

# Nature Conservation Legislation Amendment Regulation (No. 1) 2015

Explanatory notes for SL 2015 No. 108

made under the

*Nature Conservation Act 1992*

## General Outline

### Short title

*Nature Conservation Legislation Amendment Regulation (No. 1) 2015*

### Authorising law

Sections 76 to 80, 120H and 175 of the *Nature Conservation Act 1992*.

### Policy objectives and the reasons for them

Section 72(1) of the *Nature Conservation Act 1992* (the NC Act) states that wildlife is to be managed in accordance with, amongst other things, the management principles prescribed for the class of wildlife. The NC Act provides the legislative framework and criteria for the classification of native wildlife according to their conservation status.

The *Nature Conservation (Wildlife) Regulation 2006* (the Wildlife Regulation) lists the native wildlife species which have been classified as ‘extinct in the wild’, ‘endangered’, ‘vulnerable’, ‘near threatened’ or ‘least concern’, based upon factors including their prevalence and the extent and nature of threats to their sustainability.

The current regulatory amendments do not change the objects of the NC Act or the regulation of these matters. The reclassification of wildlife species’ conservation status by regulation is an administrative process which gives effect to a decision under the NC Act.

Nominations for reclassification of species can be received from members of the public, government and external scientists, environmental groups and development and industry proponents, with recommendations to change the conservation status of a species on the basis of current scientific information.

Recommendations for reclassification of species follow independent scientific assessment of available information by the Species Technical Committee (STC), a panel of government and non-government scientific experts, against the criteria under the NC Act and guidelines of the

International Union for Conservation of Nature (IUCN). Recommendations made by the STC to change the conservation status of a species reflect assessment of the species' population size and trends, geographic range, area of occupancy and risk of extinction, as well as taxonomic knowledge.

The conservation status of a species must be listed in the Wildlife Regulation to give statutory effect to any reclassification.

Wildlife species classification is an ongoing process that is necessary to ensure the legislative conservation status of species reflects current scientific knowledge in order to accurately inform conservation initiatives and land use requirements.

Section 90 of the *Nature Conservation (Macropod) Conservation Plan 2005* (the Macropod Conservation Plan) restricts the chief executive from granting a damage mitigation permit for a harvest macropod in a calendar year after the total permit number for the macropod for the year has reached one percent of the estimated population size for the macropod.

The granting of damage mitigation permits for harvest macropods assists in reducing damage to agricultural lands as a result of over-populated species while ensuring the populations of commercially harvested macropod species remain sustainable.

The current amendment to raise the quota for taking harvest macropods for damage mitigation purposes to two percent of the estimated species population size does not change the object of the Macropod Conservation Plan or other regulated matters therein. The quota increase is considered necessary by the Department of Environment and Heritage Protection to prevent or reduce damage or loss caused by high populations of harvest macropods and is supported by scientific advice indicating there will be no significant impact on populations arising from the quota increase.

## **Achievement of policy objectives**

The objective of this amendment regulation is to ensure that conservation and land use measures involving listed species are commensurate with their scientifically determined conservation status. In order for current scientific knowledge to be reflected in the legislative conservation status of species, the Wildlife Regulation requires amendments in order to give effect to recommendations for changes.

The amendment regulation will also ensure the sustainable take, by damage mitigation permit, of a commercially harvested macropod for the purpose of preventing or reducing damage or loss caused by high populations of macropods.

## **Consistency with policy objectives of authorising law**

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

## **Inconsistency with policy objectives of other legislation**

The amendment regulation is not inconsistent with the policy objectives of other legislation. The current amendments reflect contemporary scientific knowledge of wildlife species' populations.

## **Benefits and costs of implementation**

The current amendments will ensure that conservation and land use measures for listed species applied under the NC 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 classifications may be ineffective where a species is recommended for reclassification to a more threatened status. Without the increase in the quota for the sustainable take of commercially harvested macropods under a damage mitigation permit, there is a risk an over-population of macropods will cause significant damage or loss to agricultural land.

