



Australian Government

Department of the Environment and Energy

Assessment of
***Management Plan for the Commercial Harvest of
Kangaroos in Western Australia 2019 – 2023
as a Wildlife Trade Management Plan
under the EPBC Act***

November 2018

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This report should be attributed as 'Assessment of the *Management Plan for the Commercial Harvest of Kangaroos in Western Australia 2019 – 2023* Wildlife Trade Management Plan – November 2018.

Disclaimer

This document is an assessment carried out by the Department of the Environment and Energy of a commercial wildlife trade management plan. It forms part of the advice provided to the Minister for the Environment and Energy on the operation in relation to decisions under Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999*. The views expressed do not necessarily reflect those of the Minister for the Environment and Energy or the Australian Government.

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EXECUTIVE SUMMARY

On 22 August 2018 the Western Australian Department of Biodiversity, Conservation and Attractions (DBCA) submitted the *Management Plan for the Commercial Harvest of Kangaroos in Western Australia 2019 – 2023* (the Plan), to the Department of the Environment and Energy (the Department) to be assessed under the EPBC Act as an approved wildlife trade management plan (WTMP). A public comment period was open from 28 August 2018 to 2 October 2018.

The primary goal of the Management Plan is to ensure that the commercial harvest of kangaroos is ecologically sustainable and to provide an alternative management approach for reducing the damage caused by overabundant kangaroos.

The plan is designed to manage the kangaroo industry in Western Australia in accordance with the principles of ecological sustainability. This is achieved through the application of the best available scientific knowledge, best practice management, and monitoring of outcomes to ensure the viability and welfare of kangaroo populations is not compromised by any action undertaken in accordance with the Plan.

The Department will monitor the level of harvest under the plan by reviewing reports provided by DBCA that provide population estimates, quotas calculated as a proportion of population estimates, and the number of kangaroos harvested, and industry compliance statistics undertaken in relation to the plan.

On this basis, the Department considers that a declaration of the proposal as an approved Wildlife Trade Management Plan for five years, until 31 December 2023 is appropriate.

Unless a specific time frame is provided, each condition must be addressed within the period of the approved wildlife trade management plan.

Section 1: Summary

Previous assessment history

1st assessment (Wildlife Trade Management Plan) finalised January 2003

2nd assessment (Wildlife Trade Management Plan) finalised January 2008

3rd assessment (Wildlife Trade Management Plan) finalised January 2013

EPBC requirements	Meets	Partially meets	Does not meet	Details
Part 13A	Meets			<p>The operation is consistent with the Objects of Part 13A.</p> <p>Declaration of the Wildlife Trade Management Plan is recommended for five years, from 1 January 2019 to 31 December 2023, subject to conditions detailed in Section 3 of this report.</p>

Section 2: Part 13A assessment

Section 303BA Objects of Part 13A	
<p>(1) The objects of this Part are as follows:</p> <ul style="list-style-type: none">(a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention;(b) to protect wildlife that may be adversely affected by trade;(c) to promote the conservation of biodiversity in Australia and other countries;(d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way;(e) to promote the humane treatment of wildlife;(f) to ensure ethical conduct during any research associated with the utilisation of wildlife; and	<p>Meets</p> <p>The plan contributes to a system of national kangaroo management plans designed to ensure conservation and sustainable use of wildlife resources. The plan is not inconsistent with Australia's obligations under the Convention on Biological Diversity or CITES.</p> <p>Regulation of kangaroos in Western Australia is achieved through a harvester permit and tag system. The harvest is moderated by a quota scheme with population estimates based on regularly conducted population surveys. This system is intended to protect wildlife that may be adversely affected by trade from potential overharvesting.</p> <p>The plan's goal is to ensure that the commercial harvest of kangaroos is ecologically sustainable and to provide an alternative management approach for reducing the damage caused by overabundant species. This goal is not inconsistent with this object.</p> <p>The plan is designed to manage the kangaroo industry in Western Australia in accordance with the principles of ecological sustainability. This is achieved through a quota system based on population estimates from regularly conducted surveys.</p> <p>The plan requires kangaroo harvesters to comply with the <i>National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes</i> (the Commercial Code).</p> <p>The plan deals with the commercial utilisation of kangaroos. Although most kangaroo research falls outside the scope of the plan, the plan refers to research that relates to the commercial harvest. Action 15 of the plan states that WA DBCA will support research into the ecology and harvest management of kangaroos.</p>

