



Queensland

Nature Conservation (Wildlife) Amendment Regulation (No. 1) 2009

Subordinate Legislation 2009 No. 264

made under the

Nature Conservation Act 1992

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1 Short title

This regulation may be cited as the *Nature Conservation (Wildlife) Amendment Regulation (No. 1) 2009*.

2 Regulation amended

This regulation amends the *Nature Conservation (Wildlife) Regulation 2006*.

3 Amendment of s 5 (Scientific names)

(1) Section 5(1)(b)—

omit, insert—

‘(b) for birds that are protected wildlife—Christidis, L & Boles, WE, 2008, ‘Systematics and Taxonomy of Australian Birds’, CSIRO Publishing, Collingwood, Australia; or’.

(2) Section 5(1)(g)—

omit, insert—

‘(g) for mammals that are protected wildlife—Van Dyck, S & Strahan, R, 2008, ‘The Mammals of Australia’, 3rd edition, Reed New Holland, Sydney, Australia; or’.

(3) Section 5(1)(i), after ‘title’—

omit, insert—

“Census of the Queensland Flora”.

4 Amendment of sch 1 (Extinct in the wild wildlife)

(1) Schedule 1, part 1, section 2, ‘*Bettongia gaimardi*’—

omit, insert—

‘*Bettongia gaimardi gaimardi* eastern bettong’.

(2) Schedule 1, part 2, section 3, entries for *Dimocarpus leichhardtii*, *Diplocaulobium masonii*, *Rhaphidospora cavernarum*, *Tapeinosperma flueckigeri* and *Zieria* sp. (Russell River, Johnson, in 1892)—

omit.

- (3) Schedule 1, part 2, section 3—

insert—

‘*Embelia flueckigeri*
Goodenia arenicola’.

5 Amendment of sch 2 (Endangered wildlife)

- (1) Schedule 2, part 1, section 2, entries for *Casuarius casuarius*, *Pterodroma arminjoniana*, *Sterna albifrons* and *Xanthomyza phrygia*—

omit.

- (2) Schedule 2, part 1, section 2—

insert—

‘ <i>Anthochaera phrygia</i>	regent honeyeater
<i>Casuarius casuarius johnsonii</i> (southern population) ¹	southern cassowary (southern population)
<i>Neochmia phaeton evangelinae</i>	crimson finch (white-bellied subspecies)
<i>Poephila cincta cincta</i>	black-throated finch (white-rumped subspecies)
<i>Pterodroma heraldica</i>	Herald petrel
<i>Sternula albifrons</i>	little tern’.

1 Garnett, ST and Crowley, GM, 2000, ‘The action plan for Australian birds 2000’, Environment Australia, Canberra

- (3) Schedule 2, part 1 section 4, entry for *Hypochrysops piceatus*—

omit, insert—

‘*Hypochrysops piceata* bulloak jewel butterfly’.

- (4) Schedule 2, part 1, section 6—

insert—

‘*Phyllurus gulbaru* Gulbaru gecko’.

[s 5]

- (5) Schedule 2, part 2, section 7, entries for *Acacia ramiflora*, *Acacia* sp. (Ruined Castle Creek, Forster+ PIF17848), *Acmena* sp. (Cooper Creek, Forster+ PIF15557), *Austromyrtus fragrantissima*, *Austromyrtus gonoclada*, *Babingtonia granitica*, *Babingtonia papillosa*, *Babingtonia silvestris*, *Brachychiton* sp. (Blackwell Range, Fensham, 971), *Lasiopetalum* sp. (Proston, Baker, 17), *Leucopogon* sp. (Coolmunda, Halford, Q1635), *Muellerargia timorensis*, *Mukia* sp. (Longreach, Davidson, AQ279935), *Nepenthes mirabilis Bramston Beach population*, *Olearia* sp. (Glenavon, Forster+ PIF15039), *Phaius tancarvilleae*, *Pouteria eerwah*, *Prostanthera* sp. (Dinden, Forster+ PIF17342), *Stackhousia* sp. (McIvor River, Clarkson, 5201), *Vrydagzynea paludosa*, *Zieria* sp. (Binjour, Forster, PIF14134) and *Zieria* sp. (Brolga Park, Bean, 1002)—

omit.

