



Speech By  
**Dale Last**


**MEMBER FOR BURDEKIN**

---

Record of Proceedings, 17 August 2016

## **EXHIBITED ANIMALS REGULATION**

### **Disallowance of Statutory Instrument**

 **Mr LAST** (Burdekin—LNP) (7.38 pm): I move—

That the Exhibited Animals Regulation 2016, subordinate legislation No. 69 of 2016, tabled in the House on 14 June 2016, be disallowed.

From the outset, I would like to strenuously point out that I along with my fellow LNP members in this House support stringent biosecurity measures for the protection of Queensland's food production, our native flora and fauna, as well as animal welfare in this state. However, the regulatory burden placed on our animal exhibitors across the state with this regulation puts the industry at risk of becoming extinct.

At the heart of this disallowance motion is the unfair targeting of animal exhibitors in this state by a government which is driven to shut down business, especially small business, by slapping them with uncomprehensive fees and burdening them with ridiculous red tape. It is also about job losses. I have fielded calls from across the state in relation to this legislation. In my own electorate of the Burdekin, these new regulations are set to impact on a small business, Hands on Wildlife. Ranger Dan and Jackie Hasling started Hands on Wildlife seven years ago. They are based in Townsville and provide educational programs to day care centres, schools and community events, like school fetes and shows, throughout the state but their primary focus is in the North Queensland region between Bowen, Ingham and Mount Isa. It is not just about showing animals; it is about educating the public on animals. They also offer snake-handling and dangerous wildlife awareness courses and wildlife rescue and relocation services.

Their mission is to bring people and animals closer than ever before in an effort to inspire everyone to appreciate, protect and conserve wildlife and wild places. Unfortunately, these types of businesses are now at risk through excessive red tape associated with the preparation of extensive management plans, record-keeping requirements and extremely high fees despite the industry repeatedly stating that these requirements would have a negative impact on their industry. Under the new act and with the new regulations, operators are now required to submit a management plan to the department for each species that they wish to exhibit. Existing operators will have to generate management plans for each species for which they already have a permit. There is not sufficient time to produce these retrospective management plans for existing operators. The management plans are lengthy and while there has been some indication that exhibitors may be able to group some animals together, it is still unclear what groupings will be accepted by the department.

In the case of Hands on Wildlife they have about 75 species, which translates to the production of between 200 and 400 pages of management plans. They have had permission to keep most of the species for the past seven years. Add to this the fact that it can take up to 40 days for the department to assess a management plan and honourable members begin to understand the level of frustration

from the zoo industry. This puts operators at a disadvantage for acquiring individual animals, especially if they are animals which can be kept by recreational keepers, who do not have to complete management plans.

Operators believe that the solutions to this issue are: no retrospective management plans; if retrospective management plans are required, allow existing operators sufficient time to generate these plans; no management plan requirement for category A, and that is commonly kept, low-risk, native recreational animals such as the blue-tongue skink or the carpet python because these are low-risk animals and anyone over 13 can apply to keep them as a pet with no management plan required; and a better definition of groupings for management plans. The entire industry has raised the exorbitant amendment fee as a concern since the RIS in 2013. They believe their concerns were consistently dismissed and they were told that the fees were not set in stone until the regulation was ratified. However, the fees actually increased when the draft regulations came out with the fee structures not reflecting the actual risk. For example, the public can buy a common native species in a pet shop by applying for a recreational permit via an online app and they are not required to demonstrate a management plan. However, zoos holding these species are now expected to pay the same fee as if they were applying to keep a tiger or a lion and submit an extensive species management plan.

The department's prescribed fees which must be paid upon licence application are based on full-time-equivalent staff numbers, with the new exhibition licence fee for those having up to three full-time-equivalent staff costing \$3,169.15 or \$1,584.60 for a renewal; then \$4,981.45 for a new licence if you have between four and 15 full-time-equivalent staff and \$2,490.20 to renew a licence; and \$7,547.20 for a new licence if they have 16 or more full-time-equivalent staff. As the fees relate to the number of staff employed, this will ultimately cost jobs.

