Nature Conservation (Wildlife) Amendment Regulation (No. 1) 2014

Explanatory notes for SL 2014 No. 58

made under the

Nature Conservation Act 1992

General Outline

Short title

Nature Conservation (Wildlife) Amendment Regulation (No. 1) 2014

Authorising law

Sections 77 to 80 and section 175 of the *Nature Conservation Act 1992* (the Act)

Policy objectives and the reasons for them

Section 72(1) of the Act states that Queensland wildlife is to be managed in accordance with, among other things, the management principles prescribed for the class of wildlife.

The objective of this amendment regulation is to ensure that conservation and land use restrictions involving species are commensurate with their status.

Achievement of policy objectives

Under Part 5 of the the Act, wildlife may be classified as ‘extinct in the wild’, ‘endangered’, ‘vulnerable’, ‘near threatened’ or ‘least concern’ on the basis of population size and the risk of species extinction.

The Species Technical Committee (STC) assesses the status of wildlife in Queensland. The STC includes scientific membership from the Department of Science, Information Technology, Innovation and the Arts, the Department of Environment and Heritage Protection, the Department of National Parks, Recreation, Sport and Racing and other areas as required.

The STC has assessed the status of 94 species of plants in accordance with the requirements of the Act as well as best practice international species reclassification guidelines. The STC has recommended the reclassification of these species as well as the updating of the scientific names of a further 35 plants to reflect current scientific knowledge (see tables 1 and 2 below). The proposed amendments give effect to those recommendations.

In addition, four species will be deleted from the regulation as they are now considered to be introduced species and therefore not native to Queensland.

Abbreviations

Abbreviation	Meaning
LC	Least concern
N	Near threatened
V	Vulnerable
E	Endangered
EIW	Extinct in the wild

Table 1: Proposed reclassification of 95 species of plants

Taxon	Current Status	New Status
Acacia latisepala	N	LC
Acacia orites (Nightcap wattle, mountain wattle)	N	LC
Acacia polyadenia	N	LC
Acacia pubicosta	N	LC
Acacia tenuinervis	N	LC
Acmenosperma pringlei	N	V
Acomis acoma	N	LC
Acronychia baeuerlenii (Byron Bay acronychia)	N	LC
Actephila sessilifolia	N	LC
Albizia retusa subsp. retusa	N	LC
Alectryon semicinereus	N	LC
Alyxia sharpei	N	LC
Angianthus brachypappus (spreading cupflower)	N	LC

Taxon	Current Status	New Status
Antrophyum subfalcatum (ox tongue fern)	N	V
Archidendron hirsutum	N	LC
Argophyllum cryptophlebum	N	V
Argophyllum nullumense (silver leaf)	N	LC
Argophyllum verae	N	V
Aristida burraensis (White Mountains wiregrass)	N	LC
Arthragrostis clarksoniana	N	LC
Arundinella grevillensis	N	V
Arundinella montana (mountain reed grass)	N	LC
Blechnum ambiguum	N	LC
Bonamia dietrichiana	N	LC
Boronia eriantha	N	LC
Brachyscome ascendens (Binna Burra daisy)	N	V
Brachyscome tesquorum	N	LC
Bubbia queenslandiana subsp. australis (Australian peppertree)	N	N for *Bubbia queenslandiana* sub sp. *queenslandiana* V for *Bubbia queenslandiana* subsp. *australis*
Buckinghamia ferruginiflora (spotted oak, Noah's oak)	N	V
Bulbophyllum grandimesense (pale rope orchid)	N	V
Bulbophyllum windsorense (thread-tipped rope orchid)	N	V
Bulbophyllum wolfei (fleshy Snake orchid)	N	V

Taxon	Current Status	New Status
Cadetia collinsii	N	V
Cadetia wariana	N	V
Callitris monticola (steelhead cypress pine)	N	LC
Carex breviscapa	N	V
Carex cruciata var. rafflesiana	N	LC
Centotheca philippinensis	N	LC
Cladopus queenslandicus	N	LC
Cleistanthus discolor	N	LC
Cleistanthus myrianthus	N	LC
Comesperma praecelsum	N	V
Crepidium fimbriatum	N	V
Crepidium flavovirens	N	V
Cryptocarya claudiana	N	LC
Cryptocarya glaucocarpa	N	V
Cycas brunnea	N	V
Cyperus rupicola (cliff sedge)	N	V
Dallwatsonia felliana	N	E
Dendrobium malbrownii	N	V
Dendromyza reinwardtiana	N	V
Desmodium macrocarpum	N	LC
Eleocharis blakeana	N	LC
Elaeocarpus thelmae	N	V
Endiandra anthropophagorum	N	V
Euodia hylandii	N	V
Fimbristylis micans	N	V
Fimbristylis vagans	N	E
Firmiana papuana (lacewood)	N	V

