5.1993	15.1.1994 ( <i>Gazette</i> 27.10.1993 p1889)
1996	13	<i>National Parks and Wildlife (Miscellaneous) Amendment Act 1996</i>	24.4.1996	23.5.1996 ( <i>Gazette</i> 23.5.1996 p2534)
1996	34	<i>Statutes Amendment and Repeal (Common Expiation Scheme) Act 1996</i>	2.5.1996	Sch (cl 25)—3.2.1997 ( <i>Gazette</i> 19.12.1996 p1923)
1998	54	<i>National Parks and Wildlife (Bookmark Biosphere Trust) Amendment Act 1998</i>	3.9.1998	3.9.1998
2000	11	<i>Offshore Minerals Act 2000</i>	4.5.2000	4.5.2002 (s 7(5) <i>Acts Interpretation Act 1915</i> )—certain amendments contained in Sch 2 were rendered nugatory by the prior amendment of ss 5, 14 & 43 of the principal Act by 62/2000 Sch
2000	62	<i>National Parks and Wildlife (Miscellaneous) Amendment Act 2000</i>	27.7.2000	24.8.2000 ( <i>Gazette</i> 24.8.2000 p592)
2003	35	<i>River Murray Act 2003</i>	31.7.2003	Sch (cl 14)—24.11.2003 ( <i>Gazette</i> 20.11.2003 p4203)
2003	44	<i>Statute Law Revision Act 2003</i>	23.10.2003	Sch 1—24.11.2003 ( <i>Gazette</i> 13.11.2003 p4048)

2003	63	<i>National Parks and Wildlife (Innaminka Regional Reserve) Amendment Act 2003</i>	11.12.2003	22.7.2004 ( <i>Gazette</i> 22.7.2004 p2594)
2004	27	<i>Statutes Amendment (Co-managed Parks) Act 2004</i>	29.7.2004	Pt 3 (ss 13—38)—29.7.2004 ( <i>Gazette</i> 29.7.2004 p2682)
2004	34	<i>Natural Resources Management Act 2004</i>	5.8.2004	Sch 4 (cl 23)—1.7.2005 ( <i>Gazette</i> 30.6.2005 p2093)
2005	5	<i>Adelaide Dolphin Sanctuary Act 2005</i>	14.4.2005	Sch 2 (cll 42, 44—47)—4.6.2005, (cll 43 & 48)—1.7.2005 ( <i>Gazette</i> 2.6.2005 p1684)
2005	20	<i>Statutes Amendment (Environment and Conservation Portfolio) Act 2005</i>	9.6.2005	Pt 3 (ss 9—24) & Sch 3—23.6.2005 ( <i>Gazette</i> 23.6.2005 p1901)
2008	(16)	<i>National Parks and Wildlife (Amendment of Schedules 7, 8 and 9 of Act) Regulations 2008 (Gazette 21.2.2008 p581)</i>	—	21.2.2008: r 2
2009	20	<i>Crown Land Management Act 2009</i>	4.6.2009	Sch 1 (cl 2)—1.6.2010 ( <i>Gazette</i> 18.2.2010 p816)
2009	84	<i>Statutes Amendment (Public Sector Consequential Amendments) Act 2009</i>	10.12.2009	Pt 95 (ss 220—225)—1.2.2010 ( <i>Gazette</i> 28.1.2010 p320)
2011	11	<i>Statutes Amendment (Personal Property Securities) Act 2011</i>	14.4.2011	Pt 18 (ss 49 & 50)—16.6.2011 ( <i>Gazette</i> 16.6.2011 p2610)
<b>2013</b>	<b>6</b>	<b><i>Wilderness Protection (Miscellaneous) Amendment Act 2013</i></b>	<b>28.3.2013</b>	<b>Sch 2 (cll 1—3)—16.5.2013 (<i>Gazette</i> 16.5.2013 p1541)</b>
2015	8	<i>Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015</i>	18.6.2015	Pt 24 (ss 129—144)—1.7.2015 ( <i>Gazette</i> 25.6.2015 p3076)

### Provisions amended since 3 February 1976

- Legislative history prior to 3 February 1976 appears in marginal notes and footnotes included in the consolidation of this Act contained in Volume 7 of The Public General Acts of South Australia 1837-1975 at page 540.
- Certain textual alterations were made to this Act by the Commissioner of Statute Revision when preparing the reprint of the Act that incorporated all amendments in force as at 11 July 1988. A schedule of these alterations was laid before Parliament on 16 August 1988.

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Pt 1		
<i>ss 2 and 3</i>	<i>deleted in pursuance of the Acts Republication Act 1967 as their function is now exhausted</i>	<i>11.7.1988</i>
<i>s 4</i>	<i>amended by 35/1978 s 3</i>	<i>8.6.1978</i>
	<i>amended by 100/1978 s 3</i>	<i>14.8.1980</i>
	<i>deleted by 94/1987 Sch</i>	<i>17.12.1987</i>
s 5		