- (6) Schedule 2, part 2, section 7—

insert—

'*Acacia* sp. (Ruined Castle Creek
P.I.Forster+ PIF17848)

Aristida forsteri

Forster's wire grass

Aristida thompsonii

Thompson's wire grass

Austrobryonia argillicola

Bertya recurvata

Blandfordia grandiflora

Christmas bells

Brachychiton sp. (Blackwall Range
R.J.Fensham 971)

Brachychiton sp. (Ormeau L.H.Bird
AQ435851)

Ormeau bottle tree

Clausena smyrelliana

Commersonia inglewoodensis

Commersonia pearnii

Croton caudatus

Croton mamillatus

Bahrs Scrub croton

Cymbonotus maidenii

Eleocharis difformis

<i>Eriocaulon aloefolium</i>	
<i>Eriocaulon giganteum</i>	
<i>Glossocardia orthochaeta</i>	
<i>Gossia fragrantissima</i>	sweet myrtle, small-leaved myrtle
<i>Gossia gonoclada</i>	angle-stemmed myrtle
<i>Gyrostemon osmus</i>	
<i>Kardomia granitica</i>	
<i>Kardomia silvestris</i>	
<i>Lasiopetalum</i> sp. (Proston J.A.Baker 17)	
<i>Lepisanthes senegalensis</i>	
<i>Leucopogon</i> sp. (Coolmunda D.Halford Q1635)	
<i>Melaleuca uxorum</i>	
<i>Musa jackeyi</i>	native banana, erect banana
<i>Nepenthes mirabilis</i> (Bramston Beach population)	pitcher plant (Bramston Beach population)
<i>Notelaea ipsviciensis</i>	Cooneana olive
<i>Olearia macdonnellensis</i>	
<i>Parsonsia largiflorens</i>	large-leaved silkpod
<i>Parsonsia wongabelensis</i>	arrowhead vine
<i>Phebalium distans</i>	
<i>Planchonella eerwah</i>	Eerwah plum, shiny-leaved coondoo
<i>Prostanthera</i> sp. (Dinden P.I.Forster+ PIF17342)	
<i>Rhodamnia longisepala</i>	
<i>Sannantha papillosa</i>	
<i>Solanum angustum</i>	
<i>Solanum dissectum</i>	
<i>Solanum elachophyllum</i>	
<i>Solanum graniticum</i>	
<i>Solanum johnsonianum</i>	
<i>Solanum mentiens</i>	Boonah solanum

[s 6]

Stackhousia sp. (McIvor River
J.R.Clarkson 5201)

Syzygium glenum

satinash

Trioncinia patens

Peak Downs daisy

Vrydagzynea grayi

Westringia grandifolia

Zieria actites

Zieria bifida

Zieria exsul

Zieria graniticola

Zieria inexpectata

Zieria vagans

Binjour zieria’.

6 Amendment of sch 3 (Vulnerable wildlife)

- (1) Schedule 3, part 1, section 1(1), entry for *Litoria andiirmalin*, column 2, ‘Cape Melville tree frog’—

omit, insert—

‘Melville Range treefrog’.

- (2) Schedule 3, part 1, section 2, entries for *Cacatua leadbeateri*, *Casuarus casuarus*, *Esacus neglectus*, *Neochmia phaeton*, *Pezoporus wallicus*, *Poephila cincta cincta*, *Rostratula benghalensis* and *Tyto novaehollandiae kimberlyi*—

omit.

