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SENATE RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES COMMITTEE INQUIRY INTO COMMERCIAL UTILISATION OF AUSTRALIAN NATIVE WILDLIFE

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GOVERNMENT RESPONSE

Recommendation 1

The Committee recommends that the Federal Government investigate the possibility of an experimental management trial, preferably in the rangelands region of Australia. Such an investigation should include discussions with officers from all relevant Federal Government instrumentalities (including Environment Australia, Department of Primary Industries and Energy, Bureau of Resource Sciences and RIRDC), wildlife scientists, state government officials and private landowners. Funding for such trials could come from the Bushcare: National Vegetation Initiative program of the Natural Heritage Trust.

Government response

The Government supports in principle the concept of an experimental management trial and will undertake a feasibility study to ascertain the viability of such a trial, as part of the implementation of the National Principles and Guidelines for Rangeland management.

This feasibility study will aim to gain an understanding of social, environmental and economic factors impacting upon and arising out of native wildlife utilisation in rangelands. Key issues which should be foreshadowed within such a study would include: the species most likely to form the basis of sustainable and profitable industries; the management regimes and codes of practice necessary to ensure long term ecological sustainability and long term economic viability and to minimise animal welfare concerns. Key issues would also include marketing, processing and quality control; the range of incentives available to encourage improvements in natural resource management practices; identification of government and other institutional impediments to such changes and the necessary monitoring and evaluation of the impacts resulting from the changes.

Depending on the outcome of the feasibility study, the Government would work with key stakeholders in one or more rangeland regions to develop a detailed proposal for an on-ground trial in a form suitable for Natural Heritage Trust investment. Diversification of land use is consistent with the draft National Principles and Guidelines for Rangeland Management, and enhanced utilisation of native species, in particular native flora, is potentially one way of diversifying rangeland industries, while promoting ecologically sustainable management of environmental and natural resources.

Commonwealth funding for a feasibility study and trial could be sourced from Bushcare and the National Landcare Program, contingent upon the projects being consistent with the objectives of those programs and funds being available. The most productive result is likely to be obtained if a trial were conducted in partnership with State and Territory governments, landholders (including indigenous landholders) and appropriate community organisations.

Recommendation 2

The Committee recommends that the Rural and Regional Affairs and Transport References Committee review the effectiveness of programs related to feral animal control in two years time.

Government response

Noted. The Committee has identified that, aside from habitat loss, one of the greatest threats to biodiversity in Australia is the impact of feral animals. The Government has recognised the threats posed by feral animals, and all other invasive species, and is addressing these through programs under the Natural Heritage Trust. The Government considers that any review should encompass all invasive species control programs and recognises that in two years time, more detailed information will be available on various control options and should enable comprehensive cost effectiveness analyses to be undertaken, including with regard to commercial harvesting of pest species.



Recommendation 3

The Committee recommends that the Government monitor the environmental, social and economic impacts of commercial utilisation of wildlife so that a balance sheet can be constructed to assess the full impact of wildlife industries on the Australian economy.

Government Response

Accept in principle. The use of a balance sheet assessment that incorporates environmental, social, and economic impacts of commercial wildlife use could provide essential information for managing industries that evolve from increased access to wildlife resources.

Indicators would be an essential component of a balance sheet approach and would need to be agreed by stakeholders and be consistent with existing initiatives. Governments are currently undertaking work in a number of areas that would assist the development of such balance sheets. This includes the Australian Bureau of Statistics' natural resource accounts, the National Forest Inventory and reporting against the Montreal Process criteria and indicators for forests, State of the Environment reporting and the development of environmental indicators. Using the work already being undertaken could contribute to the development of management regimes that recognise the commercial values of wildlife use and assist in the management of broader biodiversity values.

Recommendation 4

The Committee recommends that the Federal Government investigate ways in which private sector investment in biodiversity conservation can be supported and encouraged. In particular, the Committee draws attention to the model of sustainable use of wildlife as used in southern Africa, whereby in some areas ownership of wildlife is transferred to local landowners, and recommends that the Government examine the appropriateness of such a model to biodiversity conservation in Australia.

Government Response

Accepted. The investigation of increased private sector investment in biodiversity conservation is strongly supported. Systems of management need to be underpinned by analysis of the species concerned, the local environment, determination of the property rights and incentive regimes to support conservation and sustainable use objectives. These will involve investigation of measures to manage risks such as erosion of the gene pool in remnant populations.

Model systems for private sector investment currently exist in industries based on wildlife use, for example, some fisheries management regimes. The development of an access right regime will enable a market to develop for species of commercial value. This will occur through the incorporation of the necessary conditions to ensure an efficient and effective market for the commercialisation. Flow-on implications for other species will also need to be taken into account. Significant benefits to increased biodiversity conservation values could lead to flow on benefits to other species through habitat improvement, increased availability of funds, improved knowledge and incentive mechanisms for sustainable use.

Recommendation 5

The Committee recommends that State and Federal Governments together review all administrative procedures relating to commercial utilisation of wildlife in Australia with a view to increasing their efficiency so as to ensure that there are no unnecessary hindrances to industry.

Government Response

Accepted. A review of administrative procedures under the *Wildlife Protection (Regulation of Exports & Imports) Act 1982* is already underway, with a view to eliminating inefficiencies. This review will include consideration of administrative costs and fees charged to the industries, in line with the Commonwealth's policy on cost recovery.

The Commonwealth will continue to work cooperatively with State Governments to streamline administrative procedures relating to commercial utilisation of wildlife. Through relevant Ministerial Councils, the Commonwealth will seek the cooperation of the States and Territories to develop more integrated and efficient procedures in this area. Statutory obligations may also be reviewed, where appropriate, to remove duplication.

