



Queensland

*Land Protection (Pest and Stock Route Management) Act 2002*

# **Land Protection (Pest and Stock Route Management) Regulation 2003**

**Reprinted as in force on 14 December 2007**

**Reprint No. 2E**

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Queensland

# Land Protection (Pest and Stock Route Management) Regulation 2003

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# **Land Protection (Pest and Stock Route Management) Regulation 2003**

[as amended by all amendments that commenced on or before 14 December 2007]

## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Land Protection (Pest and Stock Route Management) Regulation 2003*.

### **2 Commencement**

- (1) Section 4(d) and schedule 2, part 3, commence on 1 November 2003.
- (2) The remaining provisions of this regulation commence on 1 July 2003.

### **3 Definitions**

The dictionary in schedule 6 defines particular words used in this regulation.

## **Part 2                      Pest management**

### **Division 1                General provisions**

#### **4            Declared pests—Act, s 36**

For section 36<sup>1</sup> of the Act—

- (a) the following animals are declared pests for the State of the category class 1 pest—
  - (i) all mammals, reptiles and amphibians, other than a mammal, reptile or amphibian mentioned in schedule 1;
  - (ii) yellow crazy ant (*Anoplolepis gracilipes*); and
- (b) a plant mentioned in schedule 2, part 1, is a declared pest for the State of the category class 1 pest; and
- (c) an animal or plant mentioned in schedule 2, part 2, is a declared pest for the State of the category class 2 pest; and
- (d) an animal or plant mentioned in schedule 2, part 3, is a declared pest for the State of the category class 3 pest.

#### **5            Class 2 pests—Act, s 45**

The following class 2 pests are prescribed for section 45(1)(b)<sup>2</sup> of the Act—

- (a) American rat's tail grass (*Sporobolus jacquemontii*);
- (b) giant Parramatta grass (*Sporobolus fertilis*);
- (c) giant rat's tail grass (*Sporobolus pyramidalis* and *S. natalensis*);
- (d) Parramatta grass (*Sporobolus africanus*);

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1 Section 36 (Declaring declared pests by regulation) of the Act

2 Section 45 (Supplying things containing reproductive material of particular declared pest plants) of the Act

- (e) parthenium (*Parthenium hysterophorus*);
- (f) prickly acacia (*Acacia nilotica*).

## **6 Building lines for declared pest fences—Act, s 47**

- (1) For section 47(1)<sup>3</sup> of the Act—
  - (a) the following building lines are fixed for fences for dingoes and dogs other than domestic dogs—
    - (i) the line shown on the relevant maps as ‘wild dog barrier fence’;
    - (ii) the line shown on the relevant maps as ‘wild dog check fence’; and
  - (b) the line shown on the relevant maps as ‘rabbit fence’ is fixed for a fence for European rabbits (domestic and wild breeds) (*Oryctolagus cuniculus*).

- (2) In this section—

*relevant maps* means maps DF01 and DF02 held by the department.<sup>4</sup>

## **6A Local governments that may build declared pest fence—Act, s 48**

The local governments for the following shires are prescribed for section 48<sup>5</sup> of the Act—

- (a) Inglewood;
- (b) Jondaryan;
- (c) Millmerran;
- (d) Stanthorpe;
- (e) Tara;

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3 Section 47 (Fixing building line and declaring pest animal for declared pest fence) of the Act

4 See section 16(4) for when and where a person may inspect a map or other information about a map mentioned in section 6, 9 or 12.

5 Section 48 (Building declared pest fence) of the Act

- (f) Waggamba;
- (g) Wambo;
- (h) Warwick.

## **6B Period for particular pest survey programs—Act, s 241**

For section 241(4)(f)<sup>6</sup> of the Act, the period prescribed for a pest survey program approved by the chief executive is 12 months.

## **7 Scientific names**

The scientific names used in schedules 1, 2 and 3 follow—

- (a) for animals—
  - (i) Parker, S.P., *Grzimek's Encyclopedia of Mammals*, 1988, vols 1 to 5, Reed Publishing, New York; and
  - (ii) the list of exotic vertebrate animals in Australia in 'Technical Report of the National Vertebrate Pests Committee', prepared by the Natural Resource Management Standing Committee; and
- (b) for plants—
  - (i) Henderson, R.J.F. (Ed), *Names and Distribution of Queensland Plants, Algae and Lichens*, 2002, Queensland Herbarium, Environmental Protection Agency, Brisbane; and
  - (ii) Parsons, W.T. and Cuthbertson, E.G., *Noxious Weeds of Australia*, 1992, Inkata Press, Sydney; and
  - (iii) Holm, L.G., Pancho, J.V., Hergerger, J.P. and Plunkett, D.L., *A Geographical Atlas of World Weeds*, 1991, Kreiger Publishing, Florida.

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<sup>6</sup> Section 241 (Approval of pest survey program) of the Act

## **Division 2**                      **Purposes and entities for introducing or keeping declared pest**

### **8**                      **Purpose of div 2**

This division prescribes, for section 60(2)<sup>7</sup> of the Act—

- (a) the purposes for which declared pests may be kept; and
- (b) the declared pests that may be kept for the purpose; and
- (c) the entities that may keep the declared pests for the purpose.

### **8A**                      **Definitions for div 2**

In this division—

***community organisation*** means a non-profit organisation whose main purpose is caring for natural resources.

***kept*** includes introduced.

***prescribed education program***, for a declared pest, means a program under which the pest is—

- (a) kept—
  - (i) for a declared pest animal—securely in a cage or other enclosure that prevents the animal escaping; or
  - (ii) for a declared pest plant—in a way that prevents the reproductive material of the plant being released into the environment; and
- (b) used to provide the public with information about the pest, including, for example, information about the economic, environmental and social impacts of the pest.

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<sup>7</sup> Section 60 (Deciding application) of the Act

**8B Circus entertainment**

A declared pest mentioned in schedule 3, part 1, may be kept by a circus for providing entertainment to the public.

