



Australian Government

Department of the Environment and Energy

Assessment of
Australian Insect Farm
small-scale wildlife trade operation

June 2018

CONTENTS

Executive Summary	3
Section 1: Summary.....	4
Section 2: Part 13A assessment	4
Section 3: Recommended conditions.....	8

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This report should be attributed as '*Assessment of Australian Insect Farm small-scale wildlife trade operation June 2018*'.

Disclaimer

This document is an assessment carried out by the Department of the Environment and Energy of a commercial wildlife trade operation. It forms part of the advice provided to the Minister for the Environment and Energy on the fishery 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 28 March 2018 the Australian Insect Farm (AIF) submitted a proposal to the Department of Environment and Energy (the Department) for an operation to be assessed under the EPBC Act as a small-scale wildlife trade operation (WTO). A public comment period was open from 14 May to 15 June 2018. No submissions were received.

The operation involves wild-harvest and commercial export of Australian native invertebrates from two properties in Queensland. Taxa to be harvested are listed in **Attachment A** of the applicant's proposal. The Australian Biological Resources Study (ABRS) assessed the list and advised that there are no conservation concerns with the taxa involved or the harvest methods.

The Department considers that the operation is unlikely to be detrimental to the survival of the taxa listed in the proposal because:

- Adequate controls such as conservative quotas, harvest monitoring and reporting, and the ability to change quotas quickly in response to new information, have been included in the proposal to ensure that the harvest is sustainable.
- AIF does not propose to export any species listed under the EPBC Act as threatened (excluding the conservation dependent category), or species listed as endangered or vulnerable under Queensland legislation.

Practices designed to minimise impacts on harvested taxa in the harvest area include:

- Harvest of specimens only as required. Records show previous annual harvests have generally not exceeded 100 specimens of any given taxon.
- Regular surveys of species frequency to measure harvest impact.
- Annual surveys at both properties where harvesting occurs.
- Reduction in the harvest of affected taxa if surveys show a decrease in their numbers, based on biological considerations.
- Non-collection of damaged specimens, or their release as future breeding stock.
- Retention of eggs and raising of progeny after release of females of some Lepidoptera (butterflies and moths) taxa (where possible).

The Department will monitor the level of harvest under the operation by reviewing annual reports provided by the Australian Insect Farm.

On this basis, the Department considers that a declaration of the proposal as an approved 'small scale' wildlife trade operation for three years, until July 2021, is appropriate.

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

Section 1: Summary

Previous assessment history

- 1st assessment (small-scale wildlife trade operation) finalised January 2004.
 2nd assessment (small-scale wildlife trade operation) finalised December 2006.
 3rd assessment (small-scale wildlife trade operation) finalised December 2009.
 4th assessment (small-scale wildlife trade operation) finalised December 2012.
 5th assessment (small-scale wildlife trade operation) finalised July 2015.

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 Operation is recommended for three years, until 5 July 2021, and is 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> <p>(a) to ensure that Australia complies with its obligations under CITES and the Biodiversity Convention;</p> <p>(b) to protect wildlife that may be adversely affected by trade;</p> <p>(c) to promote the conservation of biodiversity in Australia and other countries;</p> <p>(d) to ensure that any commercial utilisation of Australian native wildlife for the purposes of export is managed in an ecologically sustainable way;</p> <p>(e) to promote the humane treatment of wildlife;</p>	<p>Wild harvest and export of Australian native invertebrates is not inconsistent with Australia's obligations under the Convention on Biological Diversity. None of the species to be harvested or exported by the Australian Insect Farm are CITES-listed.</p> <p>Species adversely affected by trade have been excluded from the list of species to be harvested under the proposal, as well as any species listed as threatened under state or Commonwealth legislation.</p> <p>Although the operation's focus is not on the active promotion of biodiversity conservation, wild harvest and export of Australian native invertebrates is not inconsistent with this object. The Australian Insect Farm also engages in reforestation, education and research-related activities.</p> <p>The level of harvest set out in the proposal is likely to be ecologically sustainable. Quotas are set at a conservative level and can be revised downward, or new conditions added, if conservation concerns emerge for particular species during the life of the WTO. Collection of specimens occurs only at limited select sites, and AIF aims to ensure that impact is minimal and populations remain unaffected. AIF is the only operator approved under the EPBC Act to harvest and export invertebrates in north Queensland.</p> <p>Object is not applicable to the operation.</p>
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(f)	to ensure ethical conduct during any research associated with the utilisation of wildlife; and	Object is not applicable to the operation.
(h)	to ensure the precautionary principle is taken into account in making decisions relating to the utilisation of wildlife.	The operation is small-scale. None of the species proposed for harvest and export is listed as threatened under the EPBC Act or under Queensland legislation. Quotas are set conservatively in relation to the size of the properties and for particular species for which some concern is held regarding their biology, reproductive history or distribution.