The proposed reclassifications and quota increase are not anticipated to impose significant costs on the community, business or government. The changes are necessary to achieve the object of the NC Act, particularly the protection of native wildlife and its habitat, and the management of wildlife in accordance with any conservation plan.

## **Consistency with fundamental legislative principles**

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

The purpose of the amendment regulation is to change the conservation status of a number of fauna and flora species based on expert scientific assessment and to increase the quota for the sustainable taking under a damage mitigation permit of commercially harvested macropod species. The amendment regulation has no adverse impact on the rights and liberties of individuals or on the institution of Parliament.

## **Consultation**

Consultation external to government is not normal practice when amending a wildlife species' conservation status as the decision to reclassify a species relies on the expert scientific advice of the STC. Consultation within government is undertaken to fully understand any implications that may flow from a change in a species' status. Community involvement in species reclassification can occur through the species nomination process, which is open to any party.

Targeted consultation was undertaken in relation to the increase in the annual quota for the sustainable take of harvest macropods under a damage mitigation permit.

The Queensland Productivity Commission, Queensland Treasury and the Department of the Premier and Cabinet were consulted on the proposed amendments and expressed no significant issues. The Queensland Productivity Commission stated that the proposed reclassifications were an administrative process giving effect to a decision under the NC Act, and that the proposal to increase the annual quota for the grant of damage mitigation permits for harvest macropods was unlikely to impose significant impacts on the community, business or government or the sustainability of wildlife. On this basis, the Commission considered the regulatory amendments were excluded from further analysis under the Regulatory Impact Statement system.

The majority of government agencies consulted provided no comments or objections to the amendments proposed.

The Department of Energy and Water Supply, Department of Transport and Main Roads, and Department of Tourism, Major Events, Small Business and the Commonwealth Games raised issues concerning potential planning, financial and regulatory implications arising from the reclassifications, including issues concerning the up-listing of the koala. The Department of Agriculture and Fisheries raised issues concerning potential impacts on the agricultural sector arising from the up-listing of the spectacled flying-fox.

While the issues raised did not result in any change to the proposed reclassifications, the Department of Environment and Heritage Protection provided additional information regarding potential regulatory implications of the changes, as necessary. This included advice that there was no current plan to extend the Government Supported Community Infrastructure Koala Conservation Policy beyond Southeast Queensland, there was no automatic application of offset requirements under the *Environmental Offsets Act 2014* unless triggered by other legislation (for example, where statutory mapping is amended), and there would be no changes to existing approvals and offset requirements.

Additionally, the Department of Environment and Heritage Protection proposes further engagement with the Department of Agriculture and Fisheries in regard to implementation of the reclassification of the spectacled flying-fox.

The stakeholders consulted on the proposal to raise the quota restricting the take of commercially harvested macropods for damage mitigation purposes expressed no concerns.

## **Notes on provisions**

### **Clause 1 Short title**

This clause states that the subordinate legislation may be cited as the *Nature Conservation Legislation Amendment Regulation (No. 1) 2015*.

### **Clause 2 Regulation amended**

This clause states that the following amendments are to be made to the *Nature Conservation (Macropod) Conservation Plan 2005*.

**Clause 3 Amendment of s90 (Restriction on grant of permit for harvest macropods if quota met)**

This clause amends section 90(1) of the Macropod Conservation Plan to increase the annual quota for taking harvest macropods under a damage mitigation permit from one percent to 2 percent of the estimated population size of the macropod.

**Clause 4 Regulation amended**

This clause states that the following amendments are to be made to the *Nature Conservation (Wildlife) Regulation 2006*.

**Clause 5 Amendment of s34 (Proposed management intent for least concern wildlife)**

This clause amends section 34 of the Wildlife Regulation to remove the koala (*Phascolarctos cinereus*) from the definition of ‘special least concern animal’ due to its reclassification as ‘vulnerable’ throughout Queensland.