**8C Prescribed education program**

- (1) A class 1 pest may be kept by the department for a prescribed education program for the pest.
- (2) A class 2 pest animal, other than a European rabbit (domestic breeds only), may be kept by a following entity for a prescribed education program for the animal—
  - (a) a government entity;
  - (b) a local government;
  - (c) a tertiary institution;
  - (d) a zoo.
- (3) A class 2 pest plant may be kept by a following entity for a prescribed education program for the plant—
  - (a) a government entity;
  - (b) a local government;
  - (c) a tertiary institution;
  - (d) a community organisation.

**8D Magic act**

A declared pest mentioned in schedule 3, part 2, may be kept by any entity for performing a magic act for members of the public on payment of a fee.

**8E Scientific research generally**

A declared pest mentioned in schedule 3, part 3, may be kept by a following entity for scientific research—

- (a) a tertiary institution;
- (b) an entity that performs medical research.

**8F Scientific research about the pest**

A class 1 pest or class 2 pest may be kept by a following entity for scientific research about the pest—

- (a) a government entity;
- (b) CSIRO;
- (c) a tertiary institution.

**8G Display in zoo or filming for prescribed film or television production**

A declared pest mentioned in schedule 3, part 4, may be kept—

- (a) by an entity in charge of a zoo for display at the zoo; or
- (b) by an entity that is in the business of making film or television productions for filming the pest for a prescribed film or television production.

**8H Hunting in game park**

A declared pest mentioned in schedule 3, part 5, may be kept by an entity in charge of a game park for hunting the pest, for a recreational purpose, in the game park.

**8I Commercial use**

A declared pest mentioned in schedule 3, part 6, may be kept by any entity for commercial use.

**8J Maintaining populations**

- (1) A declared pest may be kept by a government entity for maintaining populations of biological control organisms for declared pests.
- (2) A class 2 pest plant may be kept by a local government or a community organisation for maintaining populations of biological control organisms for declared pest plants.

## **Part 3                      Stock route network    management**

### **9                      Stock routes**

A road or route shown as a stock route on the series of maps called Stock Route Network of Queensland held by the department is declared to be a stock route for the Act.

### **10                      Local governments required to prepare stock route    network management plans—Act, s 104**

A local government mentioned in schedule 4 is prescribed for section 104 of the Act.

### **10A                      Prescribed market value of seized stock—Act, s 170**

For section 170(2) of the Act, the amount prescribed is \$1000.

## **Part 4                      Pest operational board for    rabbits**

### **11                      Establishment and directors of board**

- (1) The Darling Downs–Moreton Rabbit Board is established.
- (2) The number of directors of the board is 6.

### **12                      Declared pest and operational area for board**

The board is to manage rabbits in the part of the State shown as the Darling Downs–Moreton Rabbit District (the *rabbit district*) on map number RF01 held by the department.

## Part 5 Miscellaneous

### 13 Interest on amounts payable

For sections 80(1)(b)(ii), 83(4), 153(2) and 159(2)<sup>8</sup> of the Act, interest is calculated on a daily basis using the Reserve Bank of Australia's official cash rate for the day.<sup>9</sup>

### 14 Annual payments by local governments

- (1) For section 187(2)<sup>10</sup> of the Act, the maximum amount a local government may be required to pay for a financial year is the amount calculated using the formula—

$$MA = R \times X$$

- (2) In this section—

*MA* means the maximum amount a local government is required to pay for a financial year.

*R* means the average annual amount of general rates levied by the local government for the 3 most recent financial years for which the chief executive has information about the amount of general rates levied by the local government.

*X*, for each of the following local governments, means the percentage stated for the local government—

- (a) a large urban local government whose area is entirely or partly in the rabbit district or benefited by a declared pest fence—0.4%;
- (b) a large urban local government whose area is not entirely or partly in the rabbit district or benefited by a declared pest fence—0.2%;

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8 Sections 80 (Noncompliance with pest control notice), 83 (Amounts payable by landowner), 153 (Amounts payable by landowner) and 159 (Amounts payable by permit holder) of the Act

9 The Reserve Bank of Australia's official cash rate is published on the bank's website at <[www.rba.gov.au](http://www.rba.gov.au)>.

10 Section 187 (Minister may require local government to make annual payment) of the Act

- (c) a small urban local government whose area is entirely or partly in the rabbit district or benefited by a declared pest fence—4%;
- (d) a small urban local government whose area is not entirely or partly in the rabbit district or benefited by a declared pest fence—1%;
- (e) a rural local government whose area is entirely or partly in the rabbit district or benefited by a declared pest fence—15%;
- (f) a rural local government whose area is not entirely or partly in the rabbit district or benefited by a declared pest fence—8%.

## **15 Prescribed entities for nominating persons as protection council members—Act, s 193**

For section 193(1)(g) of the Act, the following entities are prescribed for nominating the number of persons stated for the entity—

- (a) Agforce Queensland, registered under the *Business Names Act 1962*<sup>11</sup>—3;
- (b) Queensland Cane Growers' Association Ltd ACN 089 992 969—1;
- (c) Queensland Dairyfarmers' Organisation Ltd ACN 090 629 066—1;
- (d) Queensland Fruit & Vegetable Growers Ltd ACN 090 816 827—1.

## **16 Inspecting maps and other information**

- (1) This section applies to—
  - (a) the building line mentioned in section 6; and
  - (b) a stock route mentioned in section 9; and
  - (c) the rabbit district.

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<sup>11</sup> Agforce's registration number under the *Business Names Act 1962* is BN 6960236.

- (2) The exact location of the building line, stock route and boundary of the rabbit district is also held in digital electronic form by the department.
- (3) The information held in digital electronic form can be reduced or enlarged to show details of the building line, stock route or boundary of the rabbit district in relation to the boundaries of parcels of land intersected by the building line, stock route or boundary of the rabbit district.
- (4) A person may—
  - (a) inspect a map mentioned in section 6, 9 or 12, or the information held in digital electronic form, free of charge, at the department's head office when the office is open to the public;<sup>12</sup> and
  - (b) on payment of the fee that is reasonable, but not more than the actual cost to the department of providing the copy, obtain a copy of details of the map or the information.

