

1/3/19

Committee Secretary  
Senate Standing Committees on Environment and Communications  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
AUSTRALIA

Dear Committee Secretary,

I write this submission for the Committee to consider in its review of the *Environment Legislation Amendment (Protecting Dugongs and Turtles) Bill 2019*.

The Bill is designed to protect threatened turtle and dugong species from cruelty and potentially unsustainable hunting in Commonwealth areas. As I understand it, the main consequences of the Bill for people who are legally entitled to hunt listed, threatened turtles and dugongs in the GBRMP are: small (if any) changes to how they report the hunting methods they plan to use and the numbers of turtles and dugongs that they plan to hunt, and changes to legal consequences of any cruelty committed against those species during hunting. The latter consequences also apply to non-indigenous poachers in Commonwealth areas. The main consequences of the Bill for relevant Federal Government agency employees are that they will report annually on actions taken to protect listed, threatened turtles and dugongs from cruelty and poaching. For GBRMPA, there is the additional requirement that it must not fund TUMRAs unless satisfied that the welfare and conservation of listed, threatened species is likely to be served. These changes simply redress inadequacies in current legislation and regulation.

Conservation scientists ought to support the Bill because it introduces a requirement for Commonwealth agencies that are responsible for investigating and enforcing existing offence provisions within the *EPBC Act* and *GBRMP Act* to report annually on the actions they have taken in respect of those provisions that relate to dugongs and turtles in Commonwealth areas.

The Explanatory Memorandum states that “there is little information regarding the number of dugongs and turtles killed or injured by poachers and indigenous owner groups under the *Native Title Act 1993*”. In relation to the latter, amendments to the *Great Barrier Reef Marine Park Regulations 1983* in the Bill introduce a requirement for TUMRA developers to specify the number of specimens of each listed threatened turtle or dugong species they propose to harvest. This is hardly an onerous requirement. For instance, the 2009 TUMRA Workbook published by GBRMPA already includes questions asking: “If activity involves a protected animal include the proposed yearly take” and “How will your Traditional Owner group record, monitor and report activities under the TUMRA?” Answers to such questions ought to be of interest to conservation biologists.

The Bill also requires that relevant GBRMPA officials are satisfied that the welfare and conservation of listed, threatened species is likely to be served by a TUMRA before funding it.

I am not aware of whether conservation biologists or animal welfare experts were consulted in the drafting of the sections of the *Native Title Act 1993* that have permitted “traditional” hunting of turtle and dugong species (species which have subsequently been protected under the *EPBC Act* from all other hunting, and indeed, from any nationally significant development activities assessed to have potential negative impacts on those species and their habitats). With the benefit of hindsight, conservation biologists and animal welfare experts ought to have been consulted. The sharing of hundreds of images via social media in the past decade depicting large harvests (particularly, many small, powered vessels filled with turtles) and horrific cruelty to turtles and dugongs in the name of “traditional” hunting has raised international awareness of the shameful failure of Australian state, territory, and federal legislation to protect these listed, threatened species from cruelty and potentially unsustainable hunting.

Currently, extinction offers the only guaranteed end to cruelty against listed, threatened turtles and dugongs in Australia. While the Bill cannot guarantee that these listed, threatened species will not become extinct in Australia, or that they will no longer suffer cruelty at the hands of hunters, it should at least reduce incidences of cruelty and improve conservation outcomes for those species in Commonwealth areas.

Thankyou for considering my submission.

Yours Sincerely,

## Reference

GBRMPA, 2008, *Traditional Use of Marine Resources Agreement (TUMRA) Workbook*.

Accessed (1/3/19) at: <http://elibrary.gbrmpa.gov.au/jspui/bitstream/11017/1018/1/TUMRA-Workbook-Final2009.pdf>