



CORPORATE POLICY STATEMENT NO. 37

MANAGEMENT OF WILDLIFE UTILISATION

October 2015

1. OBJECTIVE

To ensure commercial fauna and flora utilisation is managed by the Department of Parks and Wildlife in a sustainable manner both for the species involved and the environment.

2. SCOPE

This policy statement applies to the management of all harvesting, commercial exploitation and other significant human exploitation or interference of fauna and flora managed by the department under the *Wildlife Conservation Act 1950* and the *Conservation and Land Management Act 1984* (CALM Act), but does not apply to the harvesting of timber under a production contract issued in accordance with the *Forest Products Act 2000*.

3. CONTEXT

Industries and activities covered by this policy include, but are not limited to:

- flora harvesting, including whole plants, wildflowers, seed and native sandalwood;
- kangaroo harvesting;
- collection of crocodile eggs;
- emu and crocodile farming;
- educational and public display of animals;
- keeping pet reptiles, amphibians and birds;
- whale watching and interactions with whale sharks, dolphins, dugong, Australian sea lions and marine turtles;
- use of flora and fauna for scientific purposes; and
- bioprospecting.

Under the Wildlife Conservation Act, the following definitions apply in relation to protected fauna and flora, which defines the scope of this policy:

Fauna means any animal indigenous to any State or Territory of the Commonwealth or territorial waters of the Commonwealth, any animal that periodically migrates to and lives in such State, Territory or territorial waters, or any animal declared by the Minister to be fauna, and includes any class or individual member thereof; the eggs, larvae or semen; and the carcass, skin, plumage or fur thereof.

Flora means any plant native to the State or declared by the Minister to be flora, and includes any part of flora and all seeds and spores thereof.

To take in relation to any fauna, includes to kill or capture any fauna by any means or to disturb or molest any fauna by any means or to use any method whatsoever to hunt or kill any fauna whether this results in killing or capturing any fauna or not; and also includes every attempt to take fauna and every act of assistance to another person to take fauna and derivatives and inflections have corresponding meanings.

To take in relation to any flora includes to gather, pluck, cut, pull up, destroy, dig up, remove or injure the flora or to cause or permit the same to be done by any means.

The meaning of 'to take' in relation to fauna and flora has a broad interpretation for different types of utilisation, and includes the direct harvesting or destructive sampling of individuals or parts of individuals, and the indirect impacts on individuals which may be caused by other interactions, such as whale watching.

4. LEGISLATION

The Department of Parks and Wildlife is responsible for the administration and implementation of the Wildlife Conservation Act and CALM Act that together provide the legal basis for the conservation of biodiversity in Western Australia, and in particular, the taking of protected fauna and flora. This also includes the administration of the *Sandalwood Act 1929*, which is read as one with the CALM Act. The department also has a responsibility under the *Animal Welfare Act 2002* to ensure any licensed activity relating to protected fauna complies with that Act's animal welfare provisions.

The Australian Government also has powers under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) in relation to biodiversity. The export of animal and plant material from Australia is regulated under the EPBC Act, and in most cases requires an approved management program and the material to have come from an approved source.

5. POLICY

The department will, consistent with its statutory functions, government policy and within its finite resources:

- 5.1 Identify those species of protected fauna and flora, which are subject to commercial harvesting, or other significant human exploitation or interference, in Western Australia.
- 5.2 Establish and implement an appropriate licensing regime to take protected fauna or flora under the Wildlife Conservation Act, CALM Act or Sandalwood Act.
- 5.3 Negotiate and manage licensing agreements under the CALM Act for proposals to take protected flora for bioprospecting purposes, which provide for a suitable return to the State.
- 5.4 Ensure the harvesting of protected fauna and flora is done in a sustainable manner for the target species, non-target species, and the habitat in which they occur.
- 5.5 Manage access to lands and waters managed by the department, or for which delegated authority has been granted to the department, for harvesting or exploiting protected fauna and flora to ensure the access is in accordance with the CALM Act, and does not negatively impact on those lands or waters.
- 5.6 Undertake research as required to determine the susceptibility or response of targeted fauna or flora to their utilisation and inform the development and implementation of sustainable management strategies.

- 5.7 Prepare Wildlife Management Programs for guiding the management of harvesting of, or interactions with, fauna and flora subject to significant human exploitation or interference, according to priorities established by the department.
- 5.8 Prepare management programs as required under the EPBC Act to facilitate the export of harvested Western Australian fauna or flora from Australia, and seek adoption of those management programs by the Australian government.
- 5.9 Manage the harvesting and exploitation of protected fauna and flora in accordance with any approved management programs.
- 5.10 Regulate the harvesting and exploitation of protected fauna in accordance with the Animal Welfare Act.

6. STANDARDS

Licensed activities will meet standards of best practice and any relevant guidelines that minimise behavioural change and unnecessary suffering of fauna, or the ability of the species or population of fauna or flora to recover from the activity, including the Code of Practice for the Humane Shooting of Kangaroos, Code of Practice on the Humane Treatment of Wild and Farmed Australian Crocodiles, marine fauna interaction codes of conduct, flora-specific harvest guidelines, code of practice for exhibited animals in Western Australia, and Australian animal welfare standards, guidelines and code of conduct for scientific use of animals. Licensed activities will comply with current approved management plans.

7. POLICY IMPLEMENTATION STRATEGIES

The department will ensure commercial and scientific fauna and flora utilisation is managed in a sustainable manner for the species involved and the environment, primarily through Science and Conservation Division, Regional and Fire Management Services Division, and Parks and Visitor Services Division, via:

- 7.1 licensing activities that will result in the taking of protected fauna and flora, including for scientific purposes;
- 7.2 licensing keeping and display of animals for educational and public purposes;
- 7.3 ensuring licensed activities meet the standards outlined in section 6;
- 7.4 granting conditional approval to licence holders to enter lands and waters managed by the department under the CALM Act;
- 7.5 undertaking research into the impacts of harvesting or other disturbance activities on protected fauna and flora;
- 7.6 preparing and implementing wildlife management programs and any associated codes of conduct or management guidelines;
- 7.7 monitoring the compliance and sustainability of industry activities; and
- 7.8 reporting on the implementation of wildlife management programs.

8. CUSTODIAN

Director Science and Conservation

9. PUBLICATION

This policy will be made available on the department's website and intranet.

10. KEY WORDS

Bioprospecting, commercial exploitation, crocodile farming, emu farming, kangaroo harvesting, fauna, flora, take, utilisation, sandalwood, scientific purpose, seed harvest, wildflower harvest, wildlife, wildlife interaction, whale watching

11. REVIEW

This policy will be reviewed no later than October 2020.

12. DIRECTOR GENERAL APPROVAL

Approved by



Jim Sharp
DIRECTOR GENERAL

Effective date: 16 October 2015