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Threatened Species Protection Act 1995

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TASMANIA

Threatened Species Protection Act 1995

An Act to provide for the protection and management of threatened native flora and fauna and to enable and promote the conservation of native flora and fauna

[Royal Assent 14 November 1995]

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 - Preliminary

1. Short title

This Act may be cited as the Threatened Species Protection Act 1995 .

2. Commencement

This Act commences on the day on which it receives the Royal Assent.

3. Interpretation

(1) In this Act, unless the contrary intention appears –

[Section 3 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] **authorised officer** means a ranger appointed under the Nature Conservation Act 2002 or under the National Parks and Reserves Management Act 2002 ;

business day means a day that is not –

(a) a Saturday or a Sunday; or

(b) *[Section 3 Subsection (1) amended by No. 82 of 2000, Sched. 1, Applied:13 Dec 2000]* a public holiday or a statutory holiday as defined in the Statutory Holidays Act 2000 in the place concerned;

[Section 3 Subsection (1) amended by No. 107 of 2001, s. 4, Applied:17 Dec 2001] **certified forest practices plan** means a certified forest practices plan within the meaning of the Forest Practices Act 1985 ;

compensation means a payment of compensation made by the Minister to a landholder under Part 5 ;

contravene includes fail to comply with;

CRC means the Community Review Committee established under section 9 ;

[Section 3 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] **critical habitat** means an area of land defined on a map under section 23 which the Secretary determines as a critical habitat of a listed taxon of flora or fauna;

Crown land means land that is vested in the Crown and is not contracted to be granted in fee simple and includes land granted in fee simple that has reverted in the Crown by way of purchase or otherwise;

[Section 3 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]

fauna includes any taxon of fauna, whether vertebrate or invertebrate, in any stage of biological development and includes eggs and any part of any such taxon;

flora includes any taxon of plant, whether vascular or non-vascular, in any stage of biological development and any part of any such taxon;

function includes duty;

habitat means the area, locality, site or particular type of environment occupied by any taxon of flora or fauna or any part of any such area, locality, site or type of environment;

interim protection order means an interim protection order made under section 32 ;

keep means to have charge or possession of any flora or fauna;

land includes land covered by the sea or other waters and any part of the sea or waters covering that land;

land management agreement means an agreement made and in force under section 30 for any purpose arising from a land management plan;

land management plan means a land management plan made and in force under section 29 ;

landholder means –

- (a) the person who is registered as proprietor of an estate in fee simple in land under the Land Titles Act 1980 ; or
- (b) the owner of the fee or equity of redemption in land that has been alienated from the Crown and is not subject to the Land Titles Act 1980 ; or
- (c) the occupier of Crown land which he or she occupies under a lease, licence or other right; or
- (d) in the case of Crown land that is managed or controlled by a public authority, the public authority or the Minister who manages or controls the land –

and includes a person who, whether alone or with others, is in occupation or possession, or has the management or control, of any land and also includes the agent of any such person;

listed taxon means a taxon of flora or fauna that is listed in Schedule 3 , 4 or 5 ;

[Section 3 Subsection (1) amended by No. 107 of 2001, s. 4, Applied:17 Dec 2001]

[Section 3 Subsection (1) amended by No. 107 of 2001, s. 4, Applied:17 Dec 2001] **native flora and fauna** means flora and fauna naturally occurring in Tasmania and includes –

- (a) migrants; and
- (b) any vagrant, or hybrid, that the SAC determines to be suitable for inclusion as native flora or fauna;

permit means a permit in force under this Act;

private land means any land that is not Crown land;

public authority means –

- (a) any council; or
- (b) any other body corporate established by an enactment having jurisdiction limited to a district, locality or part of Tasmania; or
- (c) any body corporate established under an enactment or in the exercise of the prerogative rights of the Crown to administer or control any department, business, undertaking or public institution on behalf of Tasmania;

public authority management agreement means an agreement made under section 31 ;

public notification means publication in the *Gazette* and in each newspaper circulating generally in Tasmania;

recovery plan means a recovery plan made under section 25 for any species of flora or fauna which is under threat of extinction;

SAC means the Scientific Advisory Committee established under section 8 ;

[Section 3 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] **Secretary** means the Secretary of the Department;

species means a population or group of individual flora or fauna which interbreed to produce fertile offspring or which possess common characteristics derived from a common gene pool;

survival means the continued existence of viable populations of a taxon in the wild;

take includes kill, injure, catch, damage, destroy and collect;

taxon means a taxonomic group of any rank into which organisms are categorised;

threat abatement plan means a threat abatement plan made and in force under section 27 ;

threatened species means a taxon of flora or fauna that is listed in Schedule 3 , 4 or 5 ;

threatening process means any action which poses a threat to the natural survival of any native taxon of flora or fauna;

wild means in an independent, unpossessed or natural state and not in an intentionally cultivated, domesticated or captive state, regardless of the location or land tenure.

(2) In this Act, a reference to a landholder's land includes a reference to land occupied, managed or controlled by the landholder.

4. Objectives to be furthered

It is the obligation of any person on whom a function is imposed, or a power is conferred, under this Act to perform the function or to exercise the power in such a manner as to further the objectives specified in Schedule 1 .

5. Administration of public authorities

A person who performs a function, or exercises a power, in the administration of a public authority must in so doing have regard to the objectives specified in Schedule 1 for the conservation and management of native flora and fauna.

6. Crown to be bound

This Act binds the Crown in right of Tasmania and, so far as the legislative power of Parliament permits, in all its other capacities.

PART 2 - Administration

7. Functions of Secretary

[Section 7 Amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary has the following functions:

- (a) to prepare a threatened species strategy;
- (b) to provide for and implement programmes of community education in the conservation of native flora and fauna;
- (c) to arrange for the preparation of listing statements in consultation with the Scientific Advisory Committee;
- (d) to prepare and implement species recovery plans and threat abatement plans;
- (e) to prepare and implement land management plans and land management agreements;
- (f) to take such action as may be necessary to protect threatened native flora and fauna;
- (g) to encourage the conservation of threatened native flora and fauna in the community;
- (h) to recommend to the Minister the making of interim protection orders;
- (i) to take such other action as may be necessary to protect any threatened native flora and fauna.

8. Scientific Advisory Committee

(1) There is established a body to be called the Scientific Advisory Committee.

(2) *[Section 8 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The functions of SAC are to advise the Minister and the Secretary on—

- (a) the listing and de-listing of taxa of flora and fauna; and
- (b) threatening processes; and
- (c) the criteria to be followed in the determination of critical habitats; and
- (d) other matters relating to the conservation of threatened native flora and fauna; and
- (e) the review and approval of listing statements.

(3) *[Section 8 Subsection (3) amended by No. 9 of 2003, Sched. 1, Applied:16 Apr 2003]* SAC is to consist of 7 members to be appointed by the Minister of whom not more than 3 are to be State Service officers or State Service employees and of whom one is to be appointed as chairperson.

(4) All members of SAC are to have special knowledge and experience in the sciences of flora or fauna conservation or ecology.

(5) The members of SAC must collectively have expertise in the following categories and each member must have expertise in one or more of the following categories:

- (a) vertebrate fauna;
- (b) invertebrate fauna;
- (c) vascular flora;
- (d) non-vascular flora;
- (e) taxonomy;
- (f) marine ecology;
- (g) freshwater ecology;
- (h) terrestrial ecology;

(i) population ecology.

(6) [Section 8 Subsection (6) amended by No. 64 of 2002, Sched. 1, Applied: 31 Dec 2002] For the purposes of giving advice to the Minister and the Secretary under this section, SAC may consult with members of the broader scientific community as it considers appropriate.

(7) Schedule 2 has effect in relation to the members and meetings of SAC.

9. Community Review Committee

(1) There is established a body to be called the Community Review Committee.

(2) CRC is to consist of 9 members appointed by the Minister as follows:

(a) a person appointed by the Minister as chairperson of the committee;

(b) a person nominated by the Tasmanian Farmers and Graziers Association;

(c) an economist;

(d) a person representing rural industry;

(e) a person representing the forest industry;

(f) a person representing the fishing industry;

(g) 2 members of SAC nominated by SAC;

(h) a person nominated by the Local Government Association of Tasmania.

(3) The functions of the CRC are as follows:

(a) to receive and consider draft recovery plans and listing statements;

(b) in respect of private land, to assist in, and make recommendations to the Minister on, the preparation of land management plans and land management agreements;

(c) to provide for conciliation as may be required in any matter arising from a land management agreement or for the purpose of making any such agreement;

(d) to consider the social and economic impact of the implementation of land management agreements;

(e) to advise the Minister on the effect of interim protection orders;

(f) to consider, and advise on, such other matters as may be referred to it by the Minister.

(4) Schedule 2 has effect in relation to the members and meetings of CRC.

(5) If a body referred to in paragraph (b) or (h) of subsection (2) changes its name, the Governor may, by order, amend that paragraph by substituting the new name of that body.

PART 3 - Conservation of Threatened Species

Division 1 - Threatened species strategy

10. Threatened species strategy

- (1) *[Section 10 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* As soon as practicable after the commencement of this section, the Secretary must prepare a strategy for the conservation of threatened native flora and fauna specifying the means by which the objectives of this Act are to be achieved.
- (2) The strategy is to include proposals for –
- (a) ensuring the survival, and conditions for evolutionary development in the wild, of threatened native flora and fauna; and
 - (b) ensuring the identification, and proper management of, threatening processes; and
 - (c) education of the community in respect of conservation and management of threatened native flora and fauna; and
 - (d) ensuring the availability of resources to accomplish the objectives of conservation and management of threatened native flora and fauna.
- (3) In giving effect to subsection (2) , the strategy is to have regard to –
- (a) the need to achieve the objectives of this Act with minimal social and economic impact; and
 - (b) the rights and interests of landholders and the community.

11. Procedure for making strategy

- (1) *[Section 11 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* Before making a strategy, the Secretary must prepare and give public notification of a draft strategy.
- (2) The notice –
- (a) is to seek public comment; and
 - (b) *[Section 11 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* is to specify a date, which must be at least 30 days after the date on which the notice is published in the *Gazette*, before which submissions may be made to the Secretary; and
 - (c) is to specify a time and place at which a copy of the draft strategy will be available for public inspection.
- (3) *[Section 11 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* Any person may make submissions to the Secretary about the draft strategy.
- (4) *[Section 11 Subsection (4) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* After considering all the submissions, the Secretary, with the Minister's approval, may make the strategy.

12. Amendment and revocation of strategy

- (1) *[Section 12 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may amend or revoke a strategy.
- (2) The procedures applicable to the making of a strategy apply to –
- (a) an amendment of a strategy; or
 - (b) the revocation of a strategy.

Division 2 - Listing of threatened flora and fauna

13. Lists of threatened flora and fauna

- (1) The taxa of native flora and fauna which are endangered are specified in Schedule 3 , extant taxa being listed in Part 1 and taxa presumed to be extinct being listed in Part 2 .
- (2) The taxa of native flora and fauna which are vulnerable are specified in Schedule 4 .
- (3) The taxa of native flora and fauna which are rare are specified in Schedule 5 .
- (4) SAC may recommend to the Minister that an eligible taxon of native flora or fauna be added to Schedule 3 , 4 or 5 or that any taxon of native flora or fauna which is no longer eligible be omitted from Schedule 3 , 4 or 5 .
- (5) After considering a recommendation of SAC and after giving notice in accordance with section 14 , the Minister may, by order published in the *Gazette*, add an item to, amend an item in, or omit an item from, Schedule 3 , 4 or 5 .
- (6) SAC must, at least once in each period of 5 years, review each taxon listed in Schedules 3 , 4 and 5 and recommend to the Minister any variation of those Schedules considered appropriate.

14. Notification by Minister and right of appeal

- (1) In this section, *Tribunal* means the Resource Management and Planning Appeal Tribunal.
- (2) The Minister must, before making an order under section 13 (5) , give public notification of the proposed order.
- (3) During a period of 30 days after the public notification, a person may appeal to the Tribunal against the proposed order and the appeal is to be brought in accordance with the regulations.
- (4) For the purposes of this section –
 - (a) Part 5 of the Resource Management and Planning Appeal Tribunal Act 1993 extends to the appeal; and
 - (b) the Tribunal must reconsider all the material considered by SAC on which the recommendation for the proposed order was based; and
 - (c) SAC is entitled to be represented at the hearing –but, subject to this subsection, the Tribunal may determine its own procedure.
- (5) On hearing the appeal, the Tribunal may uphold or dismiss the appeal.
- (6) If the appeal is upheld –
 - (a) the Tribunal must give public notification of that fact as soon as practicable; and
 - (b) on that notification, the order is taken to be disallowed and ceases to have effect –but this subsection does not affect the validity of the order before disallowance.

15. Eligibility for listing

- (1) An extant taxon of native flora or fauna may be listed as endangered if it is in danger of extinction because long term survival is unlikely while the factors causing it to be endangered continue operating.
- (2) A taxon of native flora or fauna may be listed as endangered because it is presumed to be extinct on the ground that no occurrence of the taxon in the wild can be confirmed during the past 50 years.
- (3) A taxon of native flora or fauna may be listed as vulnerable if it is likely to become an endangered taxon while the factors causing it to be vulnerable continue operating.
- (4) A taxon of native flora or fauna may be listed as rare if it has a small population in Tasmania that is not endangered or vulnerable but is at risk.
- (5) A taxon of native flora or fauna which is below the level of sub-species and which is narrowly defined owing to its taxonomic position, environmental conditions or geography may be listed only if, in addition to the requirements of this section, there is a special need to conserve it in Tasmania.

(6) SAC is responsible for preparing guidelines as to how the criteria specified in subsections (1) to (5) , both inclusive, are to be applied to particular taxonomic groups and must, from time to time, publish those guidelines in the *Gazette*.

(7) In determining the criteria for listing, SAC must have regard only to matters of nature conservation and not to social and economic matters.

16. Nomination for listing

(1) Any person may nominate an eligible taxon of flora or fauna to be added to, or an ineligible taxon of flora or fauna to be omitted from, Schedule 3 , 4 or 5 .

(2) A nomination is to be in the prescribed form.

17. Consideration of nomination by SAC

(1) SAC must consider each nomination as soon as practicable after it has been made.

(2) SAC may reject a nomination if –

(a) the subject of the nomination is already listed; or

(b) the nomination is vexatious; or

(c) the nomination is not in the prescribed form.

(3) If SAC rejects a nomination under this section, it must notify the Minister and nominator of the rejection and give reasons for it.

18. Preliminary recommendation by SAC

(1) SAC, after considering a nomination, must make a preliminary recommendation that the nomination is to be supported or is to be rejected.

(2) SAC must, within 30 days after making a preliminary recommendation –

(a) notify the nominator; and

(b) give public notification of its preliminary recommendation and also give notice of the recommendation in a newspaper circulating generally in the area likely to be affected by the recommendation.

(3) SAC must consider any public comments made during a period of 30 days after public notification is given.

19. Final recommendation by SAC

(1) After considering any public comments, SAC must make a final recommendation to the Minister that the nomination is to be supported or rejected and must give reasons for the recommendation.

(2) SAC must make a final recommendation within one year after the making of the nomination.

20. CRC to be advised of public notification

SAC must advise CRC of a public notification given under section 18 (2) .

21. Minister's decision

(1) The Minister must, within 30 days after receiving a final recommendation, decide whether or not a taxon of flora or fauna is to be added to, or omitted from, Schedule 3 , 4 or 5 .

(2) In considering a recommendation for the listing of a taxon of flora or fauna in Schedule 3 , 4 or 5 , the Minister must have regard only to matters of nature conservation.

(3) [Section 21 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] On a decision under subsection (1) , the Secretary must–

(a) give public notification of the decision and also give notice of the decision in a newspaper circulating generally in the area likely to be affected by it; and

(b) advise CRC of the decision; and

(c) [Section 21 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] make the reasons for the decision available to the public at the offices of the Secretary in Hobart and Launceston.

Division 3 - Listing statements

22. Listing statements

(1) [Section 22 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary must prepare a listing statement for any taxon of flora or fauna specified in Schedule 3 , 4 or 5 as soon as practicable after that taxon is listed.

(2) The listing statement is to specify –

(a) a description, the distribution and the habitat of the taxon; and

(b) its conservation status with reasons; and

(c) management objectives; and

(d) management issues; and

(e) actions that need to be taken for the purposes of management and conservation of the taxon; and

(f) threats to the taxon; and

(g) any information relating to the taxon that is available in published references.

(3) [Section 22 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary may amend a listing statement.

(4) [Section 22 Subsection (4) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] In preparing or amending a listing statement, the Secretary must consider–

(a) any management advice given by SAC; and

(b) any other relevant matters relating to nature conservation–

and provide CRC with a copy of the statement.

Division 4 - Critical habitats

23. Determination of critical habitats

(1) [Section 23 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] Where the Secretary, after consultation with SAC, is satisfied that the whole or any part of the habitat of any listed taxon of native flora or fauna is critical to the survival of that taxon, the Secretary must determine the whole or the part of that habitat to be a critical habitat.

(2) [Section 23 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] Subject to this section, the Secretary must–

(a) give public notification of the area determined as a critical habitat by reference to a map registered in the central plan office under the Survey Co-ordination Act 1944 showing the boundaries, extent and details of the area and, in particular, identifying the area by reference to rectangular grid co-ordinates on the Australian Map Grid or Map Grid Australia; and

(b) notify any landholder or other person who is likely to be affected by the determination; and

(c) notify CRC of the determination.

(3) [Section 23 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] On making a determination of a critical habitat, the Secretary must give notice of the determination to the Recorder of Titles and the determination is of no effect until the Secretary does so.

(4) A notice under subsection (3) –

- (a) is to be in a form approved by the Recorder of Titles; and
- (b) is to identify, as provided by subsection (2) (a) , the land that is subject to the determination of a critical habitat; and
- (c) is taken to be a dealing within the meaning of the Land Titles Act 1980 .

(5) [Section 23 Subsection (5) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary must, within 30 days after making a determination but subject to subsections (6) and (7) , publish notice of the determination in the *Gazette*.

