

Queensland



Subordinate Legislation 1994 No. 28

Rural Lands Protection Act 1985

RURAL LANDS PROTECTION AMENDMENT REGULATION (No. 1) 1994

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Short title

1. This regulation may be cited as the *Rural Lands Protection Amendment Regulation (No. 1) 1994*.¹

Amended regulation

2. The *Rural Lands Protection Regulation 1989* is amended as set out in this regulation.

Amendment of s.4 (Interpretation)

3.(1) Section 4 (heading)—

omit, insert—

‘Definitions’.

(2) Section 4 (definition “**the Act**”)—

omit.

(3) Section 4—

insert—

‘ **“catchment areas map”** means the Major Catchment Areas of Queensland map—

- (a) held by, and available for inspection at, the office of the department, Brisbane; and
- (b) a copy of which is available for inspection at each regional office of the department;

“livestock buffer zone” means the livestock buffer zone shown on plan LBZ1—

- (a) held by, and available for inspection at, the department that deals with matters arising under the *Stock Act 1915*; and
- (b) a copy of which is available for inspection at the office of the department, Brisbane;’.

¹ See s.20A of the *Statutory Instruments Act 1992*.

Insertion of new s.42B**4.** After section 42A—*insert—***‘Destruction of straying dogs**

‘42B. Section 236 of the Act is in force in the areas or parts of areas specified in Schedule 6.’.

Insertion of new Part 9**5.** After Part 8—*insert—***‘PART 9—DECLARED PLANTS AND ANIMALS****‘Declared plants**

‘52.(1) Plants of a class mentioned in the 1st column of Schedule 4 are—

- (a) declared plants for the parts of the State mentioned opposite in the 3rd column; and
- (b) declared generally.

‘(2) Each class of declared plants mentioned in the 1st column of Schedule 4 is assigned to the category mentioned opposite in the 2nd column for the part of the State mentioned opposite in the 3rd column.

‘Declared animals

‘53.(1) Animals of a class mentioned in the 1st column of Schedule 5 are—

- (a) declared animals for the part of the State mentioned opposite in the 3rd column; and
- (b) declared generally.

‘(2) Each class of declared animals mentioned in the 1st column of Schedule 5 is assigned to the category mentioned opposite in the

2nd column for the part of the State mentioned opposite in the 3rd column.’.

Insertion of new Schedules 4 to 6

6. After Schedule 3—

insert—

‘SCHEDULE 4

‘CLASSES OF PLANTS DECLARED GENERALLY

section 52

‘Class of Plants	Category	Parts of the State
1. <i>Acacia</i> species (all thorny species not indigenous to Australia, other than <i>A. nilotica</i>)	P1	Whole
2. African boxthorn (<i>Lycium ferocissimum</i>)	P3	Whole
3. Alligator weed (<i>Alternanthera philoxeroides</i>)	P1, P2	Whole
4. Anchored water hyacinth (<i>Eichhornia azurea</i>)	P1	Whole
5. Annual ragweed (<i>Ambrosia artemisiifolia</i>)	P3	The local government areas of— <ul style="list-style-type: none"> • Albert • Beaudesert • Logan • Stanthorpe
	P2	Remainder of the State

