

13/7/2018

RE: Consultation Regulatory Impact Statement (CRIS): Reviewing the framework for the management of protected wildlife (animals) in Queensland under the *Nature Conservation Act 1992*

The Canary and Cage Bird Federation of Australia (CCBFA) represents many hundreds of clubs nationally including approximately 50 clubs throughout Queensland. We support the protection and conservation of wild populations of avian species through a range of activities and projects. In terms of wildlife licensing we support a risk-based approach where our clubs work cooperatively with government to achieve the best outcomes for the native birds in our care and in the wild. CCBFA operates across all jurisdictions and have represented aviculturists on a variety of government committees at both state and national level. Aviculture has a proud self-regulatory history in Australia largely via the clubs and their various governing and representative bodies.

CCBFA President, Sam Davis, met with DES staff on 14/6/2018 along with National Finch and Softbill Association (NFSA), President Gary Fitt – the meeting report attached forms part of this submission and indicates the substantial issues uncovered within the CRIS requiring attention.

CCBFA is communicating and working alongside the Queensland Council of Bird Societies (QCBS) and NFSA – we support their submissions to this framework review.

Some particular points and recommendations follow.

Species List Changes

We have been working on a range of changes to the species list schedules for NSW, Qld and soon for WA. Based on the 14/6/2018 DES meeting we understand DES supports our intention to align the Queensland species lists with those in NSW (and elsewhere). We support and in Qld are working with Dr Danny Brown, QCBS and NFSA on this matter.

Recommendation 1

A meeting is convened by DES so expert avicultural representatives can present and justify the final species lists with the relevant DES decision makers.

The large majority of birds in aviculture are common seed eating species, predominantly finches and parrots. Such species have been in captivity for many many generations, they are effectively domesticated, readily available in aviculture and therefore pose no threat to wild populations. The keeping of such birds improves understanding of wild counterparts and promotes conservation through enhanced and hands on appreciation of our native fauna.

Recommendation 2

Move the majority of finches and parrots onto the exempt list.

There has been no satisfactory process for updating species lists in Queensland, which has led to the current situation requiring large changes and additions. A system supported by a committee with expert avicultural representation is required.

Recommendation 3

An ongoing risk assessment process, including opportunity for stakeholder review, is implemented to facilitate future species list changes at least annually.

Licence Classes

The current proposal for standard, specialist and advanced classes shows a limited understanding of aviculture. It does not acknowledge the vast number of hobbyists whose substantial purpose is to improve and refine husbandry practice so as to successfully breed the birds in their care.

Assuming our *Recommendation 2* above is implemented then most aviculturists will not require a wildlife licence as most breed only exempt native species. If private keepers are able to freely trade in such species, then so too should pet shops who are already subject to extensive regulation via the *Animal Care and Protection Act 2001* and associated regulations and codes of practice.

Recommendation 4

No licence required for exempt species, this includes pet shops and dealers.

There are those who keep a small number of pet birds as companions, however these tend to be largely exempt natives or exotic species, nevertheless there will be some owners who own a class 1 bird as a pet who fit the companion category.

Recommendation 5

Standard licence becomes a pet or companion bird licence for owners of less than 5 class 1 birds. A single low one-off fee for life. Similar process to registering a dog with council.

There are few, if any, commercial aviculturists nationally making a living by trading licensed native birds. Commercial bird breeding is rare, with income derived from exotic species such as macaws, amazons and other exotic parrots. Finally, there are commercial pet shops or dealers. These businesses purchase birds to resell for profit.

Recommendation 6

Specialised licence becomes an aviculture licence for private aviculturists who wish to breed birds from Class 1 and Class 2 schedules. A fee of magnitude \$50 per annum. Birds offered for sale must have been owned for at least 6 months or were bred by the licensee.

Recommendation 7

Advanced licence becomes a dealer licence for pet shops and others who wish to buy and sell Class 1 or Class 2 schedule species as a commercial enterprise. Ability to buy and then resell immediately.

Movement Advice System

As detailed in our 14/6/2018 meeting report, items 4 and 5, we do not support continuation of the movement advice system. We are unable to identify how such a system assists in the prevention or identification of poaching activities. Therefore, the movement advice system is not fit for purpose and is not cost effective.

The avicultural community supports efforts to reduce illegal take from the wild. We look forward to meeting with DES to offer our assistance and support in this area.

A change to an online system does not alter the fact the movement advice system is not fit for purpose. In addition, a significant proportion of aviculturists are elderly with minimal if any internet access or skills.

Recommendation 8

Discontinue the movement advice system.

We look forward to our participation in ongoing consultation as we work cooperatively to finalise this review process.

Kind regards,



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17/6/2018

Dear Queensland CCBFA affiliate clubs

RE: Queensland Wildlife Licensing – DES meeting report 14/6/2018 Brisbane

On June 14th 2018 Gary Fitt (QFS and NFSA President) and I, Sam Davis (CCBFA President) met with senior DES staff in Brisbane to discuss the recently released Queensland *Consultation Regulatory Impact Statement (RIS), Reviewing the framework for the management of protected wildlife (animals) in Queensland under the Nature Conservation Act 1992*. Unfortunately, Lyle Holmes (QCBS President) was unable to attend due to illness – Lyle met with DES as part of the Wildlife Advisory Committee the week prior. Reptile representatives met with the same DES staff earlier in the day.