<p>(h) to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.</p>	<p>The plan contains a range of measures that require a precautionary approach to be taken when decisions are made in relation to the harvest of kangaroos. These measures include: conducting population monitoring used to set commercial quotas; setting quotas at levels considered sustainable for kangaroo populations; reducing or suspension of harvest when populations reach trigger points until survey effort indicates populations have recovered, and collection and analysis of harvest returns to detect changes in sex bias or carcase weight and adjusting the harvest when these are detected or the quotas are likely to be exceeded.</p>
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Section 303FO Approved wildlife trade management plan	
<p>(2) The Minister may, by instrument published in the <i>Gazette</i>, declare that a specified plan is an approved wildlife trade management plan for the purposes of this section.</p>	
<p>(3) The Minister must not declare a plan under subsection (2) unless the Minister is satisfied that:</p> <p>(a) the plan is consistent with the objects of Part 13A of the Act; and</p>	<p>Meets The operation is consistent with Objects of 13A – see assessment above</p>
<p>(b) there has been an assessment of the environmental impact of the activities covered by the plan, including (but not limited to) an assessment of:</p> <ul style="list-style-type: none"> i. the status of the species to which the plan relates in the wild; and ii. the extent of the habitat of the species to which the plan relates; and iii. the threats to the species to which the plan relates; and iv. the impacts of the activities covered by the plan on the habitat or relevant ecosystems. 	<p>Meets The plan includes an assessment of:</p> <p>(i) the status of the species covered in the plan. Neither western grey nor red kangaroos are listed as threatened under Western Australian or Commonwealth legislation. Both species subject to commercial harvest under this management plan are considered common and occur over a broad area of WA.</p> <p>(ii) the extent of habitat of the kangaroos. The extent of the habitat is represented by the current distribution of each species addressed in the plan. The plan includes distribution maps for the kangaroos.</p> <p>(iii) the potential threats to kangaroos. These include: drought, climate change, disease, flood, habitat loss and modification, harvesting and predation. Such impacts would normally be taken into account by the population monitoring programs.</p> <p>(iv) the impacts of the commercial harvest on habitat and ecosystems. Harvesting could potentially favour populations of feral animals, such as foxes. However, it is considered unlikely that the commercial kangaroo harvest will significantly increase populations of introduced predators. The commercial harvest may provide indirect benefits to native vegetation by reducing total grazing pressure. Impacts are unlikely to be significant.</p>
<p>(c) the plan includes management controls directed towards ensuring that the impacts of the activities covered by the plan on:</p> <ul style="list-style-type: none"> i. a taxon to which the plan relates; and ii. any taxa that may be affected by activities covered by the plan; and iii. any relevant ecosystem (for example, impacts on habitat or biodiversity); <p>are ecologically sustainable; and</p>	<p>Meets The plan contains management controls that aim to ensure the impacts of the commercial harvest on kangaroos, any other species, kangaroo habitat and biodiversity are ecologically sustainable. Commercial harvest of kangaroos is currently restricted to the Population Monitoring Zones. The size of the commercial harvest is regulated through the use of quotas. Trigger points specify population levels at which the harvest will be reduced or suspended. Kangaroo harvesters are licensed and issued with lockable tags, which must be attached to the kangaroo carcase. Industry compliance with the licensing, tagging and animal welfare aspects of the management plan is monitored by a process of auditing and cross checking the harvest returns, and by undertaking regular and opportunistic inspections of carcasses and processors.</p>