**National Parks and Wildlife Act 1972—16.5.2013 to 30.6.2015**

## Legislative history

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Aboriginal	inserted by 27/2004 s 13(1)	29.7.2004
Aboriginal-owned land	inserted by 27/2004 s 13(1)	29.7.2004
Aboriginal person	inserted by 27/2004 s 13(1)	29.7.2004
Adelaide Dolphin Sanctuary	inserted by 5/2005 Sch 2 (cl 42)	4.6.2005
aircraft	inserted by 94/1987 s 3(a)	17.12.1987
appointed member	inserted by 13/1996 s 3(a)	23.5.1996
<i>the Advisory Council</i>	<i>deleted by 100/1978 s 4(b)</i>	<i>14.8.1980</i>
<i>appointed member</i>	<i>deleted by 100/1978 s 4(a)</i>	<i>14.8.1980</i>
carcass	substituted by 94/1987 s 3(b)	17.12.1987
the Chief Executive Officer	inserted by 94/1987 s 3(j)	17.12.1987
	amended by 62/2000 Sch	24.8.2000
co-managed park	inserted by 27/2004 s 13(2)	29.7.2004
co-management agreement	inserted by 27/2004 s 13(2)	29.7.2004
co-management board	inserted by 27/2004 s 13(2)	29.7.2004
the Council	deleted by 100/1978 s 4(b)	14.8.1980
	inserted by 13/1996 s 3(b)	23.5.1996
<i>Crown lands</i>	<i>deleted by 94/1987 Sch</i>	<i>17.12.1987</i>
Crown land	inserted by 94/1987 Sch	17.12.1987
the Department	substituted by 94/1987 s 3(k)	17.12.1987
	substituted by 13/1996 s 3(c)	23.5.1996
device	amended by 13/1996 s 3(d)	23.5.1996
the Director	amended by 94/1987 s 3(l)	17.12.1987
endangered species	inserted by 94/1987 s 3(c)	17.12.1987
<i>land under the jurisdiction of the Minister of Marine</i>	<i>deleted by 62/2000 Sch</i>	<i>24.8.2000</i>
marine mammal	inserted by 45/1993 s 3	1.8.1993
mining Act	inserted by 62/2000 Sch	24.8.2000
	amended by 20/2005 Sch 3	23.6.2005
mining production tenement	inserted by 94/1987 s 3(d)	17.12.1987
	amended by 62/2000 Sch	24.8.2000
	amended by 11/2000 Sch 2	4.5.2002
	amended by 20/2005 Sch 3	23.6.2005
mining tenement	inserted by 94/1987 s 3(d)	17.12.1987
	substituted by 62/2000 Sch	24.8.2000
<i>the Minister</i>	<i>deleted by 94/1987 s 3(m)</i>	<i>17.12.1987</i>
minor alterations or additions to a public road	inserted by 94/1987 s 3(d)	17.12.1987



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Murray-Darling Basin	inserted by 35/2003 Sch cl 14(a)	24.11.2003
<i>the Permanent Head</i>	<i>deleted by 94/1987 s 3(n)</i>	<i>17.12.1987</i>
plant	substituted by 94/1987 s 3(e)	17.12.1987
premises	inserted by 94/1987 s 3(e)	17.12.1987
protected animal	amended by 94/1987 s 3(f)	17.12.1987
<i>protected native plant</i>	<i>deleted by 94/1987 s 3(g)</i>	<i>17.12.1987</i>
<i>protected wildflower</i>	<i>deleted by 94/1987 s 3(g)</i>	<i>17.12.1987</i>
public road	inserted by 94/1987 s 3(g)	17.12.1987
	amended by 62/2000 Sch	24.8.2000
rare species	substituted by 94/1987 s 3(g)	17.12.1987
relevant Aboriginal group	inserted by 27/2004 s 13(3)	29.7.2004
relevant mining Minister	inserted by 62/2000 Sch	24.8.2000
<i>the repealed Fauna and Flora Reserve Act</i>	<i>deleted by 62/2000 Sch</i>	<i>24.8.2000</i>
<i>the repealed National Parks Act</i>	<i>deleted by 62/2000 Sch</i>	<i>24.8.2000</i>
reserve	substituted by 94/1987 s 3(h)	17.12.1987
River Murray Protection Area	inserted by 35/2003 Sch cl 14(b)	24.11.2003
<i>the Reserves Advisory Committee</i>	<i>inserted by 100/1978 s 4(c)</i>	<i>14.8.1980</i>
	<i>deleted by 13/1996 s 3(e)</i>	<i>23.5.1996</i>
<i>the Committee</i>	<i>inserted by 100/1978 s 4(c)</i>	<i>14.8.1980</i>
	<i>deleted by 13/1996 s 3(e)</i>	<i>23.5.1996</i>
take	amended by 94/1987 s 3(i)	17.12.1987
<i>threatened species</i>	<i>deleted by 94/1987 s 3(o)</i>	<i>17.12.1987</i>
traditional association	inserted by 27/2004 s 13(4)	29.7.2004
vehicle	inserted by 94/1987 s 3(p)	17.12.1987
vulnerable species	inserted by 94/1987 s 3(p)	17.12.1987
wilderness protection area	inserted by 28/1992 Sch 1	25.6.1992
wilderness protection zone	inserted by 28/1992 Sch 1	25.6.1992
<i>wildflower</i>	<i>deleted by 94/1987 s 3(q)</i>	<i>17.12.1987</i>
Pt 2		
Pt 2 Div 1	heading amended by 94/1987 s 4	17.12.1987
s 6		
s 6(1)	substituted by 94/1987 Sch	17.12.1987

