

2 CURRENT LEGISLATION REGARDING FAUNA CONSERVATION

The conservation of native fauna is now well enshrined in legislation. Most native species are protected from being removed from their natural habitat or protected from actions that would cause their unnecessary demise. Those species that are afforded additional protection to ensure their preservation, are listed under State and Commonwealth legislation. Within Queensland, such species are known as ‘scheduled’ species, as they are listed under Schedules 1–4 of the *Nature Conservation (Wildlife) Regulation 1994* (subordinate legislation to the *Environmental Protection Act 1994*). These schedules relate to ‘presumed extinct’, ‘endangered’, ‘vulnerable’ and ‘rare’ species.

Environmental legislation encourages the development of ‘ecologically sustainable development’ that allows for development which improves the total quality of life, both now and in the future, while maintaining the ecological processes on which life depends. The environmental legislation stipulates that the degree of impact on the environment from a proposal should be determined, and appropriate mitigation measures implemented. Main Roads maintains a ‘Queensland Environmental Legislation Register 1998’, which documents aspects of legislation pertinent to road construction and operation.

Recently, policies to conserve fauna have changed from focusing on the reservation of government lands with high habitat value (i.e. as Crown Reserves or National Parks), towards the maintenance of scheduled species throughout their geographical range. This requires management strategies that focus on maintaining certain fauna populations and their habitats within freehold and leasehold land. Numerous protected species inhabit certain lands that are poorly represented within Crown-held reserves. For example, the Rufous Bettong (*Aepyprymnus rufescens*) (refer Figure 2.1) inhabits low, dry open woodland (Dennis and Johnson 1995), and most of these areas are now freehold tenure and therefore not adequately protected. Legislation measures are currently being strengthened to protect vegetation on private lands and to permit state governments to develop conservation management agreements with landowners.



Figure 2.1 Rufous Bettong

Source: Queensland Museum