Section 303FN Approved wildlife trade operation		
(2)	The Minister may, by instrument published in the <i>Gazette</i> , declare that a specified wildlife trade operation is an approved wildlife trade operation for the purposes of this section.	
(3)	The Minister must not declare an operation as an approved wildlife trade operation unless the Minister is satisfied that: (a) the operation is consistent with the objects of Part 13A of the Act; and	Meets The operation is consistent with Objects of 13A – see assessment above.
	(b) the operation will not be detrimental to: i. the survival of a taxon to which the operation relates; or ii. the conservation status of a taxon to which the operation relates; and (ba) the operation will not be likely to threaten any relevant ecosystem including (but not limited to) any habitat or biodiversity; and	Meets As noted in the proposal, the harvest is unlikely to have an effect on the survival or conservation status of the taxa being harvested owing to the following: <ul style="list-style-type: none"> • invertebrates in general are well known for their capability to breed in large numbers; • the harvest occurs on large acreage with large amounts of intact habitat; • conservative quotas are set; • trapping activities only affect a very small part of the property; • all specimens are caught live and only the needed specimens are kept, remaining animals are released back into the wild; and • land management practices used within the individual properties are designed to maintain the biodiversity, thus securing the conservation status of all species present.
	(c) if the operation 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	Not applicable The Environment Protection and Biodiversity Conservation Regulations 2000 do not specify invertebrates in relation to the welfare of live specimens.
	(d) such other conditions (if any) as are specified in the regulations have been, or are likely to be, satisfied.	Not applicable No other conditions are specified in relation to commercial wildlife trade operations in the Environment Protection and Biodiversity Conservation Regulations 2000.
(4)	In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to: (a) the significance of the impact of the operation on an ecosystem (for example, an impact on habitat or biodiversity); and	Meets The operation is not expected to have a significant impact on any relevant ecosystem within the next three year period of the approval, given its harvest scale and the management mitigation measures currently in place (described above at s303FN 3(b)).

<p>(b) the effectiveness of the management arrangements for the operation (including monitoring procedures).</p>	<p>Meets Annual surveys have been conducted on the Australian Insect Farm's properties at Garradunga (near Innisfail) and Mt Garnet (near Julatten) for at least 10 years, allowing for an improved knowledge of the invertebrate fauna of the harvest areas. Annual reports will summarise monthly details for each harvested taxon at both properties.</p> <p>The applicant keeps records of harvested specimens which informs future harvest operations.</p>
<p>(5) In deciding whether to declare an operation as an approved wildlife trade operation the Minister must have regard to:</p> <p>(a) whether legislation relating to the protection, conservation or management of the specimens to which the operation 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 Queensland does not regulate harvest of non-threatened invertebrates under state legislation. The absence of state regulation is not expected to impact on the sustainability of the harvest as the level of harvest is small and targets a particular set of species that are not listed as threatened under either Commonwealth or state legislation. Should the Australian Insect Farm decide to harvest for export taxa that are listed as threatened under Queensland's environmental legislation, the operation would also be managed under the <i>Nature Conservation Act 1992</i>. The <i>Nature Conservation Act 1992</i> applies throughout Queensland.</p> <p>The Department considers that the legislation is likely to be effective at achieving its intent.</p>
<p>(10) For the purposes of this section, an operation is a wildlife trade operation if, and only if, the operation is an operation for the taking of specimens and:</p> <p>(a) the operation is an operation that, under the regulations, is taken to be a market testing operation; or</p> <p>(b) the operation is an operation that, under the regulations, is taken to be a small scale operation; or</p> <p>(c) the operation is an operation that, under the regulations, is taken to be a developmental operation; or</p> <p>(d) the operation is a commercial fishery; or</p> <p>(e) the operation is an operation that, under the regulations, is taken to be a provisional operation; or</p> <p>(f) the operation is an operation of a kind specified in the regulations.</p>	<p>Meets The operation meets the criteria of a small scale operation because the number of participants is small and the harvest area is small.</p>
<p>Section 303FR Public consultation</p>	
<p>(1) Before making a declaration under section 303FN, 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 A public notice, which set out the proposal to declare Australian Insect Farm an approved wildlife trade operation, was released for public comment from 14 May to 15 June 2018, a total of 23 business days.</p>
<p>(3) In making a decision about whether to make a declaration under section 303FN, 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 No public comments about the proposal were received.</p>
<p>Section 303FT Additional provisions relating to declarations</p>	

(1) This section applies to a declaration made under section 303FN, 303FO or 303FP.	A declaration for the operation will be made under section 303FN.
<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>The standard conditions applied to commercial wildlife trade operations include:</p> <ul style="list-style-type: none"> • This declaration is valid for three years from the date of registration of this declaration. <p>The wildlife trade operation instrument for the Australian Insect Farm wild harvest and commercial export of native invertebrates specifies the aforementioned standard condition and the additional conditions as specified in section 3 of this report.</p>
(8) A condition may relate to reporting or monitoring.	One of the declaration conditions 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.	
(11) A copy of an instrument under section 303FN, or this section is to be made available for inspection on the internet.	The instrument for the operation made under sections 303FN 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
<p><u>General management</u></p> <p>Export decisions relate to the arrangements in force at the time of the decision. To ensure 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 assess whether 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.</p>	<p>Condition 1:</p> <p>The operation is undertaken in accordance with the proposal submitted by the Australian Insect Farm and lodged on 28 March 2018.</p> <p>Condition 2:</p> <p>Harvest is restricted to taxa specified in the schedule supplied by the Australian Insect Farm as part of their proposal. Additional taxa can be exported only on application and after approval from the Department of Environment and Energy.</p> <p>Condition 3:</p> <p>Only specimens from taxa that have been named and described in a scientific publication can be exported.</p> <p>Condition 4:</p> <p>This declaration is valid for three years from the date of registration on the Federal Register of Legislation.</p>
<p><u>Annual reporting</u></p> <p>It is important that reports be produced and presented to the Department annually in order for the performance of the operation to be monitored and assessed throughout the life of the declaration.</p>	<p>Condition 5:</p> <p>Accurate records must be maintained, kept up-to-date and include all information necessary for the reporting outlined in condition 6.</p> <p>Condition 6:</p> <p>An annual report must be provided to the Department of the Environment and Energy as per Section 8 of the proposal.</p>