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## Legislative history

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s 6(2)	amended by 94/1987 Sch	17.12.1987
ss 7 and 8	<i>deleted by 94/1987 Sch</i>	17.12.1987
s 9		
s 9(2)	substituted by 94/1987 Sch amended by 62/2000 Sch	17.12.1987 24.8.2000
s 10		
s 10(2)	amended by 94/1987 Sch	17.12.1987
s 11		
s 11(2)	amended by 13/1996 s 4(a) amended by 62/2000 s 3(a), (b)	23.5.1996 24.8.2000
s 11(3)	amended by 100/1978 s 5 amended by 94/1987 Sch amended by 13/1996 s 4(b)—(d)	14.8.1980 17.12.1987 23.5.1996
s 11(4)	inserted by 62/2000 s 3(c)	24.8.2000
s 12	substituted by 94/1987 s 5	17.12.1987
s 12(1)	amended by 13/1996 s 5(a) amended by 62/2000 Sch	23.5.1996 24.8.2000
s 12(2)	amended by 13/1996 s 5(b) amended by 62/2000 Sch	23.5.1996 24.8.2000
s 12(3)	amended by 13/1996 s 5(c) substituted by 20/2005 s 9	23.5.1996 23.6.2005
s 12(4)	amended by 84/2009 s 220	1.2.2010
s 13	substituted by 94/1987 s 6 substituted by 62/2000 s 4	17.12.1987 24.8.2000
s 13(1)	amended by 84/2009 s 221	1.2.2010
s 14	substituted by 94/1987 s 6 amended by 62/2000 Sch	17.12.1987 24.8.2000
Pt 2 Div 2	substituted by 100/1978 s 6 amended by 94/1987 s 7, Sch substituted by 13/1996 s 6	14.8.1980 17.12.1987 23.5.1996
s 19A	substituted by 84/2009 s 222	1.2.2010
s 19D		
s 19D(2)	amended by 20/2005 s 10	23.6.2005
Pt 2 Div 2A	inserted by 13/1996 s 6	23.5.1996
s 19J	<i>deleted by 84/2009 s 223</i>	1.2.2010
s 19L		
s 19L(2)	amended by 20/2005 s 11	23.6.2005
Pt 2 Div 2B	inserted by 13/1996 s 6	23.5.1996
s 19P	<i>deleted by 84/2009 s 224</i>	1.2.2010
Pt 2 Div 3		
s 20		
s 20(1)	amended by 94/1987 s 8(a) amended by 27/2004 s 14(1)	17.12.1987 29.7.2004

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s 20(2)	amended by 94/1987 Sch	17.12.1987
s 20(3)	amended by 94/1987 Sch	17.12.1987
	substituted by 27/2004 s 14(2)	29.7.2004
s 20(4)	<i>amended by 94/1987 Sch</i>	<i>17.12.1987</i>
	<i>deleted by 27/2004 s 14(2)</i>	<i>29.7.2004</i>
s 20(5)	amended by 94/1987 Sch	17.12.1987
	amended by 20/2005 Sch 3	23.6.2005
s 20(6)	inserted by 94/1987 s 8(b)	17.12.1987
	amended by 20/2005 Sch 3	23.6.2005
s 20(7)	inserted by 27/2004 s 14(3)	29.7.2004
s 21	substituted by 94/1987 s 9	17.12.1987
s 22	substituted by 94/1987 s 10	17.12.1987
s 22(1)	amended by 13/1996 s 7	23.5.1996
	amended by 62/2000 s 5(a)	24.8.2000
s 22(1a)—(1c)	inserted by 62/2000 s 5(b)	24.8.2000
s 22(7)	amended by 62/2000 Sch	24.8.2000
s 22(8)	inserted by 27/2004 s 15	29.7.2004
s 23	amended by 19/1981 s 3	2.4.1981
	substituted by 94/1987 s 11	17.12.1987
s 23(4)	amended by 13/1996 s 8(a)—(d)	23.5.1996
s 23(5)	amended by 62/2000 Sch	24.8.2000
s 23(5a)	inserted by 13/1996 s 8(e)	23.5.1996
	amended by 62/2000 Sch	24.8.2000
s 24	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 12	17.12.1987
s 24(1)—(3)	amended by 62/2000 Sch	24.8.2000
s 24A	inserted by 62/2000 s 6	24.8.2000
s 25	substituted by 94/1987 s 13	17.12.1987
s 26	amended by 19/1981 s 4 (Sch)	2.4.1981
	amended by 94/1987 Sch	17.12.1987
	amended by 62/2000 Sch	24.8.2000
<i>s 26A before deletion</i> <i>by 84/2009</i>	<i>inserted by 94/1987 s 14</i>	<i>17.12.1987</i>
s 26A(1)	<i>amended by 62/2000 s 7(a)</i>	<i>24.8.2000</i>
s 26A(2)	<i>amended by 62/2000 s 7(b)</i>	<i>24.8.2000</i>
s 26A	<i>deleted by 84/2009 s 225</i>	<i>1.2.2010</i>
Pt 3		
Pt 3 Div 1		
s 27		
s 27(2)	amended by 94/1987 Sch	17.12.1987
s 27(4)	amended by 20/2005 s 12	23.6.2005
s 27(6)	inserted by 27/2004 s 16	29.7.2004
s 28		