<p>(d) the activities covered by the plan will not be detrimental to:</p> <ul style="list-style-type: none"> i. the survival of a taxon to which the plan relates; or ii. the conservation status of a taxon to which the plan relates; or iii. any relevant ecosystem (for example, detriment to habitat or biodiversity). 	<p>Meets</p> <p>The activities covered by the plan are not expected to be detrimental to the survival or conservation status of commercially harvested kangaroo or detrimental to their habitat or biodiversity. The size of the commercial harvest is regulated through the use of quotas set at a percentage of the kangaroo population estimate to achieve a sustainable level of take. Trigger points are also in place to reduce or suspend the allocated quotas if population densities fall below pre-determined levels.</p>
<p>(e) the plan includes measures:</p> <ul style="list-style-type: none"> i. to mitigate and/or minimise the environmental impact of the activities covered by the plan; and ii. to monitor the environmental impact of the activities covered by the plan; and iii. to respond to changes in the environmental impact of the activities covered by the plan; and 	<p>Meets</p> <p>(i) The measures described in the management plan to mitigate and minimise the environmental impact of kangaroo harvesting activities are discussed under subsection 303FO(3)(c) above.</p> <p>(ii) WA conducts direct monitoring of kangaroo populations using broad-scale aerial surveys. These techniques are used to obtain annual population estimates in the commercial harvest management regions of WA. Ongoing monitoring of licence returns will identify significant changes in the average weights of harvested kangaroos, which, for example, can provide an indication of population health.</p> <p>(iii) The Department considers that the measures set out in the plan will enable managers to respond to changes in the environmental impact of the activities covered by the plan. The plan refers to changing harvest quotas as kangaroo populations change. Refer to discussion under subsection 303FO(3)(c) for further discussion on quotas and trigger points. Also, ongoing monitoring of licence returns will identify significant changes in the average weights and sex ratios of harvested kangaroos, which can provide an indication of population health.</p>
<p>(f) if the plan relates to the taking of live specimens that belong to a taxon specified in the regulations - the conditions that, under the regulations, are applicable to the welfare of the specimens are likely to be complied with; and</p>	<p>Meets</p> <p>The Plan has an aim to ensure the humane harvest of kangaroos and that the commercial harvest is carried out in accordance with the <i>National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes</i> (the Commercial Code). The Commercial Code outlines an achievable minimum standard of humane conduct with regard to the shooting of kangaroos and wallabies. The conditions set out in Regulation 9A.05(4) will be met if the conditions set out in the Commercial Code are complied with.</p> <p>Subsection 303FO(3) requires the Minister to be satisfied that the conditions set out in the Regulations are likely to be met. The Plan includes provisions that make compliance with the Commercial Code likely. The Commercial Code is made available to operators in the commercial kangaroo industry. Compliance with the Commercial Code is a condition of licences issued to kangaroo harvesters. The Plan states that DBCA will monitor commercial kangaroo licence holders for compliance with the Commercial Code. Where an offence has been committed and it is appropriate, action to prosecute will be taken.</p>
<p>(g) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.</p>	<p>Not applicable</p> <p>No other conditions are specified in relation to commercial wildlife trade management plans in the <i>Environment Protection and Biodiversity Conservation Regulations 2000</i>.</p>

