

# Submission to the Senate Environment, Recreation, Communication and the Arts Legislation Committee Inquiry on Reform of Commonwealth Environment Legislation.

## Context

1.1 Research on rabbits and their control relates directly to profits in primary industry and maintenance and recovery of Australia's biological diversity. The Anti-Rabbit Research Foundation is the only voluntary national organisation focusing exclusively on the huge task of freeing Australia from the wild rabbit menace and associated degradation through loss of land cover and associated biological diversity.

1.2 The Foundation has been active since 1991, encouraging and funding research which aims to control and eradicate where possible the wild rabbit. It has conducted extensive education campaigns to inform Australians of the need for this work. This non-profit, voluntary national organisation operates from South Australia, with support for office and meeting space willingly provided by Elders and the Adelaide Zoo. There are branches in New South Wales, Victoria and Western Australia.

1.3 We have funded many research projects in the last 5 years, including biological control research relating to the introduction of rabbit calicivirus disease to Australia. There is a need for continuing research to gain the best value from this disease. We also need to continue research to gain a better understanding of rabbits, their interaction with our environment and agents that can be used for their successful control. Otherwise they will continue to damage and degrade lands, revegetation and conservation areas and threaten many native plants and animals

## 2 General comments on reform of Commonwealth environmental legislation

2.1 The Foundation supports the intent of the government in reforming federal environmental legislation, much of which has been in operation for over 20 years. We acknowledge that the approach to environmental legislation in the 1970s was more issues based, with the focus being on particular programs, eg national parks or whale protection. We applaud the concept of a more holistic approach to environmental issues and a system that is well equipped to deal effectively with existing and emerging environmental issues.

2.2 We note from the second reading that the Bill is suggested as the most important attempt since Federation to define the environmental responsibilities of the Commonwealth. The existing legislation is seen as not ensuring high enough environmental standards and the new Act will ensure that resources are focused to deliver better environmental management outcomes.

2.3 While we support the concept of the Act focusing on matters of national environmental significance, we are concerned as to what might be so defined at that level of significance. We have seen situations before where matters of great importance can be overlooked in the arguments on jurisdictional responsibility. We believe that rabbit research and control can suffer that fate.

2.4. Indeed it could well be argued that this situation has already occurred, given that national research from the late 1930s and through to 1950 eventually resulted in the successful use of myxomatosis and a windfall gain in 1952-53 to the wool industry alone of 34 million pounds (\$590 million in 1990 values). Given this highly significant historical fact, it would seem a major failing for the Commonwealth not to have the ability or intent in the new legislation to take responsibility for control of a national environmental problem such as rabbits for significant national economic and environmental benefit.

2.5 While good work has been done via the environment and agriculture/resource management ministerial councils with research on rabbit calicivirus, we have seen yet again an inadequate inter-jurisdictional mechanism to ensure the best results for both the Australian environment and the economy from post- RCD low rabbit numbers.

2.6 It is well known that states have declining resources to undertake the necessary research and development of better and more efficient means of exercising that control through results from research. In any case, without some sort of national involvement or at the very least, oversight, the opportunity to spread the costs and the benefits are reduced.

### **3 Specific issues within content of the Bill**

3.1 Arising from CoAG deliberations we understand that the Bill has a framework for recognising additional matters of national environmental significance, after consultation with the states. We believe this is an important provision, but wonder how this is triggered and who can propose such additional matters. The Bill seems to indicate that the power to do this rests purely with the Minister, even though one might assume that other governments or third parties may be able to approach the Minister. What obligation rests on the Minister to consider such approaches?

3.2 We note that the changes are designed to enhance environment protection and promote sustainable use. Introduction of the proposed Act is an exciting development to deal with arresting the decline in biodiversity. We hope that this will give due recognition to the threatening processes and agents responsible for that decline, rather than purely concentrate on the declining species or habitats themselves.

3.3 The Bill seems to provide the power for the Minister to make threat abatement plans and also to prepare recovery plans in cooperation with the states. While it may not be the only provision in the proposed legislation for dealing with a national environmental problem such as rabbits, these sections (267 to 284) appears to be the most obvious. Cooperation with and between the states and the Commonwealth on such an issue is highly desirable, but raises the question of how to proceed where cooperation is

inadequate or not forthcoming. It is our experience that required rabbit research and control can fall through the cracks of responsibility between state and Commonwealth jurisdiction, with the nation and its natural resources being the loser.

3.4 In these sections, the only direct reference to non-native species (section 272) is not about control or management of the species concerned in Australia for environmental benefit.

3.5 While the proposed Environment Protection provisions of the Bill is of less interest to us than other provisions, we note the relationship between the new Act and the Biodiversity Conservation Act as a way of identifying nationally endangered or vulnerable species and communities. We also note the proposed regulation making power to define other matters of national environmental significance to trigger Commonwealth involvement. We would argue that the extent of rabbit impact on species and communities nationally may well predicate Commonwealth interest and involvement now and would want to be assured that this could and would occur if needed.

### **4 Conclusion**

4.1 This Bill is the first comprehensive attempt by any Australian government to address the conservation and sustainable use of biodiversity. This is a change in approach, which we understand is to maximise community involvement and to see State agencies and communities deliver on-ground outcomes. The Foundation is prepared to play its part in engaging community expertise and working with other sectors and government organisations. However, it would like to see provision in the new legislation nationally acknowledging the attenuation to biodiversity from widespread exotic organisms such as the rabbit and provision to seek cooperation from all affected governments to deal decisively with the problem.

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