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s 28(1)	amended by 27/2004 s 17(1)	29.7.2004
s 28(1a)	inserted by 27/2004 s 17(2)	29.7.2004
s 28(3)	amended by 20/2005 s 13	23.6.2005
s 28(5)	inserted by 27/2004 s 17(3)	29.7.2004
s 28A	inserted by 27/2004 s 18	29.7.2004
Pt 3 Div 2		
s 29		
s 29(2)	amended by 94/1987 Sch	17.12.1987
s 29(4)	amended by 20/2005 s 14	23.6.2005
s 29(6)	inserted by 27/2004 s 19	29.7.2004
s 30		
s 30(1)	amended by 27/2004 s 20(1)	29.7.2004
s 30(1a)	inserted by 27/2004 s 20(2)	29.7.2004
s 30(3)	amended by 20/2005 s 15	23.6.2005
s 30(5)	inserted by 27/2004 s 20(3)	29.7.2004
s 30A	inserted by 27/2004 s 21	29.7.2004
Pt 3 Div 3		
s 31		
s 31(2)	amended by 94/1987 Sch	17.12.1987
s 31(4)	substituted by 94/1987 s 15	17.12.1987
	amended by 20/2005 s 16	23.6.2005
Pt 3 Div 4		
s 33		
s 33(2)	substituted by 94/1987 Sch	17.12.1987
s 33(4)	amended by 62/2000 Sch	24.8.2000
	amended by 20/2005 s 17	23.6.2005
Pt 3 Div 4A	inserted by 94/1987 s 16	17.12.1987
s 34A		
s 34A(3)	amended by 20/2005 s 18	23.6.2005
Pt 3 Div 4B	inserted by 13/1996 s 9	23.5.1996
Pt 3 Div 5		
s 35		
s 35(1)	amended by 35/1978 s 4	8.6.1978
	amended by 27/2004 s 22(1)	29.7.2004
s 35(2)	substituted by 27/2004 s 22(2)	29.7.2004
s 35(2a)	inserted by 27/2004 s 22(3)	29.7.2004
s 35(3)	substituted by 94/1987 Sch	17.12.1987
	substituted by 62/2000 s 8	24.8.2000
	amended by 27/2004 s 22(4)	29.7.2004
s 35(4)	substituted by 62/2000 s 8	24.8.2000
	amended by 27/2004 s 22(5)	29.7.2004
s 35(4a)	inserted by 11/2011 s 49	16.6.2011
s 35(5)	inserted by 62/2000 s 8	24.8.2000

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	amended by 35/2003 Sch cl 14(c)	24.11.2003
	amended by 27/2004 s 22(6)	29.7.2004
s 35(5a) and (5b)	inserted by 35/2003 Sch cl 14(d)	24.11.2003
s 35(6)	inserted by 62/2000 s 8	24.8.2000
	amended by 27/2004 s 22(7)	29.7.2004
s 35(7) and (8)	inserted by 27/2004 s 22(8)	29.7.2004
<i>s 36 before substitution by 27/2004</i>		
s 36(1)	amended by 35/1978 s 5	8.6.1978
s 36(2)	substituted by 94/1987 s 17	17.12.1987
	amended by 62/2000 Sch	24.8.2000
s 36	substituted by 27/2004 s 23	29.7.2004
s 37		
s 37(1)	s 37 amended by 94/1987 s 18, Sch	17.12.1987
	s 37 amended by 62/2000 Sch	24.8.2000
	s 37 amended by 35/2003 Sch cl 14(e)	24.11.2003
	s 37 amended by 27/2004 s 24	29.7.2004
	s 37 redesignated as s 37(1) by 5/2005 Sch 2 (cl 43)	1.7.2005
s 37(2)	inserted by 5/2005 Sch 2 (cl 43)	1.7.2005
s 38		
s 38(1)	substituted by 94/1987 Sch	17.12.1987
	substituted by 27/2004 s 25(1)	29.7.2004
s 38(1a)	inserted by 27/2004 s 25(1)	29.7.2004
s 38(2)	amended by 27/2004 s 25(2)	29.7.2004
s 38(2a)	inserted by 54/1993 s 11	15.1.1994
	amended by 35/2003 Sch cl 14(f), (g)	24.11.2003
	substituted by 27/2004 s 25(3)	29.7.2004
s 38(3)	amended by 13/1996 s 10(a)	23.5.1996
	amended by 27/2004 s 25(4), (5)	29.7.2004
s 38(4a)	inserted by 27/2004 s 25(6)	29.7.2004
s 38(6)	amended by 94/1987 s 19	17.12.1987
	amended by 13/1996 s 10(b)	23.5.1996
s 38(7)	amended by 100/1978 s 7(a)	14.8.1980
	amended by 94/1987 Sch	17.12.1987
	amended by 13/1996 s 10(c)	23.5.1996
s 38(8)	amended by 100/1978 s 7(b), (c)	14.8.1980
	amended by 13/1996 s 10(d)	23.5.1996
s 38(9)	amended by 100/1978 s 7(d)	14.8.1980
	substituted by 94/1987 Sch	17.12.1987
	amended by 13/1996 s 10(e)	23.5.1996
s 38(9a)	inserted by 27/2004 s 25(7)	29.7.2004
s 38(10)	substituted by 94/1987 Sch	17.12.1987