<p>(4) In deciding whether to declare a plan under subsection (2), the Minister must have regard to:</p> <p>(a) whether legislation relating to the protection, conservation or management of the specimens to which the plan relates is in force in the State or Territory concerned; and</p> <p>(b) whether the legislation applies throughout the State or Territory concerned; and</p> <p>(c) whether, in the opinion of the Minister, the legislation is effective.</p>	<p>Meets</p> <p>This plan operates under the <i>Biodiversity Conservation Act 2016</i> (BC Act). The BC Act applies throughout Western Australia. All kangaroo species and subspecies are protected in WA under the BC Act. The BC Act and the associated Regulations make provisions for the licensing of a range of activities relating to the commercial harvesting of kangaroos. Under the BC Act, lawful authority (a licence) is required to take, possess, process, deal, import or export fauna. Licences may include conditions, such as the manner in which fauna may be taken, or stored, including during transport, and the affixing of tags to the fauna.</p> <p>The Department considers that the legislation is likely to be effective at achieving its intent.</p>
<p>Section 303FQ Consultation with state and territory agencies</p>	
<p>Before making a declaration under section 303FO or 303FP, the Minister must consult a relevant agency of each State and self-governing Territory affected by the declaration.</p>	<p>Consultation was undertaken with the WA Department of Biodiversity, Conservation and Attractions.</p>
<p>Section 303FR Public consultation</p>	
<p>(1) Before making a declaration under section 303FO, the Minister must cause to be published on the Internet a notice:</p> <p>(a) setting out the proposal to make the declaration; and</p> <p>(b) setting out sufficient information to enable persons and organisations to consider adequately the merits of the proposal; and</p> <p>(c) inviting persons and organisations to give the Minister, within the period specified in the notice, written comments about the proposal.</p> <p>(2) A period specified in the notice must not be shorter than 20 business days after the date on which the notice was published on the Internet.</p>	<p>Meets</p> <p>A public notice, which set out the proposal to declare a Wildlife Trade Management Plan for the Management Plan for the Commercial Harvest of Kangaroos in Western Australia, as an approved wildlife trade management plan, was released for public comment on 28 August 2018 to 2 October 2018, a total of 23 business days. The figure takes into account ACT and WA public holidays that occurred over the period.</p>
<p>(3) In making a decision about whether to make a declaration under section 303FO, the Minister must consider any comments about the proposal to make the declaration that were given in response to the invitation in the notice.</p>	<p>Not applicable</p> <p>No public comments about the proposal were received.</p>
<p>Section 303FT Additional provisions relating to declarations</p>	
<p>(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.</p>	<p>Meets</p> <p>A declaration for the operation will be made under section 303FO.</p>
<p>(4) The Minister may make a declaration about a plan or operation even though he or she considers that the plan or operation should be the subject of the declaration only:</p> <p>(a) during a particular period; or</p> <p>(b) while certain circumstances exist; or</p> <p>(c) while a certain condition is complied with.</p> <p>In such a case, the instrument of declaration is to specify the period, circumstances or condition.</p>	<p>Meets</p> <p>The standard conditions applied to commercial wildlife trade management plans include:</p> <ul style="list-style-type: none"> This declaration is valid for five years from 1 January 2018 until 31 December 2023 the date of registration of this declaration. <p>The wildlife trade management plan instrument for the Management Plan for the Commercial Harvest of Kangaroos in Western Australia 2019 – 2023 specifies the aforementioned standard condition and the additional conditions as specified in section 3 of this assessment report.</p>

(8) A condition may relate to reporting or monitoring.	Meets One of the conditions in section 3 relates to reporting.
(9) The Minister must, by instrument published in the Gazette, revoke a declaration if he or she is satisfied that a condition of the declaration has been contravened.	Noted
(11) A copy of an instrument under section 303FO, or this section is to be made available for inspection on the internet.	Meets The instrument for the plan made under sections 303FO and the conditions under section 303FT will be registered as a notifiable instrument and made available through the Department's website.

Section 3: Recommended conditions

Issue	Condition
<u>General Management</u> Export decisions relate to the arrangements in force at the time of the decision. To ensure that these decisions remain valid and export approval continues uninterrupted, the Department of the Environment and Energy needs to be advised of any changes that are made to the management regime and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decision. This includes operational and legislated amendments that may affect sustainability of the target species or negatively impact on EPBC Act protected species or the ecosystem.	Condition 1: Commercial harvesting of kangaroos in Western Australia is to be done in accordance with the <i>Management Plan for the Commercial Harvest of Kangaroos in Western Australia 2019-2023</i> .
<u>Reporting</u> It is important that reports be produced and presented to the Department in order for the performance of the operation to be monitored and assessed throughout the life of the declaration.	Condition 2: The quota report in response to Action 11 of the Plan must be submitted to the Department of the Environment and Energy by 30 November each year. Condition 3: The annual report in response to Action 17 of the Plan must be submitted to the Department of the Environment and Energy by 31 March each year. The annual report will cover the previous calendar year.