



## **Independent Review of the Environment Protection and Biodiversity Conservation Act 1999**

### **Submission from the Australasian Regional Association of Zoological Parks and Aquaria**

The Australasian Regional Association for Zoological Parks and Aquaria [ARAZPA] is the recognised peak body for the industry in Australia and New Zealand representing 75 members caring for 82,000 specimens of over 2000 species of exotic and native fauna.

The purpose of this letter is to provide a submission from ARAZPA to the Independent Review of the Environment Protection and Biodiversity Conservation Act 1999.

This submission focuses on the biodiversity and the international movement of wildlife sections of the Act. However, due to timing constraints the biodiversity component is made as a preliminary submission and it is hoped the Review will accept a more detailed follow up submission early in the New Year.

Please find below the details of the ARAZPA submission which follows the questions used in the Review's discussion paper:

#### **Biodiversity**

**Q16 Does the planning regime support the effective recovery of threatened species and ecological communities?**

**Q17 Are there opportunities to improve the co-ordination between the Commonwealth and State and Territory recovery regimes? If so, what might these be?**

**Q18 Are the provisions of the Act for the protection and recovery of threatened species and ecological communities, migratory species, listed marine species and cetaceans effective? What alternative approaches might be available?**

The current system of coordinated planning and delivery can deliver successful recovery programs however it is believed there is considerable

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potential to improve the effectiveness of the planning and delivery of the programs. It is recommended that standardised regimes and methodologies used by Defence and the Emergency Services for planning and execution of operations be examined and an agreed national doctrine, regime, methodology and training be established and maintained to address the protection and recovery of species and ecosystems at a national level.

### **International Movement of wildlife**

#### **Q21 Do you think that current assessment and decision-making processes for the listing of specimens suitable for live import could be refined and simplified?**

ARAZPA believes the process for listing of species suitable for live import could be refined and simplified. In order to import a species needs to be on the EPBC Act import list and the Biosecurity Australia import list. Whilst both lists serve different purposes there is scope to combine the process so an organisation only needs to deal with a single point of contact. A combined process with identified sequential decision points for the different needs [biosecurity/EPBC] would ensure that industry is not investing in one of the processes when it will be rejected by the other.

#### **Q23 Are the arrangements between the Commonwealth and the States and Territories for managing the domestic movement of exotic and native wildlife effective and appropriate?**

The current arrangements do create anomalies which do not necessarily meet the objectives of the Act. For example, native fauna cannot be moved out of Queensland. This can hamper breeding for release activities as part of a recovery program, as any animals moved to Queensland to breed can then not be moved again to maximise genetic diversity as required nor can offspring be moved to another State or Territory for release.

#### **Q24. Does the Act provide appropriate provisions to ensure that Australia complies with its obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)?**

ARAZPA strongly supports the Australian Government's ratification and enforcement of the Convention on International Trade in Endangered Species (CITES).

ARAZPA understands that species listed on Appendix I of CITES are:

- threatened by trade or
- closely related to species threatened by trade
- moved across international borders only when:
  - no detriment to wild populations can be demonstrated

- transfers are primarily non-commercial

ARAZPA understands that in addition to these requirements, Australian law requires that CITES I specimens are moved:

Only into an approved Cooperative Conservation Program that can:

- demonstrate no detriment to wild populations
- is primarily non-commercial
- demonstrate an in situ or ex situ conservation benefit to the species
- apply best practice to the management of husbandry, genetics, biology and behavioural needs of the species.

In interpreting the latter of the above points, the Government currently has determined that an additional welfare test be applied to CITES I animals that is not applied to any other species. This interpretation:

- is not consistent with the original intent of that section, as discussed extensively with ARAZPA at the time of drafting and initial implementation
- is not required by the wording of the Regulations - welfare is not identified as an outcome, conservation is
- is currently acting as an impediment to sustainability – disrupting our efforts to establish sustainable global programs for CITES I species

As species are listed on CITES appendices for CONSERVATION and not for WELFARE reasons, ARAZPA believes this interpretation to be problematic and not able to deal adequately with welfare issues.

ARAZPA strongly supports the regulation and enforcement of high standards of animal welfare and this should be applied to all animals not just CITES 1. Furthermore; ARAZPA does not believe one-off welfare assessments at point of export/import to be an effective way of achieving consistently high welfare standards because:

- of the lack of subsequent enforcement powers relating to the animals involved
- facilities and practices can change in a short space of time – only ongoing regulation and inspection addresses this

ARAZPA strongly supports the Governments Australian Animal Welfare Strategy and the need for National Standards and Guidelines for the Exhibition of Animals which is currently being developed as part of the Strategy and is being lead by the Department of Agriculture, Fisheries and Forestry. ARAZPA believes that any welfare tests applied by the Government should be applied consistently on an ongoing basis and according to the needs of the species.

Therefore ARAZPA recommends that the Government:

- Uncouples the generalized issue of welfare from the CITES-specific issue of sustainability.
- Uses the CITES-related components of the EPBC Act to ensure sustainability not welfare.
- Assesses, through CCPs for CITES I species, only those aspects of behavioural and biological need that impact on population sustainability (in keeping with the principles of CITES).
- Incorporates the aspects of the Australian Animal Welfare Strategy concerning the welfare of native wildlife and exotic fauna in to the EPBC Act to meet welfare needs.
- Through a co-management approach with industry establish an ongoing welfare accreditation system, based on existing industry accreditation programs, without duplicating existing state and territory licensing instruments.

Furthermore, ARAZPA fully supports the need for a permitting system to control the import and export of wildlife. ARAZPA exists as part of a global zoo community within the World Association of Zoos and Aquariums and works with other regional associations on a range of issues including cooperative breeding programs. These breeding programs are founded on the 'swapping' of specimens between member zoos to meet in situ or ex situ conservation needs as identified in a CCP. However in general terms zoos are deterred from dealing with Australian zoos as the Act has created an unnecessarily bureaucratic and unwieldy permitting process. In part this is due to the amount and detail of the information required by DEWHA which in general is at best a duplication of the work carried out by the other CITES Authority in their issuing of the respective import/export permits. The permitting process can hinder the operation of zoos; the time frames involved in obtaining permits can exceed the practicalities of managing a species. For example some short lived species die of old age whilst the permit is being processed. As permits are issued for specific specimens the process has start from the beginning.

ARAZPA recommends the permitting requirements of the EPBC Act in relation to the international movement of wildlife, be simplified to include only the information the Australian Government needs as a CITES Authority; recognizing the integrity of other CITES Authorities in the provision of their permits.