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s 38(10a)	inserted by 13/1996 s 10(f)	23.5.1996
s 40		
s 40(1)	s 40 amended and redesignated as s 40(1) by 94/1987 s 20	17.12.1987
s 40(2)	inserted by 94/1987 s 20(b)	17.12.1987
s 40A	inserted by 94/1987 s 21	17.12.1987
s 40A(1)—(3)	amended by 62/2000 Sch	24.8.2000
Pt 3 Div 6	heading substituted by 63/2003 s 4	29.7.2004
s 41		
s 41(1)	substituted by 94/1987 s 22	17.12.1987
	amended by 62/2000 Sch	24.8.2000
	amended by 35/2003 Sch cl 14(h)	24.11.2003
s 41(2)	substituted by 62/2000 Sch	24.8.2000
s 41A	inserted by 94/1987 s 23	17.12.1987
s 42		
s 42(1a)	inserted by 27/2004 s 26(1)	29.7.2004
s 42(3)	amended by 19/1981 s 4 (Sch)	2.4.1981
	amended by 94/1987 Sch	17.12.1987
	amended by 62/2000 Sch	24.8.2000
s 42(4)	amended by 94/1987 Sch	17.12.1987
s 42(5)	inserted by 27/2004 s 26(2)	29.7.2004
s 43		
s 43(1)	amended by 94/1987 s 24(a)	17.12.1987
	amended by 62/2000 Sch	24.8.2000
s 43(1a)	inserted by 94/1987 s 24(b)	17.12.1987
s 43(2)	amended by 94/1987 s 24(c)	17.12.1987
s 43(2a)	inserted by 94/1987 s 24(d)	17.12.1987
	amended by 62/2000 Sch	24.8.2000
s 43(5)	amended by 62/2000 Sch	24.8.2000
s 43(7)	inserted by 27/2004 s 27	29.7.2004
s 43A	inserted by 94/1987 s 25	17.12.1987
s 43A(1)—(5)	amended by 62/2000 Sch	24.8.2000
s 43A(6)	substituted by 62/2000 Sch	24.8.2000
s 43A(7)	inserted by 62/2000 Sch	24.8.2000
s 43AB	inserted by 63/2003 s 5	29.7.2004
s 43B	inserted by 94/1987 s 25	17.12.1987
s 43B(1)	amended by 62/2000 Sch	24.8.2000
s 43B(3)	inserted by 63/2003 s 6	29.7.2004
s 43C	inserted by 13/1996 s 11	23.5.1996
s 43C(1)	s 43C amended and redesignated as s 43C(1) by 62/2000 s 9(a), (b)	24.8.2000
	amended by 27/2004 s 28(1)	29.7.2004
s 43C(2)	inserted by 62/2000 s 9(b)	24.8.2000

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	amended by 27/2004 s 28(2)	29.7.2004
s 43C(3)	inserted by 27/2004 s 28(3)	29.7.2004
Pt 3 Div 6A	inserted by 27/2004 s 29	29.7.2004
Pt 3 Div 7		
s 44		
s 44(1a)	inserted by 13/1996 s 12	23.5.1996
s 44(3)	inserted by 94/1987 s 26	17.12.1987
owner	substituted by 20/2009 Sch 1 cl 2(1)	1.6.2010
s 44(4)	inserted by 20/2009 Sch 1 cl 2(2)	1.6.2010
s 45	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 27	17.12.1987
s 45(1)	amended by 62/2000 Sch	24.8.2000
Pt 3A	inserted by 35/1978 s 6	8.6.1978
Pt 3A Div 1	heading inserted by 62/2000 s 10	24.8.2000
s 45A		
s 45A(1)	s 45A redesignated as s 45A(1) by 27/2004 s 30	29.7.2004
<i>Bookmark Biosphere Trust</i>	<i>inserted by 54/1998 s 2</i>	<i>3.9.1998</i>
	<i>deleted by 20/2005 s 19(1)</i>	<i>23.6.2005</i>
General Reserves Trust	inserted by 62/2000 s 11	24.8.2000
<i>Man and the Biosphere Program</i>	<i>inserted by 54/1998 s 2</i>	<i>3.9.1998</i>
	<i>deleted by 20/2005 s 19(2)</i>	<i>23.6.2005</i>
<b>reserve</b>	<b>substituted by 6/2013 Sch 2 cl 1</b>	<b>16.5.2013</b>
s 45A(2)	inserted by 27/2004 s 30	29.7.2004
s 45B		
s 45B(2)	amended by 62/2000 s 12	24.8.2000
s 45BA	inserted by 62/2000 s 13	24.8.2000
s 45D		
s 45D(2) and (4)	substituted by 94/1987 Sch	17.12.1987
s 45D(5)	amended by 62/2000 Sch	24.8.2000
s 45E		
s 45E(1)	amended by 62/2000 Sch	24.8.2000
s 45E(2)	substituted by 94/1987 Sch	17.12.1987
	amended by 62/2000 Sch	24.8.2000
s 45E(3)	amended by 62/2000 Sch	24.8.2000
s 45F		
s 45F(1)	amended by 13/1996 s 13(a)	23.5.1996
	amended by 54/1998 s 3(a)	3.9.1998
	amended by 62/2000 s 14(a)	24.8.2000
s 45F(1a)	<i>inserted by 54/1998 s 3(b)</i>	<i>3.9.1998</i>
	<i>deleted by 20/2005 s 20</i>	<i>23.6.2005</i>
s 45F(1b)	inserted by 62/2000 s 14(b)	24.8.2000