6. <i>Austroeupatorium inulaefolium</i>	P1	Whole
7. Badhara bush (<i>Gmelina asiatica</i>)	P2	Whole
8. Bathurst burr (<i>Xanthium spinosum</i>)	P3	Whole
9. Bitou bush (<i>Chrysanthemoides monilifera</i>)	P2	Whole
10. Blackberry, Florida (<i>Rubus argutus</i>), Syn: <i>R. penetrans</i>	P1	Whole
11. Blackberry (<i>Rubus fruticosus</i>)	P3	The local government area of Stanthorpe
12. Cabomba (<i>Cabomba caroliniana</i>)	P2	The local government areas of— <ul style="list-style-type: none"> • Atherton • Eacham • Johnstone • Mulgrave
13. Chinee apple (<i>Ziziphus mauritiana</i>)	P3	Whole
14. Christ thorn (<i>Zizyphus spina-christi</i>)	P1	Whole
15. Crofton weed (<i>Eupatorium adenophorum</i>)	P3	Whole
16. Dwarf arrowhead (<i>Sagittaria pygmaea</i>)	P1	Whole
17. Eurasian watermilfoil (<i>Myriophyllum spicatum</i>)	P1	Whole
18. Fireweed (<i>Senecio madagascariensis</i>)	P3, P4	The local government areas of— <ul style="list-style-type: none"> • Albert • Beaudesert • Boonah • Ipswich • Logan • Moreton

19. Giant bramble (<i>Rubus alceifolius</i>)	P2	Remainder of the State
	P3	The local government areas of— <ul style="list-style-type: none"> • Eacham • Johnstone • Mulgrave
20. Giant rats tail grass (<i>Sporobolus pyramidalis</i>)	P4	Whole
21. Giant sensitive plant (<i>Mimosa invisa</i>)	P2	Whole
22. Giant sensitive tree (<i>Mimosa pigra</i>)	P1, P2	Whole
23. Green cestrum (<i>Cestrum parqui</i>)	P3	The local government areas of— <ul style="list-style-type: none"> • Beaudesert • Boonah • Caloundra • Ipswich • Laidley • Moreton
	P3, P4	The local government areas of— <ul style="list-style-type: none"> • Albert • Brisbane • Caboolture • Caloundra • Cooloola • Gold Coast • Ipswich • Logan • Maroochy • Noosa • Pine Rivers • Redcliffe • Redland
25. Harrisia Cactus (<i>Eriocereus spp.</i>)	P3	Remainder of the State
	P2	The local government areas of— <ul style="list-style-type: none"> • Banana

		<ul style="list-style-type: none"> • Duaringa • Emerald • Fitzroy • Jericho • Livingstone • Mt Morgan • Rockhampton
	P3	Remainder of the State
26. Hemlock	P2	Whole
(<i>Conium maculatum</i>)		
27. Honey locust tree	P2	Whole
(<i>Gleditsia triacanthos</i>)		
(all varieties)		
28. Horsetails	P1	Whole
(<i>Equisetum</i> spp.)		
(all species)		
29. Kochia	P1	Whole
(<i>Kochia scoparia</i>)		
30. Koster's curse	P1	Whole
(<i>Clidemia hirta</i>)		
31. Madras thorn	P1	Whole
(<i>Pithecellobium dulce</i> —		
Syn: <i>Mimosa dulcis</i>)		
32. Mesquites		
(<i>Prosopis</i> spp.)		
• <i>P. glandulosa</i> and	P3	Whole
<i>P. limensis</i>		
• <i>P. flexuosa</i> (Quilpie	P2	Whole
Mesquite)		
All other <i>Prosopis</i> spp.	P1, P2	Whole
33. Mikania vine	P1	Whole
(<i>Mikania</i> spp. (all species))		
34. Milkweed	P3, P4	The local government
(<i>Euphorbia heterophylla</i>)		areas of —
		<ul style="list-style-type: none"> • Atherton • Bowen • Burdekin • Cairns • Cardwell

		<ul style="list-style-type: none"> • Cook • Douglas • Eacham • Hinchinbrook • Johnstone • Mackay • Mareeba • Mulgrave • Pioneer • Sarina • Thuringowa • Townsville • Whitsunday
	P4	The local government areas of— <ul style="list-style-type: none"> • Bundaberg • Gooburru • Isis • Kolan • Woongarra
	P2	Remainder of the State
35. Mistflower (<i>Eupatorium riparium</i>)	P3	Whole
36. Navua sedge (<i>Cyperus aromaticus</i>)	P3	Whole
37. Noogoora Burr (<i>Xanthium pungens</i>)	P3	Whole
38. Oxygen weed (<i>lagarosiphon</i>) (<i>Lagarosiphon major</i>) (Syn: <i>Elodea crispa</i>)	P1, P2	Whole
39. Parkinsonia (<i>Parkinsonia aculeata</i>)	P3	Catchment areas of the— <ul style="list-style-type: none"> • Fitzroy and Burdekin river systems; and • Lake Eyre systems (other than Shires of Diamantina, Barcoo, Quilpie and Bulloo); and