- (3) Schedule 3, part 1, section 2—

insert—

‘*Casuarus casuarus johnsonii*
(northern population)¹

southern cassowary (northern
population)

Diomedea antipodensis antipodensis

antipodean albatross

Diomedea antipodensis gibsoni

Gibson’s albatross

Diomedea exulans

wandering albatross

Esacus magnirostris

beach stone-curlew

Lophochroa leadbeateri

Major Mitchell’s cockatoo

*Pezoporus wallicus wallicus*²

ground parrot

<i>Phoebetria fusca</i>	sooty albatross
<i>Rostratula australis</i>	Australian painted snipe
<i>Thalassarche bulleri</i>	Buller's albatross
<i>Thalassarche carteri</i>	Indian yellow-nosed albatross
<i>Thalassarche cauta</i>	shy albatross
<i>Thalassarche chrysostoma</i>	grey-headed albatross
<i>Thalassarche steadi</i>	white-capped albatross
<i>Tyto novaehollandiae kimberli</i> ³	masked owl (northern subspecies) ¹ .

-
- 1 Garnett, ST and Crowley, GM, 2000, 'The action plan for Australian birds 2000', Environment Australia, Canberra
 - 2 Garnett, ST and Crowley, GM, 2000, 'The action plan for Australian birds 2000', Environment Australia, Canberra
 - 3 Garnett, ST and Crowley, GM, 2000, 'The action plan for Australian birds 2000', Environment Australia, Canberra

(4) Schedule 3, part 1, section 4, entry for *Jalmenus evagoras eubulus*—

omit, insert—

'*Jalmenus eubulus*¹ pale imperial hairstreak'.

-
- 1 Eastwood, R, Braby, MF, Schmidt, DJ and Hughes, JM, 2008, 'Taxonomy, ecology, genetics and conservation status of the pale imperial hairstreak (*Jalmenus eubulus*) (Lepidoptera: Lycaenidae): a threatened butterfly from the Brigalow Belt, Australia', 'Invertebrate Systematics', vol 22, pp 407–423

(5) Schedule 3, part 1, section 5(1), entries for *Arctocephalus tropicalis*, *Petaurus australis reginae*, *Petrogale lateralis purpureicollis*, *Potorous tridactylus*, *Pteropus macrotis epularis*, *Pteropus* sp. nov. and *Rhinonictes aurantius*—

omit.

(6) Schedule 3, part 1, section 5(1)—

insert—

'*Arctocephalus tropicalis* Subantarctic fur seal
Chalinolobus dwyeri large-eared pied bat

[s 6]

<i>Petaurus australis</i> unnamed subsp. ¹	yellow-bellied glider (northern subspecies)
<i>Petrogale purpureicollis</i>	purple-necked rock-wallaby
<i>Potorous tridactylus tridactylus</i>	long-nosed potoroo
<i>Pteropus alecto</i>	Torresian flying-fox
<i>Pteropus macrotis epularius</i>	large-eared flying-fox
<i>Rhinonictoris aurantia</i>	orange leaf-nosed bat ¹ .

-
- 1 Brown, M, Cooksley, H, Carthew, SM and Cooper, SJB, 2006, 'Conservation units and phylogeographic structure of an arboreal marsupial, the yellow-bellied glider (*Petaurus australis*)', 'Australian Journal of Zoology', vol 54, pp 305–317

(7) Schedule 3, part 1, section 6—

insert—

'Carlia scirtetis

Eulamprus frerei

Eulamprus luteilateralis

Lerista ameles

Menetia sadlieri

Nactus galgajuga

*Orraya occultus*¹

Phyllurus caudiannulatus

ringed thin-tailed gecko

Phyllurus isis

*Techmarscincus jigurru*².

-
- 1 Couper, PJ, Schneider, CJ, Hoskin, CJ and Covacevich, JA, 2000, 'Australian leaf-tailed geckos: phylogeny, a new genus, two new species and other new data', 'Memoirs of the Queensland Museum', vol 45, pp 253–265
- 2 Wells, RW, Wellington, CR, 1985, 'A classification of the Amphibia and Reptilia of Australia', 'Australian Journal of Herpetology Supplementary Series', vol 1, pp 1–61