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s 45F(2a)	inserted by 13/1996 s 13(b)	23.5.1996
s 45F(2b)	inserted by 62/2000 s 14(c)	24.8.2000
s 45F(2c)	inserted by 62/2000 s 14(c)	24.8.2000
	<b>amended by 6/2013 Sch 2 cl 2</b>	<b>16.5.2013</b>
s 45F(2d)	inserted by 62/2000 s 14(c)	24.8.2000
s 45H		
s 45H(2)	substituted by 62/2000 Sch	24.8.2000
s 45I	substituted by 54/1998 s 4	3.9.1998
s 45J		
s 45J(3)	amended by 62/2000 Sch	24.8.2000
s 45K	<i>amended by 94/1987 Sch</i>	<i>17.12.1987</i>
	<i>deleted by 62/2000 s 15</i>	<i>24.8.2000</i>
Pt 3A Div 2	inserted by 62/2000 s 16	24.8.2000
s 45M		
s 45M(3)	<b>amended by 6/2013 Sch 2 cl 3</b>	<b>16.5.2013</b>
Pt 4	heading amended by 94/1987 s 28	17.12.1987
s 46		
s 46(2)	amended by 94/1987 s 29	1.7.1988
s 47	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 30	1.7.1988
s 47(1)	amended by 28/1992 Sch 1	25.6.1992
s 47(3)	amended by 62/2000 Sch	24.8.2000
s 47(4)	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	amended by 62/2000 Sch	24.8.2000
s 48	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 31	17.12.1987
s 48(1)	amended by 62/2000 Sch	24.8.2000
s 48A	inserted by 94/1987 s 32	1.7.1988
s 48A(1)	amended by 62/2000 Sch	24.8.2000
s 49	substituted by 94/1987 s 33	17.12.1987
s 49A	inserted by 13/1996 s 14	23.5.1996
Pt 5		
Pt 5 Div 2		
s 51		
s 51(1)	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 34	17.12.1987
	amended by 45/1993 s 4	1.8.1993
	amended by 62/2000 Sch	24.8.2000
	amended by 5/2005 Sch 2 (cl 44)	4.6.2005
s 51(1a)	<i>amended by 19/1981 s 4 (Sch)</i>	<i>2.4.1981</i>
	<i>deleted by 94/1987 s 34</i>	<i>17.12.1987</i>
s 51A	<i>inserted by 13/1996 s 15</i>	<i>23.5.1996</i>
	<i>expired: s 51A(7)</i>	<i>(23.5.2000)</i>



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	<i>inserted by 62/2000 s 17</i>	24.8.2000
	<i>expired: s 51A(9)—omitted under Legislation Revision and Publication Act 2002</i>	(24.8.2005)
s 52	substituted by 94/1987 s 35	17.12.1987
s 52(1)	amended by 13/1996 s 16(a)	23.5.1996
s 52(2)	amended by 28/1992 Sch 1	25.6.1992
s 52(3)	amended by 13/1996 s 16(b)	23.5.1996
s 53		
s 53(1)	amended by 94/1987 s 36, Sch	17.12.1987
s 53(2)	amended by 94/1987 Sch	17.12.1987
s 53(4)	amended by 19/1981 s 4 (Sch)	2.4.1981
	amended by 94/1987 Sch	17.12.1987
	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	amended by 62/2000 Sch	24.8.2000
s 53(6)	amended by 94/1987 Sch	17.12.1987
s 53A	inserted by 62/2000 s 18	24.8.2000
Pt 5 Div 3	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 37	1.7.1988
s 55	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	amended by 62/2000 Sch	24.8.2000
Pt 5 Div 4		
s 58	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 38	17.12.1987
s 58(1)—(3)	amended by 62/2000 Sch	24.8.2000
s 58(4a)	inserted by 62/2000 s 19	24.8.2000
s 58(9)	<i>deleted by 13/1996 s 17</i>	23.5.1996
s 58A	inserted by 94/1987 s 38	17.12.1987
	amended by 62/2000 Sch	24.8.2000
s 59	amended by 19/1981 s 4 (Sch)	2.4.1981
	amended by 94/1987 Sch	17.12.1987
	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	substituted by 13/1996 s 18	23.5.1996
s 60	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 39	17.12.1987
s 60(1)	amended by 45/1993 s 5	1.8.1993
	amended by 62/2000 Sch	24.8.2000
	amended by 5/2005 Sch 2 (cl 45)	4.6.2005
Pt 5 Div 4A	inserted by 45/1993 s 6	1.8.1993
s 60A	<i>deleted by 13/1996 s 19</i>	23.5.1996
s 60B		
animal	inserted by 13/1996 s 20(a)	23.5.1996
commercial farming of protected animals	inserted by 13/1996 s 20(b)	23.5.1996

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trial farming of protected animals	inserted by 13/1996 s 20(b)	23.5.1996
s 60BA	inserted by 13/1996 s 21	23.5.1996
s 60C		
s 60C(2)	amended by 13/1996 s 22(a)	23.5.1996
s 60C(3)	amended by 13/1996 s 22(b)	23.5.1996
s 60C(4)	substituted by 13/1996 s 22(c)	23.5.1996
s 60C(6)	amended by 13/1996 s 22(d)	23.5.1996
s 60D		
s 60D(1a)	inserted by 13/1996 s 23(a)	23.5.1996
s 60D(4)	amended by 62/2000 Sch	24.8.2000
s 60D(5)	substituted by 13/1996 s 23(b)	23.5.1996
s 60D(5a)	inserted by 13/1996 s 23(b)	23.5.1996
s 60D(6)	amended by 62/2000 Sch	24.8.2000
s 60D(9)	inserted by 13/1996 s 23(c)	23.5.1996
Pt 5 Div 4B	inserted by 13/1996 s 24	23.5.1996
s 60I		
s 60I(3) and (6)	amended by 62/2000 Sch	24.8.2000
s 60I(7)	substituted by 20/2005 s 21	23.6.2005
s 60I(7a)	inserted by 20/2005 s 21	23.6.2005
Pt 5 Div 5		
s 61	amended by 13/1996 s 25 substituted by 62/2000 s 20	23.5.1996 24.8.2000
s 62		
s 62(2)	amended by 19/1981 s 4 (Sch) substituted by 94/1987 Sch amended by 62/2000 Sch	2.4.1981 17.12.1987 24.8.2000
s 62(4) and (5)	amended by 13/1996 s 26	23.5.1996
Pt 5 Div 6		
s 64		
s 64(1)	amended by 19/1981 s 4 (Sch) amended by 94/1987 s 40(a), Sch amended by 71/1992 s 3(1) (Sch) amended by 62/2000 Sch	2.4.1981 17.12.1987 1.3.1993 24.8.2000
s 64(3) and (4)	amended by 19/1981 s 4 (Sch) amended by 94/1987 Sch amended by 71/1992 s 3(1) (Sch) amended by 62/2000 Sch	2.4.1981 17.12.1987 1.3.1993 24.8.2000
s 64(5)	substituted by 94/1987 Sch	17.12.1987
s 64(6)	inserted by 94/1987 s 40(b)	17.12.1987
owner	amended by 62/2000 Sch	24.8.2000
s 65		
s 65(1) and (2)	amended by 19/1981 s 4 (Sch)	2.4.1981