(6) [Section 23 Subsection (6) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary need not comply with subsection (2) (a) or (5) if the Minister is of the opinion that disclosure of the location of the habitat would result in any harm being done to it or to the flora or fauna which it supports.

(7) [Section 23 Subsection (7) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary may not advertise a determination of a critical habitat that is on private land unless the landholder agrees.

24. Amendment and revocation of determinations

(1) [Section 24 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary may amend or revoke a determination.

(2) The procedures applicable to the making of a determination apply to –

- (a) an amendment of a determination; or
- (b) the revocation of a determination.

Division 5 - Recovery plans for threatened species

25. Recovery plans

(1) [Section 25 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary may, with the Minister's approval, make a recovery plan for any listed taxon of flora or fauna.

(2) A recovery plan is to specify –

- (a) the listed taxon of flora or fauna to which it applies; and
- (b) objectives for the conservation and management of that taxon, including –
 - (i) ways in which those objectives are to be achieved or promoted for the benefit of that taxon; and
 - (ii) resources required to achieve those objectives; and

(c) [Section 25 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] the date within 5 years after the plan is made before which it is to be reviewed by the Secretary.

(3) [Section 25 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] In making a recovery plan, the Secretary must consider social and economic issues as well as matters relating to nature conservation.

(4) [Section 25 Subsection (4) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] Before making a recovery plan the Secretary must prepare a draft of the plan and–

- (a) provide a copy of the draft plan to CRC; and
- (b) seek public comment on the plan.

(5) [Section 25 Subsection (5) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary must, within 30 days after preparing a draft recovery plan, give public notification of the draft plan and also notify the making of the plan in a newspaper circulating generally in the area to which the plan applies.

(6) [Section 25 Subsection (6) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary may, after considering any public comment received during the period of 30 days after public notification, prepare, with the Minister's approval, a final recovery plan.

26. Amendment and revocation of recovery plans

- (1) *[Section 26 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may amend or revoke a recovery plan.
- (2) The procedures applicable to the making of a recovery plan apply to –
 - (a) an amendment of a recovery plan; or
 - (b) the revocation of a recovery plan.
- (3) *[Section 26 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary must review a recovery plan within a period of 5 years after it is made.

Division 6 - Threat abatement plans

27. Threat abatement plans

- (1) *[Section 27 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may prepare a threat abatement plan in respect of any process which, in the opinion of the Secretary, is a threatening process.
- (2) A threat abatement plan –
 - (a) may relate to one or more taxa of flora and fauna; and
 - (b) is to specify a process that threatens any listed taxon; and
 - (c) is to specify objectives for removing or controlling the threat; and
 - (d) may specify research needed and actions required by which the threatening process is to be controlled and managed; and
 - (e) may specify the resources required to carry out those actions.
- (3) *[Section 27 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary must, within 30 days after preparing a draft threat abatement plan, give public notification of the draft plan and also notify the making of the plan in a newspaper circulating generally in the area to which the plan applies.
- (4) *[Section 27 Subsection (4) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary must, after considering any public comments received during the period of 30 days after public notification of the draft plan, make, with the Minister's approval, a final threat abatement plan.

28. Amendment and revocation of threat abatement plans

- (1) *[Section 28 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may amend or revoke a threat abatement plan.
- (2) The procedures applicable to the making of a threat abatement plan apply to –
 - (a) an amendment of a threat abatement plan; or
 - (b) the revocation of a threat abatement plan.
- (3) *[Section 28 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary must review a threat abatement plan within a period of 5 years after it is made.

Division 7 - Land management plans and agreements

29. Land management plans

- (1) *[Section 29 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may, after consultation with an affected landholder, make a land management plan for the purpose of protecting a listed taxon of flora or fauna.
- (2) A land management plan –
 - (a) is to define the area of land, whether held by one or more landholders, to which it relates; and

(b) is to specify the objectives for management of land for the purposes of conservation and management of a taxon to which the plan relates; and

(c) [Section 29 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] is to specify actions to be taken by the Secretary, the landholder or any other person for the purpose of achieving those objectives.

(3) [Section 29 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary must review a land management plan within a period of 5 years after it is made.

(4) [Section 29 Subsection (4) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary must, within 90 days after making a determination of a critical habitat for a listed taxon of flora or fauna and after consultation with any landholder affected by the determination, prepare a land management plan for the purpose of protecting that taxon.

30. Agreements arising from land management plans

(1) [Section 30 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary may make an agreement with any landholder for any purpose arising from a land management plan.

(2) An agreement –

(a) may provide for the carrying out of works and payment for those works; and

(b) may provide for compensation for financial loss arising from the agreement; and

(c) is to contain provisions –

(i) [Section 30 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] enabling the Secretary to cancel the agreement if it is no longer required for the conservation of the relevant taxon; and

(ii) providing for conciliation by CRC in respect of any matter arising from the agreement or the land management plan to which it gives effect.

31. Public authority management agreements

(1) [Section 31 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary may make an agreement with one or more public authorities providing for the management of any listed taxon of flora or fauna or potentially threatening process.

(2) [Section 31 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary must cause notice of the making of the agreement to be published in the *Gazette* and the agreement is not to take effect before the notice is published.

(3) [Section 31 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary need not comply with subsection (2) if the Minister is of opinion that disclosure of details of the agreement would result in any harm being done to the relevant flora and fauna.

(4) The agreement must specify its purposes and aims, the functions of the parties, the date on which it takes effect and, if appropriate, the date on which it ceases to have effect.

(5) The agreement may be amended or terminated by mutual agreement between the parties or according to the terms of the agreement.

PART 4 - Interim Protection Orders

32. Power of Minister to make interim protection orders

(1) *[Section 32 Subsection (1) amended by No. 107 of 2001, s. 5, Applied:17 Dec 2001]* The Minister may make an interim protection order to conserve the habitat, or part of the habitat, of a listed taxon of flora or fauna or a nominated taxon of flora or fauna which has been accepted by SAC for listing and which in either case is on—

- (a) private land; or
- (b) Crown land and not subject to a public authority agreement.

(2) The powers conferred by subsection (1) extend to the making of an interim protection order relating to acts done or omitted to be done outside the critical habitat of a listed taxon which threaten that taxon.

(3) In making an interim protection order the Minister must consider —

- (a) matters relating to nature conservation; and
- (b) the social and economic consequences of making the order; and
- (c) if the order relates to private land, any comments made by CRC; and
- (d) any other relevant matters.

(4) On making an interim protection order the Minister must provide CRC with a copy of the order.

(5) An interim protection order may have effect from the day on which it is made or any later day.

(6) An interim protection order ceases to be in force after —

- (a) if the order relates to Crown land, a period of 65 business days; or
- (b) if the order relates to private land, a period of 30 business days.

(7) *[Section 32 Subsection (7) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may recommend to the Minister that an amendment be made to the order and, if the Minister makes the amendment, the Secretary must give notice of that amendment to—

- (a) the person to whom the original notice was given; and
- (b) any other person to whom, before the making of the amendment, notice had been given about the order.

(8) The Minister may, with the agreement of all persons affected by an interim protection order, extend the period during which the order is in force.

33. Terms of interim protection orders

An interim protection order may be subject to such terms and conditions as are specified in the order and may provide for all or any of the following:

- (a) the protection and management of flora, fauna and the land within the habitat which is the subject of the order;
- (b) the prohibition or regulation of any activity which takes place on the land or the use and management of the land within the habitat which is the subject of the order;
- (c) the prohibition, regulation and management of any activity which takes place outside the habitat which is the subject of the order but which is likely to affect the habitat adversely;
- (d) a requirement to undertake works or activities specified in the order;
- (e) the issue of permits;
- (f) compensation payable under section 45 .

34. Notice of order to landholder

The Minister must, as soon as practicable after an interim protection order is made, give notice in writing that the order has been made to any landholder whose land is affected by the order.

35. Recommendation by Resource Planning and Development Commission

(1) Where an interim protection order relates to Crown land that is not subject to a public authority agreement –

(a) *[Section 35 Subsection (1) amended by No. 85 of 1997, Sched. 4, Applied:01 Jan 1998] [Section 35 Subsection (1) amended by No. 28 of 2009, s. 60, Applied:01 Sep 2009]* the Minister must, on making the order, notify the chairperson of the Tasmanian Planning Commission established under the Tasmanian Planning Commission Act 1997 of the terms of the order; and

(b) *[Section 35 Subsection (1) amended by No. 28 of 2009, s. 60, Applied:01 Sep 2009]* the chairperson must, within 30 days after notification, advise the Minister of all use, and intended use, of the land known to the chairperson with a recommendation, taking into account the objectives of this Act, as to the future use of the land; and

(c) the Minister may impose conditions limiting the future use of the land taking into account that advice and recommendation.

(2) *[Section 35 Subsection (2) amended by No. 9 of 2003, Sched. 1, Applied:16 Apr 2003]* If any such conditions are imposed in respect of fish, within the meaning of the Living Marine Resources Management Act 1995, the Minister must first consult with the Minister administering that Act.

36. Notice to comply

(1) *[Section 36 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* At any time during the operation of an interim protection order the Secretary may serve notice on any person–

(a) who is a landholder, employee or agent of a landholder whose land is the subject of the order; or

(b) who is carrying on an activity on or outside the land which is the subject of the order where the activity is likely to affect detrimentally a listed taxon on the land which is the subject of the order–

requiring him or her to cease undertaking the activity or otherwise to comply with the order.

(2) *[Section 36 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* In the case of a notice affecting Crown land, the Secretary must not serve the notice unless the Minister approves after consulting with any other Minister or authority responsible for the management of, or any activities carried out on, that land.

(3) A person who contravenes an interim protection order or a notice issued under subsection (1) is guilty of an offence and is liable on summary conviction to a fine not exceeding 1 000 penalty units and a daily fine not exceeding 100 penalty units in respect of each day during which the offence continues.

37. Notification to other Ministers

As soon as practicable after the making, or amending, of an interim protection order, the Minister must give notice of the order or amendment to any other Minister responsible for the administration of any law under which any act may be done or omitted to be done that is likely to be affected by the order.

38. Limitation of licences, permits, &c., issued under other Acts

(1) If, at any time during the operation of an interim protection order, the Minister becomes aware of a licence, permit or other authority which would permit the holder to act in contravention of the terms of the order, the Minister may limit the operation of that licence, permit or other authority to the extent that it permits that action.

(2) Before the licence, permit or other authority is limited under subsection (1), the Minister must consult with the person responsible for issuing that licence, permit or other authority.

(3) The Minister must give notice in writing of the limitation of the operation of the licence, permit or other authority to the holder.

(4) The limitation of the licence, permit or other authority takes effect at the time at which the notice is given or on a date specified in the notice and ceases when the interim protection order no longer operates or on an earlier date specified in the notice.

39. Interim protection orders to prevail over planning schemes

Where there is a conflict between an interim protection order and a planning scheme in force under section 29 of the Land Use Planning and Approvals Act 1993 , the order prevails over the planning scheme.

40. Issue of permits

(1) *[Section 40 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may issue a permit to a landholder authorising him or her to undertake an activity on land that is subject to an interim protection order.

(2) *[Section 40 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* In deciding whether to grant the permit, the Secretary must consider—

- (a) any relevant listing statements or recovery plans relating to the flora or fauna which is the subject of the order; and
- (b) any significant effects which the granting of the permit will have on listed taxa of flora or fauna or the habitat which is the subject of the order; and
- (c) any possible social and economic effects which the granting of the permit might have; and
- (d) any other relevant matters.

41. Applications for permits

[Section 41 Amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] An application for a permit is to be made to the Secretary in writing in a form approved by the Secretary.

42. Powers of Secretary

(1) *[Section 42 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* A permit issued by the Secretary is to be in writing and may be subject to such terms and conditions as the Secretary thinks necessary for the conservation of any listed taxon of flora or fauna.

(2) *[Section 42 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may issue more than one permit in the same instrument.

(3) *[Section 42 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Secretary may amend or revoke a permit after first giving notice to the holder of his or her intention to do so.

43. Contravention of terms or conditions of permits

A person who holds a permit and who contravenes a term or condition of that permit is guilty of an offence and liable on summary conviction to a fine not exceeding 100 penalty units.

PART 5 - Financial Provisions

44. Threatened Species Fund

(1) For the purposes of this Act, a fund called the Threatened Species Fund is established as a trust account within the Special Deposits and Trust Fund or, if the Treasurer so directs, as more than one such trust account for specific matters relating to the conservation of native flora and fauna.

(2) The Fund consists of –

(a) all fines paid to the Fund in respect of offences under this Act; and

(b) *[Section 44 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* any amount paid to the Secretary, or the value of anything forfeited to the Secretary, as a result of the exercise of the power of seizure under section 48 (2) ; and

(c) any money appropriated by Parliament for the purposes of the Fund; and

(d) any money received by way of grant, gift or bequest for the purposes of the Fund; and

(e) any income from investment of money belonging to the Fund; and

(f) any money received from any other source.

(3) *[Section 44 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The Fund may be applied by the Secretary–

(a) in making payments for or towards the cost of any action taken to deal with an emergency in the conservation of native flora or fauna or the effects of any such emergency; and

(b) for the purposes of education and training programs in relation to the conservation of native flora and fauna; and

(c) for the purposes of any investigations, research, pilot programs and other projects relating to the conservation of native flora and fauna; and

(d) in making grants to assist in the conservation of native flora and fauna–

but must otherwise be applied in the administration of this Act.

45. Compensation

(1) A landholder is entitled to compensation for financial loss suffered directly resulting from an interim protection order or a land management agreement.

(2) A person who is required to comply with a notice under section 36 is entitled to compensation for financial loss as a result of being required to comply with that notice.

(3) The holder of a licence, permit or other authority limited under section 38 is entitled to compensation for financial loss.

(4) An application for compensation under this section is to be made to the Minister.

(5) The Minister must determine the amount of compensation to be paid to a person entitled to compensation.

(6) In making a determination, the Minister must have regard to the following matters:

(a) the amount by which the value of the land will be increased or decreased as a result of the interim protection order;

(b) the amount of financial loss, including loss of profit, loss occasioned by breach of contract, loss of production and other consequential loss, to the landholder or other person which would result from compliance with the order;

(c) any increase in the value of the land which would result from the carrying out of works for the purposes of this Act;

- (d) the cost of any works required to be carried out on the land;
- (e) any change in the value of chattels or improvements which would occur because the land use or activity to which they relate is to be restricted or prohibited by the order;
- (f) any other matter which the Minister considers relevant.

(7) If compensation is payable under this section, the person to whom it is payable is also entitled to be paid for any reasonable costs and interest arising from the claim for compensation calculated from the time when the loss was first incurred.

(8) If a person has applied for compensation, the Minister may make a payment of an amount determined by the Minister to that person before a decision is made on that person's application.

(9) The Minister must undertake to assist any person who is required to carry out works under an interim protection order if the Minister is of the opinion that that person could claim compensation for those works and the assistance is to be given before the requirement is enforced.

(10) The assistance given by the Minister may be either –

- (a) payment of money; or
- (b) provision of labour, goods or other services –

and the money paid or cost of other assistance given is to be that which in the Minister's opinion reflects the reasonable and actual costs of carrying out the works.

(11) The Minister may pay compensation to a person entitled to receive it by part payments at periodic intervals if the Minister and that person so agree.

(12) Parts 3, 4 and 5 of the Land Acquisition Act 1993, with any necessary changes, apply to the determination of compensation under this section as if the landholder were entitled to compensation under that Act.

(13) A payment of compensation or any other payment required by the terms of an agreement made under this Act is to be made from the Fund.

46. Claims for compensation

A claim for compensation under this Part is to be made in a form approved by the Minister within –

- (a) 90 days after the occurrence of the event by virtue of which compensation becomes payable; or
- (b) such extended period as the Minister may allow.

47. Recovery of compensation

(1) Compensation payable under this Part may be recovered in any court of competent jurisdiction as a debt due by the Crown.

(2) *[Section 47 Subsection (2) amended by No. 9 of 2011, Sched. 1, Applied:01 Oct 2012]* Nothing in this section prevents the making or operation of an agreement between the Crown and a person claiming compensation under this Part for the dispute to be referred to arbitration in accordance with the Commercial Arbitration Act 2011 if the agreement has been made within 45 days after an application is lodged under section 45.

PART 6 - Miscellaneous and Supplemental

Division 1 - Powers of authorised officers

48. Powers of authorised officers

- (1) In this section, *conveyance* means a vehicle, vessel or aircraft or any other contrivance intended for the carriage of persons or goods over land or water or in the air.
- (2) Where an authorised officer reasonably believes that there has been a contravention of –
 - (a) this Act; or
 - (b) an interim protection order; or
 - (c) a term or condition of a permit; or
 - (d) a land management agreement –
the authorised officer may –
 - (e) at any reasonable time, by any reasonable means and with any assistance which the authorised officer requires, enter a conveyance, land or a building not occupied as a place of residence; or
 - (f) search any conveyance, land or a building not occupied as a place of residence; or
 - (g) with a warrant, search a building occupied as a place of residence; or
 - (h) inspect any equipment, machine, implement, flora, fauna, enclosure, container or other goods; or
 - (i) require a conveyance to be stopped; or
 - (j) seize, examine or take copies of, or extracts from documents; or
 - (k) seize any flora or fauna; or
 - (l) require a person to give to the authorised officer samples or articles; or
 - (m) require a person to produce a document which may relate to, or contain evidence of, an offence under this Act; or
 - (n) require a person to produce any permit issued to him or her; or
 - (o) require a person to give his or her name and place of residence; or
 - (p) seize any equipment or material which is being used by any person in contravention of this Act.
- (3) A justice may issue a warrant to an authorised officer to enter and search any building used as a residence if the justice is satisfied on the application of the authorised officer that there are reasonable grounds for believing that –
 - (a) any flora or fauna is being held in the building in contravention of this Act; or
 - (b) any equipment or material in the building is being, or was, used in contravention of this Act.