## **17 Fees**

- (1) The fees payable under the Act are stated in schedule 5.
- (2) The fee payable for a stock route agistment permit is the reasonable amount—
  - (a) of not less than the minimum, or more than the maximum, amount stated in the schedule; and
  - (b) decided by the issuing entity having regard to the following—
    - (i) the type of country and the stock being agisted under the permit;
    - (ii) the quality of pasture available for the agistment;
    - (iii) the accessibility of water for the agistment;
    - (iv) the proposed use of travelling stock facilities under the permit;
    - (v) comparable agistment rates in the area.

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<sup>12</sup> The department's head office is at Mineral House, 41 George Street, Brisbane.

- (3) If, after a stock route travel permit is replaced under section 141<sup>13</sup> of the Act because of a change of particulars in it the permit fee payable under the replacement permit is more than the amount paid by the permit holder, the permit holder must pay the additional amount to the issuing entity.
- (4) If, after a stock route travel permit is replaced under section 141 of the Act because of a change of particulars in it the permit fee payable under the replacement permit is less than the amount paid by the permit holder, the issuing entity must refund the additional amount paid.
- (5) A permit fee is not payable for—
  - (a) unweaned stock of less than 6 months travelling with their mothers under a stock route travel permit; or
  - (b) stock travelling to a gymkhana or rodeo; or
  - (c) horses used for droving stock under a stock route travel permit.

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13 Section 141 (Issuing replacement permit on notice of correct particulars) of the Act

## **Schedule 1            Mammals, reptiles and                                  amphibians that are not class 1                                  pests**

section 4(a)(i)

- 1    Mammals, reptiles and amphibians mentioned in schedule 2, part 2 or 3.
- 2    Mammals, reptiles and amphibians indigenous to Australia, including marine mammals of the orders Pinnipedia, Sirenia or Cetacea.
- 3    Each of the following—
  - alpaca (*Lama pacos*)
  - asian house gecko (*Hemidactylus frenatus*)
  - axolotl (*Ambystoma mexicanum*)
  - Bali cattle (*Bos javanicus* and *B. sondaicus*)
  - bison or American buffalo (*Bison bison*)
  - black rat (*Rattus rattus*)
  - camel (*Camelus dromedarius*)
  - cane toad (*Bufo marinus*)
  - cattle (*Bos* spp.)
  - chital (axis) deer (*Axis axis*)
  - domestic cat (*Felis catus*)
  - domestic dog (*Canis familiaris*)
  - domestic goat (*Capra hircus*)
  - donkey (*Equus asinus*)
  - European hare (*Lepus capensis*)
  - fallow deer (*Dama dama*)
  - guanicoe (*Lama guanicoe*)
  - guinea pig (*Cavia porcellus*)
  - hog deer (*Axis porcinus*)

## Schedule 1 (continued)

- horse (*Equus caballus*)
- house mouse (*Mus musculus*)
- llama (*Lama glama*)
- mule (*Equus caballus* x *Equus asinus*)
- pig, other than a feral pig (*Sus scrofa*)
- red deer (*Cervus elaphus*)
- rusa deer (*Cervus timorensis*)
- sambar deer (*Cervus unicolor*)
- sewer rat (*Rattus norvegicus*)
- sheep (*Ovis aries*)
- wapiti deer (*Cervus canadensis*)
- water buffalo (*Bubalus bubalis*)
- white-tail deer (*odocoileus virginianus*).

## Schedule 2      Class 1 pest plants, and class 2 and 3 pests

section 4(b) to (d)

### Part 1              Class 1 pests

1    The following plants—

- acacias non-indigenous to Australia (*Acacia* spp. (syn. *Vachellia* spp.) other than *Acacia nilotica*, *Acacia albizioides* (syn. *Senegalia albizioides*), *Acacia bidwillii* (syn. *Vachellia bidwillii*), *Acacia clarksoniana* (syn. *Vachellia clarksoniana*), *Acacia ditricha* (syn. *Vachellia ditricha*), *Acacia douglasica* (syn. *Vachellia douglasica*), *Acacia pachyphloia* (syn. *Vachellia pachyphloia*), *Acacia pallidifolia* (syn. *Vachellia pallidifolia*), *Acacia suberosa* (syn. *Vachellia suberosa*), *Acacia sutherlandii* (syn. *Vachellia sutherlandii*), *Acacia valida* (syn. *Vachellia valida*), *Acaciella* spp., *Senegalia* spp. other than *Senegalia albizioides* and *Mariosousa* spp.)
- alligator weed (*Alternanthera philoxeroides*)
- anchored water hyacinth (*Eichhornia azurea*)
- badhara bush (*Gmelina elliptica*)
- bitou bush (*Chrysanthemoides monilifera* subsp. *rotundata*)
- bridal creeper (*Asparagus asparagoides*)
- candleberry myrth (*Myrica faya*)
- Chilean needle grass (*Nassella neesiana*)
- cholla cactus (*Cylindropuntia* spp. and hybrids, other than *C. spinosior*, *C. fulgida* and *C. imbricata*)
- Christ's thorn (*Ziziphus spina-christi*)
- Eurasian water milfoil (*Myriophyllum spicatum*)
- fanwort (*Cabomba* spp. other than *C. caroliniana*)
- floating water chestnuts (*Trapa* spp.)
- gorse (*Ulex europaeus*)