**Clause 6 Amendment of schedule 1 (Extinct in the wild wildlife)**

This clause amends schedule 1 of the Wildlife Regulation to insert a new section – section 1A Amphibians, which lists the following three amphibians as extinct in the wild wildlife to reflect the recommendations of the Species Technical Committee (STC) and current scientific knowledge.

| Scientific name                 | Common name                    |
|---------------------------------|--------------------------------|
| <i>Rheobatrachus silus</i>      | southern gastric brooding frog |
| <i>Taudactylus acutirostris</i> | sharp-snouted torrent frog     |
| <i>Taudactylus diurnus</i>      | Mount Glorious torrent frog    |

This clause also includes listing the following plant as extinct in the wild wildlife in part 2, section 3 Plants.

| Scientific name            | Common name |
|----------------------------|-------------|
| <i>Calotis glabrescens</i> |             |

**Clause 7 Amendment of schedule 2 (Endangered wildlife)**

This clause amends schedule 2 of the Wildlife Regulation. Under part 1, section 1 Amphibians, one new frog previously listed as near threatened has been reclassified as endangered following recommendations from the STC.

| Scientific name      | Common name      |
|----------------------|------------------|
| <i>Litoria myola</i> | Kuranda treefrog |

This species of frog was previously listed as *Litoria genimaculata* in the Wildlife Regulation. This species has recently undergone a taxonomic name change to now include two separate species of frog, *Litoria myola* and *Litoria serrata*, and with this amendment will now be recognised as two new and separate species in the Wildlife Regulation.

The following three amphibians have been removed from the endangered wildlife amphibian listing due to their new classification of extinct in the wild. They were the *Rheobatrachus silus* (southern gastric brooding frog), *Taudactylus acutirostris* (sharp-snouted torrent frog) and the *Taudactylus diurnus* (Mount Glorious torrent frog).

Under schedule 2, part 1, section 2 of the Wildlife Regulation the following two birds have been added to the list to reflect their new listing as endangered.

| Scientific name                    | Common name                |
|------------------------------------|----------------------------|
| <i>Amytornis barbatus barbatus</i> | grey grasswren (Bulloo)    |
| <i>Turnix olivii</i>               | buff-breasted button-quail |

*Amytornis barbatus barbatus* has also undergone a taxonomic name change. Previously this species was named *Amytornis barbatus* in the Wildlife Regulation. The new scientific name reflects current scientific knowledge of the species which now recognises two subspecies — *Amytornis barbatus barbatus* which will be listed as endangered, and *Amytornis barbatus diamantina* which will have a near threatened listing.

Under schedule 2, part 1, section 4 of the Wildlife Regulation the following invertebrates have been added to the list to reflect their new listing as endangered.

| Scientific name                   | Common name            |
|-----------------------------------|------------------------|
| <i>Adclarkia dawsonensis</i>      | boggomoss snail        |
| <i>Adclarkia dulacca</i>          | Dulacca woodland snail |
| <i>Tenuibranchiurus glypticus</i> | swamp crayfish         |
| <i>Trisyntopa scatophaga</i>      |                        |

Under schedule 2, part 1, section 5 of the Wildlife Regulation the following mammals have been added to the list of endangered wildlife.

| Scientific name          | Common name             |
|--------------------------|-------------------------|
| <i>Antechinus arktos</i> | black-tailed antechinus |

The following reptile has been listed as endangered by being added to schedule 2, part 1, section 6.

| Scientific name        | Common name              |
|------------------------|--------------------------|
| <i>Elseya albagula</i> | southern snapping turtle |

Section 7 has been amended to include the following 18 plants that are now endangered.