49. Authorised officer may enter land, &c.

If an authorised officer believes on reasonable grounds that a landholder has not complied with the terms of an interim protection order, the authorised officer may, with any assistance that the authorised officer reasonably considers necessary –

- (a) enter the land of the landholder; and
- (b) take any action which the authorised officer reasonably believes to be necessary to ensure compliance with the order.

Division 2 - Legal provisions and offences

50. Effect of licences, &c., in force under other laws

A licence, permit or other authority in force under any law which relates to the taking, trading in, keeping, moving, processing or disturbing of flora or fauna does not authorise the holder to take, trade in, keep, move, process or disturb flora or fauna in circumstances in which it would be prohibited under this Act.

51. Offences relating to listed taxa

[Section 51 Substituted by No. 107 of 2001, s. 6, Applied:17 Dec 2001]

(1) Subject to subsections (2) and (3), a person must not knowingly, without a permit –

- (a) take, keep, trade in or process any specimen of a listed taxon of flora or fauna; or
- (b) disturb any specimen of a listed taxon of flora or fauna found on land subject to an interim protection order; or
- (c) disturb any specimen of a listed taxon of flora or fauna contrary to a land management agreement; or
- (d) *[Section 51 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* disturb any specimen of a listed taxon of flora or fauna that is subject to a conservation covenant entered into under Part 5 of the Nature Conservation Act 2002; or
- (e) abandon or release any specimen of a listed taxon of flora or fauna into the wild.

Penalty: *[Section 51 Subsection (1) amended by No. 10 of 2018, s. 4, Applied:10 Sep 2018]* Fine not exceeding 629 penalty units or imprisonment for a term not exceeding 12 months, or both, and a further fine not exceeding 126 penalty units for each day during which the offence continues after conviction.

(2) A person may take, keep or process, without a permit, a specimen of a listed taxon of flora in a domestic garden.

(3) *[Section 51 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* A person acting in accordance with a certified forest practices plan or a public authority management agreement may take, without a permit, a specimen of a listed taxon of flora or fauna, unless the Secretary, by notice in writing, requires the person to obtain a permit.

(4) *[Section 51 Subsection (4) amended by No. 34 of 2015, s. 19, Applied:01 Jan 2016]* *[Section 51 Subsection (4) inserted by No. 6 of 2007, s. 46, Applied:16 Jul 2007]* A person undertaking dam works in accordance with a Division 3 permit issued under the Water Management Act 1999 may take, without a permit, a specimen of a listed taxon of flora or fauna.

52. Offence to obstruct an authorised officer

(1) A person must not assault, obstruct, threaten or intimidate an authorised officer who is exercising powers under this Act.

Penalty: Fine not exceeding 50 penalty units.

(2) A person must not contravene a lawful direction, order or requirement of an authorised officer.

Penalty: Fine not exceeding 50 penalty units.

53. Additional penalties on conviction

Where a person is convicted of an offence against this Act, the court before which he or she is convicted may order –

- (a) that any permit held by the person convicted is to be cancelled and that he or she is to be disqualified from holding or obtaining a further permit for such period as the court may determine; and
- (b) that any equipment or material used by the person convicted in the commission of the offence is to be forfeited to the Crown; and

(c) that any flora or fauna or the product of any flora or fauna in the possession of the person convicted, or bought, sold or dealt with by him or her in contravention of this Act is to be forfeited to the Crown.

54. Requirement to carry out restoration work

[Section 54 Amended by No. 107 of 2001, s. 7, Applied:17 Dec 2001] If a person is convicted of an offence under this Act involving the destruction of, or damage to, a specimen of a listed taxon of flora or fauna or a critical habitat, the court may order that the person must carry out restoration work and the order may be in addition to, or in substitution for, any other penalty.

55. Payment of compensation by offender

(1) *[Section 55 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* *[Section 55 Subsection (1) amended by No. 107 of 2001, s. 8, Applied:17 Dec 2001]* If a person is convicted of an offence under this Act involving the destruction of, or damage to, a specimen of a listed taxon of flora or fauna or a habitat, the court may order that the person must pay compensation for that destruction or damage to the Secretary in addition to any other penalty.

(2) The amount of compensation payable under subsection (1) may be fixed by the court after taking evidence on oath from any person who may assist the court to determine the nature and extent of the damage.

(3) In fixing the amount of compensation to be paid, the court must have regard to the cost of any restoration work required to be carried out as a result of the offence.

56. Alternative to prosecution

(1) *[Section 56 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* In this section, **prescribed fine** means a fine of an amount not exceeding the amount that the Secretary accepts is equal, or approximately equal, to twice the amount required to make good any damage done, or any loss incurred, by reason of the commission of an offence against this Act.

(2) *[Section 56 Subsection (2) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* If the Secretary is satisfied that a person has committed an offence against this Act but the circumstances do not merit the imposition of a penalty, the Secretary may, on payment of a prescribed fine by the alleged offender, cause any proceedings in respect of the alleged offence to be waived or discontinued.

(3) *[Section 56 Subsection (3) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* The amount of a prescribed fine is, after deducting such amount as the Secretary determines for the purpose of making good any damage done or any loss incurred by reason of the commission of the offence, to be paid into the Threatened Species Fund.

Division 3 - Supplemental

57. Application of Division 3

This Division has effect subject to sections 23 (4) , 31 (3) and 58 .

58. Publication of strategies, statements, plans, &c.

[Section 58 Amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] On the making of a threatened species strategy, listing statement, recovery plan, threat abatement plan or public authority agreement, the Secretary must give public notification of the strategy, statement, plan or agreement specifying–

(a) the places where copies of it may be obtained; and

(b) a fee, as determined by the Minister, payable for a copy–

and must forward copies of the strategy, statement, plan or agreement to SAC and CRC.

59. Secrecy

(1) *[Section 59 Subsection (1) amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002]* *[Section 59 Subsection (1) amended by No. 107 of 2001, s. 9, Applied:17 Dec 2001]* The Secretary may, with the approval of the Minister,

declare information about a listed taxon of flora or fauna or any plan, agreement, determination or interim protection order to be confidential if the Secretary is of the opinion that disclosure of that information is likely to result in any harm being done to the flora or fauna or its habitat.

(2) If, in the course of performing duties under this Act, a person receives information which has been declared to be confidential, that person must not disclose or make use of that information except to the extent necessary to perform his or her duties or for the purpose of legal proceedings.

Penalty: Fine not exceeding 20 penalty units.

60. Availability of listing criteria, decisions, &c., for inspection

[Section 60 Amended by No. 64 of 2002, Sched. 1, Applied:31 Dec 2002] The Secretary must make available for inspection at the principal office of the Department and at such other offices as the Secretary considers appropriate without charge during normal office hours—

- (a) the listing criteria; and
- (b) the Minister's decisions and reasons for listing; and
- (c) any listing statement; and
- (d) any recovery plan or threat abatement plan; and
- (e) any determination of a critical habitat; and
- (f) a copy of a public authority management agreement; and
- (g) SAC's preliminary recommendation on nominations for listing; and
- (h) any reports of CRC.

Division 4 - Regulations

61. Regulations

(1) The Governor may make regulations for the purposes of this Act.

(2) Without limiting the generality of subsection (1), the Governor may make regulations as to —

- (a) *[Section 61 Subsection (2) amended by No. 107 of 2001, s. 10, Applied:17 Dec 2001]* the issue of permits to take, buy, sell, keep, disturb, process, export or import any listed taxon of flora or fauna; and
- (b) the method of giving notice of the making of an interim protection order; and
- (c) the marking of listed taxa of flora and fauna; and
- (d) the records to be kept by persons holding permits, the methods of keeping those records and the circumstances in which they must be produced; and
- (e) *[Section 61 Subsection (2) amended by No. 107 of 2001, s. 10, Applied:17 Dec 2001]* fees to be paid for permits issued, or applications made, under this Act and royalties to be paid for the taking of any listed taxon of flora or fauna.

(3) The regulations may —

- (a) provide that a contravention of any of the regulations is an offence; and
- (b) *[Section 61 Subsection (3) amended by No. 10 of 2018, s. 5, Applied:10 Sep 2018]* in respect of such an offence, provide for the imposition of either or both of the following:
 - (i) imprisonment for a term not exceeding 12 months;
 - (ii) a fine not exceeding 629 penalty units and, in the case of a continuing offence, a further fine not exceeding 126 penalty units for each day during which the offence continues after conviction.

(4) Regulations may be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstance or otherwise, specified in the regulations.

Division 5 - Administration

62. Administration of Act

Until provision is made in relation to this Act by order under section 4 of the Administrative Arrangements Act 1990 –

- (a) the administration of this Act is assigned to the Minister for Environment and Land Management;
and
- (b) the Department responsible to the Minister for Environment and Land Management in relation to the administration of this Act is the Department of Environment and Land Management.

SCHEDULE 1 - Objectives

Section 4

PART 1 - Objectives of the Resource Management and Planning System of Tasmania

1. The objectives of the resource management and planning system of Tasmania are –
 - (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and
 - (b) to provide for the fair, orderly and sustainable use and development of air, land and water; and
 - (c) to encourage public involvement in resource management and planning; and
 - (d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and
 - (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in Tasmania.
2. In clause 1 (a) , ***sustainable development*** means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –
 - (a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and
 - (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
 - (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

PART 2 - Objectives of the Threatened Species Protection System Established by this Act

3. The objectives of the threatened species protection system established by this Act are, in support of the objectives specified in Part 1 of this Schedule –

- (a) to ensure that all native flora and fauna in Tasmania can survive, flourish and retain their potential for evolutionary development in the wild; and
- (b) to ensure that the genetic diversity of native flora and fauna is maintained; and
- (c) to educate the community in the conservation of native flora and fauna; and
- (d) to encourage co-operative management of native flora and fauna including the making of co-operative agreements for land management under this Act; and
- (e) to assist landholders to enable native flora and fauna to be conserved; and
- (f) to encourage the conserving of native flora and fauna through co-operative community endeavours.

SCHEDULE 2 - Members and Meetings of Scientific Advisory Committee and Community Review Committee

Sections 8 (7) and 9 (4)

1. Interpretation

In this Schedule, *Committee* means the Scientific Advisory Committee or the Community Review Committee.

2. Term of office

A member of a Committee is to be appointed for such term, not exceeding 3 years, as is specified in the instrument of appointment and, if otherwise qualified, is eligible for re-appointment for a term, not exceeding 3 years, specified in the instrument of re-appointment.

3. Provisions relating to members

Where, by or under any Act, provision is made requiring the holder of an office to devote the whole of his or her time to the duties of his or her office, that provision does not operate to disqualify him or her from holding that office and also the office of a member of a Committee.

4. Remuneration, &c., of members

[Schedule 2 Amended by No. 1 of 2016, Sched. 1, Applied: 08 Apr 2016] A member of a Committee is to be paid such remuneration, expenses and allowances as the Minister may determine, but no such determination applies in respect of a member of the Committee who holds office in the State Service unless the Minister administering the State Service Act 2000 approves of the determination.

5. State Service Act 2000 not to apply

[Schedule 2 Amended by No. 9 of 2003, Sched. 1, Applied: 16 Apr 2003] The provisions of the State Service Act 2000 do not apply to, or in respect of, the appointment of a member of a Committee and a member of the Committee is not, in his or her capacity as such a member, subject to the provisions of that Act during his or her term of office.

6. Appointment of substitute to act during absence of member of Committee

- (1) The Minister may appoint any person (including a member of a Committee other than the chairperson of the Committee) to act in the office of the chairperson or appoint any person to act in the office of a member of the Committee other than the chairperson while the chairperson or that member of the Committee, as the case may be, is absent from office through illness or any other cause.
- (2) A member of a Committee other than the chairperson is, for the purposes of subclause (1), taken to be absent from his or her office if the member is acting in the office of chairperson under subclause (1).
- (3) A member of a Committee is, for the purposes of subclause (1), taken to be absent from his or her office if there is a vacancy in that office which has not been filled in accordance with clause 8.
- (4) A person is not concerned to inquire whether or not any occasion has arisen requiring or authorising a person to act in the office of a member of a Committee and all things done or omitted to be done by that person while so acting are as valid, and have the same consequences, as if they had been done or omitted to be done by that member.

7. Vacation of office

- (1) The office of a member of a Committee becomes vacant –
 - (a) when the member dies; or
 - (b) if the member becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or

(c) if the member is absent from 3 consecutive ordinary meetings of the Committee of which reasonable notice has been given to him or her, either personally or in the ordinary course of post, unless on leave granted by the Minister or unless, before the expiration of 3 weeks after the last of those meetings, the member is excused by the Minister for his or her absence from those meetings; or

(d) if the member is convicted in Tasmania of a crime or offence which is punishable by imprisonment for a period of not less than 12 months, or if the member is convicted elsewhere than in Tasmania of an offence which, if committed in Tasmania, would be a crime or an offence so punishable; or

(e) if the member resigns his or her office by writing under his or her hand addressed to the Minister and the Minister accepts the resignation; or

(f) if the member is removed from office by the Minister under subclause (2) .

(2) The Minister may remove from office a member of a Committee if the Minister is satisfied that the member –

(a) has voted at any meeting of the Committee in respect of any matter in which the member was at the time interested (otherwise than as a member of the public or as an elector of, or rate-payer to, any municipality, or as a shareholder in a company in which there were at that time more than 20 members and of which the member was not at that time a director or officer); or

(b) is unable to perform adequately or competently the duties of the member's office.

(3) A member of a Committee must not be removed from office otherwise than in accordance with this clause.

8. Filling of casual vacancies

On the occurrence of a vacancy in the office of a member of a Committee otherwise than by the expiration of the term for which the member was appointed, the Minister may appoint a person to the vacant office for the balance of his or her predecessor's term of office.

9. Protection of members of Committee

A member of a Committee is not personally liable for an honest act or omission in the performance or the purported performance of functions, or exercise or purported exercise of powers, under this Act.

10. Validity of proceedings, &c.

(1) An act or proceeding of a Committee is not invalidated or prejudiced by reason only of the fact that, at the time when the act or proceeding was done, taken or commenced, there was a vacancy in the membership of the Committee.

(2) All acts and proceedings of a Committee are, notwithstanding the subsequent discovery of any defect in the appointment of any member of the Committee or that any person was disqualified from acting as, or incapable of being, a member of the Committee, as valid as if the member had been duly appointed and was qualified to act, or capable of being, a member and as if the Committee had been fully constituted.

11. Presumptions

In any proceedings by or against a Committee, unless evidence is given to the contrary, proof is not required of –

(a) the constitution of the Committee; or

(b) any resolution of the Committee; or

(c) the appointment of any member of the Committee; or

(d) the presence of a quorum at any meeting of the Committee.

12. Convening of meetings of Committee

Meetings of a Committee may be convened by the chairperson of the Committee or by any 3 members of the Committee.

13. Procedure at meetings

(1) *[Schedule 2 Amended by No. 107 of 2001, s. 11, Applied:17 Dec 2001]* At any meeting of the Community Review Committee, 5 members form a quorum.

(1A) *[Schedule 2 Amended by No. 107 of 2001, s. 11, Applied:17 Dec 2001]* At any meeting of the Scientific Advisory Committee, 4 members form a quorum.

(2) Questions arising at a meeting of a Committee are to be determined by a majority of votes of the members of the Committee present and voting.

(3) A Committee may obtain information from any person so as to assist it in the discharge of its functions.

(4) A Committee must keep full and accurate minutes of the proceedings at each of its meetings.

14. Chairing of meetings

The chairperson of a Committee or, in the absence of the chairperson, the person acting in the office of chairperson is to preside at a meeting of the Committee.

15. General procedure

The procedure for the calling of, and for the conduct of business at, meetings of a Committee is, subject to any procedure that is specified in this Schedule, to be as determined by the Committee.