## Schedule 2 (continued)

- harrisia cactus (*Harrisia* spp. syn. *Eriocereus* spp. other than *H. martinii*, *H. tortuosa* and *H. pomanensis* syn. *Cereus pomanensis*)
- honey locust (*Gleditsia* spp. including cultivars and varieties)
- horsetails (*Equisetum* spp.)
- hygrophila (*Hygrophila costata*)
- kochia (*Bassia scoparia* syn. *Kochia scoparia*)
- Koster's curse (*Clidemia hirta*)
- lagarosiphon (*Lagarosiphon major*)
- limnocharis or yellow burrhead (*Limnocharis flava*)
- Madras thorn (*Pithecellobium dulce*)
- mesquites (all *Prosopis* spp. and hybrids other than *Prosopis glandulosa*, *Prosopis pallida* and *Prosopis velutina*)
- Mexican bean tree (all *Cecropia* spp.)
- Mexican feather grass (*Nassella tenuissima*)
- miconia (*Miconia* spp.)
- mikania vine (*Mikania* spp.)
- mimosa pigra (*Mimosa pigra*)
- Peruvian primrose bush (*Ludwigia peruviana*)
- prickly pear (*Opuntia* spp. other than *O. ficus-indica*, *O. stricta*, *O. aurantiaca*, *O. monacantha*, *O. tomentosa* and *O. streptacantha*)
- red sesbania (*Sesbania punicea*)
- salvinias (*Salvinia* spp. other than *S. molesta*)
- Senegal tea (*Gymnocoronis spilanthoides*)
- serrated tussock (*Nassella trichotoma*)
- Siam weed (*Chromolaena* spp.)
- spiked pepper (*Piper aduncum*)
- thunbergias with the following names—

**Schedule 2 (continued)**

- annual thunbergia (*Thunbergia annua*)
- fragrant thunbergia (*T. fragrans*)
- laurel clockvine (*T. laurifolia*)
- water mimosa (*Neptunia oleracea* and *N. plena*)
- water soldiers (*Stratiotes aloides*)
- willow (*Salix* spp. other than *S. babylonica*, *S. humboldtiana* (syn. *S. chilensis*), *S. matsudana*, *S. x calodendron* and *S. x reichardtii*)
- witch weeds (*Striga* spp. other than native species).

**Part 2      Class 2 pests****Division 1            Animals**

- 2    The following animals—
- Australian plague locust (*Chortoicetes terminifera*)
  - cat, other than a domestic cat (*Felis catus*)
  - dingo (*Canis familiaris dingo*)
  - dog, other than a domestic dog (*Canis familiaris*)
  - European fox (*Vulpes vulpes*)
  - European rabbit (domestic and wild breeds) (*Oryctolagus cuniculus*)
  - feral pig (*Sus scrofa*)
  - goat, other than a domestic goat (*Capra hircus*)
  - migratory locust (*Locusta migratoria*)
  - spur-throated locust (*Austracris guttulosa*).

## Schedule 2 (continued)

**Division 2            Plants**

3    The following plants—

- African boxthorn (*Lycium ferocissimum*)
- annual ragweed (*Ambrosia artemisiifolia*)
- belly-ache bush (*Jatropha gossypifolia* and hybrids)
- cabomba (*Cabomba caroliniana*)
- chinee apple (*Ziziphus mauritiana*)
- cholla cacti with the following names—
  - coral cactus (*Cylindropuntia fulgida*)
  - devil’s rope pear (*C. imbricata*)
  - snake cactus (*C. spinosior*)
- fireweed (*Senecio madagascariensis*)
- giant sensitive plant (*Mimosa diplotricha* var. *diplotricha*)
- groundsel bush (*Baccharis halimifolia*)
- harrisia cactus (*Harrisia martinii* syn. *Eriocereus martinii*, *H. tortuosa* and *H. pomanensis* syn. *Cereus pomanensis*)
- hymenachne or Olive hymenachne (*Hymenachne amplexicaulis*)
- kudzu (*Pueraria montana* var. *lobata* syn. *Pueraria lobata*), other than in the Torres Strait Islands
- mesquites (*Prosopis glandulosa*, *P. pallida* and *P. velutina*)
- mother of millions (*Bryophyllum delagoense* syn. *B. tubiflorum*, *Kalanchoe delagoensis*)
- mother of millions hybrid (*Bryophyllum* x *houghtonii* (syn. *B. daigremontianum* x *B. delagoense*, *Kalanchoe* x *houghtonii*))
- parkinsonia (*Parkinsonia aculeata*)
- parthenium (*Parthenium hysterophorus*)
- pond apple (*Annona glabra*)
- prickly acacia (*Acacia nilotica*)

## Schedule 2 (continued)

- prickly pears with the following names—
  - common pest pear, spiny pest pear (*O. stricta* syn. *O. inermis*)
  - drooping tree pear (*O. monacantha* syn. *O. vulgaris*)
  - tiger pear (*O. aurantiaca*)
  - velvety tree pear (*O. tomentosa*)
  - Westwood pear (*O. streptacantha*)
- rat's tail grasses with the following names—
  - American rat's tail grass (*Sporobolus jacquemontii*)
  - giant Parramatta grass (*Sporobolus fertilis*)
  - giant rat's tail grass (*Sporobolus pyramidalis* and *S. natalensis*)
  - Parramatta grass (*Sporobolus africanus*)
- rubber vine (*Cryptostegia grandiflora*)
- salvinia (*Salvinia molesta*)
- sicklepods with the following names—
  - foetid cassia (*Senna tora*)
  - hairy cassia (*Senna hirsuta*)
  - sicklepod (*Senna obtusifolia*)
- telegraph weed (*Heterotheca grandiflora*)
- thunbergia or blue thunbergia (*Thunbergia grandiflora*)
- tobacco weed (*Elephantopus mollis*)
- water hyacinth (*Eichhornia crassipes*)
- water lettuce (*Pistia stratiotes*).

## Schedule 2 (continued)

**Part 3**                      **Class 3 pests**

- 4 The following plants—
- African fountain grass (*Pennisetum setaceum*)
  - African tulip tree (*Spathodea campanulata*)
  - aristolochia or Dutchman’s pipe (*Aristolochia* spp. other than native species)
  - asparagus fern (*Asparagus aethiopicus* ‘Sprengeri’, *A. africanus* and *A. plumosus*)
  - athel pine (*Tamarix aphylla*)
  - balloon vine (*Cardiospermum grandiflorum*)
  - blackberry (*Rubus anglocandicans*, *Rubus fruticosus* agg.)
  - broad-leaved pepper tree (*Schinus terebinthifolius*)
  - camphor laurel (*Cinnamomum camphora*)
  - Captain Cook tree or yellow oleander (*Cascabela thevetia* syn. *Thevetia peruviana*)
  - cat’s claw creeper (*Macfadyena unguis-cati*)
  - Chinese celtis (*Celtis sinensis*)
  - harungana (*Harungana madagascariensis*)
  - lantanas with the following names—
    - lantana or common lantana (*Lantana camara*)
    - creeping lantana (*L. montevidensis*)
  - Madeira vine (*Anredera cordifolia*)
  - ornamental rubber vine (*Cryptostegia madagascariensis*)
  - privets with the following names—
    - broad-leaf privet or tree privet (*Ligustrum lucidum*)
    - small-leaf privet or Chinese privet (*L. sinense*)
  - Singapore daisy (*Sphagneticola trilobata*; syn. *Wedelia trilobata*)

**Schedule 2 (continued)**

- willows with the following names—
  - pencil willow (*Salix humboldtiana* syn. *S. chilensis*)
  - tortured willow (*Salix matsudana*)
- yellow bells (*Tecoma stans*).