The fees are based on either a minor or a major change to the newly required management plan. The fee to add a species of animal or change an enclosure has increased by over 2,700 per cent, from \$16.80 to \$453. Minor changes are said to have a fee of \$153. There is no stated definition of minor versus major amendment; it will come down to the government's discretion. In the case of Hands on Wildlife, they have just submitted applications to add 40 new species and upgrade four enclosures under the old permit system. What was the cost? It was \$370. If they were to make application under the new regulations, the cost would be between \$6,732 if they are all minor and \$19,932 if they are deemed major. As honourable members can appreciate, these figures would cripple small businesses like Hands on Wildlife.

It appears that there is the potential for it to cost—determined only at the discretion of the assessing officer—the same to add a blue-tongue skink as it will to add a tiger to a licence. This does not reflect the cost of assessing the risk associated with each of those species. For example, under the proposed regulations, a blue-tongue skink would be a major amendment costing \$453. It is worth noting that this species is available to children in a pet shop to purchase without a licence.

What does the zoo industry recognise and what do they want? The zoo industry welcomes reform that reduces red tape and supports viable business and tourism activity. This includes the imposition of reasonable fees. As a national industry, the zoo community wants to work with government to develop an approach that recognises national industry best practice, accreditation and taxon standards and does not create a separate standard for the state of Queensland. The zoo industry wants the parameters of any fees clearly laid out without ambiguity. They want an equitable and level playing field on species available to be obtained freely by pet owners. Why should zoos be burdened with a management plan when the same species can be purchased in a pet shop without such need?

The zoo industry needs the confidence as to what taxon groups will be classified as 'species' and therefore require separate plans. Lack of consultation time has prevented this. For example, how will owners group animals together in the management plan? As an example, if we talk about venomous snakes we start to appreciate what that means. They recognised that there are varying risks with species held. Effort from biosecurity should be on exotic or dangerous animals. Any required management plans should be practice/risk based to allow for whole-of-business approaches to risk rather than a repetitive and cumbersome species-by-species approach. Operators should have SOPs that are inclusive of overarching management plans, not specific plans for each animal.

At the present time existing operators will not have the ability to adjust to the new legislation and add species at renewal. If they want to add species at renewal of their licences they will be charged for a new permit fee, which is double the renewal fee. The solution is: to allow existing operators to add additional species at the time of renewal for the cost of a renewal fee; to reduce major and minor amendment fees; to clearly define major and minor amendment fees and the associated categories; no amendment fee for category A animals or to expand an existing enclosure; minor amendment fee for category B animals; major amendment fee for category C/C1 or completely new enclosure.

The industry have been very clear that the additional red tape and increased fees will limit their ability to grow and diversify. Operators will not be able to easily take advantage of new animals or business opportunities. They may not be able to afford to make upgrades or changes to enclosures as frequently as they have in the past. Other parts of their business such as marketing will also get pushed aside in order to keep up with the plans and records required under the new regulations.

I believe the industry as a whole supports strong legislation and regulations. I most certainly do. It is in the industry's best interests to ensure that their animal welfare standards are the highest standards and that they do all that they can to mitigate any risk to themselves, their animals, the public and the environment. The exhibited animals industry has a good reputation in Queensland and they do not need unnecessary red tape and exorbitant fees to put their livelihoods at risk.

The government says these laws better manage risks to animals but businesses such as the Darling Downs Zoo say it will cost them 600 per cent more to introduce a new species. The amendment fees do not fairly address the risk. By pricing and classifying all new species as major amendments, the department is implying the risk is the same. The other point to make is that no exhibited animal facility will be able to hold a species for captive breeding, research or re-release. Historically, exhibitors have been the driving force behind many endangered species programs. Under this regulation they will not be able to take part unless animals are removed from these vital programs and operators are forced into meeting the minimum display obligations.

I note the committee's comments that management plans are not currently required for animals other than declared pests under the land protection act, which aligns with category C animals in the bill, and this therefore is an area where red tape and regulatory burden has in fact increased for industry. Furthermore, I note the committee has not contemplated a specific amendment in relation to management plans per se but sees merit in limiting the scope and reach of the management plan requirements to reduce the regulatory impact and costs for animal exhibitors.

I will not stand by and see these industries suffer. The only sensible resolution tonight is for this regulation to be disallowed and for the government to go back to the industry and consult with them as they should have done in the first place.