SCHEDULE 3 - Taxa of native flora and fauna which are endangered

[Schedule 3 Substituted by S.R. 2001, No. 70, Applied:27 Jun 2001]

Section 13(1)

PART 1 - Extant taxa

[Part 1 of Schedule 3 Amended by S.R. 2000, No. 158, Applied:23 Aug 2000] [Part 1 of Schedule 3 Amended by S.R. 2000, No. 6, Applied:01 Mar 2000] [Part 1 of Schedule 3 Substituted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 1 of Schedule 3 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 1 of Schedule 3 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 1 of Schedule 3 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 1 of Schedule 3 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 1 of Schedule 3 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 1 of Schedule 3 Amended by S.R. 2006, No. 1, Applied:25 Jan 2006] [Part 1 of Schedule 3 Substituted by S.R. 2008, No. 43, Applied:21 May 2008]

Division 1 - Fauna

[Division 1 of Part 1 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

Subdivision 1 - Vertebrates

[Subdivision 1 of Division 1 of Part 1 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

Mammals

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Arctocephalus tropicalis</i>	Gray	Subantarctic Fur Seal
2.	<i>Balaenoptera musculus</i>	Linnaeus	Blue Whale
3.	<i>Eubalaena australis</i>	Desmoulins	Southern Right Whale
4.	<i>Megaptera novaeangliae</i>	Borowski	Humpback Whale
5.	<i>Mirounga leonina</i>	Gray	Southern Elephant Seal
6.	<i>Pseudomys novaehollandiae</i>	Waterhouse	New Holland Mouse
7.	<i>Sarcophilus harrisii</i>	(Thomas)	Tasmanian Devil

[Subdivision 1 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Subdivision 1 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2011, No. 15, Applied:23 Mar 2011] [Subdivision 1 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011] [Subdivision 1 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012]

Birds

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Acanthiza pusilla archibaldi</i>	Mathews	King Island Brown Thornbill
2.	<i>Acanthornis magna greeniana</i>	Schodde & Mason	King Island Scrubtit
3.	<i>Accipiter novaehollandiae</i>	Gmelin	Grey Goshawk
5.	<i>Aquila audax fleayi</i>	Latham	Wedge-tailed Eagle
5A.	<i>Ceyx azureus diemenensis</i>	(Gould)	Tasmanian Azure Kingfisher
6.	<i>Diomedea exulans</i>	Linnaeus	Wandering Albatross
7.	<i>Lathamus discolor</i>	Shaw	Swift Parrot
8.	<i>Neophema chrysogaster</i>	Latham	Orange-bellied Parrot
9.	<i>Numenius madagascariensis</i>	Linnaeus	Eastern Curlew
10.	<i>Pachyptila turtur subantarctica</i>	Kuhl	Southern Fairy Prion
11.	<i>Pardalotus quadragintus</i>	Gould	Forty-spotted Pardalote
12.	<i>Procellaria cinerea</i>	Gmelin	Grey Petrel
13.	<i>Pterodroma mollis</i>	Gould	Soft-plumaged Petrel
15.	<i>Sterna vittata bethunei</i>	Buller	Antarctic Tern
15A.	<i>Sternula albifrons sinensis</i>	Gmelin	Little Tern
16.	<i>Thalassarche chrysostris</i>	Forster	Grey-headed Albatross
17.	<i>Thalassarche melanophrys</i>	Temminck	Black-browed Albatross
18.	<i>Tyto novaehollandiae castanops</i>	(Gould)	Masked Owl

Reptiles

Column 1 Species	Column 2 Authority	Column 3 Common name
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1.	<i>Caretta caretta</i>	Linnaeus	Loggerhead Turtle
2.	<i>Niveoscincus palfreymani</i>	Rawlinson	Pedra Branca Skink

Amphibians

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Limnodynastes peroni</i>	Dumeril & Bibron	Striped Marsh Frog

[Subdivision 1 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2017, No. 31, Applied: 14 Jun 2017]

Fish

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Brachionichthys hirsutus</i>	Lacepede	Spotted Handfish
1A.	<i>Brachiopsilus ziebelli</i>	Last & Gledhill	Ziebell's Handfish
2.	<i>Galaxias fontanus</i>	Fulton	Swan Galaxias
3.	<i>Galaxias johnstoni</i>	Scott	Clarence Galaxias
4.	<i>Galaxias pedderensis</i>	Frankenberg	Pedder Galaxias
5.	<i>Paragalaxias mesotes</i>	McDowall and Fulton	Arthurs Paragalaxias
5A.	<i>Thymichthys politus</i>	(Richardson)	Red Handfish
6.	<i>Zearaja maugeana</i>	Last & Gledhill	Maugean Skate

Subdivision 2 - Invertebrates

[Subdivision 2 of Division 1 of Part 1 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied: 21 May 2008] [Subdivision 2 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2011, No. 15, Applied: 23 Mar 2011] [Subdivision 2 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2011, No. 101, Applied: 05 Oct 2011] [Subdivision 2 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2012, No. 83, Applied: 26 Sep 2012] [Subdivision 2 of Division 1 of Part 1 of Schedule 3 Amended by S.R. 2016, No. 27, Applied: 27 Apr 2016]

	Column 1 Species	Column 2 Authority, Order	Column 3 Common name
1.	<i>Antipodia chaostola leucophaea</i>	Couchman, Lepidoptera	Tasmanian Chaostola Skipper
2.	<i>Beddomeia averti</i>	Ponder & Clark, Mesogastropoda	West Gawler Freshwater Snail
3.	<i>Beddomeia camensis</i>	Ponder & Clark, Mesogastropoda	Cam River Freshwater Snail
4.	<i>Beddomeia capensis</i>	Ponder & Clark, Mesogastropoda	Table Cape Freshwater Snail
5.	<i>Beddomeia fromensis</i>	Ponder & Clark, Mesogastropoda	Frome River Freshwater Snail
6.	<i>Beddomeia fultoni</i>	Ponder & Clark, Mesogastropoda	Farnhams Creek Freshwater Snail
7.	<i>Beddomeia hallae</i>	Ponder & Clark, Mesogastropoda	Buttons Rivulet Freshwater Snail
8.	<i>Beddomeia hermansi</i>	Ponder & Clark, Mesogastropoda	Viking Creek Freshwater Snail
9.	<i>Beddomeia kershawi</i>	Ponder & Clark, Mesogastropoda	Macquarie River Freshwater Snail
10.	<i>Beddomeia launcestonensis</i>	Johnston, Mesogastropoda	Cataract Gorge Freshwater Snail
11.	<i>Beddomeia petterdi</i>	Ponder & Clark, Mesogastropoda	Blythe River Freshwater Snail
12.	<i>Beddomeia ronaldi</i>	Ponder & Clark, Mesogastropoda	St. Patricks River Freshwater Snail
13.	<i>Beddomeia tumida</i>	Petterd, Mesogastropoda	Great Lake Freshwater Snail
14.	<i>Beddomeia waterhouseae</i>	Ponder & Clark, Mesogastropoda	Claytons Rivulet Freshwater Snail
15.	<i>Castiarina insculpta</i>	(Carter), Coleoptera	Miena Jewel Beetle
16.	<i>Chrysolarentia decisaria</i>	Walker, Lepidoptera	Tunbridge Looper Moth
17.	<i>Discocharopa vigens</i>	Legrand, Eupulmonata	Ammonite Snail
18.	<i>Engaeus granulatus</i>	Horwitz, Decapoda	Central North Burrowing Crayfish
19.	<i>Engaeus spinicaudatus</i>	Horwitz, Decapoda	Scottsdale Burrowing

20.	<i>Haloniscus searlei</i>	Chilton, Isopoda	Crayfish
21.	<i>Hoplogonus bornemisszai</i>	Bartoluzzi, Coleoptera	Salt Lake Slater
22.	<i>Lissotes latidens</i>	Westwood, Coleoptera	Bornemisszas Stag Beetle
23.	<i>Marginaster littoralis</i>	Dartnell, Asterinidae	Broad-toothed Stag Beetle
24.	<i>Micropathus kiernani</i>	Richards, Orthoptera	Seastar
24A.	Migas plumleyi	Raven and Churchill, Araneae	Southern Sandstone Cave
25.	<i>Miselaoma weldi</i>	Tenison-Woods, Sigmurethra	Cricket
26.	<i>Oncholaelon spatulatus</i>	Nicholls, Isopoda	Plomleys Trapdoor Spider
27.	<i>Oreisplanus muniooga larana</i>	Olliff, Lepidoptera	Stanley Snail
28.	<i>Plesiothele fentoni</i>	Hickman, Araneae	Isopod (Great Lake)
29.	<i>Schayera baiulus</i>	Erichson, Orthoptera	Marrawah Skipper
30.	<i>Taskiria mccubbini</i>	Neboiss, Trichoptera	Lake Fenton Trapdoor Spider
31.	<i>Taskiropsyche lacustris</i>	Neboiss, Trichoptera	Schayer's Grasshopper
32.	<i>Tasmanipatus anophthalmus</i>	Ruhberg, Onychophora	Caddis Fly (Lake Pedder)
			Blind Velvet Worm

Division 2 - Flora

[Division 2 of Part 1 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

Subdivision 1 - Dicotyledonae

[Subdivision 1 of Division 2 of Part 1 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Subdivision 1 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2009, No. 15, Applied:11 Mar 2009] [Subdivision 1 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Subdivision 1 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011] [Subdivision 1 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012] [Subdivision 1 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2016, No. 27, Applied:27 Apr 2016] [Subdivision 1 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2016, No. 82, Applied:05 Oct 2016]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Alternanthera denticulata</i>	R.Br., Amaranthaceae	lesser joyweed
2.	<i>Azorella macquariensis</i>	Orchard, Apiaceae	macquarie cushions
3.	<i>Barbarea australis</i>	Hook.f., Brassicaceae	riverbed wintercress
4.	<i>Bertya tasmanica</i> subsp. <i>tasmanica</i>	(Sond. & F.Muell.) Müll.Arg., Euphorbiaceae	tasmanian bertya
5.	<i>Boronia hemichiton</i>	Duretto, Rutaceae	mt arthur boronia
6.	<i>Calystegia marginata</i>	R.Br., Convolvulaceae	forest bindweed
6A.	<i>Cassinia rugata</i>	N.G.Walsh, Asteraceae	wrinkled dollybush
7.	<i>Craspedia preminghana</i>	Rozefelds, Asteraceae	preminghana billybuttons
8.	<i>Cryptandra amara</i>	Sm., Rhamnaceae	pretty pearlflower
8A.	<i>Desmodium varians</i>	(Labill.) G.Don, Fabaceae	slender ticktrefoil
9.	<i>Discaria pubescens</i>	(Brongn.) Druce, Rhamnaceae	spiky anchorplant
10.	<i>Epacris apasleyensis</i>	Crowden, Epacridaceae	apsley heath
11.	<i>Epacris barbata</i>	Melville, Epacridaceae	bearded heath
11A.	<i>Epacris exserta</i>	R.Br., Epacridaceae	south esk heath
12.	<i>Epacris glabella</i>	Jarman, Epacridaceae	smooth heath
13.	<i>Epacris grandis</i>	Crowden, Epacridaceae	tall heath
14.	<i>Epacris limbata</i>	K.J.Williams & F.Duncan, Epacridaceae	bordered heath
15.	<i>Epacris stuartii</i>	Stapf, Epacridaceae	southport heath
16.	<i>Eucalyptus gunnii</i> subsp. <i>divaricata</i>	(McAulay & Brett) B.M.Potts, Myrtaceae	miena cider gum
17.	<i>Eucalyptus morrisbyi</i>	Brett, Myrtaceae	morrisbys gum
17A.	<i>Euphrasia amplidens</i>	W.R.Barker, Scrophulariaceae	pieman eyebright
18.	<i>Euphrasia collina</i> subsp. <i>tetragona</i>	(R.Br.) W.R.Barker, Scrophulariaceae	northcoast eyebright
19.	<i>Euphrasia fragosa</i>	W.R.Barker, Scrophulariaceae	shy eyebright
20.	<i>Euphrasia gibbsiae</i> subsp. <i>psilanthera</i>	(F.Muell.) W.R.Barker, Scrophulariaceae	swamp eyebright
21.	<i>Euphrasia scabra</i>	R.Br., Scrophulariaceae	yellow eyebright
22.	<i>Euphrasia semipicta</i>	W.R.Barker, Scrophulariaceae	peninsula eyebright
23.	<i>Euphrasia</i> sp. Bivouac Bay	(W.R.Barker 7626 et al.) W.R.Barker, Scrophulariaceae	masked cliff-eyebright
23A.	<i>Galium antarcticum</i>	Hook.f., Rubiaceae	subantarctic bedstraw
24.	<i>Gompholobium ecostatum</i>	Kuchel, Fabaceae	dwarf wedgepea
24A.	<i>Goodenia geniculata</i>	R.Br., Goodeniaceae	bent native-primrose
25.	<i>Hardenbergia violacea</i>	(Schneev.) Stearn, Fabaceae	purple coralpea

26.	<i>Hibbertia basaltica</i>	A.M.Buchanan & Schah., Dilleniaceae	basalt guineaflower
27.	<i>Hyalosperma demissum</i>	(A.Gray) Paul G. Wilson, Asteraceae	moss sunray
28.	<i>Hydrocotyle laxiflora</i>	DC., Apiaceae	stinking pennywort
29.	<i>Lepidium hyssopifolium</i>	Desv., Brassicaceae	soft peppergrass
30.	<i>Leptorhynchos elongatus</i>	DC., Asteraceae	lanky buttons
31.	<i>Leucochrysum albicans</i> var. <i>tricolor</i>	(DC.) Paul G. Wilson, Asteraceae	grassland paperdaisy
32.	<i>Lomatia tasmanica</i>	W.M.Curtis, Proteaceae	kings lomatia
33.	<i>Lycopus australis</i>	R.Br., Lamiaceae	australian gipsywort
34.	<i>Mentha australis</i>	R.Br., Lamiaceae	river mint
34A.	<i>Millotia muelleri</i>	(Sond.) P.S.Short, Asteraceae	clustered bowflower
34B.	<i>Myosurus australis</i>	F.Muell., Ranunculaceae	southern mousetail
35.	<i>Persicaria subsessilis</i>	(R.Br.) K.L. Wilson, Polygonaceae	bristly waterpepper
36.	<i>Phebalium daviesii</i>	Hook.f., Rutaceae	davies waxflower
37.	<i>Philothea freyciana</i>	Rozefelds, Rutaceae	freycinet waxflower
38.	<i>Pimelea axiflora</i> subsp. <i>axiflora</i>	F.Muell. ex Meisn., Thymelaeaceae	bootlace bush
38A.	<i>Pimelea</i> sp. Tunbridge	(A.Moscal 9026) Tas Herbarium, Thymelaeaceae	grassland riceflower
39.	<i>Polyscias</i> sp. Douglas-Denison	(R.B.Schahinger HO 526133) Tas. Herbarium, Araliaceae	ferny panax
39A.	<i>Pomaderris pilifera</i> subsp. <i>talpicutica</i>	A.M.Gray & M.Wapstra, Rhamnaceae	moleskin dogwood
39B.	<i>Ranunculus diminutus</i>	B.G.Briggs, Orchidaceae	brackish buttercup
40.	<i>Ranunculus prasinus</i>	Menadue, Ranunculaceae	midlands buttercup
41.	<i>Rhytidosporum inconspicuum</i>	L.W.Cayzer, Crisp & I.Telford, Pittosporaceae	alpine appleberry
42.	<i>Sagina diemensis</i>	L.G.Adams, Caryophyllaceae	tasmanian pearlwort
43.	<i>Scaevola aemula</i>	R.Br., Goodeniaceae	fairy fanflower
43A.	<i>Senecio psilocarpus</i>	Belcher & Albr., Asteraceae	swamp fireweed
44.	<i>Solanum opacum</i>	A.Braun & Bouché, Solanaceae	greenberry nightshade
45.	<i>Spyridium eriocephalum</i> var. <i>eriocephalum</i>	Fenzl, Rhamnaceae	heath dustymiller
46.	<i>Stackhousia subterranea</i>	W.R.Barker, Stackhousiaceae	grassland candles
47.	<i>Stenopetalum lineare</i>	R.Br. ex DC., Brassicaceae	narrow threadpetal
48.	<i>Stonesiella selaginoides</i>	(Hook.f.) Crisp & P.H.Weston, Fabaceae	clubmoss bushpea
49.	<i>Tetratheca gunnii</i>	Hook.f., Tremandraceae	shy pinkbells
50.	<i>Viminaria juncea</i>	(Schrad. & J.Wendl.) Hoffmanns., Fabaceae	golden spray
51.	<i>Vittadinia australasica</i> var. <i>oricola</i>	N.T.Burb., Asteraceae	coast new-holland-daisy
52.	<i>Zieria veronicea</i> subsp. <i>veronicea</i>	(F.Muell.) Benth., Rutaceae	pink zieria

Subdivision 2 - Monocotyledonae

[Subdivision 2 of Division 2 of Part 1 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Subdivision 2 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2008, No. 120, Applied:08 Oct 2008] [Subdivision 2 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2009, No. 15, Applied:11 Mar 2009] [Subdivision 2 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Subdivision 2 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2011, No. 15, Applied:23 Mar 2011] [Subdivision 2 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011] [Subdivision 2 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012] [Subdivision 2 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2016, No. 27, Applied:27 Apr 2016] [Subdivision 2 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2016, No. 82, Applied:05 Oct 2016]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Amphibromus macrorrhinus</i>	S.W.L.Jacobs & L.Lapinuro, Poaceae	longnose swampgrass
4.	<i>Caladenia anthracina</i>	D.L.Jones, Orchidaceae	blacktipped spider-orchid
5.	<i>Caladenia aurantiaca</i>	(R.S.Rogers) Rupp, Orchidaceae	orangetip fingers
6.	<i>Caladenia australis</i>	G.W.Carr, Orchidaceae	southern spider-orchid
7.	<i>Caladenia brachyscapa</i>	G.W.Carr, Orchidaceae	short spider-orchid
8.	<i>Caladenia campbellii</i>	D.L.Jones, Orchidaceae	thickstem fairy fingers
9.	<i>Caladenia congesta</i>	R.Br., Orchidaceae	blacktongue finger-orchid
10.	<i>Caladenia dienema</i>	D.L.Jones, Orchidaceae	windswept spider-orchid
11.	<i>Caladenia lindleyana</i>	(Rchb.f.) M.A.Clem. & D.L.Jones, Orchidaceae	lindleys spider-orchid