| Scientific name   | Common name        |
|---|--------------------|
| <i>Acacia deuteroneura</i>                              |                    |
| <i>Acianthus saxatilis</i>                              |                    |
| <i>Aponogeton lancesmithii</i>                          |                    |
| <i>Calotis suffruticosa</i>                             |                    |
| <i>Chloris</i> sp. (Edgbaston R.J.Fensham 5694)         | Edgbaston chloris  |
| <i>Cooktownia robertsii</i>                             | mystery orchid     |
| <i>Eragrostis fenshamii</i>                             |                    |
| <i>Gunniopsis</i> sp. (Edgbaston R.J.Fensham 5094)      |                    |
| <i>Isotoma</i> sp. (Elizabeth Springs R.J.Fensham 3676) |                    |
| <i>Kelita uncinella</i>                                 |                    |
| <i>Kunzea</i> sp. (Herbert River R.J.Cumming 11309)     |                    |
| <i>Peristylus banfieldii</i>                            | yellow ogre orchid |
| <i>Pluchea punctata</i>                                 |                    |
| <i>Pterostylis caligna</i>                              |                    |
| <i>Rhizanthella omissa</i>                              | underground orchid |
| <i>Stylidium elachophyllum</i>                          | trigger plant      |
| <i>Uncaria cordata</i> var. <i>cordata</i>              |                    |
| <i>Vittadinia decora</i>                                |                    |

### **Clause 8 Amendment of schedule 3 (Vulnerable wildlife)**

This clause amends schedule 3 of the Wildlife Regulation to include species which have now been classified as vulnerable wildlife.

Section 1 has been amended to include the following two amphibians.

| Scientific name             | Common name                  |
|-----------------------------|------------------------------|
| <i>Litoria serrata</i>      | tapping green-eyed tree frog |
| <i>Philoria kundagungan</i> | red-and-yellow mountainfrog  |

*Litoria serrata* was previously listed as *Litoria genimaculata* in the Wildlife Regulation. This species has recently undergone a taxonomic name change to now include two separate species of frog, *Litoria serrata* and *Litoria myola*, and with this amendment will now be recognised as a two new and separate species in the Wildlife Regulation with this listing.

*Philoria kundagungan* was previously listed as *Kyarranus kundagungan* in the Wildlife Regulation. This entry of *Philoria kundagungan* in the amendment regulation gives effect to its reclassification from near threatened to vulnerable and recognises its new scientific name.

Under section 2 on birds, the entry for *Turnix olivii* has been removed due to its new classification of endangered, and the following three birds have now been considered vulnerable with this amendment.

| Scientific name                  | Common name         |
|----------------------------------|---------------------|
| <i>Bolemoreus hindwoodi</i>      | Eungella honeyeater |
| <i>Falco hypoleucos</i>          | grey falcon         |
| <i>Numenius madagascariensis</i> | eastern curlew      |

*Bolemoreus hindwoodi* has also undergone a taxonomic name change. Previously this species was named *Lichenostomus hindwoodi* in the Wildlife Regulation. The new scientific name reflects current scientific knowledge of the species.

In section 3, the following three fish have been added to the listing of vulnerable fish.

| Scientific name              | Common name         |
|------------------------------|---------------------|
| <i>Stiphodon atratus</i>     | emerald cling goby  |
| <i>Stiphodon birdsong</i>    | birdsong cling goby |
| <i>Stiphodon rutilaureus</i> | orange cling goby   |

Section 4 has been amended to include the addition of two new invertebrates which will now be considered vulnerable wildlife.

| Scientific name           | Common name             |
|---------------------------|-------------------------|
| <i>Adclarkia cameroni</i> | brigalow woodland snail |
| <i>Euastacus bindal</i>   | Mount Elliot crayfish   |



Section 5 has been replaced to include the addition of the following seven mammals which have received the vulnerable classification.

| Scientific name                | Common name                 |
|--------------------------------|-----------------------------|
| <i>Antechinus argentus</i>     | silver-headed antechinus    |
| <i>Orcaella heinsohni</i>      | Australian snubfin dolphin  |
| <i>Petrogale coenensis</i>     | Cape York rock-wallaby      |
| <i>Phascolarctos cinereus</i>  | koala                       |
| <i>Pteropus conspicillatus</i> | spectacled flying-fox       |
| <i>Sminthopsis leucopus</i>    | white-footed dunnart        |
| <i>Sousa sahalensis</i>        | Australian humpback dolphin |

*Sousa sahalensis* was previously listed in Queensland as *Sousa chinensis* under the Wildlife Regulation but has now had its taxonomic name changed to *Sousa sahalensis* to reflect current scientific knowledge and naming standards.