(8) Schedule 3, part 2, section 7, entries for *Acacia chinchillensis*, *Acacia perangusta*, *Acacia* sp. (Gwambagwine, Carter, 2), *Acriopsis javanica*, *Actephila* sp. (Koumala, Champion, 870), *Babingtonia squarrulosa*, *Babingtonia tozerensis*, *Boronia* sp. (Aranbanga Creek, Grimshaw+ PG2597), *Callistemon pungens*, *Callistemon* sp. (Bouliia, Pedley, 5297), *Canthium*

sp. (Thursday Island, Cowley, 10), *Cliffordiochloa parvispicula*, *Commersonia* sp. (Beeron, Forster PIF4658), *Floydia praealt*, *Gaultheria* sp. (Mt Merino, Leiper, AQ502686), *Gulubia costata*, *Huperzia prolifera*, *Lepturus* sp. (Chillagoe, Godwin, C2576), *Macadamia claudiensis*, *Macrozamia fearnsidei*, *Prostanthera* sp. (Dunmore, Gordon, 8A), *Prostanthera* sp. (Mt Tozer, Brass, 19478), *Pultenaea stuartiana*, *Quassia* sp. (Kennedy River, Clarkson, 5645), *Sarcophilus roseus*, *Solanum* sp. (Dalby, Kelsey, 56), *Stemmacantha australis*, *Trymalium minutiflorum* and *Zieria* sp. (Mt Larcom, Gibson, TOI8)—

omit.

(9) Schedule 3, part 2, section 7—

insert—

'*Acacia argentina*

Acriopsis emarginata

Actephila bella

Granite Creek actephila

Actephila championiae

Amomum queenslandicum

Bertya glandulosa

Boronia grimshawii

Cassia marksiana

brush cassia

Cassinia collina

Commersonia beeronensis

Commersonia reticulata

Croton choristadenius

Dodonaea hirsuta

hairy hop bush

Euphorbia sarcostemmoides

climbing caustic

Floydia praealta

ball nut

Gaultheria sp. (Mt Merino G.Leiper AQ502686)

green waxberry

Huperzia tetrastichoides

square tassel fern

Hydriastele costata

Hydrocotyle dipoleura

Kardomia squarrulosa

[s 7]

<i>Lasjia claudiensis</i>	
<i>Lepturus minutus</i>	
<i>Melaleuca williamsii</i>	
<i>Parsonsia wildensis</i>	
<i>Phyllanthera grayi</i>	
<i>Plectranthus graniticola</i>	Eungella mintbush
<i>Polianthion minutiflorum</i>	
<i>Prostanthera</i> sp. (Dunmore D.M.Gordon 8A)	
<i>Prostanthera</i> sp. (Mt Tozer L.J.Brass 19478)	
<i>Psydrax reticulata</i>	
<i>Quassia</i> sp. (Kennedy River J.R.Clarkson 5645)	
<i>Rhaphidospora cavernarum</i>	
<i>Rhaponticum australe</i>	austral cornflower
<i>Sannantha tozerensis</i>	
<i>Sauropus macranthus</i>	pumpkin fruit, Atherton sauropus
<i>Solanum stenopterum</i> '.	

7 Amendment of sch 4 (Rare wildlife)

- (1) Schedule 4, part 1, section 1, entries for *Phyloria kundagungan*, *Phyloria loveridgei*, *Sphenophryne fryi* and *Sphenophryne robusta*—

omit.

- (2) Schedule 4, part 1, section 1—

insert—

' <i>Austrochaperina fryi</i>	peeping whistlefrog
<i>Austrochaperina robusta</i>	robust whistlefrog
<i>Kyarranus kundagungan</i> ¹	red-and-yellow mountainfrog
<i>Kyarranus loveridgei</i> ²	masked mountainfrog'.

-
- 1 Tyler, MJ, 1991, 'Kyarranus Moore (Anura, Leptodactylidae) from the Tertiary of Queensland', 'Proceedings of the Royal Society of Victoria', vol 103, pp 47–51
 - 2 Tyler, MJ, 1991, 'Kyarranus Moore (Anura, Leptodactylidae) from the Tertiary of Queensland', 'Proceedings of the Royal Society of Victoria', vol 103, pp 47–51

(3) Schedule 4, part 1, section 2, entries for *Collocalia spodiopygius* and *Rallus pectoralis*—

omit.