The RIS and other details, plus a survey are here -

<https://www.qld.gov.au/environment/plants-animals/wildlife-permits/framework-review>

The meeting was most encouraging with DES staff eager to listen and understand our concerns over the current proposal. We presented each of the following points. It was clear and agreed by all present that further consultation on most of these matters is required.

1. Process and consultation has been poor to date. The first task is to ensure full and proper consultation occurs, so a sensible stakeholder supported approach to native animal licensing is achieved. Reviews, such as this process, occur at minimum only once every 20 years. It is well worth the effort (and time) to get it right.

DES staff expressed their intent to consult - they are keen and willing to listen to concerns.

2. The object of the Nature Conservation Act 1992 is “the conservation of nature” (s.4), achieved “by education and cooperative involvement of the community”(s.5(a)) and “sustainable use of protected wildlife” (s.5(e)). Aviculture wants to, and does, have these same objectives. It should be noted that most of our species have no potential to affect wild populations directly.
3. The RIS completely ignores unlicensed operators. It seems obvious that most poaching will be undertaken by unlicensed operators – criminals don’t put their hand up! Compliance operations detailed throughout the RIS are dealing with those trying to do the right thing. Working with licensees to foster trust is the way forward.

DES staff noted there has been instances where poaching by licensed keepers had been identified via the licensing system including where the licensing system had been used to hide illegal take from the wild. We are unaware of such cases and requested further details.

4. Purpose of Movement Advice system is unclear. Submissions recommended scrapping the system (we agree) – why is this not addressed in the RIS? There is no evidence MA system has any benefit. Going online benefits staff in terms of “time and effort” (p31), but for what? Assertion that MA system will reduce illegal trade (p32) is not supported by any evidence.
5. Movement Advice system is costly – potential to reduce licence fees significantly if MA system is scrapped. 46% of compliance costs are on MA administration (p12), yet the impact assessment makes it clear existing MAs have not been collated (p29) so 46% underestimates what the true cost should be.

Significant disagreement over the purpose of the Movement Advice system to identify illegal take from the wild. DES staff were under the impression there was support for Movement Advices if in online form, from all stakeholders – they now know this is not the case. We have requested further evidence to justify the significant resources proposed to be directed towards both Movement Advices and proposed ongoing near real time online data collection.

6. The proposed advanced licence fee for breeding Class 1 or 2 species – \$685 for 3 years will not be paid by anyone. Provided most of the commonly kept species move to exempt, a licence fee to breed and trade Class 1 and 2 species should be in line with the current specialist licence fee ~\$200 for 3 years.

DES staff objective is to simplify the existing system by reducing complexity – a valid aim. There is no doubt they accept our concerns with the current proposal. Throughout the meeting a number of positive thoughts on resolving concerns were discussed. Further work is needed; however DES staff are keen to work with us to reach consensus.

7. System for moving species onto species lists and between classes is needed. A risk assessment tool with a consultative committee (that includes avicultural representation) as the assessment panel is needed. Consider specifying species lists outside the Act or Regs (refer to from the Act/Regs) so lists can be altered without political involvement.

DES staff expressed there is no administrative reason editing a schedule within the Regulations cannot take place regularly, such as annually. We encourage DES to implement a system such that this can occur.

8. There are further avian species that should be moved to exempt. Others from Class 2 to Class 1. This improves cross-jurisdictional regulation with other states. We recommend alignment of the Qld exempt list with the NSW code-based list. If this occurs, then the large majority of keepers will not require a licence.

In principle, cross-jurisdictional alignment of species lists is supported. We have been asked to assist by proposing initial species lists for the new Regulation and will do so. It was noted that moving most common aviculture species to exempt would alleviate most concerns as licenses would no longer be required for the bulk of aviculturists.

9. The 5 bird no breeding licences make no sense. Aviculture is about breeding birds through improved husbandry practices. Companion species are largely exotics or exempt species so licensing is irrelevant for these “Pet” birds. Class 2 birds are on the whole, relatively rare in captivity and all keepers should have the intention to breed these species - softbill breeders will not sell birds to people who do not intend to breed.

Changes to the specialist licence to allow larger numbers and breeding were discussed throughout the meeting and is certainly under serious consideration.

10. Most proposed Class 2 birds are unsuited to pet shop style sale, in any case commercial operators are unlikely to see value in Class 2 birds. These softbill species have little commercial value and are traded at minimal or no cost in other jurisdictions. The zoo community often is closely aligned and obtains much of their bird collection from private softbill breeders.

Further discussion with DES is required. It was noted that welfare issues are not the direct concern of the Nature Conservation Act 1992, so are somewhat peripheral to this review. I (Sam Davis) will also seek comment from the pet industry via the Pet Industry Association of Australia (PIAA).

At this stage we are confident a sensible system will result. We thank DES staff for their commitment to engage and look forward to ongoing negotiations over the coming months.

We will continue to provide updates to clubs as the review progresses. Your feedback is encouraged.

Kind regards



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