



New South Wales

# National Parks and Wildlife Amendment (Protected Native Plants) Order 2009

under the

National Parks and Wildlife Act 1974

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 115 (2) of the *National Parks and Wildlife Act 1974*, make the following Order.

Dated, this 8th day of April 2009.

By Her Excellency's Command,

CARMEL TEBBUTT, M.P.,  
Minister for Climate Change and the Environment

## Explanatory note

The object of this Order is to substitute Schedule 13 to the *National Parks and Wildlife Act 1974* (*the Act*) (the Schedule that classifies certain plants as protected native plants). The consequences of a plant being classified as a protected native plant are:

- (a) section 115A of the Act provides for the preparation of plans of management for any commercial activity relating to a species or group of species of protected native plant if the Director-General of the Department of Environment and Climate Change is of the opinion that the activity has the potential to affect adversely the conservation of the species or group, and
- (b) section 116 of the Act prevents the issue of licences under the *Forestry Act 1916* for the removal of protected native plants from any State forest, timber reserve or Crown land, and
- (c) section 117 of the Act restricts the picking or possession of protected native plants, and
- (d) section 118 of the Act restricts the selling of protected native plants.

This Order is made under section 115 of the *National Parks and Wildlife Act 1974*.

**2009 No 138**

Clause 1

National Parks and Wildlife Amendment (Protected Native Plants) Order  
2009

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**National Parks and Wildlife Amendment (Protected  
Native Plants) Order 2009**

under the

National Parks and Wildlife Act 1974

**1 Name of Order**

This Order is the *National Parks and Wildlife Amendment (Protected Native Plants) Order 2009*.

**2 Commencement**

This Order takes effect on the day on which it is published in the Gazette.

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## Schedule 1 Amendment of National Parks and Wildlife Act 1974 No 80

### Schedule 13

Omit the Schedule. Insert instead:

## Schedule 13 Protected native plants

(Sections 5 (1), 115)

### Part 1 Plant parts used in the cut-flower industry

Scientific Name	Common Name(s)
<b>Group 1</b>	
<b>Group 2</b>	
<i>Adiantum</i> spp.	Maidenhair Fern
<i>Archontophoenix cunninghamiana</i>	Bangalow Palm (foliage only)
<i>Baeckea linifolia</i>	Weeping Baeckea
<i>Baeckea virgata</i>	Twiggy Heath Myrtle, Tall Baeckea
<i>Banksia spinulosa</i>	Hairpin Banksia
<i>Cassinia aureonitens</i>	Yellow Cassinia
<i>Caustis</i> spp., native to NSW	Curly Sedges, Old Man's Whiskers
<i>Cordyline stricta</i>	Narrow-leaved Palm Lily
<i>Crowea exalata</i>	Crowea
<i>Crowea saligna</i>	Crowea
<i>Davallia pyxidata</i>	Hare's Foot Fern
<i>Dodonaea lobulata</i>	Lobed-leaved Hop Bush
<i>Eriostemon</i> spp. native to NSW (unless listed under the <i>Threatened Species Conservation Act 1995</i> )	
<i>Gahnia sieberiana</i>	Red-fruited Saw Sedge
<i>Isopogon</i> spp., native to NSW	Drumsticks, Cone Bushes
<i>Kunzea ambigua</i>	Tick Bush
<i>Kunzea capitata</i>	Pink Kunzea

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## Schedule 1 Amendment of National Parks and Wildlife Act 1974 No 80