(4) Schedule 4, part 1, section 2—

insert—

' <i>Aerodramus terraereginae</i>	Australian swiftlet
<i>Lewinia pectoralis</i>	Lewin's rail'.

(5) Schedule 4, part 1, section 3, entries for *Chalinolobus dwyeri*, *Hipposideros diadema*, *Nyctimene cephalotes*, *Nyctimene vizcaccia*, *Orcaella brevirostris* and *Phalanger intercastellanus*—

omit.

(6) Schedule 4, part 1, section 3—

insert—

' <i>Hipposideros diadema reginae</i>	diadem leaf-nosed bat
<i>Nyctimene cephalotes</i>	Torresian tube-nosed bat
<i>Orcaella heinsohni</i>	Australian snubfin dolphin
<i>Phalanger mimicus</i>	southern common cuscus'.

(7) Schedule 4, part 1, section 4, entries for *Anomalopus brevicollis*, *Bartleia jigurru*, *Carlia scirtetis*, *Cautula zia*, *Chondropython viridis*, *Delma mitella*, *Diplodactylus taenicauda*, *Eulamprus frerei*, *Eulamprus luteilateralis*, *Hoplocephalus stephensii*, *Lerista ameles*, *Lygisaurus rococo*, *Lygisaurus tanneri*, *Menetia sadlieri*, *Nactus galgajuga*, *Phyllurus caudiannulatus*, *Phyllurus isis*, *Ramphotyphlops silvia*, *Saltuarius occultus*, *Underwoodisaurus sphyrurus* and *Varanus keithhornei*—

omit.

[s 7]

(8) Schedule 4, part 1, section 4—

insert—

<i>'Carlia rococo</i> ¹	Chillagoe litter-skink
<i>Carlia tanneri</i> ²	Endeavour River litter-skink
<i>Harrisoniascincus zia</i> ³	
<i>Morelia viridis</i> ⁴	green python
<i>Nephrurus sphyrrurus</i> ⁵	border thick-tailed gecko'.

- 1 Stuart-Fox, DM, Hugall, AF and Moritz, C, 2002, 'A molecular phylogeny of rainbow skinks (Scincidae: *Carlia*): taxonomic and biogeographic implications', 'Australian Journal of Zoology', vol 50, pp 39–51
- 2 Stuart-Fox, DM, Hugall, AF and Moritz, C, 2002, 'A molecular phylogeny of rainbow skinks (Scincidae: *Carlia*): taxonomic and biogeographic implications', 'Australian Journal of Zoology', vol 50, pp 39–51
- 3 Wells, RW and Wellington, CR, 1985, 'A classification of the Amphibia and Reptilia of Australia', 'Australian Journal of Herpetology Supplementary Series', vol 1, pp 1–61
- 4 Kluge, AG, 1993, 'Aspidites and the phylogeny of Pythonine snakes', 'Records of the Australian Museum (Supplement)', vol 19, pp 1–77
- 5 Bauer, AM, 1990, 'Phylogenetic systematics and biogeography of the Carphodactylini (Reptilia: Gekkonidae)', 'Bonner Zoologische Monographien', vol 30, pp 1–218

(9) Schedule 4, part 2, section 5, entries for *Acacia armillata*, *Acacia brunioides*, *Acacia centrinervia*, *Acacia strongylophylla*, *Acianthus amplexicaulis*, *Alectryon tropicus*, *Alyxia magnifolia*, *Amomum dallachyi*, *Amomum queenslandicum*, *Aponogeton queenslandicus*, *Argyrodendron* sp. (Whyanbeel, Hyland, RFK1106), *Aristida forsteri*, *Aristida thompsonii*, *Artabotrys* sp. (Claudie River, Gray, 3240), *Atalaya calcicola*, *Atalaya rigida*, *Atriplex fissivalvis*, *Bertya glandulosa*, *Bertya recurvata*, *Blandfordia grandiflora*, *Boronia squamipetala*, *Bossiaea arenicola*, *Brachychiton albidus*, *Brachychiton collinus*, *Brachychiton velutinosus*, *Brachychiton vitifolius*, *Cajanus lanuginosus*, *Callistemon chisholmii*, *Cartonema brachyantherum*, *Cassia brewsteri* var. *marksiana*, *Cassinia collina*, *Citrus garrawayi*, *Cryptocarya burckiana*, *Cryptolepis grayi*, *Cycas media* subsp. *ensata*, *Dianella fruticans*, *Dodonaea hirsuta*, *Dodonaea oxyptera*, *Endiandra collinsii*, *Etilingera*