		<ul style="list-style-type: none"> • Gulf rivers systems (other than Shires of Mareeba, Cook and Aurukun);
		shown on the catchment areas map
	P2	Remainder of the State
40. Parthenium weed (<i>Parthenium hysterophorus</i>)	P3, P4	The local government areas of—
		<ul style="list-style-type: none"> • Bauhinia • Belyando • Bowen • Broadsound • Dalrymple • Duinga • Emerald • Fitzroy • Nebo • Peak Downs
	P2	Remainder of the State
41. Perennial ragweed (<i>Ambrosia psilostachya</i>)	P3	Whole
42. Peruvian primrose (<i>Ludwigia peruviana</i>)	P1	Whole
43. Prickly acacia (<i>Acacia nilotica</i>)	P3	The local government areas of—
		<ul style="list-style-type: none"> • Aramac • Bowen • Flinders • McKinlay • Richmond
	P2	Remainder of the State
44. Prickly pears (<i>Opuntia</i> spp. (other than <i>O. ficus-indica</i>))	P3	Whole
45. Red sesbania (<i>Sesbania punicea</i>)	P1	Whole
46. Romerillo (toxic groundsel) (<i>Baccharis coridifolia</i>)	P1	Whole

47. Rubber vine (<i>Cryptostegia grandiflora</i>)	P3	The local government areas of— <ul style="list-style-type: none"> • Calliope • Banana • Duaringa • Bauhinia • Jericho • Barcaldine • Ilfracombe • Longreach • Winton • Boulia and all local government areas to the north of the line formed by the areas specified
48. Sacramento bur (<i>Triumfetta semitriloba</i>)	P2	Remainder of the State
49. Saffron thistle (<i>Carthamus lanatus</i>)	P1	Whole
50. <i>Salvinia</i> species (other than <i>S. molesta</i>)	P3	Whole
51. <i>Salvinia</i> (<i>Salvinia molesta</i>)	P1	Whole
52. Senegal tea plant (<i>Gymnocoronis spilanthoides</i>)	P2	The Murray-Darling catchment area shown on the catchment areas map
53. Siam weed (<i>Chromolaena odorata</i>)	P3	Remainder of the State
54. Sicklepod (<i>Cassia obtusifolia</i>)	P1	Whole
	P1, P2	Whole
	P3, P4	The local government areas of— <ul style="list-style-type: none"> • Bowen • Burdekin • Cairns • Cardwell • Cook

		<ul style="list-style-type: none"> • Douglas • Hinchinbrook • Johnstone • Mackay • Mulgrave • Pioneer • Proserpine • Sarina • Thuringowa • Townsville
	P2	Remainder of the State
55. Spiny emex (<i>Emex australis</i>)	P2	The local government area of Atherton
56. Thornapples (<i>Datura ferox</i> , <i>D. meteloides</i> , <i>D. tatula</i> , <i>D. stramonium</i>))	P3	Whole
57. Thunbergia (<i>Thunbergia grandiflora</i>)	P2	The local government areas of— <ul style="list-style-type: none"> • Cairns • Cardwell • Cook • Douglas • Hinchinbrook • Johnstone • Mulgrave
58. Tobacco weed (<i>Elephantopus mollis</i>)	P2	Whole
59. Tropical pickerelweed (<i>Pontederia rotundifolia</i>)	P1	Whole
60. Water chestnuts (<i>Trapa</i> spp. (all species))	P1	Whole
61. Water hyacinth (<i>Eichhornia crassipes</i>)	P2	The Murray-Darling catchment area shown on the catchment areas map
	P3	Remainder of the State