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	substituted by 94/1987 Sch	17.12.1987
	amended by 62/2000 Sch	24.8.2000
s 66	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 41	17.12.1987
s 66(2)	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	amended by 62/2000 Sch	24.8.2000
s 68	amended by 19/1981 s 4 (Sch)	2.4.1981
	amended by 94/1987 Sch	17.12.1987
	substituted by 45/1993 s 7	1.8.1993
s 68(1)	amended by 62/2000 s 21(a), Sch	24.8.2000
	amended by 5/2005 Sch 2 (cl 46)	4.6.2005
s 68(3)	inserted by 62/2000 s 21(b)	24.8.2000
Pt 5A		
Pt 5A Div 1	heading inserted by 94/1987 s 42	17.12.1987
s 68A		
s 68A(1)	amended by 19/1981 s 4 (Sch)	2.4.1981
	amended by 94/1987 Sch	17.12.1987
	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	amended by 62/2000 Sch	24.8.2000
s 68A(3)	deleted by 62/2000 s 22	24.8.2000
	inserted by 5/2005 Sch 2 (cl 47)	4.6.2005
s 68A(4)	amended by 94/1987 Sch	17.12.1987
s 68A(5)	amended by 94/1987 s 43	17.12.1987
s 68B	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 44	17.12.1987
s 68B(1), (3) and (4)	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	amended by 62/2000 Sch	24.8.2000
s 68B(6)		
owner	amended by 62/2000 Sch	24.8.2000
Pt 5A Div 2	inserted by 94/1987 s 45	17.12.1987
	heading amended by 27/2004 s 31	29.7.2004
s 68C		
s 68C(1)	<i>deleted by 27/2004 s 32</i>	29.7.2004
s 68D		
s 68D(1) and (2)	amended by 28/1992 Sch 1	25.6.1992
	amended by 27/2004 s 33(1)	29.7.2004
s 68D(3)	amended by 28/1992 Sch 1	25.6.1992
	amended by 27/2004 s 33(1), (2)	29.7.2004
s 68D(4)	amended by 28/1992 Sch 1	25.6.1992
	amended by 27/2004 s 33(1), (3)	29.7.2004
s 68D(5a)	inserted by 27/2004 s 33(4)	29.7.2004
s 68E	amended by 27/2004 s 34	29.7.2004

**National Parks and Wildlife Act 1972—16.5.2013 to 30.6.2015**Legislative history

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## Pt 6

## s 69

s 69(1)	amended by 27/2004 s 35(1)	29.7.2004
s 69(2)	amended by 94/1987 Sch	17.12.1987
	amended by 27/2004 s 35(1)	29.7.2004
s 69(2a)	inserted by 13/1996 s 27	23.5.1996
	amended by 27/2004 s 35(1), (2)	29.7.2004
s 69(2b)	inserted by 35/2003 Sch cl 14(i)	24.11.2003
s 69(2c)	inserted by 35/2003 Sch cl 14(i)	24.11.2003
	amended by 27/2004 s 35(1)	29.7.2004
	amended by 20/2005 Sch 3	23.6.2005
s 69(2d) and (2e)	inserted by 5/2005 Sch 2 (cl 48)	1.7.2005
s 69(3) and (4)	amended by 27/2004 s 35(1)	29.7.2004
s 69(4a)	inserted by 62/2000 s 23(a)	24.8.2000
s 69(5)	substituted by 94/1987 Sch	17.12.1987
s 69(6) and (7)	inserted by 62/2000 s 23(b)	24.8.2000
	amended by 27/2004 s 35(1)	29.7.2004
s 69(7a)	inserted by 11/2011 s 50	16.6.2011
s 69(8)	inserted by 27/2004 s 35(3)	29.7.2004
s 70	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 s 46	17.12.1987
	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	amended by 62/2000 s 24, Sch	24.8.2000
s 70A	inserted by 62/2000 s 25	24.8.2000
s 70A(1)	substituted by 20/2005 s 22	23.6.2005
s 70A(2)	amended by 27/2004 s 36	29.7.2004
s 71		
s 71(1)	amended by 94/1987 Sch	17.12.1987
	amended by 27/2004 s 37(1)	29.7.2004
s 71(3)	inserted by 27/2004 s 37(2)	29.7.2004
s 72		
s 72(1)	amended by 19/1981 s 4 (Sch)	2.4.1981
	amended by 94/1987 Sch	17.12.1987
	amended by 13/1996 s 28	23.5.1996
	substituted by 62/2000 s 26(a)	24.8.2000
s 72(1a)	inserted by 62/2000 s 26(a)	24.8.2000
s 72(2)	amended by 62/2000 s 26(b)	24.8.2000
s 73		
s 73(1)	amended by 19/1981 s 4 (Sch)	2.4.1981
	amended by 94/1987 s 47, Sch	17.12.1987
	amended by 71/1992 s 3(1) (Sch)	1.3.1993
	amended by 62/2000 Sch	24.8.2000
s 73(2)	<i>amended by 19/1981 s 4 (Sch)</i>	<i>2.4.1981</i>