*Phascolarctos cinereus* previously was listed as vulnerable for the Southeast Queensland bioregion only. This entry in schedule 3, section 5 will list the koala as vulnerable Queensland wide.

Section 6 has been amended to include the following 15 reptiles now listed as vulnerable wildlife.

| Scientific name                      | Common name                    |
|--------------------------------------|--------------------------------|
| <i>Acanthophis antarcticus</i>       | common death adder             |
| <i>Calyptotis thorntonensis</i>      | Thornton Peak calyptotis       |
| <i>Cryptoblepharus fuhni</i>         | Fuhn's snake-eyed skink        |
| <i>Cryptophis incredibilis</i>       | pink snake                     |
| <i>Ctenotus monticola</i>            | Atherton striped skink         |
| <i>Ctenotus rawlinsoni</i>           | Cape Heath ctenotus            |
| <i>Ctenotus serotinus</i>            | gravel-downs Ctenotus          |
| <i>Emoia atrocostata australis</i>   | littoral whip-tail skink       |
| <i>Emydura subglobosa subglobosa</i> | Jardine River turtle           |
| <i>Karma tryoni</i>                  | Tryon's skink                  |
| <i>Lerista cinerea</i>               | vine-thicket fine-lined slider |

|                                  |                              |
|----------------------------------|------------------------------|
| <i>Lerista storri</i>            | Chillagoe fine-lined slider  |
| <i>Lygisaurus tanneri</i>        | Endeavour River litter skink |
| <i>Saproscincus eungellensis</i> | Eungella shadeskink          |
| <i>Wollumbinia belli</i>         | Bell's turtle                |

*Cryptophis incredibilis* was previously listed in the Wildlife Regulation as *Rhinoplocephalus incredibilis*. This entry of *Cryptophis incredibilis* in the amendment regulation gives effect to its reclassification from near threatened to vulnerable and recognises its new scientific name.

Likewise, *Lygisaurus tanneri* was previously listed under *Carlia tanneri* in the Wildlife Regulation. This entry of *Lygisaurus tanneri* gives effect to its reclassification from near threatened to vulnerable and recognises its new scientific name.

*Emoia atrocostata australis* was previously listed as *Emoia atrocostata* in the Wildlife Regulation as near threatened. The new scientific name reflects current scientific knowledge of the species which now recognises two subspecies (*Emoia atrocostata australis* which is being up-listed to vulnerable and *Emoia atrocostata atrocostata* which will remain listed as near threatened).

*Emydura subglobosa subglobosa* was previously listed as *Emydura sublobosa* in the Wildlife regulation as near threatened. The new scientific name reflects current scientific knowledge of the species which now recognises two subspecies (*Emydura subglobosa subglobosa* which is being uplisted to vulnerable and *Emydura subglobosa worrelli* which will remain listed as near threatened).

Section 7 has been replaced to include the addition of the 63 plants listed below which have been added to the vulnerable classification listing, as well as the removal of *Acacia deuteroneura* from the list due to it being listed as endangered.

| Scientific name                                       | Common name                  |
|---|------------------------------|
| <i>Acacia</i> sp. (Castletower N.Gibson TOI345)       |                              |
| <i>Apluda mutica</i>                                  | Mauritian grass              |
| <i>Ardisia fasciculata</i>                            |                              |
| <i>Asplenium normale</i>                              |                              |
| <i>Bulbophyllum argyropus</i>                         | silver strand orchid         |
| <i>Bulbophyllum boonjee</i>                           | maroon strand orchid         |
| <i>Calamus aruensis</i>                               | Lockerbie Scrub wait-a-while |
| <i>Calocephalus</i> sp. (Eulo M.E.Ballingall MEB2590) |                              |
| <i>Commersonia leiperi</i>                            |                              |
| <i>Corchorus subargenteus</i>                         |                              |