12.	<i>Caladenia pallida</i>	Lindl., Orchidaceae	rosy spider-orchid
13.	<i>Caladenia prolata</i>	D.L.Jones, Orchidaceae	white fingers
14.	<i>Caladenia saggicola</i>	D.L.Jones, Orchidaceae	sagg spider-orchid
15.	<i>Caladenia sylvicola</i>	D.L.Jones, Orchidaceae	forest fingers
16.	<i>Caladenia tonellii</i>	D.L.Jones, Orchidaceae	robust fingers
17.	<i>Calochilus campestris</i>	R.Br., Orchidaceae	copper beard-orchid
18.	<i>Centrolepis pedderensis</i>	W.M.Curtis, Centrolepidaceae	pedder bristlewort
19.	<i>Chiloglottis trapeziformis</i>	Fitzg., Orchidaceae	broadlip bird-orchid
20.	<i>Chorizandra enodis</i>	Nees, Cyperaceae	black bristlesedge
21.	<i>Corunastylis brachystachya</i>	(Lindl.) D.L.Jones & M.A.Clem., Orchidaceae	shortspike midge-orchid
22.	<i>Corunastylis firthii</i>	(L.Cady) D.L.Jones & M.A.Clem., Orchidaceae	firths midge-orchid
23.	<i>Corunastylis morrisii</i>	(Nicholls) D.L.Jones & M.A.Clem., Orchidaceae	bearded midge-orchid
23A.	<i>Corunastylis nudiscapa</i>	(Hook.f.) D.L.Jones & M.A.Clem., Orchidaceae	bare midge-orchid
24.	<i>Corybas fordhamii</i>	(Rupp) Rupp, Orchidaceae	swamp pelican-orchid
25.	<i>Cryptostylis leptochila</i>	F.Muell. ex Benth., Orchidaceae	small tongue-orchid
26.	<i>Diuris lanceolata</i>	Lindl., Orchidaceae	large golden moths
27.	<i>Diuris palustris</i>	Lindl., Orchidaceae	swamp doubletail
27A.	<i>Nematoceras sulcatum</i>	(Hook.f.) D.L.Jones & M.A.Clem., Orchidaceae	grooved helmet-orchid
27B.	<i>Poa cookii</i>	(Hook.f.) Hook.f., Poaceae	cooks tussockgrass
30A.	<i>Prasophyllum atratum</i>	D.L.Jones, Orchidaceae	three hummock leek-orchid
31.	<i>Prasophyllum castaneum</i>	D.L.Jones, Orchidaceae	chestnut leek-orchid
31A.	<i>Prasophyllum crebriflorum</i>	D.L.Jones, Orchidaceae	crowded leek-orchid
32.	<i>Prasophyllum favonium</i>	D.L.Jones, Orchidaceae	western leek-orchid
33.	<i>Prasophyllum incorrectum</i>	D.L.Jones, Orchidaceae	golfers leek-orchid
33A.	<i>Prasophyllum limnetes</i>	D.L.Jones, Orchidaceae	marsh leek-orchid
34.	<i>Prasophyllum milfordense</i>	D.L.Jones, Orchidaceae	milford leek-orchid
35.	<i>Prasophyllum olidum</i>	D.L.Jones, Orchidaceae	pungent leek-orchid
36.	<i>Prasophyllum perangustum</i>	D.L.Jones, Orchidaceae	knocklofty leek-orchid
37.	<i>Prasophyllum pulchellum</i>	D.L.Jones, Orchidaceae	pretty leek-orchid
39.	<i>Prasophyllum robustum</i>	(Nicholls) M.A. Clem. & D.L.Jones, Orchidaceae	robust leek-orchid
40.	<i>Prasophyllum secutum</i>	D.L.Jones, Orchidaceae	northern leek-orchid
40A.	<i>Prasophyllum</i> sp. Arthurs Lake	(R.Smith DLJ11363) Tas Herbarium, Orchidaceae	mountain leek-orchid
41.	<i>Prasophyllum stellatum</i>	D.L.Jones, Orchidaceae	ben lomond leek-orchid
42.	<i>Prasophyllum taphanx</i>	D.L.Jones, Orchidaceae	graveside leek-orchid
43.	<i>Prasophyllum tunbridgense</i>	D.L.Jones, Orchidaceae	tunbridge leek-orchid
45.	<i>Pterostylis commutata</i>	D.L.Jones, Orchidaceae	midlands greenhood
46.	<i>Pterostylis cucullata</i> subsp. <i>cucullata</i>	R.Br., Orchidaceae	leafy greenhood
46A.	<i>Pterostylis falcata</i>	R.S.Rogers, Orchidaceae	sickle greenhood
46B.	<i>Pterostylis lustra</i>	D.L.Jones, Orchidaceae	small sickle greenhood
47.	<i>Pterostylis rubenachii</i>	D.L.Jones, Orchidaceae	arthur river greenhood
48.	<i>Pterostylis tunstallii</i>	D.L.Jones & M.A. Clem., Orchidaceae	tunstalls greenhood
49.	<i>Pterostylis wapstrarum</i>	D.L.Jones, Orchidaceae	fleshy greenhood
50.	<i>Schoenus latelaminatus</i>	Kük., Cyperaceae	medusa bog sedge
51.	<i>Thelymitra antennifera</i>	(Lindl.) Hook.f., Orchidaceae	rabbit ears
51A.	<i>Thelymitra atronitida</i>	Jeanes, Orchidaceae	blackhood sun-orchid
52.	<i>Thelymitra benthamiana</i>	Rchb.f., Orchidaceae	blotched sun-orchid
53.	<i>Thelymitra bracteata</i>	J.Z.Weber ex Jeanes, Orchidaceae	leafy sun-orchid
53A.	<i>Thelymitra improcera</i>	D.L.Jones & M.A.Clem., Orchidaceae	coastal sun-orchid
54.	<i>Thelymitra jonesii</i>	Jeanes, Orchidaceae	skyblue sun-orchid
55.	<i>Thelymitra malvina</i>	M.A.Clem., D.L.Jones & Molloy, Orchidaceae	mauvetuft sun-orchid
56.	<i>Thynniorchis nothofagicola</i>	(D.L.Jones) D.L.Jones & M.A. Clem., Orchidaceae	myrtle elbow-orchid
56A.	<i>Triglochin mucronata</i>	R.Br., Juncaginaceae	prickly arrowgrass
56B.	<i>Wurmbea latifolia</i> subsp. <i>vanessae</i>	R.J.Bates, Liliaceae	broadleaf early nancy

Subdivision 3 - Pteridophyta

[Subdivision 3 of Division 2 of Part 1 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Subdivision 3 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Subdivision 3 of Division 2 of Part 1 of Schedule 3 Amended by S.R. 2016, No. 82, Applied:05 Oct 2016]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Asplenium hookerianum</i>	Colenso, Aspleniaceae	maidenhair spleenwort
1A.	<i>Blechnum neohollandicum</i>	Christenh., Blechnaceae	prickly raspfern
1B.	<i>Blechnum rupestre</i>	(Kaulf. ex Link) Christenh., Blechnaceae	small raspfern
2.	<i>Cheilanthes distans</i>	(R.Br.) Mett., Adiantaceae	bristly rockfern
3.	<i>Cyathea cunninghamii</i>	Hook.f., Cyatheaceae	slender treefern
4.	<i>Cyathea Xmarcescens</i>	N.A.Wakef., Cyatheaceae	skirted treefern
6.	<i>Hypolepis distans</i>	Hook., Dennstaedtiaceae	scrambling groundfern
7.	<i>Pneumatopteris pennigera</i>	(G.Forst.) Holttum, Thelypteridaceae	lime fern
8.	<i>Polystichum vestitum</i>	(G.Forst.) C.Presl, Dryopteridaceae	prickly shieldfern

Subdivision 4 - Lichens

[Subdivision 4 of Division 2 of Part 1 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied: 21 May 2008]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Bunodophoron notatum</i>	(Tibell) Wedin, Sphaerophoraceae	–
2.	<i>Erioderma solediatum</i>	D.J.Galloway & P.M.Jørg., Pannariaceae	–
3.	<i>Menegazzia minuta</i>	P.James & Kantvilas, Parmeliaceae	–
4.	<i>Parmelina pallida</i>	Elix & Kantvilas, Parmeliaceae	–
5.	<i>Roccellinastrum neglectum</i>	Henssen & Vobis, Roccellinastraceae	–
6.	<i>Xanthoparmelia amphixantha</i>	(Müll.Arg.), Hale, Parmeliaceae	–
7.	<i>Xanthoparmelia molliuscula</i>	(Ach.) Hale, Parmeliaceae	–
8.	<i>Xanthoparmelia subloxodella</i>	(Elix & Kantvilas) O.Blanco, A.Crespo, Elix, D.Hawksw. & Lumbsch, Parmeliaceae	–
9.	<i>Xanthoparmelia willisii</i>	(Kurok. & Filson) Elix & J.Johnst., Parmeliaceae	–

PART 2 - Taxa presumed to be extinct

[Part 2 of Schedule 3 Amended by S.R. 2000, No. 6, Applied:01 Mar 2000] [Part 2 of Schedule 3 Substituted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 2 of Schedule 3 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 2 of Schedule 3 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 2 of Schedule 3 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 2 of Schedule 3 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 2 of Schedule 3 Amended by S.R. 2006, No. 1, Applied:25 Jan 2006] [Part 2 of Schedule 3 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 2 of Schedule 3 Substituted by S.R. 2008, No. 43, Applied:21 May 2008]

Division 1 - Fauna

[Division 1 of Part 2 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

Subdivision 1 - Vertebrates

[Subdivision 1 of Division 1 of Part 2 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

Mammals

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Thylacinus cynocephalus</i>	Harris	Thylacine

Birds

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Cyanoramphus novaezelandiae erythrotis</i>	Wagler	Macquarie Island Parakeet
2.	<i>Dromaius ater</i>	Vieillot	King Island Emu
3.	<i>Dromaius novaehollandiae diemenensis</i>	Le Souef	Tasmanian Emu
4.	<i>Gallirallus philippensis macquariensis</i>	Hutton	Macquarie Island Rail

Subdivision 2 - Invertebrates

[Subdivision 2 of Division 1 of Part 2 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Subdivision 2 of Division 1 of Part 2 of Schedule 3 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011]

	Column 1 Species	Column 2 Authority, Order	Column 3 Common name
1.	<i>Costora iena</i>	Mosely, Trichoptera	Caddis Fly (Great Lakes)
2.	<i>Hadronyche pulvinator</i>	Hickman, Araneae	Cascade Funnel-web Spider
3.	<i>Hypolimnus pedderensis</i>	(Jamieson), Haplotaxida	Lake Pedder Earthworm

Division 2 - Flora

[Division 2 of Part 2 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

Subdivision 1 - Dicotyledonae

[Subdivision 1 of Division 2 of Part 2 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Subdivision 1 of Division 2 of Part 2 of Schedule 3 Amended by S.R. 2009, No. 15, Applied:11 Mar 2009] [Subdivision 1 of Division 2 of Part 2 of Schedule 3 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Subdivision 1 of Division 2 of Part 2 of Schedule 3 Amended by S.R. 2011, No. 15, Applied:23 Mar 2011] [Subdivision 1 of Division 2 of Part 2 of Schedule 3 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
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1.	<i>Ballantinia antipoda</i>	(F.Muell.) E.A.Shaw, Brassicaceae	southern shepherds purse
2.	<i>Banksia integrifolia</i> subsp. <i>integrifolia</i>	L.f., Proteaceae	coast banksia
3.	<i>Chenopodium erosum</i>	R.Br., Chenopodiaceae	papery goosefoot
4.	<i>Cooperookia barbata</i>	(R.Br.) Carolin, Goodeniaceae	purple native-primrose
5.	<i>Hibbertia obtusifolia</i>	DC., Dilleniaceae	grey guineaflower
7.	<i>Levenhookia dubia</i>	Sond., Stylidiaceae	hairy stylewort
9.	<i>Myriophyllum glomeratum</i>	Schindl., Haloragaceae	clustered watermilfoil
10.	<i>Ozothamnus selaginoides</i>	Sond.& F.Muell., Asteraceae	table mountain everlastingbush
11.	<i>Podotheca angustifolia</i>	(Labill.) Less., Asteraceae	sticky longheads
12.	<i>Prostanthera cuneata</i>	Benth., Lamiaceae	alpine mintbush
12A.	<i>Senecio georgianus</i>	DC., Asteraceae	grey groundsel
13.	<i>Senecio macrocarpus</i>	Belcher, Asteraceae	largefruit fireweed
14.	<i>Thesium australe</i>	R.Br., Santalaceae	southern toadflax
15.	<i>Veronica notabilis</i>	F.Muell. ex Benth., Scrophulariaceae	forest speedwell

Subdivision 2 - Monocotyledonae

[Subdivision 2 of Division 2 of Part 2 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Subdivision 2 of Division 2 of Part 2 of Schedule 3 Amended by S.R. 2009, No. 15, Applied:11 Mar 2009] [Subdivision 2 of Division 2 of Part 2 of Schedule 3 Amended by S.R. 2011, No. 15, Applied:23 Mar 2011]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Caladenia cardiophila</i>	Tate, Orchidaceae	heartlip spider-orchid
3.	<i>Deyeuxia lawrencei</i>	Vickery, Poaceae	lawrences bentgrass
4.	<i>Lepilaena australis</i>	J.Drumm. ex Harv., Zannichelliaceae	southern watermat
5.	<i>Thynninorchis huntiana</i>	(F.Muell.) D.L.Jones & M.A.Clem., Orchidaceae	elbow-orchid

Subdivision 3 - Pteridophyta

[Subdivision 3 of Division 2 of Part 2 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Botrychium australe</i>	R.Br., Ophioglossaceae	parsley fern

Subdivision 4 - Lichens

[Subdivision 4 of Division 2 of Part 2 of Schedule 3 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Punctelia subflava</i>	(Taylor) Elix & J.Johnst., Parmeliaceae	–

SCHEDULE 4 - Taxa of native flora and fauna which are vulnerable

[Schedule 4 Amended by S.R. 2000, No. 6, Applied:01 Mar 2000] [Schedule 4 Amended by S.R. 2000, No. 158, Applied:23 Aug 2000] [Schedule 4 Amended by S.R. 2000, No. 81, Applied:21 Jun 2000] [Schedule 4 Substituted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Schedule 4 Substituted by S.R. 2008, No. 43, Applied:21 May 2008]

PART 1 - Fauna

[Part 1 of Schedule 4 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 1 of Schedule 4 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 1 of Schedule 4 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 1 of Schedule 4 Amended by S.R. 2006, No. 1, Applied:25 Jan 2006] [Part 1 of Schedule 4 Substituted by S.R. 2008, No. 43, Applied:21 May 2008]

Division 1 - Vertebrates

[Division 1 of Part 1 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

Subdivision 1 - Mammals

[Subdivision 1 of Division 1 of Part 1 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Balaenoptera physalus</i>	Linnaeus	Fin Whale

Subdivision 2 - Birds

[Subdivision 2 of Division 1 of Part 1 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Subdivision 2 of Division 1 of Part 1 of Schedule 4 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Subdivision 2 of Division 1 of Part 1 of Schedule 4 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Haliaeetus leucogaster</i>	Gmelin	White-bellied Sea-Eagle
2.	<i>Halobaena caerulea</i>	Gmelin	Blue Petrel
3.	<i>Leucocarbo atriceps purpurascens</i>	Brant	Macquarie Island Shag
4.	<i>Macronectes giganteus</i>	Gmelin	Southern Giant Petrel
5.	<i>Phoebastria palpebrata</i>	Forster	Light-mantled Albatross
6.	<i>Platycercus caledonicus brownii</i>	(Kuhl)	King Island Green Rosella
7.	<i>Podiceps cristatus</i>	Linne	Great Crested Grebe
8.	<i>Pterodroma lessonii</i>	Garnot	White-headed Petrel
10.	<i>Sterna striata</i>	Gmelin	White-fronted Tern
10A.	<i>Sternula nereis nereis</i>	Gould	Fairy Tern
11.	<i>Thalassarche cauta</i>	Gould	Shy Albatross

Subdivision 3 - Reptiles

[Subdivision 3 of Division 1 of Part 1 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Chelonia mydas</i>	Linnaeus	Green Turtle
2.	<i>Dermochelys coriacea</i>	Linnaeus	Leathery Turtle
3.	<i>Eretmochelys imbricata</i>	Linnaeus	Hawksbill Turtle
4.	<i>Pseudemoia pagenstecheri</i>	Lindholm	Tussock Skink

Subdivision 4 - Amphibians

[Subdivision 4 of Division 1 of Part 1 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Subdivision 4 of Division 1 of Part 1 of Schedule 4 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Litoria raniformis</i>	Keferstein	Green and Gold Frog

Subdivision 5 - Fish

[Subdivision 5 of Division 1 of Part 1 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Carcharodon carcharias</i>	Linnaeus	Great White Shark
2.	<i>Galaxias parvus</i>	Frankenburg	Swamp Galaxias
3.	<i>Galaxias tanycephalus</i>	Fulton	Saddled Galaxias
4.	<i>Galaxiella pusilla</i>	Mack	Dwarf Galaxias
5.	<i>Paragalaxias dissimilis</i>	Regan	Shannon Paragalaxias
6.	<i>Paragalaxias eleotroides</i>	McDowall and Fulton	Great Lake Paragalaxias
7.	<i>Prototroctes maraena</i>	Gunther	Australian Grayling

Division 2 - Invertebrates

[Division 2 of Part 1 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 2 of Part 1 of Schedule 4 Amended by S.R. 2008, No. 120, Applied:08 Oct 2008] [Division 2 of Part 1 of Schedule 4 Amended by S.R. 2011, No. 15, Applied:23 Mar 2011] [Division 2 of Part 1 of Schedule 4 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012] [Division 2 of Part 1 of Schedule 4 Amended by S.R. 2016, No. 27, Applied:27 Apr 2016]

	Column 1 Species	Column 2 Authority, Order	Column 3 Common name
1.	<i>Amelora acontistica</i>	Turner, Lepidoptera	Chevron Looper Moth
2.	<i>Astacopsis gouldi</i>	Clark, Decapoda	Giant Freshwater Crayfish
3.	<i>Beddomeia briansmithi</i>	Ponder & Clark, Mesogastropoda	Fern Creek Freshwater Snail
4.	<i>Beddomeia krybetes</i>	Ponder & Clark, Mesogastropoda	St. Pauls River Freshwater Snail
5.	<i>Beddomeia lodderae</i>	Petterd, Mesogastropoda	Castra Rivulet Freshwater Snail
5A.	<i>Beddomeia phasianella</i>	Ponder & Clark, Mesogastropoda	Keddies Creek Freshwater Snail
6.	<i>Beddomeia wiseae</i>	Ponder & Clark, Mesogastropoda	Blizzards Creek Freshwater Snail
7.	<i>Catadromus lacordairei</i>	Boisduval, Coleoptera	Green-lined Ground Beetle
7A.	<i>Chloritobadistes victoriae</i>	(Cox), Eupulmonata	Southern Hairy Red Snail
8.	<i>Dasybela achroa</i>	Lower, Lepidoptera	Saltmarsh Looper Moth
10.	<i>Engaeus martigener</i>	Horwitz, Decapoda	Furneaux Burrowing Crayfish
11.	<i>Engaeus orramakunna</i>	Horwitz, Decapoda	Mt. Arthur Burrowing Crayfish
12.	<i>Engaeus yabbimunna</i>	Horwitz, Decapoda	Burrowing Crayfish (Burnie)
13.	<i>Gazameda gunnii</i>	(Reeve), Mesogastropoda	Gunn's Screw Shell
14.	<i>Goedetrechus mendumae</i>	Moore, Coleoptera	Cave Beetle (Ida Bay)
15.	<i>Goedetrechus parallelus</i>	Moore, Coleoptera	Cave Beetle (Juneeflorentine)
16.	<i>Hoplogonus simsoni</i>	Parry, Coleoptera	Simsons Stag Beetle
17.	<i>Hoplogonus vanderschoori</i>	Bartoluzzi, Coleoptera	Vanderschoors Stag Beetle
19.	<i>Oreixenica ptunarra</i>	Couchman, Lepidoptera	Ptunarra Brown Butterfly
19A.	<i>Parvulastra vivipara</i>	(Dartnall), Asterinidae	Live-bearing Seastar
20.	<i>Pasmaditta jungermanniae</i>	Petterd, Sigmurethra	Snail (Cataract Gorge)