62. Water lettuce (<i>Pistia stratiotes</i>)	P2	The Murray-Darling catchment area shown on the catchment areas map
63. Witchweeds (<i>Striga</i> species (all species not indigenous to Australia))	P3 P1	Remainder of the State Whole
64. Yellow bur-head (<i>Limnocharis flava</i>)	P1	Whole

‘SCHEDULE 5**‘CLASSES OF ANIMALS DECLARED GENERALLY**

section 53

‘Class of Animals	Category	Parts of the State
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‘PART 1—MAMMALS

- | | | |
|---|------------|-------------------------------------|
| 1. Alpaca (<i>Lama pacos</i>) | A4, A6 | Whole |
| 2. Agouti
(<i>Dasyprocta myoprocta</i>) | A4, A6 | Whole |
| 3. Baboon— | | |
| • Olive
(<i>Papio cynocephalus</i>) | A4, A6 | Whole |
| • Sacred
(<i>Papio hamadryas</i>) | A4, A6 | Whole |
| 4. Bali cattle (<i>Bos sondaicus</i>) | A4, A6 | Whole |
| 5. Bear— | | |
| • Himalayan
(<i>Selenarctos thibetanus</i>) | A4, A6 | Whole |
| • European
(<i>Helarctos arctos</i>
<i>argos</i>) | A4, A6 | Whole |
| • Sun (<i>Helarctos</i>
<i>malayanus</i>) | A4, A6 | Whole |
| • Canadian Grizzly
(<i>Ursus arctos</i>) | A4, A6 | Whole |
| 6. Cattle (<i>Bos</i> spp.) | A2 | Inside the livestock
buffer zone |
| 7. <i>Cricetinae</i> (family)—
hamsters of the genera
<i>Mesocricetus</i> and <i>Cricetus</i> | A1, A2, A3 | Whole |

and gerbils and jirds of the
genera *Gergillus*, *Tatera*,
Taterillus and *Meriones*

- | | | |
|--|------------|-------|
| 8. Deer— | | |
| • Chital
(<i>Cervus axis</i>) | A4, A6 | Whole |
| • Sambar
(<i>Cervus unicolor</i>) | A4, A6 | Whole |
| • Rusa
(<i>Cervus timorensis</i>) | A4, A6 | Whole |
| • Hog
(<i>Cervus porcinus</i>) | A4, A6 | Whole |
| • Red
(<i>Cervus elaphus</i>) | A4, A6 | Whole |
| • Fallow
(<i>Cervus dama</i>) | A4, A6 | Whole |
| • Wapiti
(<i>Cervus canadensis</i>) | A4, A6 | Whole |
| 9. Dingo
(<i>Canis familiaris dingo</i>) | A1, A3, A5 | Whole |
| 10. Dingo hybrids
(<i>Canis familiaris</i>) | A1, A3, A5 | Whole |
| 11. Elephant, Asia
(<i>Elephas maximus</i>) | A4, A6 | Whole |
| 12. Feral buffalo
(<i>Bubalus bubalus</i>) | A1, A2, A6 | Whole |
| 13. Feral camel
(<i>Camelus dromedarius</i>) | A2, A4, A6 | Whole |
| 14. Feral dog
(<i>Canis familiaris</i>) | A1, A3, A5 | Whole |
| 15. Feral donkey
(<i>Equus asinus</i>) | A2, A4, A6 | Whole |
| 16. Feral goat
(<i>Capra hircus</i>) | A2, A4, A6 | Whole |
| 17. Feral horse
(<i>Equus caballus</i>) | A2, A4, A6 | Whole |
| 18. Feral pig
(<i>Sus scrofa</i>) | A1, A2, A6 | Whole |