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	<i>substituted by 94/1987 Sch</i>	17.12.1987
	<i>amended by 71/1992 s 3(1) (Sch)</i>	1.3.1993
	<i>amended by 62/2000 Sch</i>	24.8.2000
	<i>deleted by 20/2005 s 23</i>	23.6.2005
s 73A	inserted by 62/2000 s 27	24.8.2000
s 74		
s 74(2)	amended by 19/1981 s 4 (Sch)	2.4.1981
	substituted by 94/1987 Sch	17.12.1987
s 74A	inserted by 28/1992 Sch 1	25.6.1992
s 75		
s 75(2)	amended by 28/1992 Sch 1	25.6.1992
s 75A	inserted by 94/1987 s 48	17.12.1987
	amended by 62/2000 Sch	24.8.2000
	amended by 34/2004 Sch 4 cl 23	1.7.2005
s 76	<i>deleted by 62/2000 s 28</i>	24.8.2000
s 78		
s 78(1)	amended by 94/1987 s 49(a)	17.12.1987
s 78(2)	amended by 94/1987 s 49(b)	17.12.1987
	amended by 62/2000 Sch	24.8.2000
s 79	substituted by 94/1987 s 50	17.12.1987
s 79(1)	amended by 62/2000 Sch	24.8.2000
	amended by 27/2004 s 38(1)	29.7.2004
s 79(2)	amended by 27/2004 s 38(2)	29.7.2004
s 79A	<i>inserted by 94/1987 s 50</i>	17.12.1987
	<i>deleted by 62/2000 s 29</i>	24.8.2000
s 80		
s 80(1)	amended by 94/1987 Sch	17.12.1987
s 80(2)	amended by 94/1987 s 51(a)—(d)	17.12.1987
	amended by 34/1996 s 4 (Sch cl 25)	3.2.1997
	amended by 62/2000 s 30(a), Sch	24.8.2000
	amended by 20/2005 s 24(1), (2)	23.6.2005
s 80(2a)	inserted by 94/1987 s 51(e)	17.12.1987
	substituted by 13/1996 s 29	23.5.1996
s 80(2b)	inserted by 62/2000 s 30(b)	24.8.2000
s 80(4)	inserted by 62/2000 s 30(c)	24.8.2000
s 81	inserted by 62/2000 s 31	24.8.2000
Schs 1 and 2	<i>deleted in pursuance of the Acts Republication Act 1967 as their function is now exhausted</i>	11.7.1988
Sch 3	heading substituted by 44/2003 s 3(1) (Sch 1)	24.11.2003
Sch 4	heading substituted by 44/2003 s 3(1) (Sch 1)	24.11.2003
Sch 5	heading substituted by 44/2003 s 3(1) (Sch 1)	24.11.2003
Sch 6	heading substituted by 44/2003 s 3(1) (Sch 1)	24.11.2003
Sch 7	substituted by 94/1987 s 52	17.12.1987

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	amended by 57/1991 r 3	16.5.1991
	substituted by 62/2000 s 32	24.8.2000
Pt 1	amended by 16/2008 r 4(1)	21.2.2008
Pt 2	amended by 16/2008 r 4(2)	21.2.2008
Sch 8	substituted by 54/1981 s 2	25.6.1981
	substituted by 94/1987 s 52	17.12.1987
	amended by 57/1991 r 4	16.5.1991
	substituted by 62/2000 s 32	24.8.2000
Pt 1	amended by 16/2008 r 5(1)	21.2.2008
Pt 2	amended by 16/2008 r 5(2)	21.2.2008
Sch 9	substituted by 94/1987 s 52	17.12.1987
	amended by 57/1991 r 5	16.5.1991
	substituted by 62/2000 s 32	24.8.2000
Pt 1	amended by 16/2008 r 6(1)	21.2.2008
Pt 2	amended by 16/2008 r 6(2)	21.2.2008
Sch 10	amended by 62/2000 s 33	24.8.2000
Sch 11	inserted by 45/1993 s 8	1.8.1993

## **Transitional etc provisions associated with Act or amendments**

### ***Statutes Amendment and Repeal (Common Expiation Scheme) Act 1996***

#### **5—Transitional provision**

An Act repealed or amended by this Act will continue to apply (as in force immediately prior to the repeal or amendment coming into operation) to an expiation notice issued under the repealed or amended Act.

## **Historical versions**

Reprint—11.7.1988

Reprint No 1—1.10.1991

Reprint No 2—25.6.1992

Reprint No 3—1.3.1993

Reprint No 4—1.8.1993

Reprint No 5—15.1.1994

Reprint No 6—23.5.1996

Reprint No 7—3.2.1997

Reprint No 8—3.9.1998

Reprint No 9—24.8.2000

Reprint No 10—4.5.2002

Reprint No 11—24.11.2003

22.7.2004 (electronic only)

29.7.2004

4.6.2005

23.6.2005 (electronic only)

1.7.2005

21.2.2008

1.2.2010

1.6.2010

16.6.2011