PART 2 - Flora

[Part 2 of Schedule 4 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 2 of Schedule 4 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 2 of Schedule 4 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 2 of Schedule 4 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 2 of Schedule 4 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 2 of Schedule 4 Substituted by S.R. 2008, No. 43, Applied:21 May 2008]

Division 1 - Dicotyledonae

[Division 1 of Part 2 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 1 of Part 2 of Schedule 4 Amended by S.R. 2009, No. 15, Applied:11 Mar 2009] [Division 1 of Part 2 of Schedule 4 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Division 1 of Part 2 of Schedule 4 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011] [Division 1 of Part 2 of Schedule 4 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012] [Division 1 of Part 2 of Schedule 4 Amended by S.R. 2016, No. 27, Applied:27 Apr 2016]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Acacia axillaris</i>	Benth., Mimosaceae	midlands wattle
2.	<i>Acrotriche cordata</i>	(Labill.) R.Br., Epacridaceae	coast groundberry
2A.	<i>Argyrotegium nitidulum</i>	(Hook.f.) J.M.Ward & Breitw., Asteraceae	shining cottonleaf
3.	<i>Atriplex suberecta</i>	I.Verd., Chenopodiaceae	sprawling saltbush
4.	<i>Bedfordia arborescens</i>	Hochr., Asteraceae	tree blanketleaf
5.	<i>Boronia gunnii</i>	Hook.f., Rutaceae	river boronia
6.	<i>Boronia hippopala</i>	Duretto, Rutaceae	velvet boronia
7.	<i>Brachyscome rigidula</i>	(DC.) G.L.Davis, Asteraceae	cutleaf daisy
9.	<i>Conospermum hookeri</i>	(Meisn.) E.M.Benn., Proteaceae	tasmanian smokebush
10.	<i>Desmodium gunnii</i>	Benth. ex Hook.f., Fabaceae	southern ticktrefoil
12.	<i>Epacris graniticola</i>	Crowden, Epacridaceae	granite heath
13.	<i>Epacris virgata</i>	Hook.f., Epacridaceae	pretty heath
14.	<i>Eryngium ovinum</i>	A.Cunn., Apiaceae	blue devil
15.	<i>Euphrasia phragmostoma</i>	W.R.Barker, Scrophulariaceae	hairy cliff-eyebright
16.	<i>Glycine latrobeana</i>	(Meisn.) Benth., Fabaceae	clover glycine
17.	<i>Glycine microphylla</i>	(Benth.) Tindale, Fabaceae	small-leaf glycine
18.	<i>Gratiola pubescens</i>	R.Br., Scrophulariaceae	hairy brooklime
19.	<i>Hakea ulicina</i>	R.Br., Proteaceae	furze needlebush
20.	<i>Haloragis aspera</i>	Lindl., Haloragaceae	rough raspwort
21.	<i>Hibbertia calycina</i>	(DC.) N.A.Wakef., Dilleniaceae	lesser guineaflower
22.	<i>Isoetopsis graminifolia</i>	Turcz., Asteraceae	grass cushion
23.	<i>Isopogon ceratophyllus</i>	R.Br., Proteaceae	horny conebush
24.	<i>Limonium australe</i> var. <i>baudinii</i>	(Lincz.) A.M.Gray, Plumbaginaceae	tasmanian sea-lavender
25.	<i>Lobelia pratioides</i>	Benth., Campanulaceae	poison lobelia
26.	<i>Lythrum salicaria</i>	L., Lythraceae	purple loosestrife
27.	<i>Mirbelia oxylobioides</i>	F.Muell., Fabaceae	sandstone bushpea
28.	<i>Myoporum parvifolium</i>	R.Br., Myoporaceae	creeping boobialla
29.	<i>Myriophyllum integrifolium</i>	(Hook.f.) Hook.f., Haloragaceae	tiny watermilfoil
31.	<i>Ozothamnus reflexifolius</i>	K.Leeson & Rozefelds, Asteraceae	reflexed everlastingbush
32.	<i>Persicaria decipiens</i>	(R.Br.) K.L.Wilson, Polygonaceae	slender waterpepper
33.	<i>Phyllangium divergens</i>	(Hook.f.) Dunlop, Loganiaceae	wiry mitrewort
35.	<i>Pomaderris elachophylla</i>	F.Muell., Rhamnaceae	small-leaf dogwood
35A.	<i>Poranthera petalifera</i>	(Orchard & J.B.Davies) Halford & R.J.F.Hend., Euphorbiaceae	mountain poranthera
36.	<i>Prostanthera rotundifolia</i>	R.Br., Lamiaceae	roundleaf mintbush
37.	<i>Pultenaea humilis</i>	Benth. ex Hook.f., Fabaceae	dwarf bushpea
38.	<i>Pultenaea mollis</i>	Lindl., Fabaceae	soft bushpea
39.	<i>Pultenaea prostrata</i>	Benth. ex Hook.f., Fabaceae	silky bushpea
40.	<i>Pultenaea sericea</i>	(Benth.) Corrick, Fabaceae	chaffy bushpea
40A.	<i>Rumex bidens</i>	R.Br., Polygonaceae	mud dock
40B.	<i>Scaevola albida</i>	(Sm.) Druce, Goodeniaceae	pale fanflower
41.	<i>Scleranthus diander</i>	R.Br., Caryophyllaceae	tufted knawel

42.	<i>Scleranthus fasciculatus</i>	(R.Br.) Hook.f., Caryophyllaceae	spreading knawel
42A.	<i>Senecio campylocarpus</i>	I.Thomps., Asteraceae	bulging fireweed
43.	<i>Spyridium lawrencei</i>	(Hook.f.) Benth., Rhamnaceae	small-leaf dustymiller
44.	<i>Spyridium obcordatum</i>	(Hook.f.) W.M.Curtis, Rhamnaceae	creeping dustymiller
44A.	<i>Stackhousia pulvinaris</i>	F.Muell., Stackhousiaceae	alpine candles
45.	<i>Stenanthemum pimeleoides</i>	(Hook.f.) Benth., Rhamnaceae	propeller plant
46.	<i>Thryptomene micrantha</i>	Hook.f., Myrtaceae	ribbed heathmyrtle
47.	<i>Triptilodiscus pygmaeus</i>	Turcz., Asteraceae	dwarf sunray
48.	<i>Velleia paradoxa</i>	R.Br., Goodeniaceae	spur velleia
48A.	<i>Veronica ciliolata</i> subsp. <i>fiordensis</i>	(Ashwin) Meudt, Scrophulariaceae	ben lomond cushionplant
49.	<i>Veronica novae-hollandiae</i>	Poir., Scrophulariaceae	coast speedwell
50.	<i>Xerochrysum palustre</i>	(Flann) R.J.Bayer, Asteraceae	swamp everlasting

Division 2 - Monocotyledonae

[Division 2 of Part 2 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 2 of Part 2 of Schedule 4 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Division 2 of Part 2 of Schedule 4 Amended by S.R. 2011, No. 15, Applied:23 Mar 2011] [Division 2 of Part 2 of Schedule 4 Amended by S.R. 2016, No. 27, Applied:27 Apr 2016] [Division 2 of Part 2 of Schedule 4 Amended by S.R. 2016, No. 82, Applied:05 Oct 2016]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Caladenia caudata</i>	Nicholls, Orchidaceae	tailed spider-orchid
2.	<i>Caladenia patersonii</i>	R.Br., Orchidaceae	patersons spider-orchid
2A.	<i>Nematoceras dienemum</i>	(D.L.Jones) D.L.Jones, M.A.Clem. & Molloy, Orchidaceae	windswept helmet-orchid
2B.	<i>Prasophyllum amoenum</i>	D.L.Jones, Orchidaceae	dainty leek-orchid
2C.	<i>Prasophyllum apoxychilum</i>	D.L.Jones, Orchidaceae	tapered leek-orchid
3.	<i>Pterostylis pratensis</i>	D.L.Jones, Orchidaceae	liawenee greenhood
3A.	<i>Pterostylis squamata</i>	R.Br., Orchidaceae	ruddy greenhood
4.	<i>Pterostylis ziegeleri</i>	D.L.Jones, Orchidaceae	grassland greenhood
4A.	<i>Sowerbaea juncea</i>	Andrews, Liliaceae	purple rushlily
5.	<i>Tricoryne elatior</i>	R.Br., Liliaceae	yellow rushlily
6.	<i>Xanthorrhoea arenaria</i>	D.J.Bedford, Xanthorrhoeaceae	sand grasstree
7.	<i>Xanthorrhoea bracteata</i>	R.Br., Xanthorrhoeaceae	shiny grasstree

Division 3 - Gymnospermae

[Division 3 of Part 2 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Callitris oblonga</i> subsp. <i>oblonga</i>	Rich., Cupressaceae	south esk pine
2.	<i>Pherosphaera hookeriana</i>	W.Archer bis, Podocarpaceae	drooping pine

Division 4 - Pteridophyta

[Division 4 of Part 2 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 4 of Part 2 of Schedule 4 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Anogramma leptophylla</i>	(L.) Link, Adiantaceae	annual fern
1A.	<i>Asplenium trichomanes</i> subsp. <i>trichomanes</i>	L., Aspleniaceae	dolerite spleenwort
2.	<i>Blechnum cartilagineum</i>	Sw., Blechnaceae	gristle fern
3.	<i>Tmesipteris parva</i>	N.A.Wakef., Psilotaceae	small forkfern

Division 5 - Lichens

[Division 5 of Part 2 of Schedule 4 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1	Column 2	Column 3
	Species	Authority, Family	Common name
1.	<i>Hypotrachyna laevigata</i>	(Sm.) Hale, Parmeliaceae	–
2.	<i>Melanelia piliferella</i>	(Essl.) Essl., Parmeliaceae	–
3.	<i>Xanthoparmelia jarmaniae</i>	Elix & Kantvilas, Parmeliaceae	–
4.	<i>Xanthoparmelia mannumensis</i>	(Elix) Elix & J.Johnst., Parmeliaceae	–

PART 3

[Part 3 of Schedule 4 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 3 of Schedule 4 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 3 of Schedule 4 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 3 of Schedule 4 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 3 of Schedule 4 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 3 of Schedule 4 Amended by S.R. 2006, No. 1, Applied:25 Jan 2006] [Part 3 of Schedule 4 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

PART 4

[Part 4 of Schedule 4 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 4 of Schedule 4 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 4 of Schedule 4 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 4 of Schedule 4 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

PART 5

[Part 5 of Schedule 4 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 5 of Schedule 4 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 5 of Schedule 4 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 5 of Schedule 4 Amended by S.R. 2006, No. 1, Applied:25 Jan 2006] [Part 5 of Schedule 4 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

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PART 6

[Part 6 of Schedule 4 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 6 of Schedule 4 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 6 of Schedule 4 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 6 of Schedule 4 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

PART 7

[Part 7 of Schedule 4 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 7 of Schedule 4 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 7 of Schedule 4 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 7 of Schedule 4 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

SCHEDULE 5 - Taxa of native flora and fauna which are rare

[Schedule 5 Amended by S.R. 2000, No. 6, Applied:01 Mar 2000] [Schedule 5 Amended by S.R. 2000, No. 158, Applied:23 Aug 2000] [Schedule 5 Substituted by S.R. 2001, No. 70, Applied:27 Jun 2001]

Section 13(3)

PART 1 - Fauna

[Part 1 of Schedule 5 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 1 of Schedule 5 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 1 of Schedule 5 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 1 of Schedule 5 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 1 of Schedule 5 Substituted by S.R. 2008, No. 43, Applied:21 May 2008]

Division 1 - Vertebrates

[Division 1 of Part 1 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

Subdivision 1 - Mammals

[Subdivision 1 of Division 1 of Part 1 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Arctocephalus forsteri</i>	Lesson	New Zealand Fur Seal
2.	<i>Dasyurus maculatus maculatus</i>	(Kerr)	Spotted-tail Quoll

Subdivision 2 - Birds

[Subdivision 2 of Division 1 of Part 1 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Macronectes halli</i>	Mathews	Northern Giant Petrel
2.	<i>Oceanites oceanicus</i>	Kuhl	Wilson's Storm Petrel
3.	<i>Phoebastria fusca</i>	Hilsenberg	Sooty Albatross

Subdivision 3 - Reptiles

[Subdivision 3 of Division 1 of Part 1 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Pseudemoia rawlinsoni</i>	Hutchinson & Donnellan	Glossy Grass Skink

Subdivision 4 - Fish

[Subdivision 4 of Division 1 of Part 1 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority	Column 3 Common name
1.	<i>Galaxias auratus</i>	Johnston	Golden Galaxias
2.	<i>Paragalaxias julianus</i>	McDowall and Fulton	Western Paragalaxias

Division 2 - Invertebrates

[Division 2 of Part 1 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 2 of Part 1 of Schedule 5 Amended by S.R. 2008, No. 120, Applied:08 Oct 2008] [Division 2 of Part 1 of Schedule 5 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012] [Division 2 of Part 1 of Schedule 5 Amended by S.R. 2016, No. 27, Applied:27 Apr 2016]

	Column 1 Species	Column 2 Authority, Order	Column 3 Common name
1.	<i>Allanaspides hickmani</i>	Swain, Wilson & Ong, Syncarida	Hickman's Pigmy Mountain Shrimp
2.	<i>Beddomeia angulata</i>	Ponder & Clark, Mesogastropoda	Rapid River Freshwater Snail
3.	<i>Beddomeia bellii</i>	Petterd, Mesogastropoda	Bells Freshwater Snail
4.	<i>Beddomeia bowryensis</i>	Ponder & Clark, Mesogastropoda	Bowry Creek Freshwater Snail

6.	<i>Beddomeia fallax</i>	Ponder & Clark, Mesogastropoda	Heathcote Creek Freshwater Snail
7.	<i>Beddomeia forthensis</i>	Ponder & Clark, Mesogastropoda	Forth River Freshwater Snail
8.	<i>Beddomeia franklandensis</i>	Ponder & Clark, Mesogastropoda	Frankland River Freshwater Snail
9.	<i>Beddomeia gibba</i>	Ponder & Clark, Mesogastropoda	Lerunna Road Freshwater Snail
10.	<i>Beddomeia hullii</i>	Petterd, Mesogastropoda	Hulls Freshwater Snail
11.	<i>Beddomeia inflata</i>	Ponder & Clark, Mesogastropoda	Upper Castra Freshwater Snail
12.	<i>Beddomeia mesibovi</i>	Ponder & Clark, Mesogastropoda	Arthur River Freshwater Snail
13.	<i>Beddomeia minima</i>	Petterd, Mesogastropoda	Scottsdale Freshwater Snail
15.	<i>Beddomeia protuberata</i>	Ponder & Clark, Mesogastropoda	Emu River Freshwater Snail
16.	<i>Beddomeia salmonis</i>	Ponder & Clark, Mesogastropoda	Salmon River Freshwater Snail
17.	<i>Beddomeia tasmanica</i>	Tenison-Woods, Mesogastropoda	Blue Tier Freshwater Snail
18.	<i>Beddomeia topsiae</i>	Ponder & Clark, Mesogastropoda	Williamson Creek Freshwater Snail
19.	<i>Beddomeia trochiformis</i>	Ponder & Clark, Mesogastropoda	Savage River Mine Freshwater Snail
20.	<i>Beddomeia turnerae</i>	Ponder & Clark, Mesogastropoda	Minnow River Freshwater Snail
21.	<i>Beddomeia wilmotensis</i>	Ponder & Clark, Mesogastropoda	Wilmot River Freshwater Snail
22.	<i>Beddomeia zeehanensis</i>	Ponder & Clark, Mesogastropoda	Zeehan Freshwater Snail
23.	<i>Benthodorbis pawpela</i>	Winston Ponder, Mesogastropoda	Great Lake Glacidorbid Snail
24.	<i>Cavernotettix craggiensis</i>	Richards, Orthoptera	Craggy Island Cave Cricket
25.	<i>Charopidae "Skemps"</i>	Sigmurethra	Skemps Snail
26.	<i>Dasyurotaenia robusta</i>	Beddard, Cyclophyllidae	Tapeworm (Tasmanian Devil)
27.	<i>Echinodillo cavaticus</i>	Green, Isopoda	Flinders Island Cave Slater
28.	<i>Ecnomina vega</i>	Neboiss, Trichoptera	Caddis Fly (Macquarie River)
29.	<i>Enchymus</i> sp.nov.	Zimmerman, Coleoptera	Weldborough Forest Weevil
30.	<i>Helicarion rubicundus</i>	Dartnall and Kershaw, Sigmurethra	Burgundy Snail
31.	<i>Hickmanoxyomma cavaticum</i>	Hickman, Opilionida	Ida Bay Cave Harvestman
32.	<i>Hickmanoxyomma gibbergunyar</i>	Hunt, Opilionida	Cave Harvestman
33.	<i>Hydrobiosella sagitta</i>	Neboiss, Trichoptera	Caddis Fly (St. Columba Falls)
34.	<i>Hydroptila scamandra</i>	Neboiss, Trichoptera	Caddis Fly (Upper Scamander River)
35.	<i>Idacarabus cordicollis</i>	Moore, Coleoptera	Cave Beetle (Hastings Cave)
36.	<i>Idacarabus troglodytes</i>	Lea, Coleoptera	Ida Bay Cave Beetle
36A.	<i>Lissotes menalcas</i>	Westwood, Coleoptera	Mount Mangana Stag Beetle
37.	<i>Mesacanthotelson setosus</i>	Nicholls, Isopoda	Isopod (Great Lake)
38.	<i>Mesacanthotelson tasmaniae</i>	Thomson, Isopoda	Isopod (Great Lake)
40.	<i>Oecetis gilva</i>	Neboiss, Trichoptera	Caddis Fly (South Esk River)
41.	<i>Olgania excavata</i>	Hickman, Araneae	Cave Spider (Bubs Hill Cave)
42.	<i>Onchotelson brevicaudatus</i>	Smith, Isopoda	Isopod (Great Lake & Shannon Lagoon)
43.	<i>Orphninostrichia maculata</i>	Mosley, Trichoptera	Caddis Fly (Wedge River)
44.	<i>Orthotrichia adornata</i>	Wells, Trichoptera	Caddis Fly (Derwent River)
45.	<i>Oxyethira mienica</i>	Wells, Trichoptera	Caddis Fly (Ouse River)
46.	<i>Parvotettix rangaensis</i>	Richards, Orthoptera	Cave Cricket
47.	<i>Parvotettix whinrayi</i>	Richards, Orthoptera	Whinray's Cave Cricket
48.	<i>Phrantela annamurrayae</i>	Ponder & Clark, Mesogastropoda	Waratah Road Freshwater Snail
49.	<i>Phrantela conica</i>	Ponder & Clark, Mesogastropoda	Little Henty River Freshwater Snail
50.	<i>Phrantela marginata</i>	Petterd, Mesogastropoda	Heazlewood River Freshwater Snail
51.	<i>Phrantela pupiformis</i>	Ponder & Clark, Mesogastropoda	Tyenna River Freshwater Snail
52.	<i>Pseudalmenus chlorinda myrsilus</i>	Couchman, Lepidoptera	Tasmanian Hairstreak (butterfly)
53.	<i>Pseudotyranchothionius typhlus</i>	Dartnall, Pseudoscorpionida	Cave Pseudoscorpion (Mole Creek)
54.	<i>Ramiheithrus kocinus</i>	Neboiss, Trichoptera	Caddis Fly (Corinna)
55.	<i>Roblinella agnewi</i>	Legrand, Sigmurethra	Silky Snail
56.	<i>Smilasterias tasmaniae</i>	O'Loughlin and O'Hara,	Seastar

