

1 July 2013

Agriculture, Resources and Environment Committee
 Parliament House
 George Street
 Brisbane QLD 4001

To whom it may concern

Thank you for the opportunity to provide feedback on the *Nature Conservation (Protected Plants) and other Legislation Amendment Bill 2013*. Following on from our submission in relation to the Consultation Regulatory Impact Statement (RIS), Queensland Rail supports the amendment of Queensland's environmental legislation in a way that reduces confusion and minimises regulatory burden, without compromising priority environmental outcomes.

Feedback relating to the *Nature Conservation (Protected Plants) and Other Legislation Amendment Bill 2013* is provided below for your consideration.

Queensland Rail currently holds an exemption for the removal of "least concern" plants during the course of activities conducted under the authority of its Rail Safety Accreditation. This approval is currently granted under section 41 (1) (a) (ii) of the *Nature Conservation (Protected Plants) Conservation Plan 2000*. The *Nature Conservation (Protected Plants) and Other Legislation Amendment Bill 2013* indicates that the *Nature Conservation (Protected Plants) Conservation Plan 2000* is to be repealed. It is assumed that this exemption and others like it (if required) will now be granted under the amended *Nature Conservation (Wildlife Management) Regulation 2006*.

The suggested amendments result in the omission of references to "Least Concern Plants" and the insertion of references to "Special Least Concern Plants". To reduce confusion, Queensland Rail suggests that the Protected Plant definition on page 195 of the Act also be amended to reflect this change.

Queensland Rail supports the development and public release of guidelines for the assessment of authority applications. This will ensure a consistent approach to the assessment of applications is maintained throughout the state and will help to reduce confusion. It is vital however, that sufficient flexibility is retained within the assessment process to deal with species management requirements that do not fit within the standard fold.

It is encouraging to see that the relationship between local government organisations and the State has been considered in relation to vegetation management. The relationship between local government vegetation management laws and the Queensland Government's Vegetation Management Framework has not always been clear. It is hoped that current work being undertaken to amend the Vegetation Management Framework will also seek to clarify the relationship between local government and state vegetation management requirements.

The *Nature Conservation (Protected Plants) and Other Legislation Amendment Bill 2013* outlines the need for considerable changes to be made to subordinate legislation and in particular the *Nature Conservation (Wildlife Management) Regulation 2006*. It is assumed that amendments to subordinate legislation will be consulted in a similar way to those associated with the Act. Queensland Rail would appreciate the opportunity to review and comment on proposed changes to subordinate legislation.

Thank you in advance for your consideration of this feedback

Kind regards



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 Queensland Rail