## **Schedule 3            Purposes and pests for declared pest permits**

sections 8B, 8D, 8E, 8G, 8H and 8I

### **Part 1                    Circus entertainment**

1    The following animals—

- African elephant (*Loxodonta africana*)
- American black bear (*Ursus americanus*)
- Asian elephant (*Elephas maximus*)
- asiatic black bear (*Ursus thibetanus*)
- baboon (also hamadryus baboon or olive baboon) (*Papio hamadryus*)
- bonnet macaque (*Macaca radiata*)
- brown bear (*Ursus arctos*)
- Celebes ape (*Macaca nigra*)
- chimpanzee (*Pan troglodytes*)
- crab-eating macaque (*Macaca fascicularis*)
- European rabbit (domestic breeds only) (*Oryctolagus cuniculus*)
- jaguar (*Panthera onca*)
- leopard (*Panthera pardus*)
- lion (*Panthera leo*)
- mandrill (*Mandrillus sphinx*)
- onager (*Equus onager*)
- pig-tailed macaque (*Macaca nemestrina*)
- Przewalski's horse (*Equus ferus przewalskii*)
- rhesus macaque (*Macaca mulatta*)
- sun bear (*Helarctos malayanus*)

**Schedule 3 (continued)**

- tiger (*Panthera tigris*)
- zebra (*Equus burchellii*).

**Part 2                      Magic act**

- 2    European rabbit (domestic breeds only) (*Oryctolagus cuniculus*).

**Part 3                      Scientific research**

- 3    The following animals—
- African clawed frog (*Xenopus laevis*)
  - common squirrel monkey (*Saimir sciureus*)
  - European rabbit (domestic and wild breeds) (*Oryctolagus cuniculus*)
  - owl monkey (*Aotus trivirgatus*).

**Part 4                      Zoo, or prescribed film or television production**

- 4    The following mammals—
- aardvark (*Orycteropus afer*)
  - addax (*Addax nasomaculatus*)
  - addra gazelle (*Gazella dama*)
  - African elephant (*Loxodonta africana*)
  - African porcupine (*Hystrix cristata*)

**Schedule 3 (continued)**

- agile gibbon (*Hylobates agilis*)
- American black bear (*Ursus americanus*)
- Asian elephant (*Elephas maximus*)
- asiatic black bear (*Ursus thibetanus*)
- baboon (also hamadryus baboon or olive baboon) (*Papio hamadryus*)
- barbary sheep (*Ammotragus lervia*)
- binturong (*Arctictis binturong*)
- black and white-ruffed lemur (*Varecia variegata variegata*)
- blackbuck antelope (*Antilope cervicapra*)
- black-capped capuchin (*Cebus apella*)
- black gibbon (*Hylobates concolor*)
- black rhinoceros (*Diceros bicornis*)
- Bolivian squirrel monkey (*Saimiri boliviensis*)
- bongo (*Tragelaphus eurycerus*)
- bonnet macaque (*Macaca radiata*)
- Bornean gibbon (*Hylobates muelleri*)
- Brazilian agouti (*Dasyprocta leporina*)
- Brazilian tapir (*Tapirus terrestris*)
- brown bear (*Ursus arctos*)
- California sea-lion (*Zalophus californianus*)
- caracal (*Felis caracal*)
- Celebes ape (*Macaca nigra*)
- chamois (*Rupicapra rupicapra*)
- cheetah (*Acinonyx jubatus*)
- chimpanzee (*Pan troglodytes*)
- coati (*Nasua nasua*)
- common eland (*Taurotragus oryx*)

**Schedule 3 (continued)**

- common hippopotamus (*Hippopotamus amphibius*)
- common marmoset (*Callithrix jacchus*)
- common squirrel monkey (*Saimir sciureus*)
- congo buffalo (*Syncerus caffer*)
- cotton-top tamarin (*Saguinus oedipus*)
- cougar or puma (*Felis concolor*)
- crab-eating macaque (*Macaca fascicularis*)
- De Brazza's guenon (*Cercopithecus neglectus*)
- dingo (*Canis familiaris dingo*)
- eastern black and white colobus (*Colobus guereza*)
- emperor tamarin (*Saguinus imperator*)
- European fox (*Vulpes vulpes*)
- European rabbit (wild breeds only) (*Oryctolagus cuniculus*)
- feral pig (*Sus scrofa*)
- ferret (*Mustela putorius*)
- fishing cat (*Felis viverrinas*)
- giant anteater (*Myrmecophaga tridactyla*)
- giraffe (*Giraffa camelopardalis*)
- goat, other than a domestic goat (*Capra hircus*)
- golden lion-tamarin (*Leontopithecus rosalia*)
- Goodfellow's tree kangaroo (*Dendrolagus goodfellow*)
- gorilla (*Gorilla gorilla*)
- Grant's gazelle (*Gazella granti*)
- greater kudu (*Tragelaphus strepsiceros*)
- green agouti (*Dasyprocta azarae*)
- Grevy's zebra (*Equus grevyii*)
- grey dorcopsis (*Dorcopsis luctuosa*)
- hairy armadillo (*Chaetophractus villosus*)