57.	<i>Stenopsychodes lineata</i>	Asterinidae	Caddis Fly (Bluff Hill Creek)
58.	<i>Tasimia drepana</i>	Neboiss, Trichoptera	Caddis Fly (Huon & Picton Rivers)
59.	<i>Tasmanipatus barretti</i>	Ruhberg, Onychophora	Giant Velvet Worm
60.	<i>Tasmanotrechus cockerilli</i>	Moore, Coleoptera	Cave Beetle (Mole Creek)
61.	<i>Tasmaphena lamproides</i>	Cox, Sigmurethra	Keeled Snail
62.	<i>Tasniphargus tyleri</i>	Williams & Barnard, Amphipoda	Amphipod (Great Lake)
63.	<i>Theclinesthes serpentata lavara</i>	(Herrich-Schäffer), Lepidoptera	Chequered blue
64.	<i>Uramphisopus pearsoni</i>	Nicholls, Isopoda	Isopod (Great Lake)

PART 2 - Flora

[Part 2 of Schedule 5 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 2 of Schedule 5 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 2 of Schedule 5 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 2 of Schedule 5 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 2 of Schedule 5 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 2 of Schedule 5 Substituted by S.R. 2008, No. 43, Applied:21 May 2008]

Division 1 - Dicotyledonae

[Division 1 of Part 2 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 1 of Part 2 of Schedule 5 Amended by S.R. 2008, No. 120, Applied:08 Oct 2008] [Division 1 of Part 2 of Schedule 5 Amended by S.R. 2009, No. 15, Applied:11 Mar 2009] [Division 1 of Part 2 of Schedule 5 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Division 1 of Part 2 of Schedule 5 Amended by S.R. 2011, No. 15, Applied:23 Mar 2011] [Division 1 of Part 2 of Schedule 5 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011] [Division 1 of Part 2 of Schedule 5 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012] [Division 1 of Part 2 of Schedule 5 Amended by S.R. 2016, No. 27, Applied:27 Apr 2016]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Acacia pataczekii</i>	D.I.Morris, Mimosaceae	wallys wattle
2.	<i>Acacia siculiformis</i>	A.Cunn. ex Benth., Mimosaceae	dagger wattle
3.	<i>Acacia ulicifolia</i>	(Salisb.) Court, Mimosaceae	juniper wattle
4.	<i>Acacia uncifolia</i>	(J.M.Black) O'Leary, Mimosaceae	coast wirilda
5.	<i>Allocasuarina crassa</i>	L.A.S.Johnson, Casuarinaceae	cape pillar sheoak
6.	<i>Allocasuarina duncanii</i>	L.A.S.Johnson & D.I.Morris, Casuarinaceae	conical sheoak
7.	<i>Argyrotegium fordianum</i>	(M.Gray) J.M.Ward & Breitw., Asteraceae	soft cottonleaf
8.	<i>Argyrotegium poliochlorum</i>	(N.G.Walsh) J.M.Ward & Breitw., Asteraceae	greycotton leaf
9.	<i>Asperula minima</i>	Hook.f., Rubiaceae	mossy woodruff
10.	<i>Asperula scoparia</i> subsp. <i>scoparia</i>	Hook.f., Rubiaceae	prickly woodruff
11.	<i>Asperula subsimplex</i>	Hook.f., Rubiaceae	water woodruff
12.	<i>Australina pusilla</i> subsp. <i>muelleri</i>	(Wedd.) Friis & Wilmot- Dear, Urticaceae	shade nettle
13.	<i>Austrocynoglossum latifolium</i>	(R.Br.) R.R.Mill, Boraginaceae	forest houndstongue
14.	<i>Banksia serrata</i>	L.f., Proteaceae	saw banksia
15.	<i>Bossiaea tasmanica</i>	I.Thomps., Fabaceae	spiny bossia
16.	<i>Brachyglottis brunonis</i>	(Hook.f.) B.Nord., Asteraceae	tasmanian daisytree
17.	<i>Brachyloma depressum</i>	(F.Muell.) Benth., Epacridaceae	spreading heath
19.	<i>Brachyscome perpusilla</i>	(Steetz) J.M.Black, Asteraceae	tiny daisy
20.	<i>Brachyscome radicata</i>	Hook.f., Asteraceae	spreading daisy
22.	<i>Brunonia australis</i>	Sm. ex R.Br., Brunoniaceae	blue pincushion
23.	<i>Calandrinia granulifera</i>	Benth., Portulacaceae	pigmy purslane
24.	<i>Callitriche sonderi</i>	Hegelm., Callitrichaceae	matted waterstarwort
25.	<i>Callitriche umbonata</i>	Hegelm., Callitrichaceae	winged waterstarwort
26.	<i>Calocephalus citreus</i>	Less., Asteraceae	lemon beautyheads
27.	<i>Calocephalus lacteus</i>	Less., Asteraceae	milky beautyheads
28.	<i>Calystegia sepium</i>	(L.) R.Br., Convolvulaceae	swamp bindweed
29.	<i>Calystegia soldanella</i>	(L.) Roem. & Schult., Convolvulaceae	sea bindweed
31.	<i>Centipeda cunninghamii</i>	(DC.) A.Braun & Asch., Asteraceae	erect sneezeweed
32.	<i>Chrysocephalum baxteri</i>	(A.Cunn. ex DC.) A.Anderb., Asteraceae	fringed everlasting
33.	<i>Colobanthus curtisiae</i>	J.G.West, Caryophyllaceae	grassland cupflower
34.	<i>Colobanthus pulvinatus</i>	F.Muell., Caryophyllaceae	cushion cupflower
35.	<i>Comesperma defoliatum</i>	F.Muell., Polygalaceae	leafless milkwort
36.	<i>Cotula vulgaris</i> var. <i>australasica</i>	J.H.Willis, Asteraceae	slender buttons
37.	<i>Crassula moschata</i>	G.Forst, Crassulaceae	musky stoncrop
38.	<i>Cullen microcephalum</i>	(Rchb. ex Kunze)	dusky scurfspea

39.	<i>Cuscuta tasmanica</i>	J.W.Grimes, Fabaceae	golden dodder
39A.	<i>Cyathodes platystoma</i>	Engelm., Cuscutaceae	tall cheeseberry
41.	<i>Cyphanthera tasmanica</i>	C.M.Weiller, Epacridaceae	tasmanian rayflower
42.	<i>Drosera glanduligera</i>	Miers, Solanaceae	scarlet sundew
43.	<i>Elaeocarpus reticulatus</i>	Lehm., Droseraceae	blueberry ash
45.	<i>Epacris curtisiae</i>	Sm., Elaeocarpaceae	northwest heath
45A.	<i>Epacris moscaliana</i>	Jarman, Epacridaceae	seepage heath
46.	<i>Epilobium pallidiflorum</i>	Crowden, Epacridaceae	showy willowherb
47.	<i>Epilobium willisii</i>	Sol. ex A.Cunn., Onagraceae	carpet willowherb
48.	<i>Eucalyptus barberi</i>	P.H.Raven & Engelhorn, Onagraceae	barbers gum
49.	<i>Eucalyptus globulus</i> subsp. <i>pseudoglobulus</i>	L.A.S.Johnson & Blaxell, Myrtaceae	gippsland blue gum
50.	<i>Eucalyptus perriniana</i>	(Naudin ex Maiden) J.B.Kirkp., Myrtaceae	spinning gum
51.	<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	F.Muell. ex Rodway, Myrtaceae	forth river peppermint
52.	<i>Eucalyptus risdonii</i>	Sieber ex DC., Myrtaceae	risdon peppermint
53.	<i>Euphrasia amphisysepala</i>	Hook.f., Myrtaceae	shiny cliff-eyebright
54.	<i>Euphrasia collina</i> subsp. <i>deflexifolia</i>	W.R.Barker, Scrophulariaceae	eastern eyebright
55.	<i>Euphrasia collina</i> subsp. <i>gunnii</i>	(Gand.) W.R.Barker, Scrophulariaceae	gunns eyebright
56.	<i>Euphrasia gibbsiae</i> subsp. <i>pulvinestrus</i>	(Du Rietz) W.R.Barker, Scrophulariaceae	cushionplant eyebright
57.	<i>Euphrasia gibbsiae</i> subsp. <i>wellingtonensis</i>	W.R.Barker, Scrophulariaceae	mt wellington eyebright
58.	<i>Eutaxia microphylla</i>	(R.Br.) C.H.Wright & Dewar, Fabaceae	spiny bushpea
59.	<i>Frankenia pauciflora</i> var. <i>gunnii</i>	Summerh., Frankeniaceae	southern seaheath
60.	<i>Geococcus pusillus</i>	J.Drumm. ex Harv., Brassicaceae	earth cress
61.	<i>Geum talbotianum</i>	W.M.Curtis, Rosaceae	tasmanian snowrose
62.	<i>Glossostigma elatinoides</i>	(Benth.) Benth. ex Hook.f., Scrophulariaceae	small mudmat
66.	<i>Gynatrix pulchella</i>	(Willd.) Alef., Malvaceae	fragrant hempbush
67.	<i>Gyrostemon thesioides</i>	(Hook.f.) A.S.George, Gyrostemonaceae	broom wheelfruit
68.	<i>Haloragis heterophylla</i>	Brongn., Haloragaceae	variable raspwort
69.	<i>Haloragis myriocarpa</i>	Orchard, Haloragaceae	prickly raspwort
70.	<i>Hedycarya angustifolia</i>	A.Cunn., Monimiaceae	australian mulberry
70A.	<i>Hibbertia rufa</i>	N.A.Wakef., Dilleniaceae	brown guineaflower
71.	<i>Hibbertia virgata</i>	R.Br. ex DC., Dilleniaceae	twiggy guineaflower
72.	<i>Hovea corrickiae</i>	J.H.Ross, Fabaceae	glossy purplepea
73.	<i>Hovea montana</i>	(Hook.f.) J.H.Ross, Fabaceae	mountain purplepea
74.	<i>Hovea tasmanica</i>	I.Thomps. & J.H.Ross, Fabaceae	rockfield purplepea
75.	<i>Hydrocotyle comocarpa</i>	F.Muell., Apiaceae	fringe-fruit pennywort
76.	<i>Lasiopetalum baueri</i>	Steetz, Sterculiaceae	slender velvetbush
77.	<i>Lasiopetalum discolor</i>	Hook., Sterculiaceae	coast velvetbush
78.	<i>Lasiopetalum micranthum</i>	Hook.f., Sterculiaceae	tasmanian velvetbush
79.	<i>Lepidium flexicaule</i>	Kirk, Brassicaceae	springy pepperpress
80.	<i>Leucopogon affinis</i>	R.Br., Epacridaceae	lance beardheath
81.	<i>Leucopogon esquamatus</i>	R.Br., Epacridaceae	swamp beardheath
83.	<i>Leucopogon virgatus</i> var. <i>brevifolius</i>	Benth., Epacridaceae	shortleaf beardheath
84.	<i>Limonium australe</i> var. <i>australe</i>	(R.Br.) Kuntze, Plumbaginaceae	yellow sea-lavender
84A.	<i>Liparophyllum exaltatum</i>	(Sol. ex Sims) Tippet & Les, Menyanthaceae	erect marshflower
85.	<i>Lobelia rhombifolia</i>	de Vriese, Campanulaceae	tufted lobelia
86.	<i>Lotus australis</i>	Andrews, Fabaceae	australian trefoil
87.	<i>Melaleuca pustulata</i>	Hook.f., Myrtaceae	warty paperbark
88.	<i>Micranthemum serpentinum</i>	Orchard, Euphorbiaceae	western tridentbush
90.	<i>Monotoca submutica</i> var. <i>autumnalis</i>	Jarman, Epacridaceae	roundleaf broomheath
91.	<i>Muehlenbeckia axillaris</i>	(Hook.f.) Endl., Polygonaceae	matted lignum
92.	<i>Myriophyllum muelleri</i>	Sond., Haloragaceae	hooded watermilfoil
93.	<i>Odivia achlaena</i>	(D.I.Morris) Orchard, Asteraceae	golden everlastingbush
94.	<i>Olearia hookeri</i>	(Sond.) Benth., Asteraceae	crimsontip daisybush
95.	<i>Orites milliganii</i>	Meisn., Proteaceae	toothed orites
96.	<i>Ozothamnus lycopodioides</i>	Hook.f., Asteraceae	clubmoss everlastingbush
97.	<i>Pandorea pandorana</i>	(Andrews) Steenis,	wonga vine

98.	<i>Parietaria debilis</i>	Bignoniaceae	shade pellitory
99.	<i>Pentachondra ericifolia</i>	G.Forst., Urticaceae	fine frillyheath
101.	<i>Persoonia moscalii</i>	Hook.f., Epacridaceae	creeping geebung
102.	<i>Persoonia muelleri</i> subsp. <i>angustifolia</i>	Orchard, Proteaceae	narrowleaf geebung
103.	<i>Phyllangium distylis</i>	(Benth.) L.A.S.Johnson & P.H.Weston, Proteaceae	tiny mitrewort
104.	<i>Pimelea curviflora</i> var. <i>gracilis</i>	(F.Muell.) Dunlop, Loganiaceae	slender curved riceflower
105.	<i>Pimelea curviflora</i> var. <i>sericea</i>	(R.Br.) Threlfall, Thymelaeaceae	silky curved riceflower
106.	<i>Pimelea flava</i> subsp. <i>flava</i>	Benth., Thymelaeaceae	yellow riceflower
107.	<i>Pimelea milliganii</i>	R.Br., Thymelaeaceae	silver riceflower
108.	<i>Planocarpa nitida</i>	Meisn., Thymelaeaceae	black cheeseberry
109.	<i>Planocarpa sulcata</i>	(Jarman) C.M.Weiller, Epacridaceae	grooved cheeseberry
110.	<i>Plantago debilis</i>	(Mihaich) C.M.Weiller, Epacridaceae	shade plantain
111.	<i>Plantago glacialis</i>	R.Br., Plantaginaceae	small star plantain
112.	<i>Pomaderris intermedia</i>	B.G.Briggs, Carolin & Pulley, Plantaginaceae	lemon dogwood
113.	<i>Pomaderris oraria</i> subsp. <i>oraria</i>	Sieber ex DC., Rhamnaceae	bassian dogwood
114.	<i>Pomaderris paniculosa</i> subsp. <i>paralia</i>	F.Muell. ex Reissek, Rhamnaceae	shining dogwood
115.	<i>Pomaderris phyllicifolia</i> subsp. <i>ericoides</i>	N.G.Walsh, Rhamnaceae	revolute narrowleaf dogwood
115A.	<i>Pomaderris phyllicifolia</i> subsp. <i>phyllicifolia</i>	(Maiden & Betche) N.G.Walsh & Coates, Rhamnaceae	narrowleaf dogwood
116.	<i>Ranunculus acaulis</i>	Lodd. ex Link, Rhamnaceae	dune buttercup
117.	<i>Ranunculus collicola</i>	Banks & Sol. ex DC., Ranunculaceae	lake augusta buttercup
118.	<i>Ranunculus jugosus</i>	Menadue, Ranunculaceae	twinned buttercup
119.	<i>Ranunculus pumilio</i> var. <i>pumilio</i>	Menadue, Ranunculaceae	fern buttercup
121.	<i>Rhodanthe anthemoides</i>	R.Br. ex DC., Ranunculaceae	chamomile sunray
123A.	<i>Schenkia australis</i>	(Spreng.) Paul G.Wilson, Asteraceae	spike centaury
124.	<i>Scleranthus brockieii</i>	(R.Br.) G.Mans., Gentianaceae	mountain knawel
125.	<i>Scutellaria humilis</i>	P.A.Will., Caryophyllaceae	dwarf scullcap
126.	<i>Senecio squarrosus</i>	R.Br., Lamiaceae	leafy fireweed
128.	<i>Sicyos australis</i>	A.Rich., Asteraceae	star cucumber
129.	<i>Siloxerus multiflorus</i>	Endl., Cucurbitaceae	small wrinklewort
130.	<i>Spyridium parvifolium</i> var. <i>molle</i>	Nees, Asteraceae	soft dustymiller
131.	<i>Spyridium parvifolium</i> var. <i>parvifolium</i>	(Hook.f.) Benth., Rhamnaceae	coast dustymiller
132.	<i>Spyridium vexilliferum</i> var. <i>vexilliferum</i>	(Hook.) F.Muell., Rhamnaceae	helicopter bush
134.	<i>Stellaria multiflora</i> subsp. <i>nebulosa</i>	(Hook.) Reissek, Rhamnaceae	nebulous rayless starwort
135.	<i>Stylidium beaugleholei</i>	C.H.Mill. & J.G.West, Caryophyllaceae	blushing triggerplant
136.	<i>Stylidium despectum</i>	J.H.Willis, Stylidiaceae	small triggerplant
137.	<i>Stylidium perpusillum</i>	R.Br., Stylidiaceae	tiny triggerplant
138.	<i>Taraxacum aristum</i>	Hook.f., Stylidiaceae	mountain dandelion
139.	<i>Tetradthea ciliata</i>	Hagl. & Markl., Asteraceae	northern pinkbells
140.	<i>Teucrium corymbosum</i>	Lindl., Tremandraceae	forest germander
141.	<i>Utricularia australis</i>	R.Br., Lamiaceae	yellow bladderwort
142.	<i>Utricularia tenella</i>	R.Br., Lentibulariaceae	pink bladderwort
143.	<i>Utricularia violacea</i>	R.Br., Lentibulariaceae	violet bladderwort
144.	<i>Veronica plebeia</i>	R.Br., Scrophulariaceae	trailing speedwell
146.	<i>Viola caleyana</i>	G.Don, Violaceae	swamp violet
147.	<i>Viola cunninghamii</i>	Hook.f., Violaceae	alpine violet
148.	<i>Viola hederacea</i> subsp. <i>curtisiae</i>	L.G.Adams, Violaceae	montane ivyleaf
148A.	<i>Vittadinia burbidgeae</i>	A.M.Gray & Rozefelds, Asteraceae	smooth new-holland-daisy
149.	<i>Vittadinia cuneata</i> var. <i>cuneata</i>	DC., Asteraceae	fuzzy new-holland-daisy
150.	<i>Vittadinia gracilis</i>	(Hook.f.) N.T.Burb., Asteraceae	woolly new-holland-daisy
151.	<i>Vittadinia muelleri</i>	Asteraceae	narrowleaf new-holland-daisy
152.	<i>Westringia angustifolia</i>	N.T.Burb., Asteraceae	narrowleaf westringia
154.	<i>Wilsonia humilis</i>	R.Br., Lamiaceae	silky wilsonia
155.	<i>Wilsonia rotundifolia</i>	R.Br., Convolvulaceae	roundleaf wilsonia
156.	<i>Xerochrysum bicolor</i>	Hook., Convolvulaceae	eastcoast everlasting
157.	<i>Zieria littoralis</i>	(Lindl.) R.J.Bayer, Asteraceae	downy zieria
		J.A.Armstr., Rutaceae	