Recommendation 6

The Committee believes that governments should make greater efforts to recognise the contributions made by amateur biologists. The Committee recommends to Federal and State Governments that they review wildlife regulations with a view to facilitating the work of professional and amateur scientists, so that they can actively contribute to biodiversity conservation.

Government Response

The Government is strongly supportive of, and encourages broad community involvement in, all aspects of biodiversity conservation. Through the Natural Heritage Trust, funding and other support is provided for a broad range of activities which target the full range of environmental and natural resource issues facing Australia. Scientific research can have significant long-term benefits to biodiversity conservation, and the government is keen to ensure that professional and amateur scientists can actively contribute to biodiversity conservation. The Government also acknowledges that indigenous people have considerable traditional ecological expertise and that this knowledge should be respected.

Through the Australian and New Zealand Environment and Conservation Council, the Commonwealth Government will encourage the States and Territories to review wildlife regulations and amend any that inhibit legitimate scientists and others in the community from contributing to our knowledge of Australia's biological diversity. However, in undertaking such a review it will be necessary to ensure that biodiversity conservation is maintained, access to biological resources is equitable, and that where access gives rise to private benefit, the community receives an appropriate share of that benefit.

Recommendation 7

The Committee recommends that codes of practice relating to wildlife industries should: (1) be in place prior to approval being given for an industry to commence operations; (2) have a clear connection between licensing conditions and compliance with a code of practice so that failure to comply results in a withdrawal of the licence; (3) be consistent between the states; and (4) where several codes apply to the same industry, be consistent between codes.

Government Response

Accepted. It is noted that this recommendation accords with the general thrust of discussions in the National Consultative Committee on Animal Welfare on this issue. The Government recognises that codes evolve over time and that a code introduced at the time of approval of an industry will need to be reconsidered in light of new knowledge, including that gained as a result of the operation of the industry. Codes must also be broadly based so they do not favour or penalise particular industries. It is also recognised that a number of animal use industries are including animal welfare codes into Quality Assurance Programs. This is an effective mechanism to ensure best practice and compliance with codes of practice and will be encouraged.

Recommendation 8

The Committee believes that these factors point strongly to the conclusion that the current prohibitionist policy does not work to protect wildlife from illegal activities, although the extent to which it does not work, is difficult to ascertain. The Committee notes that the Federal Government is currently undertaking a review of all environmental legislation. The Committee recommends that the Government include in that review consideration of other policy options for Wildlife Protection.

Government Response

Accepted in principle. The Consultation Paper on the Reform of Environment Legislation, released in February 1998, included proposals to amend the *Wildlife Protection (Regulation of Exports and Imports) Act 1982*. However, these proposals were not included in the Environment Protection and Biodiversity Conservation Bill, pending the report of this Senate Inquiry. The Government has, in its election platform, made a commitment to amend the *Wildlife Protection (Regulation of Exports and Imports) Act 1982*. The reforms recommended by the Senate Committee, including implementing administrative arrangements that protect wildlife from illegal activities, will be carefully considered in drafting amendments to this legislation.

Recommendation 9

The Committee believes that the Government should act wherever possible to support legitimate small businesses in Australia, and therefore recommends that Environment Australia give priority to resolving problems relating to the sale and export of coral and shells, so as to assist industry.

Government Response

Accepted. The Government is in the process of implementing new arrangements for trade in corals and shells. These arrangements will assist the coral industry to legally harvest and export its product, and will substantially decrease the administrative burden on the shell trade without reducing the level of control of the trade in species of shells vulnerable to overharvesting.

Recommendation 10

The Committee recommends a remote Aboriginal community be invited to carry out a trial survey of the levels of subsistence wildlife use, and its impact on biodiversity, supported by a grant through the Natural Heritage Trust.

Government Response

Considerable work has already been conducted to investigate subsistence use of wildlife, particularly in northern Australia, primarily focused on the identification of utilisation patterns. What is now needed are strategic studies to set utilisation patterns in an ecological context, including an examination of the long term impacts upon biodiversity of various utilisation patterns, and impacts other than subsistence use by traditional communities. It is also desirable to measure the effects on biodiversity of the absence of traditional use. Studies should include analysis of the full economic benefits, and the cultural importance to society of subsistence use. In addition, any study needs to be undertaken with the full cooperation of the community, respecting their rights, and agreement with the community about use of information gained during a study is essential. Commonwealth assistance through the Natural Heritage Trust could be made available for appropriate studies.

Recommendation 11

The Committee recommends that Aboriginal people should be consulted where commercial opportunities are identified on lands where there are communities that have strong traditional links to the lands.

Government Response

Accepted. On lands owned or managed by indigenous communities it is well accepted that any commercial use should occur only after consultation. The Government considers it important to fully involve indigenous communities in any proposals where commercial opportunities are identified on lands where there are traditional links.



Recommendation 12

The Committee believes that the importance of intellectual property rights of Aboriginal people in relation to the use of wildlife has not received sufficient recognition, and the Committee recommends that the Federal government give greater attention to this issue.

Government Response

Accepted in principle. Traditional knowledge of biodiversity has benefited Australian society and continues to do so, but historically, the value of indigenous peoples traditional knowledge could be perceived as having been largely ignored, with the sources of knowledge often not acknowledged, and rarely benefiting. Current intellectual property rights regimes may not offer sufficient protection to the holders of traditional (indigenous) knowledge because the two concepts are largely incompatible under Australian law. There may also be tension between the publication requirements of statutory intellectual property rights and any desire indigenous communities have to keep knowledge secret.

The Government supports efforts to engage key stakeholders, including indigenous communities, in widespread discussions aimed at resolving this issue. This may include using the intellectual property system to protect traditional knowledge; eg confidential information, protection and recognition through contract law, and the possibilities of developing a new class of proprietary rights, or new classes of transfer agreement.