**Schedule 3 (continued)**

- harbour seal (*Phoca vitulina richardii*)
- Himalayan tahr (*Hemitragus jemlahicus*)
- hoolock gibbon (*Hylobates hoolock*)
- Indian crested porcupine (*Hystrix indica*)
- Indian rhinoceros (*Rhinoceros unicornis*)
- jaguar (*Panthera onca*)
- Japanese macaque (*Macaca fuscata*)
- Kloss's gibbon (*Hylobates klossii*)
- lar gibbon (*Hylobates lar*)
- leaf monkey (*Trachypithecus* spp.)
- leopard (*Panthera pardus*)
- lion (*Panthera leo*)
- lion-tail macaque (*Macaca silenus*)
- lion tamarin (*Leontopithecus* spp.)
- Malayan tapir (*Tapirus indicus*)
- mandrill (*Mandrillus sphinx*)
- marsh antelope (*Kobus leche kafuensis*)
- nilgai (*Boselaphus tragocamelus*)
- North American otter (*Lontra canadensis*)
- North American porcupine (*Erethizon dorsatum*)
- ocelot (*Felis pardalis*)
- onager (*Equus onager*)
- orang-utan (*Pongo pygmaeus*)
- pig-tailed macaque (*Macaca nemestrina*)
- polar bear (*Ursus maritimus*)
- Przewalski's horse (*Equus ferus przewalskii*)
- pygmy hippopotamus (*Hexaprotodon liberiensis*)
- pygmy marmoset (*Callithrix pygmaea*)

**Schedule 3 (continued)**

- red-handed tamarin or golden-handed tamarin (*Saguinus midas*)
- red panda or lesser panda (*Ailurus fulgens*)
- red-ruffed lemur (*Varecia variegata rubra*)
- rhesus macaque (*Macaca mulatta*)
- ring-tailed lemur (*Lemur catta*)
- sable antelope (*Hippotragus niger*)
- scimitar oryx (*Oryx dammah*)
- serval (*Felis serval*)
- siameng (*Hylobates syndactylus*)
- silvery gibbon (*Hylobates moloch*)
- sitatunga (*Tragelaphus spekii*)
- small-clawed otter (*Amblonyx cinereus*)
- smooth-coated otter (*Lutrogale perspicillata*)
- snow leopard (*Uncia uncia*)
- spider monkey (*Ateles* spp.)
- stump-tailed macaque (*Macaca arctoides*)
- Sulawesi crested macaque (*Macaca nigra nigra*)
- sun bear (*Helarctos malayanus*)
- tiger (*Panthera tigris*)
- two-toed sloth or Hoffman's sloth (*Choloepus hoffmanni*)
- waterbuck (*Kobus ellipsipyrmnus*)
- white-cheeked gibbon (*Hylobates leucogenys*)
- white-fronted capuchin (*Cebus albifrons*)
- white rhinoceros (*Ceratotherium simum*)
- zebra (*Equus burchellii*).

**Schedule 3 (continued)**

5 The following reptiles—

- aldabra tortoise and aldabra giant tortoise (*Aldabrachelys elephantina*)
- alligator snapping turtle (*Macroclmys temminckii*)
- American alligator (*Alligator mississippiensis*)
- Asian box turtle (*Siebenrockiella crassicolis*)
- banded Fijian iguana (*Brachylophus fasciatus*)
- boa constrictor (*Boa constrictor*)
- Burmese or Indian python (*Python molurus*)
- common box turtle (*Terrapene carolina*)
- common cooter or Florida slider (*Pseudemys floridana*)
- common map turtle (*Graptemys geographica*)
- common mud turtle (*Kinosternon subrubrum*)
- common or green iguana (*Iguana iguana*)
- common or yellow-bellied slider (*Trachemys scripta*)
- common snapping turtle (*Chelydra serpentina*)
- corn snake or red rat-snake (*Elaphe guttata*)
- crested Fijian iguana (*Brachylophus vitiensis*)
- emerald or green lizard (*Lacerta viridis*)
- emerald tree-boa (*Corallus caninus*)
- Florida softshell turtle (*Apalone ferox*)
- Galapagos tortoise (*Geochelone nigra*)
- giant-plated lizard (*Gerrhosaurus validus*)
- Jackson's chameleon (*Chamaeleo jacksonii*)
- jewelled or ocellated lizard (*Lacerta lepida*)
- komodo dragon (*Varanus komodoensis*)
- loggerhead musk-turtle or musk turtle (*Sternotherus minor*)
- Madagascar gekko (*Phelsuma madagascariensis*)

**Schedule 3 (continued)**

- Malayan box turtle (*Cuora amboinensis*)
  - mata mata (*Chelus fimbriatus*)
  - Mexican musk turtle or Mexican mud-turtle (*Staurotypus triporcatus*)
  - New Guinea crocodile (*Crocodylus novaeguineae*)
  - Nile monitor (*Varanus niloticus*)
  - painted turtle (*Chrysemys picta*)
  - Philippine water lizard or sail-fin lizard (*Hydrosaurus pustulatus*)
  - radiated tortoise (*Geochelone radiata*)
  - rainbow boa (*Epicrates cenchria*)
  - reticulated python (*Python reticulatus*)
  - rhinoceros iguana (*Cyclura cornuta*)
  - Solomon Island tree skink (*Corucia zebrata*)
  - spiny turtle or spiny terrapin (*Heosemys spinosa*)
  - spotted turtle (*Clemmys guttata*)
  - spur-thighed tortoise (*Testudo graeca*)
  - tokay (*Gekko gecko*)
  - yellow anaconda (*Eunectes notaeus*)
  - yellow-margined box turtle (*Cistoclemmys flavomarginata*)
  - yellow mud turtle (*Kinosternon flavescens*).
- 6 The following amphibians—
- African bullfrog (*Pyxicephalus adspersus*)
  - dyeing poison-arrow frog (*Dendrobates tinctorius*).

## Schedule 3 (continued)

**Part 5                      Game park**

- 7    The following animals—
- barbary sheep (*Ammotragus lervia*)
  - blackbuck antelope (*Antilope cervicapra*).

**Part 6                      Commercial use**

- 8    The following animals—
- feral pig (*Sus scrofa*)
  - migratory locust (*Locusta migratoria*).
- 9    Class 2 pest plants.