Division 2 - Monocotyledonae

[Division 2 of Part 2 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 2 of Part 2 of Schedule 5 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009] [Division 2 of Part 2 of Schedule 5 Amended by S.R. 2011, No. 15, Applied:23 Mar 2011] [Division 2 of Part 2 of Schedule 5 Amended by S.R. 2011, No. 101, Applied:05 Oct 2011] [Division 2 of Part 2 of Schedule 5 Amended by S.R. 2012, No. 83, Applied:26 Sep 2012] [Division 2 of Part 2 of Schedule 5 Amended by S.R. 2016, No. 27, Applied:27 Apr 2016] [Division 2 of Part 2 of Schedule 5 Amended by S.R. 2016, No. 82, Applied:05 Oct 2016]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
2.	<i>Agrostis australiensis</i>	Mez, Poaceae	southern bent
3.	<i>Agrostis diemenica</i>	D.I.Morris, Poaceae	flatleaf southern bent
4.	<i>Amphibromus neesii</i>	Steud., Poaceae	southern swampgrass
5.	<i>Aphelia gracilis</i>	Sond., Centrolepidaceae	slender fanwort
6.	<i>Aphelia pumilio</i>	F.Muell. ex Sond., Centrolepidaceae	dwarf fanwort
8.	<i>Australopyrum velutinum</i>	(Nees) B.K.Simon, Poaceae	velvet wheatgrass
11.	<i>Austrostipa bigeniculata</i>	(Hughes) S.W.L.Jacobs & J.Everett, Poaceae	doublejointed speargrass
12.	<i>Austrostipa blackii</i>	(C.E.Hubb.) S.W.L.Jacobs & J.Everett, Poaceae	crested speargrass
14.	<i>Austrostipa scabra</i>	(Lindl.) S.W.L.Jacobs & J.Everett, Poaceae	rough speargrass
15.	<i>Baumea articulata</i>	(R.Br.) S.T.Blake, Cyperaceae	jointed twigsedge
16.	<i>Baumea gunnii</i>	(Hook.f.) S.T.Blake, Cyperaceae	slender twigsedge
17.	<i>Bolboschoenus caldwellii</i>	(V.J.Cook) Sojak, Cyperaceae	sea clubsedge
18.	<i>Bolboschoenus medianus</i>	(V.J.Cook) Sojak, Cyperaceae	marsh clubsedge
19.	<i>Caesia calliantha</i>	R.J.F.Hend., Liliaceae	blue grasslily
20.	<i>Caladenia filamentosa</i>	R.Br., Orchidaceae	daddy longlegs
21.	<i>Caladenia pusilla</i>	W.M.Curtis, Orchidaceae	tiny fingers
22.	<i>Carex capillacea</i>	Boott, Cyperaceae	yellowleaf sedge
23.	<i>Carex cephalotes</i>	F.Muell., Cyperaceae	snow sedge
24.	<i>Carex gunniana</i>	Boott, Cyperaceae	mountain sedge
25.	<i>Carex hypandra</i>	F.Muell. ex Benth., Cyperaceae	dark fen sedge
26.	<i>Carex longebrachiata</i>	Boeck., Cyperaceae	drooping sedge
27.	<i>Caustis pentandra</i>	R.Br., Cyperaceae	thick twistsedge
28.	<i>Centrolepis strigosa</i> subsp. <i>pulvinata</i>	(R.Br.) D.A.Cooke, Centrolepidaceae	bassian bristlewort
29.	<i>Corunastylis nuda</i>	(Hook.f.) D.L.Jones & M.A.Clem., Orchidaceae	tiny midge-orchid
30.	<i>Cyrtostylis robusta</i>	D.L.Jones & M.A.Clem., Orchidaceae	large gnat-orchid
31.	<i>Damasonium minus</i>	(R.Br.) Buchenau, Alismataceae	starfruit
32.	<i>Deschampsia gracillima</i>	Kirk, Poaceae	slender hairgrass
33.	<i>Deyeuxia apseyensis</i>	D.I.Morris, Poaceae	apsley bentgrass
35.	<i>Deyeuxia brachyathera</i>	(Stapf) Vickery, Poaceae	short bentgrass
36.	<i>Deyeuxia decipiens</i>	(R.Br.) Vickery, Poaceae	trickery bentgrass
38.	<i>Deyeuxia minor</i>	F.Muell. ex Benth., Poaceae	small bentgrass
39.	<i>Dianella amoena</i>	G.W.Carr & P.F.Horsfall, Liliaceae	grassland flaxlily
40.	<i>Dryopoa dives</i>	(F.Muell.) Vickery, Poaceae	giant mountaingrass
41.	<i>Hierochloa rariflora</i>	Hook.f., Poaceae	cane holygrass
42.	<i>Hydrochis orbicularis</i>	(R.S.Rogers) D.L.Jones & M.A.Clem., Orchidaceae	swamp onion-orchid
44.	<i>Isolepis habra</i>	(Edgar) Sojak, Cyperaceae	wispy clubsedge
45.	<i>Isolepis stellata</i>	(C.B.Clarke) K.L.Wilson, Cyperaceae	star clubsedge
46.	<i>Juncus amabilis</i>	Edgar, Juncaceae	gentle rush
47.	<i>Juncus fockei</i>	Buchenau, Juncaceae	slender jointleaf rush
48.	<i>Juncus prismatocarpus</i>	R.Br., Juncaceae	branching rush
49.	<i>Juncus vaginatus</i>	R.Br., Juncaceae	clustered rush
50.	<i>Lachnagrostis billardierei</i> subsp. <i>tenuiseta</i>	(D.I.Morris) S.W.L.Jacobs, Poaceae	small-awn blowngrass
51.	<i>Lachnagrostis punicea</i> subsp. <i>filifolia</i>	(Vickery) S.W.L.Jacobs, Poaceae	narrowleaf blowngrass
52.	<i>Lachnagrostis punicea</i> subsp. <i>punicea</i>	(A.J.Br. & N.G.Walsh) S.W.L.Jacobs, Poaceae	bristle blowngrass

53.	<i>Lachnagrostis robusta</i>	(Vickery) S.W.L.Jacobs, Poaceae	tall blowgrass
55.	<i>Lepidosperma forsythii</i>	A.A.Hamilton, Cyperaceae	stout rapiersedge
56.	<i>Lepidosperma tortuosum</i>	F.Muell., Cyperaceae	twisting rapiersedge
57.	<i>Lepidosperma viscidum</i>	R.Br., Cyperaceae	sticky swordgrass
58.	<i>Lepilaena marina</i>	E.L.Robertson, Zannichelliaceae	sea watermat
59.	<i>Lepilaena patentifolia</i>	E.L.Robertson, Zannichelliaceae	spreading watermat
60.	<i>Lepilaena preissii</i>	(Lehm.) F.Muell., Zannichelliaceae	slender watermat
61.	<i>Luzula atrata</i>	Edgar, Juncaceae	slender woodrush
62.	<i>Microtidium atratum</i>	(Lindl.) D.L.Jones & M.A.Clem., Orchidaceae	yellow onion-orchid
63.	<i>Milligania johnstonii</i>	F.Muell. ex Benth., Liliaceae	shortleaf milligania
64.	<i>Milligania longifolia</i>	Hook.f., Liliaceae	longleaf milligania
65.	<i>Orthoceras strictum</i>	R.Br., Orchidaceae	horned orchid
66.	<i>Poa halmaturina</i>	J.M.Black, Poaceae	dune tussockgrass
67.	<i>Poa mollis</i>	Vickery, Poaceae	soft tussockgrass
70.	<i>Prasophyllum tadgellianum</i>	R.S.Rogers, Orchidaceae	tadgells leek-orchid
70A.	<i>Pterostylis atriola</i>	D.L.Jones, Orchidaceae	snug greenhood
72.	<i>Pterostylis grandiflora</i>	R.Br., Orchidaceae	superb greenhood
73.	<i>Pterostylis sanguinea</i>	D.L.Jones & M.A. Clem., Orchidaceae	banded greenhood
75.	<i>Puccinellia perlaxa</i>	(Stapf ex N.G.Walsh) N.G. Walsh & A.R.Williams, Poaceae	spreading saltmarshgrass
76.	<i>Ruppia megacarpa</i>	R.Mason, Ruppiales	largefruit seatassel
77.	<i>Ruppia tuberosa</i>	J.S.Davis & Toml., Ruppiales	tuberous seatassel
77A.	<i>Rytidosperma indutum</i>	(Vickery) Connor & Edgar, Poaceae	tall wallabygrass
77C.	<i>Rytidosperma remotum</i>	(D.I.Morris) A.M.Humphreys & H.P.Linder, Poaceae	remote wallabygrass
78.	<i>Schoenoplectus tabernaemontani</i>	(C.C.Gmel.) Palla, Cyperaceae	river clubsedge
79.	<i>Schoenus brevifolius</i>	R.Br., Cyperaceae	zigzag bogsedge
81A.	<i>Stuckenia pectinata</i>	(L.) Borner, Potamogetonaceae	fennel pondweed
82.	<i>Thelymitra holmesii</i>	Nicholls, Orchidaceae	bluestar sun-orchid
83.	<i>Thelymitra mucida</i>	Fitzg., Orchidaceae	plum sun-orchid
84.	<i>Thismia rodwayi</i>	F.Muell., Burmanniaceae	fairly lanterns
85.	<i>Tricostularia pauciflora</i>	(F.Muell.) Benth., Cyperaceae	needle bogsedge
86.	<i>Triglochin minutissima</i>	F.Muell., Juncaginaceae	tiny arrowgrass
87.	<i>Trithuria submersa</i>	Hook.f., Hydatellaceae	submerged watertuft
88.	<i>Uncinia elegans</i>	(Kük.) Hamlin, Cyperaceae	handsome hooksedge
89.	<i>Vallisneria australis</i>	S.W.L.Jacobs & Les, Hydrocharitaceae	river ribbons

Division 3 - Pteridophyta

[Division 3 of Part 2 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 3 of Part 2 of Schedule 5 Amended by S.R. 2009, No. 200, Applied:30 Dec 2009]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Hypolepis muelleri</i>	N.A.Wakef., Dennstaedtiaceae	harsh groundfern
2.	<i>Isoetes drummondii</i> subsp. <i>drummondii</i>	A.Braun, Isoetaceae	plain quillwort
3.	<i>Isoetes elatior</i>	F.Muell. ex A.Braun, Isoetaceae	tall quillwort
4.	<i>Isoetes humilior</i>	F.Muell. ex A.Braun, Isoetaceae	veiled quillwort
5.	<i>Isoetes</i> sp. Maxwell River	(S.J.Jarman HO314082) Tas. Herbarium, Isoetaceae	limestone quillwort
6.	<i>Pellaea calidirupium</i>	Brownsey & Lovis, Adiantaceae	hotrock fern
7.	<i>Phylloglossum drummondii</i>	Kunze, Lycopodiaceae	pygmy clubmoss
8.	<i>Pilularia novae-hollandiae</i>	A.Braun, Marsileaceae	australian pillwort

Division 4 - Bryophytes

[Division 4 of Part 2 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008] [Division 4 of Part 2 of Schedule 5 Amended by S.R. 2008, No. 120, Applied:08 Oct 2008]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Ambuchanania leucobryoides</i>	(Yamaguchi, Seppelt, Iwatsuki & Buchanan) Seppelt & Crum, Ambuchananiaceae	daisy pan moss

Division 5 - Algae

[Division 5 of Part 2 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Cystoseira trinodis</i>	(Forsskal) C.Agardh, Cystoseiraceae	brown alga

Division 6 - Lichens

[Division 6 of Part 2 of Schedule 5 Inserted by S.R. 2008, No. 43, Applied:21 May 2008]

	Column 1 Species	Column 2 Authority, Family	Column 3 Common name
1.	<i>Calycidium cuneatum</i>	Stirt., Calycidiaceae	–
2.	<i>Calycidium polycarpum</i>	(Colenso) Wedin, Calycidiaceae	–
3.	<i>Cetraria islandica</i> subsp. <i>antarctica</i>	Kärnefelt, Parmeliaceae	–
4.	<i>Hypotrachyna immaculata</i>	(Kurok.) Hale, Parmeliaceae	–
5.	<i>Parmelina whinrayi</i>	(Elix) Kantvilas & Elix, Parmeliaceae	–
6.	<i>Parmeliopsis ambigua</i>	(Wulf.) Nyl., Parmeliaceae	–
7.	<i>Parmeliopsis hyperopta</i>	(Ach.) Arnold, Parmeliaceae	–
8.	<i>Parmotrema crinitum</i>	(Ach.) M.Choisy, Parmeliaceae	–
9.	<i>Teloschistes flavicans</i>	(Sw.) Norm., Teloschistaceae	golden-hair lichen
10.	<i>Xanthoparmelia graniticola</i>	(Elix & Kantvilas) O.Blanco, A.Crespo, Elix, D.Hawksw. & Lumbsch, Parmeliaceae	–
11.	<i>Xanthoparmelia microphyllizans</i>	Elix, Parmeliaceae	–
12.	<i>Xanthoparmelia oleosa</i>	(Elix & P.Armstr.) Elix & T.H.Nash, Parmeliaceae	–
13.	<i>Xanthoparmelia vicaria</i>	Elix & J.Johnst., Parmeliaceae	–
14.	<i>Xanthoparmelia vicariella</i>	Elix & Kantvilas, Parmeliaceae	–

PART 3

[Part 3 of Schedule 5 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 3 of Schedule 5 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 3 of Schedule 5 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 3 of Schedule 5 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 3 of Schedule 5 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 3 of Schedule 5 Amended by S.R. 2006, No. 1, Applied:25 Jan 2006] [Part 3 of Schedule 5 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

PART 4

[Part 4 of Schedule 5 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 4 of Schedule 5 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 4 of Schedule 5 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 4 of Schedule 5 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 4 of Schedule 5 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 4 of Schedule 5 Amended by S.R. 2006, No. 1, Applied:25 Jan 2006] [Part 4 of Schedule 5 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

PART 5

[Part 5 of Schedule 5 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 5 of Schedule 5 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 5 of Schedule 5 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

PART 5A

[Part 4 of Schedule 5 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 5A of Schedule 5 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 5A of Schedule 5 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

PART 6

[Part 6 of Schedule 5 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 6 of Schedule 5 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]

PART 7

[Part 7 of Schedule 5 Inserted by S.R. 2001, No. 70, Applied:27 Jun 2001] [Part 7 of Schedule 5 Amended by S.R. 2002, No. 26, Applied:24 Apr 2002] [Part 7 of Schedule 5 Amended by S.R. 2002, No. 156, Applied:18 Dec 2002] [Part 7 of Schedule 5 Amended by S.R. 2003, No. 90, Applied:06 Aug 2003] [Part 7 of Schedule 5 Amended by S.R. 2004, No. 38, Applied:09 Jun 2004] [Part 7 of Schedule 5 Amended by S.R. 2005, No. 34, Applied:04 May 2005] [Part 7 of Schedule 5 Repealed by S.R. 2008, No. 43, Applied:21 May 2008]