19. Fox (<i>Vulpes vulpes</i>)	A1, A2, A3	Whole
20. Hare (<i>Lepus capensis</i>)	A1, A2, A3	Whole
21. <i>Herpestinae</i> family— all genera	A1, A2, A3	Whole
22. Himalayan Tahr (<i>Hermitragus jemlahicus</i>)	A4, A6	Whole
23. Leopard (<i>Panthera pardus</i>)	A4, A6	Whole
24. Liger (<i>Panthera leo-tigris</i>)	A4, A6	Whole
25. Lion (<i>Panthera leo</i>)	A4, A6	Whole
26. Llama (<i>Lama glama</i>)	A4, A6	Whole
27. Monkey—		
• Macaque (<i>Macaca</i> spp.)	A4, A6	Whole
• Marmoset (<i>Callithrix jacchus</i>)	A4, A6	Whole
• Rhesus (<i>Macaca mulatta</i>)	A4, A6	Whole
• Spider (<i>Ateles</i> spp.)	A4, A6	Whole
28. <i>Mustelidae</i> family— Stoats, weasels and mink of the genus <i>Mustela</i> including domestic ferret, <i>Mustela</i> <i>furu</i>	A1, A2, A3	Whole
29. Panther (<i>Panthera pardus</i>)	A4, A6	Whole
30. Pig (<i>Sus scrofa</i>)	A2	Inside the livestock buffer zone
31. Puma (<i>Felis concolor</i>)	A4, A6	Whole
32. Rabbit (<i>Oryctolagus cuniculus</i>)	A1, A2, A3	Whole

33. Raccoon (<i>Procyon lotor</i>)	A4, A6	Whole
34. Tiger (<i>Panthera tigris</i>)	A4, A6	Whole
35. Vicuna (<i>Vicugna vicugna</i>)	A4, A6	Whole
36. Mammals other than—	A1, A2, A3	Whole
(a) mammals previously mentioned in this Part; and		
(b) mammals indigenous to Queensland; and		
(c) the following—		
(i) Black rat (<i>Rattus rattus</i>)		
(ii) Brown rat (<i>Rattus norvegicus</i>)		
(iii) Cat (<i>Felis catus</i>)		
(iv) Cattle (<i>Bos taurus</i> and domesticated <i>Bos indicus</i>)		
(v) Donkey (<i>Equus asinus</i>)		
(vi) Goat (<i>Capra hircus</i>)		
(vii) Guinea pig (<i>Cavia porcellus</i>)		
(viii) Horse (<i>Equus caballus</i>)		
(ix) House mouse (<i>Mus musculus</i>)		
(x) Pig (<i>Sus scrofa</i>)		
(xi) Sheep (<i>Ovis aries</i>)		
(xii) Marine mammals of the orders—		
• <i>Cetacea</i> (for example whales)		
• <i>Pinnipedia</i> (for example seals, walruses)		
• <i>Sirenia</i> (for example dugongs, seacows)		

PART 2—REPTILES

1. Alligator snapping tortoise (<i>Chelydra serpentina</i>)	A4, A6	Whole
2. American alligator (<i>Alligator mississippiensis</i>)	A4, A6	Whole
3. American cornsnake (<i>Elaphe guttata</i>)	A4, A6	Whole
4. Boa constrictor (<i>Boa constrictor</i>)	A4, A6	Whole

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- | | | |
|--|------------|-------|
| 5. Burmese python
(<i>Python molurus</i>) | A4, A6 | Whole |
| 6. Reticulated python
(<i>Python reticulatus</i>) | A4, A6 | Whole |
| 7. All species indigenous to
Australia, but not
indigenous to Queensland | A4, A6 | Whole |
| 8. All other species not
indigenous to Australia | A1, A2, A3 | Whole |