## **Schedule 4      Local governments required to prepare stock route network management plans**

section 10

- 1    The local governments for the following shires—  
Aramac, Balonne, Banana, Barcaldine, Barcoo, Bauhinia, Belyando, Bendemere, Blackall, Booringa, Boulia, Broadsound, Bulloo, Bungil, Chinchilla, Cloncurry, Dalrymple, Diamantina, Duaringa, Emerald, Flinders, Ilfracombe, Isisford, Jericho, Longreach, McKinlay, Murilla, Murweh, Paroo, Peak Downs, Quilpie, Richmond, Tambo, Tara, Taroom, Waggamba, Wambo, Warroo, Winton.
- 2    The local government for the City of Mount Isa.

## Schedule 5      Fees

section 17

	\$
1	Declared pest permit (Act, s 58(2)(b))—
	(a) for a purpose mentioned in schedule 3, part 1, 4 or 5—
	(i) application fee . . . . . 224.70
	(ii) permit fee . . . . . 168.50
	(b) for another purpose mentioned in schedule 3—
	(i) application fee . . . . . 33.65
	(ii) permit fee . . . . . 67.40
2	Inspecting register of pest control and entry notices (Act, s 86(3)) . . . . . 11.15
3	Permit fee for stock route agistment permit (Act, s 116(5))—
	(a) for large stock—
	(i) minimum fee, for each head, for each week . . . . . 0.83
	(ii) maximum fee, for each head, for each week . . . . . 2.01
	(b) for small stock—
	(i) minimum fee, for each head, for each week . . . . . 0.10
	(ii) maximum fee, for each head, for each week . . . . . 0.32
4	Permit fee for stock route travel permit (Act, s 134(3))—
	(a) for large stock—for each 1km, for each 20 head or part of 20 head . . . . . 0.02
	(b) for small stock—for each 1km, for each 100 head or part of 100 head . . . . . 0.02
5	Inspecting register of water facility agreements (Act, s 164(3)(a)) . . . . . 11.15
6	Request to extend compliance period under a pest control notice . . . . . 56.10

## Schedule 6      Dictionary

### section 3

***circus*** means an entity that—

- (a) provides entertainment to the public on an itinerant basis; and
- (b) keeps a variety of animals that—
  - (i) are trained to perform activities to entertain a fee-paying audience; and
  - (ii) are cared for by persons who have a high level of experience in professionally caring for animals.

***class 2 pest animal*** means a declared pest animal that is a class 2 pest.

***class 2 pest plant*** means a declared pest plant that is a class 2 pest.

***community organisation***, for part 2, division 2, see section 8A.

***domestic cat*** means a cat that is fed and kept by someone.

***domestic dog*** means a dog, other than a dingo, that is fed and kept by someone.

***domestic goat*** means a goat that is tethered or restrained in another way, or kept in an enclosure that prevents the goat from escaping.

***feral pig*** means a pig that has all of the following morphological features—

- (a) an elongated snout;
- (b) long coarse hair;
- (c) sloping hindquarters.

***game park*** means a place—

- (a) at which various animal species are kept securely in cages or other enclosures that prevent the animals escaping; and

## Schedule 6 (continued)

- (b) that—
- (i) is either an island or is enclosed by a fence; and
  - (ii) is commonly used by persons for hunting, for a recreational purpose, animals kept at the place; and
  - (iii) is operated by a person who has a high level of experience in animal husbandry for animals of the type kept at the place.

**government entity** means a government entity under the *Public Service Act 1996*, section 21.<sup>14</sup>

**indigenous to Australia**, for an animal or plant, means—

- (a) an animal or plant that was not originally introduced to Australia by human intervention, other than animals or plants introduced before the year 1600; or
- (b) an animal or plant that periodically or occasionally migrates to, or visits, Australia.

**kept**, for part 2, division 2, see section 8A.

**large stock** means alpacas, asses, camels, cattle, donkeys, horses, llamas, mules or vicunas.

**large urban local government** means a local government that has a population of at least 70001.

**non-indigenous**, for an animal or plant, means an animal or plant that is not indigenous to Australia.

**prescribed education program**, for part 2, division 2, see section 8A.

**prescribed film or television production** means a film or television production in the form of a story, narrative or documentary.

**prescribed standard of competency**, in zoo-keeping, means a standard of competency in animal care and management that the chief executive is satisfied is—

- (a) relevant to zoo-keeping; and

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<sup>14</sup> *Public Service Act 1996*, section 21 (What is a *government entity*)

## Schedule 6 (continued)

- (b) consistent with the national competency standards endorsed by the entity known as the Australian National Training Authority.

**rabbit district** see section 12.

**rural local government** means a local government that has a population of not more than 20000.

**small stock** means goats and sheep.

**small urban local government** means a local government that has a population of more than 20000 but fewer than 70001.

**zoo** means a place, including, for example, a theme park or wildlife park—

- (a) at which various animal species are—
- (i) kept securely in cages or other enclosures that prevent the animals escaping; and
  - (ii) cared for by persons who have—
    - (A) a high level of experience in professionally caring for animals; and
    - (B) a prescribed standard of competency in zoo-keeping; and
  - (iii) displayed, for viewing by the public—
    - (A) at least 5 days a week; and
    - (B) in most weeks of a year; and
    - (C) on payment of a fee or as a community service provided by a local government; and
- (b) that is enclosed by a fence.