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| <i>Crudia papuana</i>  |  |
| <i>Cycas couttsiana</i>                                      | Glen Idol blue cycas                           |
| <i>Cycas cupida</i>  | cute zamia                                     |
| <i>Dendrobium fellowsii</i>                                  |  |
| <i>Eremophila stenophylla</i>                                |  |
| <i>Eria dischorensis</i>                                     | spotted urchin orchid                          |
| <i>Eria irukandjiana</i>                                     | small urchin orchid                            |
| <i>Eucalyptus nudicaulis</i>                                 |  |
| <i>Eulophia pelorica</i>                                     | gonzo orchid                                   |
| <i>Eulophia zollingeri</i>                                   | carrion orchid                                 |
| <i>Fimbristylis distincta</i>                                |  |
| <i>Fimbristylis</i> sp. (Elizabeth Springs R.J.Fensham 3743) |  |
| <i>Habenaria euryloba</i>                                    | small rein orchid                              |
| <i>Habenaria fuscina</i>                                     | green rein orchid                              |
| <i>Habenaria vatia</i>                                       | curved rein orchid                             |
| <i>Helicia grayi</i>   |  |
| <i>Hemmantia webbii</i>                                      |  |
| <i>Homoranthus zeteticorum</i>                               |  |
| <i>Ipomoea imperati</i>                                      | beach morning glory, fiddle-leaf morning glory |
| <i>Ipomoea saintronanensis</i>                               |  |
| <i>Isotoma</i> sp. (Myross R.J.Fensham 3883)                 |  |
| <i>Lasianthus hirsutus</i>                                   |  |
| <i>Lepidagathis royenii</i>                                  |  |
| <i>Liparis condylobulbon</i>                                 |  |
| <i>Livistona fulva</i>                                       | Blackdown Tableland cabbage palm               |
| <i>Macrozamia cardiacensis</i>                               | Mt Walsh zamia                                 |
| <i>Mallotus megadontus</i>                                   |  |
| <i>Nyssanthes impervia</i>                                   |  |
| <i>Nyssanthes longistyla</i>                                 |  |

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|---|--|
| <i>Oberonia carnosa</i>                                 | rockpile fairy orchid                                  |
| <i>Pachystoma pubescens</i>                             | pine kunai orchid                                      |
| <i>Panicum chillagoanum</i>                             |  |
| <i>Paramapania parvibractea</i>                         |  |
| <i>Paspalum multinodum</i>                              |  |
| <i>Phyllanthus</i> sp. (Bulburin P.I.Forster+ PIF16034) |  |
| <i>Pomaderris notata</i>                                |  |
| <i>Sannantha brachypoda</i>                             |  |
| <i>Schoenorchis sarcophylla</i>                         | fleshy flea orchid                                     |
| <i>Senegalia pennata</i> subsp. <i>kerrii</i>           |  |
| <i>Solanum callium</i>                                  | brush nightshade                                       |
| <i>Sphaerantia chartacea</i>                            | Shipton's penda  |
| <i>Sticherus milnei</i>                                 |  |
| <i>Stictocardia queenslandica</i>                       |  |
| <i>Stockwellia quadrifida</i>                           | stockwellia  |
| <i>Syzygium aqueum</i>                                  | water apple, watery rose-apple                         |
| <i>Syzygium macilwraithianum</i>                        | Mcllwraith satinash, Mcllwraith Range bark-in-the-wood |
| <i>Tectaria siifolia</i>                                |  |
| <i>Thelasis carinata</i>                                | triangular fly orchid                                  |
| <i>Torenia polygonoides</i>                             |  |
| <i>Wahlenbergia scopulicola</i>                         |  |
| <i>Waterhousea mulgraveana</i>                          | Little Mulgrave bark-in-wood                           |
| <i>Westringia sericea</i>                               | native rosemary  |
| <i>Xanthostemon graniticus</i>                          |  |

### **Clause 9 Amendment of schedule 5 (Near threatened wildlife)**

This clause amends schedule 5 of the Wildlife Regulation to list the species which have now been classified as near threatened wildlife.