australasica, *Eucalyptus howittiana*, *Eucalyptus lockyeri*, *Eucalyptus pachycalyx* subsp. *pachycalyx*, *Eucalyptus quadricostata*, *Euphorbia sarcostemmoides*, *Flindersia brassii*, *Gardenia rupicola*, *Gardenia scabrella*, *Glossocardia orthochaeta*, *Goodenia arenicola*, *Gossypium sturtianum*, *Gouania australiana*, *Grevillea cyranostigma*, *Grevillea singuliflora*, *Hedyotis philippensis*, *Hibbertia echiifolia*, *Indigofera baileyi*, *Isotropis foliosa*, *Jagera javanica* subsp. *australiana*, *Kunzea bracteolata*, *Labichea buettneriana*, *Leptosema chapmanii*, *Leptospermum purpurascens*, *Lobelia douglasiana*, *Macaranga polyadenia*, *Macarthuria ephedroides*, *Medicosma riparia*, *Mischarytera macrobotrys*, *Musa jackeyi*, *Myriophyllum implicatum*, *Omphalea papuana*, *Parsonsia blakeana*, *Parsonsia largiflorens*, *Parsonsia lenticellata*, *Parsonsia wildensis*, *Persoonia amaliae*, *Phyllodium pulchellum* var. *pulchellum*, *Plectranthus graniticola*, *Sauropus macranthus*, *Westringia grandifolia*, *Xanthostemon xerophilus*—

omit.

8 Replacement of sch 5 (Near threatened wildlife)

Schedule 5—

omit, insert—

‘Schedule 5 Near threatened wildlife

section 26

‘Part 1 Animals that are near threatened wildlife

‘1 Reptiles

‘The following reptiles are near threatened wildlife—

[s 9]

Scientific name	Common name
<i>Delma mitella</i>	
<i>Ramphotyphlops silvia</i>	
<i>Strophurus taenicauda</i>	golden-tailed gecko

‘Part 2 Plants that are near threatened wildlife

‘2 Plants

‘The following plants are near threatened wildlife—

Scientific name	Common name
<i>Acacia chinchillensis</i>	Chinchilla wattle’.

9 Amendment of sch 6 (Least concern wildlife)

- (1) Schedule 6, part 1, section 1, ‘wildlife’—
omit, insert—
‘wildlife’.
- (2) Schedule 6, part 1, section 3(a), ‘family Uridacidae that is indigenous to Australia, other than an’—
omit, insert—
‘genus *Urodacus* that is indigenous to Australia, other than’.
- (3) Schedule 6, part 1, section 3(c), table—
omit, insert—

‘Scientific name	Common name
<i>Allora doleschallii doleschallii</i>	peacock awl butterfly
<i>Chaetocneme sphinterifera sphinterifera</i> ¹	banded dusk-flat butterfly
<i>Euschemon rafflesia alba</i>	

Scientific name	Common name
<i>Hypochrysops elgneri barnardi</i>	
<i>Liphyra brassolis major</i>	moth butterfly
<i>Ornithoptera</i> spp. (other than <i>Ornithoptera richmondia</i>)	birdwing butterflies (other than the Richmond birdwing butterfly)
<i>Papilio ulysses joesa</i>	Ulysses butterfly
<i>Trapezites symmomus sombra</i> '.	

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- 1 Sands, DPA and New, TR, 2002, 'The action plan for Australian butterflies', Environment Australia, Canberra

ENDNOTES

- 1 Made by the Governor in Council on 19 November 2009.
- 2 Notified in the gazette on 20 November 2009.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Environment and Resource Management.

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