



Mr Ian Rickuss MP, Member for Lockyer
 Chair, Agriculture, Resources and Environment Committee
 Parliament House
 George Street,
 Brisbane QLD 4000
 Email address [-AREC@parliament.qld.gov.au](mailto:AREC@parliament.qld.gov.au)

Dear Mr Rickuss

**RE: Submission on the Nature conservation (Protected Plants) and
 Other Legislation Amendment Bill 2013**

I have been directed by the State Council of the Wildlife Preservation Society of Queensland (Wildlife Queensland) to forward a submission for consideration with regard to the above Bill.

Wildlife Queensland is one of the most respected wildlife-focused conservation groups in Queensland. With over 5000 supporters spread across numerous branches throughout Queensland, Wildlife Queensland is a strong voice for our wildlife and its habitat.

Wildlife Queensland is apolitical. Our aims include;

- **Preserve** the flora and fauna of Australia by all lawful means
- **Educate** the community in an understanding of the principles of conservation and preservation of the natural environment
- **Discourage** by all legal means, the possible destruction, exploitation and unnecessary development of any part of the natural environment.
- **Encourage** rational land use and proper land planning of existing and future development, and the use of the natural environment and its management.

Wildlife Queensland welcomes the opportunity to make comment.

Wildlife Queensland appreciates the necessity to achieve a balance between conservation and preservation of our biodiversity, the provision for ecological sustainable industries and meeting community needs. However the current trend to risk based management and minimising green tape to reduce costs for business and Governments at the expense of the environment and its biodiversity is not supported by Wildlife Queensland.

Adopting a risk based approach to regulation has its place but for that approach to be effective the data that underpins risk management based decisions must be comprehensive and accurate. While the knowledge of Queensland's flora is far superior to its knowledge of its fauna, major knowledge gaps exist. At least 40 to 60 new species of plants are described each year and distribution patterns are continually being refined. If you are not aware of the flora that is present with a large degree of certainty then a risk based approach may well be flawed.

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Wildlife Queensland is not necessarily opposed to legislative change particularly if it is complex and of a burdensome nature. However such change must be not be placing the subject of protection at risk after all Minister Powell in his introductory speech on 21st May states 'Under the act all native plants in Queensland are protected'. Should this Bill be enacted in its current form there is no 100% guarantee that all native plants will be protected.

The current system already has considerable limitations when flora surveys are required for clearing. One has to rely on historical records, with known knowledge gaps such as Cape York, North West Queensland even central Queensland areas around Emerald. In the grass and legume families new species are being determined. As well as these challenges, seasonality, variable weather and extreme events and the variability and intensity of floristic surveys across the state have to be taken into consideration.

The conservation status of plants is not necessarily a permanent designation. Some plants considered to be common when subjected to continuous threatening processes numbers decrease and the conservation status changes. This is without consideration of a change in the taxonomic status when studied in detail. It is not unusual that plant species considered the same taxon when critically studied may be subdivided into different species, subspecies or simply varieties. Wildlife Queensland is concerned that without floristic surveys the clearing of threatened species is a real possibility.

Wildlife Queensland strongly supports that threatening processes are effectively managed and the current conservation status of all protected plant species in Queensland is maintained or enhanced. Wildlife Queensland is not opposed to the sustainable take, use or trade of protected plants provided such activities are in accordance with all legislative requirements and 'sustainable' is adequately and appropriately defined. There is concern over what is considered to be 'a significant regulatory or administrative burden'.

Wildlife Queensland supported the need for the review It is obvious some action has to be taken or the existing framework would expire and threatened species (ie extinct in the wild, endangered, vulnerable or near threatened) would not be afforded any protection. Furthermore it is agreed that clearing, harvesting, growing and trade of protected species can be managed so that risks to threatened species are minimised. Wildlife Queensland advocates this Bill is not the way forward. . However you need to be aware that such activities are not impacting on threatened species. Also cumulative impacts not only on threatened species but on species not currently listed are such that the impacts may diminish the current conservation status of the species. What is required is the expenditure of funds to undertake comprehensive and statistically sound floristic surveys to reduced the knowledge gaps and enhances confidence levels in the data on hand. Expenditure pain in the short term for economic long term gain is the way forward.

Another difficulty for Wildlife Queensland is that the legislation will enable the chief executive to make assessment guidelines against which any application for clearing, harvesting or growing protected plants cane be assessed. However such guidelines are not available for perusal. Under the circumstances support for such amendments is not possible. Furthermore enabling the chief executive to require a person impacting on a protected plant to pay the relevant compensation would appear to be positive but when followed by the statement in the Explanatory Notes that payment will not generally be required causes concern. Current history from the present Government does not support a strong commitment to enforcement and compliance in a range of other areas

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Wildlife Queensland would not be opposed to a review of the number and category of licences required. Wildlife Queensland would have no difficulty to the licences required for aboriginal traditional authority or island custom authority being removed.

One other aspect that has support is the amendment to ensure Local Government decisions are not inconsistent with the regulations now that the Conservation plan is to be repealed. Also there is support for Clause 18 that amends s173 specifying that the planting and nurturing of or the restoration and rehabilitation of, a protected plant or population of protected plants can be required by enforcement.

Conclusion

Wildlife Queensland supports the need for a legislative framework for the protection of threatened species. Wildlife Queensland would not necessarily be opposed to some change to current legislation. Reduction of some permit or authority numbers and categories would not be opposed. However it is Wildlife Queensland's view the Bill has gone to far and will undoubtedly put the flora of Queensland, its regional ecosystems and the wildlife it supports at risk

Thank you for the opportunity to comment.

A handwritten signature in black ink, appearing to read 'Des Boyland', with a large, stylized initial 'D' to the right.

Des Boyland, Policies and Campaigns Manager

5th July 2013.