## Endnotes

### 1 Index to endnotes

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3	Key . . . . .	39
4	Table of reprints . . . . .	39
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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 14 December 2007. Future amendments of the Land Protection (Pest and Stock Route Management) Regulation 2003 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

*Land Protection (Pest and Stock Route Management)  
Regulation 2003*

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### 3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 July 2003	
1A	none	1 November 2003	
1B	2004 SL No. 67	1 July 2004	
1C	2004 SL No. 175	3 September 2004	R1C withdrawn, see R2
2	—	3 September 2004	
2A	2005 SL No. 103	1 July 2005	
2B	2006 SL No. 110	1 July 2006	
2C	2007 SL No. 98	1 July 2007	
2D	2007 SL No. 232	29 October 2007	
2E	2007 SL No. 337	14 December 2007	

## 5 List of legislation

### **Land Protection (Pest and Stock Route Management) Regulation 2003 SL No. 117**

made by the Governor in Council on 19 June 2003

notfd gaz 20 June 2003 pp 633–6

ss 1–2 commenced on date of notification

s 4(d), sch 2 pt 3 commenced 1 November 2003 (see s 2(1))

remaining provisions commenced 1 July 2003 (see s 2(2))

exp 1 September 2013 (see SIA s 54)

Note—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared

amending legislation—

### **Natural Resources, Mines and Energy Legislation Amendment Regulation (No. 1) 2004 SL No. 67 pts 1, 9**

notfd gaz 28 May 2004 pp 277–80

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2004 (see s 2)

### **Land Protection (Pest and Stock Route Management) Amendment Regulation (No. 1) 2004 SL No. 175**

notfd gaz 3 September 2004 pp 99–100

commenced on date of notification

### **Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2005 SL No. 103 pts 1, 8**

notfd gaz 3 June 2005 pp 415–9

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2005 (see s 2)

### **Natural Resources Legislation Amendment Regulation (No. 1) 2006 SL No. 110 pts 1, 9**

notfd gaz 2 June 2006 pp 572–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

### **Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007 SL No. 98 pts 1, 6**

notfd gaz 1 June 2007 pp 582–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2007 (see s 2)

### **Primary Industries Legislation Amendment Regulation (No. 2) 2007 SL No. 232 ss 1–2(1), pt 9**

notfd gaz 21 September 2007 pp 447–9

ss 1–2 commenced on date of notification

remaining provisions commenced 29 October 2007 (see s 2(1))

**Land Protection (Pest and Stock Route Management) Amendment Regulation (No. 1) 2007 SL No. 337**

notfd gaz 14 December 2007 pp 2131–5  
commenced on date of notification

## **6 List of annotations**

### **PART 2—PEST MANAGEMENT**

#### **Division 1—General provisions**

**div hdg** ins 2004 SL No. 175 s 3

#### **Declared pests—Act, s 36**

**s 4** sub 2004 SL No. 175 s 4

#### **Building lines for declared pest fences—Act, s 47**

**s 6** sub 2004 SL No. 175 s 5  
amd 2007 SL No. 337 s 3

#### **Local governments that may build declared pest fence—Act, s 48**

**s 6A** ins 2004 SL No. 175 s 5

#### **Period for particular pest survey programs—Act, s 241**

**s 6B** ins 2004 SL No. 175 s 5

#### **Scientific names**

**s 7** prev s 7 om 2004 SL No. 175 s 6  
pres s 7 (prev s 8) renum and reloc 2004 SL No. 175 s 7

#### **Division 2—Purposes and entities for introducing or keeping declared pest**

**div hdg** ins 2004 SL No. 175 s 6

#### **Purpose of div 2**

**s 8** ins 2004 SL No. 175 s 6

#### **Definitions for div 2**

**s 8A** ins 2004 SL No. 175 s 6

#### **Circus entertainment**

**s 8B** ins 2004 SL No. 175 s 6

#### **Prescribed education program**

**s 8C** ins 2004 SL No. 175 s 6  
amd 2007 SL No. 337 s 4

#### **Magic act**

**s 8D** ins 2004 SL No. 175 s 6

#### **Scientific research generally**

**s 8E** ins 2004 SL No. 175 s 6

#### **Scientific research about the pest**

**s 8F** ins 2004 SL No. 175 s 6

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**Display in zoo or filming for prescribed film or television production**

s 8G ins 2004 SL No. 175 s 6

**Hunting in game park**

s 8H ins 2004 SL No. 175 s 6

**Commercial use**

s 8I ins 2004 SL No. 175 s 6

**Maintaining populations**

s 8J ins 2004 SL No. 175 s 6

**PART 3—STOCK ROUTE NETWORK MANAGEMENT**

**Prescribed market value of seized stock—Act, s 170**

s 10A ins 2004 SL No. 175 s 8

**SCHEDULE 1—MAMMALS, REPTILES AND AMPHIBIANS THAT ARE NOT**

**CLASS 1 PESTS**

sch hdg sub 2004 SL No. 175 s 9(1)

sch 1 amd 2004 SL No. 175 s 9(2)

**SCHEDULE 2—CLASS 1 PEST PLANTS, AND CLASS 2 AND 3 PESTS**

sch hdg amd 2004 SL No. 175 s 10(1)

sch 2 amd 2004 SL No. 175 s 10(2)–(7); 2007 SL No. 337 s 5

**SCHEDULE 3—PURPOSES AND PESTS FOR DECLARED PEST PERMITS**

sch hdg amd 2004 SL No. 175 s 11(1)

sch 3 amd 2004 SL No. 175 s 11(2)–(13)

**SCHEDULE 5—FEES**

sub 2004 SL No. 67 s 20

amd 2004 SL No. 175 s 12

sub 2005 SL No. 103 s 16; 2006 SL No. 110 s 18

amd 2007 SL No. 98 s 12

sub 2007 SL No. 232 s 18

**SCHEDULE 6—DICTIONARY**

def “**class 2 pest animal**” ins 2004 SL No. 175 s 13(2)

def “**class 2 pest plant**” ins 2004 SL No. 175 s 13(2)

def “**community organisation**” ins 2004 SL No. 175 s 13(2)

def “**dingo**” om 2007 SL No. 337 s 6

def “**feral pig**” amd 2004 SL No. 175 s 13(3)

def “**game park**” ins 2004 SL No. 175 s 13(2)

def “**kept**” ins 2004 SL No. 175 s 13(2)

def “**prescribed education program**” ins 2004 SL No. 175 s 13(2)

def “**prescribed film or television production**” ins 2004 SL No. 175 s 13(2)

def “**prescribed standard of competency**” ins 2004 SL No. 175 s 13(2)

def “**zoo**” sub 2004 SL No. 175 s 13(1)–(2)