Section 1 has been amended to remove the entry for *Kyarranus kundagungan* due to it now been listed under vulnerable wildlife. The entry for *Litoria genimaculata* has also been omitted as this species has recently undergone a taxonomic name change to now include two

separate species of frog, *Litoria serrata* (now listed under vulnerable wildlife) and *Litoria myola* (now listed under endangered wildlife).

Section 2 has been amended to remove the entries for *Falco hypoleucos* and *Numenius madagascariensis* due to both birds now being listed as endangered wildlife. *Lichenostomus hindwoodi* has also been removed from the near threatened bird list and will now appear as *Bolemoreus hindwoodi* due to its updated taxonomic name and will be listed as endangered wildlife.

A further amendment to section 2 is the recognition of two subspecies under *Amytornis barbatus*. *Amytornis barbatus barbatus* is now listed as endangered and *Amytornis barbatus diamantina* remains listed as near threatened.

A new section (section 2A Fishes) has been added to include the listing of the following species as near threatened wildlife.

| Scientific name           | Common name      |
|---------------------------|------------------|
| <i>Dasyatis fluviorum</i> | estuary stingray |

Section 3 has been amended to remove the entries for *Oracella heinsohni*, *Petrogale coenensis*, *Sminthopsis leucopus* due to their change in classification. *Sousa chinensis* has undergone a taxonomic name change and this entry has now been removed from near threatened and replaced by the new scientific name of *Sousa sahulensis* under vulnerable wildlife.

Section 4 has had the following entries removed due to up-listed classification levels of the following reptiles: *Acanthophis antarcticus*, *Calyptotis thornntonensis*, *Carlia tanneri*, *Cryptoblepharus fuhni*, *Ctenotus rawlinsoni*, *Ctenotus serotinus*, *Emoia atrocostata*, *Emydura subglobosa*, *Lerista cinerea*, *Lerista storri* and *Rhinoplocephalus incredibilis*.

Section 4 also includes the addition of the following two reptiles which are now recognised as near threatened wildlife.

| Scientific name                      | Common name         |
|--------------------------------------|---------------------|
| <i>Emoia atrocostata atrocostata</i> |                     |
| <i>Emydura subglobosa worrelli</i>   | Diamond head turtle |

*Emoia atrocostata atrocostata* was previously listed as *Emoia atrocostata* in the Wildlife Regulation. The new scientific name reflects current scientific knowledge of the species which now recognises two subspecies (*Emoia atrocostata australis* which is being up-listed to vulnerable and *Emoia atrocostata atrocostata* which will remain listed as near threatened).

Likewise, *Emydura subglobosa worrelli* was previously listed as *Emydura sublobosa* in the Wildlife Regulation. The new scientific name reflects current scientific knowledge of the species which now recognises two subspecies (*Emydura subglobosa subglobosa* which is

being up-listed to vulnerable and *Emydura subglobosa worrelli* which will remain listed as near threatened).

Section 5 has been amended to include the following two species of plants now listed as near threatened wildlife;

| Scientific name               | Common name                        |
|-------------------------------|------------------------------------|
| <i>Anoectochilus yatesiae</i> | jewel orchid, marbled jewel orchid |
| <i>Fimbristylis carolinii</i> |                                    |

Changes to section 5 of the wildlife regulation also include the removal of 56 near threatened plants which have received higher levels of protection and are listed accordingly.

**Clause 10 Amendment of schedule 6 (Least concern wildlife)**

Schedule 6, section 2 has been amended to provide consistency with text in other sections. It involves changing the text to ‘is least concern wildlife’ as stated in the other sections.

Section 4 has been amended to remove the koala (*Phascolarctos cinereus*) from the list of least concern wildlife due to its updated listing as vulnerable wildlife throughout Queensland.