Taxon	Current Status	New Status
Flindersia oppositifolia (mountain silkwood)	N	V
Genoplesium alticola	N	V
Genoplesium pedersonii	N	V
Genoplesium validum	N	V
Glochidion pruinosum	N	E
Gonocarpus effuses	N	V
Goodyera grandis (giant jewel orchid)	N	E
Grammitis albosetosa	N	V
Grammitis leonardii	N	V
Hakea macrorrhyncha (tall needle bush)	N	V
Hardenbergia sp. (Mt Mulligan J.R.Clarkson 5775)	N	V
Elacholoma hornii	N	LC
Elaeocarpus stellaris	N	LC
Endiandra dichrophylla (coach walnut)	N	LC
Endiandra sideroxylon	N	LC
Endressia wardellii	N	LC
Eremochloa ciliaris	N	LC
Euonymus globularis	N	LC
Fimbristylis odontocarpa	N	LC
Gahnia insignis	N	LC
Garcinia brassii	N	LC
Garnotia stricta var. longiseta	N	LC
Grewia graniticola	N	LC
Haplostichanthus ramiflorus	N	LC
Haplostichanthus submontanus	N	LC for *Haplostichanthus submontanus subsp. sessiliflorus* N for *Haplostichanthus*

Taxon	Current Status	New Status
		submontanus subsp. submontanus
Harpullia ramiflora	N	LC
Helicia lamingtoniana	N	LC
Heterachne baileyi	N	LC
Hollandaea sayeriana (Sayers silky oak)	N	LC
Homoranthus decasetus	N	LC
Huperzia phlegmaria (coarse or common tassel fern	N	LC
Hypserpa smilacifolia	N	LC
Prostanthera albohirta	EIW	E
Rutidosis lanata	E	V
Zornia pedunculata	N	LC

Table 2: New scientific names for plants

Status	Current scientific name	New scientific name
Presumed Extinct	*Trichomanes exiguum*	*Didymoglossum exiguum*
Endangered	*Aponogeton proliferus*	*Aponogeton prolifer*
	Bulbophyllum blumei	*Bulbophyllum maxillare*
	Costus potierae	*Cheilocostus potierae*
	Huperzia carinata	*Phlegmariurus carinatus*
	Huperzia dalhousieana	*Phlegmariurus dalhousieanus*
	Huperzia filiformis	*Phlegmariurus filiformis*
	Huperzia squarrosa	*Phlegmariurus squarrosus*
Vulnerable	*Banksia conferta* subsp. *conferta*	*Banksia conferta*
	Chamaesyce carissoides	*Euphorbia carissoides*
	Crepidomanes endlicherianum	*Polyphlebium endlicherianum*

	Eucalyptus sideroxylon subsp. (Waaje N.B.Byrnes 3955)	*Eucalyptus sideroxylon subsp*. *improcera*
	Gaultheria sp. (Mt Merino G.Leiper AQ502686)	*Gaultheria viridicarpa*
	Huperzia lockyeri	*Phlegmariurus lockyeri*
	Huperzia marsupiiformis	*Phlegmariurus marsupiiformis*
	Huperzia phlegmarioides	*Phlegmariurus phlegmarioides*
	Huperzia tetrastichoides	*Phlegmariurus tetrastichoides*
	Huperzia varia	*Phlegmariurus varius*
	Revwattsia fragilis	*Dryopteris wattsii*
	Quassia bidwillii	*Samadera bidwillii*
	Quassia sp. (Kennedy River J.R.Clarkson 5645)	*Samadera* sp. (Kennedy River J.R.Clarkson 5645)
Near Threatened	*Acacia pennata subsp. kerrii*	*Senegalia pennata subsp. kerrii*
	Cucumis sp. (Little Annan River B.Gray 101)	*Cucumis costatus*
	Derwentia arenaria	*Veronica arenaria*
	Ipomoea stolonifera	*Ipomoea imperati*
	Linospadix microcarya	*Linospadix microcaryus*
	Linospadix palmeriana	*Linospadix palmerianus*
	Oeceoclades pulchra	*Eulophia pelorica*
	Polygala pycnophylla	*Polygala pycnantha*
	Pratia podenzanae	*Lobelia membranacea*
	Prostanthera sp. (Wallangarra T.D.Stanley 7876)	*Prostanthera petraea*
	Quassia baileyana	*Samadera baileyana*
	Rulingia salviifolia	*Commersonia salviifolia*
	Symplocos sp. (Mt Finnigan	*Symplocos oresbia*

	L.J.Brass 20129)	
	Symplocos stawellii var. *Montana*	*Symplocos wooroonooran*

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the main objects of the Act, that is, the protection and maintenance of nature while allowing for its ecologically sustainable use.

Under the Act, the conservation of nature is to be achieved by a comprehensive strategy that involves, among other things, researching, analysing and disseminating information on wildlife; prescribing wildlife to various classes; and managing wildlife in accordance with those classes.

Inconsistency with policy objectives of other legislation

The amendment regulation is consistent with the policy objectives of other legislation relating to the conservation of nature.

Benefits and costs of implementation

The proposed amendments will ensure that conservation and land use restrictions applied under the Act as well as other legislation on the basis of species classification is scientifically justified.

Without the amendments, there is a risk that conservation and land use requirements applied on the basis of inaccurate species classification may be unnecessary (for example, where research has demonstrated that a species is more widespread and secure than its current classification indicates) or ineffective (for example, where a species is being upgraded to a more threatened status).

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles, as defined under the *Legislative Standards Act 1992*.

Consultation

Queensland Treasury and Trade was consulted in relation to the proposed amendments and confirmed that a Regulatory Assessment Statement is not required.