PART 3—INSECTS

- | | | |
|---|----|-------|
| 1. Australian plague locust
(<i>Chortoicetes terminifera</i>
(Walker)) | A8 | Whole |
| 2. Migratory locust
(<i>Locusta migratoria</i>
(Linnaeus)) | A8 | Whole |
| 3. Spur throated locust
(<i>Austracris guttulosa</i>
(Walker)) | A8 | Whole |

‘SCHEDULE 6**‘LOCAL GOVERNMENT AREAS OR PARTS OF
AREAS**

section 42B

The parts of the local government area of Albert that are Rural ‘C’ areas under the Albert Town Plan, including South Stradbroke Island and roads declared under the Act or another Act to be stock routes, the whole of the local government areas of Allora, Aramac, Atherton, Ayr, Balonne, Banana, Barcaldine, Barcoo, Bauhinia, Beaudesert, Belyando, Bendemere, Biggenden, Blackall, Boonah, Booringa, Boulia, Bowen, Broadsound, Bulloo, Bungil, Burdekin, Burke, Caboolture, Calliope, Caloundra, Cambooya, Cardwell, Carpentaria, Chinchilla, Clifton, Cloncurry and Cook, the whole of the local government area of Cooloola other than the township area of Gympie, the whole of the local government areas of Crows Nest, Croydon, Dalrymple, Diamantina, Douglas, Duaringa, Eacham, Eidsvold, Emerald, Esk, Etheridge, Fitzroy, Flinders, Gatton, Gayndah, Glengallan, Gooburrum, Herberton, Hervey Bay, Hinchinbrook, Ilfracombe, Inglewood, Isis, Isisford, Jericho, Johnstone, Jondaryan, Kilcoy, Kilkivan, Kingaroy, Kolan, Laidley, Livingstone, Longreach, Mareeba, Maroochy, McKinlay, Millmerran, Mirani, Miriam Vale, Monto, Moreton, Mt Morgan, Mulgrave, Mundubbera, Murgon, Murilla, Murweh, Nanango, Nebo, Paroo, Peak Downs, Perry, Pine Rivers, Pioneer, Pittsworth, Quilpie, Redland, Richmond, Rosalie, Rosenthal, Sarina, Stanthorpe, Tambo, Tara, Taroom, Thuringowa, Tiaro, Waggamba, Wambo and Warroo, the whole of the local government area of Whitsunday other than the township areas of Airlie, Cannonvale, Conway, Dingo Beach, Proserpine, Shutehaven and Wilson and the whole of the local government areas of Winton, Wondai, Woocoo and Woongarra.’

Repeal

7.(1) The orders in council gazetted on the following dates, at the pages

specified, are repealed—

- (a) 30 August 1986 at pages 2712–3;
- (b) 13 September 1986 at pages 289–90;
- (c) 20 September 1986 at pages 406–7;
- (d) 21 March 1987 at page 1214;
- (e) 23 January 1988 at page 120;
- (f) 6 February 1988 at pages 610–611;
- (g) 6 February 1988 at page 611;
- (h) 22 October 1988 at pages 801–2;
- (i) 19 November 1988 at page 1260;
- (j) 29 April 1989 at page 2728;
- (k) 24 February 1990 at page 941;
- (l) 24 February 1990 at pages 941–2;
- (m) 24 March 1990 at page 1472;
- (n) 27 October 1990 at page 947;
- (o) 27 October 1990 at pages 947–8;
- (p) 1 December 1990 at page 1482;
- (q) 2 February 1991 at page 345;
- (r) 10 August 1991 at page 1949;
- (s) 17 August 1991 at pages 2077–8;
- (t) 10 July 1992 at page 2286 (2 orders);
- (u) 11 December 1992 at page 1759.

(2) The *Rural Lands Protection (Declaration of Plants) Order 1993* is repealed.

ENDNOTES

1. Made by the Governor in Council on 3 February 1994.
2. Notified in the Gazette on 4 February 1994.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Lands.