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<b>Scientific Name</b>	<b>Common Name(s)</b>
<i>Leptospermum lanigerum</i>	Woolly Tea-tree
<i>Leptospermum rotundifolium</i>	Round-leaf Tea-tree
<i>Livistona australis</i> (foliage only)	Cabbage Tree Palm, Fan Palm
<i>Lomatia silaifolia</i>	Crinkle Bush
<i>Persoonia</i> spp., native to NSW (except <i>P. pinifolia</i> and all species listed under the <i>Threatened Species Conservation Act 1995</i> )	Geebungs
<i>Petrophile</i> spp., native to NSW	Conesticks
<i>Phebalium squamulosum</i>	Scaly Phebalium
<i>Philotheca</i> spp., native to NSW (except <i>P. obovalis</i> and all species listed under the <i>Threatened Species Conservation Act 1995</i> )	Philotheca
<i>Ptilotus exaltatus</i>	Tall Mulla Mulla
<i>Ptilotus obovatus</i>	Smoke Bush, Cotton Bush
<i>Pycnosorus</i> spp., native to NSW	Billy-buttons
<i>Restio tetraphyllus</i>	Tassel-rush
<i>Sprengelia incarnata</i>	Pink Swamp Heath
<i>Sticherus flabellatus</i>	Shiny Fan-fern, Umbrella Fern
<i>Swainsona formosa</i>	Sturt's Desert Pea
<i>Tmesipteris</i> spp., native to NSW	Ferns
<i>Xanthorrhoea</i> spp. (foliage only)	Grass Trees
<i>Xylomelum</i> spp., native to NSW	Woody Pear
Zamiaceae, native to NSW	Cycads
<b>Group 3</b>	
<i>Actinotus</i> spp., native to NSW (except <i>A. minor</i> )	Flannel Flower
<i>Boronia</i> spp., native to NSW	Boronias
<i>Doryanthes excelsa</i> (foliage only)	Giant Lilies
<i>Eriostemon australasius</i>	Wax Flower
<i>Lycopodium</i> spp., native to NSW	Mountain Moss
<i>Persoonia pinifolia</i>	Pine-leaved Geebung

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Scientific Name	Common Name(s)
<i>Philotheca obovalis</i>	Wax Flower
<b>Group 4</b>	
<i>Blandfordia</i> spp.	Christmas Bells
<i>Doryanthes excelsa</i> (flowers only)	Giant Lily
<i>Xanthorrhoea</i> spp. (flowers only)	Grass Tree
<b>Group 5</b>	
<i>Boronia deanei</i>	Dean's Boronia
<i>Boronia umbellata</i>	Boronia
<i>Craspedia</i> spp., native to NSW	Billy Buttons
<i>Dicranopteris linearis</i>	
<i>Doryanthes palmeri</i>	Spear Lily
<i>Grevillea longifolia</i>	Fern-leaf Grevillea
<i>Isopogon fletcheri</i>	
<i>Leptospermum spectabile</i>	
<i>Macrozamia johnsonii</i>	Cycad
<i>Macrozamia pauli-guilielmi</i> spp. <i>flexuosa</i>	Cycad
<i>Persoonia</i> spp.	Geebung
<i>Phebalium bifidum</i>	
<i>Phebalium glandulosum</i> spp. <i>eglandulosum</i>	
<i>Philotheca ericifolia</i>	
<i>Philotheca obovatifolia</i>	Native Daphne, Long-leaf Wax Flower
<i>Telopea</i> spp., native to NSW	Waratah
All other species of plant listed in Schedule 1, 1A or 2 to the <i>Threatened Species Conservation Act 1995</i> , unless otherwise listed in this Schedule	

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Schedule 1 Amendment of National Parks and Wildlife Act 1974 No 80

Scientific Name	Common Name(s)
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All other species of plant included in the list of threatened species, as amended from time to time, established under section 178 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> of the Commonwealth and published in the Commonwealth of Australia Gazette	
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**Part 2 Whole plants**

Scientific Name	Common Name(s)
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**Group 1**

<i>Ceratopetalum gummiferum</i>	Christmas Bush
<i>Isopogon</i> spp.	Drumsticks
<i>Swainsona formosa</i>	Sturt's Desert Pea

**Group 2**

<i>Telopea aspera</i>	Gibraltar Range Waratah
<i>Telopea mongaensis</i>	Monga Waratah, Braidwood Waratah
<i>Telopea oreades</i>	Gippsland Waratah
<i>Telopea speciosissima</i>	Waratah
<i>Wollemia nobilis</i>	Wollemi Pine

**Group 3**

Arecaceae, native to NSW	Palms
<i>Asplenium australasicum</i>	Bird's-nest Fern
<i>Asplenium falcatum</i>	Fern
<i>Cyathea</i> spp.	Tree Ferns
<i>Dicksonia</i> spp.	Tree Ferns
Orchidaceae, native to NSW	Orchids
<i>Platynerium</i> , native to NSW	Elk Horn and Stag Horn
<i>Sphagnum</i> spp.	Sphagnum Mosses
<i>Todea barbara</i>	King Fern
<i>Xanthorrhoea</i> spp.	Grass Trees

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<b>Scientific Name</b>	<b>Common Name(s)</b>
<i>Zamiaceae</i> , native to NSW	Cycads
<b>Group 4</b>	
<i>Casuarina cunninghamiana</i>	River Oak
<i>Pandanus</i> spp., native to NSW	Pandanus

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