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COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

TENTH MEETING

To be held in the 26th floor Conference Room,
Comalco House, Cnr. Ann and George Streets,
Brisbane, Queensland,
at
10.00 a.m. on Wednesday, 27 July 1977.

COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

TENTH MEETING

AGENDA

1. Confirmation of summary record of ninth meeting of Standing Committee.
2. Listing of macropods on the Appendices to the Endangered Species Convention - preparation of paper for Council.
3. Trafficking in fauna in Australia - preparation of paper for Council.
4. Hang gliding in national parks.
5. Duck season in south-eastern Australia.
6. Remote sensing.
7. Meeting to consider the overall organisation and operation of Standing Committee and Council.

COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

C(77)

AGENDA ITEM 1 : Confirmation of summary record
of ninth meeting of Standing
Committee.

The draft summary record of the ninth meeting of Standing Committee (Brisbane, 3 June 1977) has been sent to all members for comment. Several minor amendments have been proposed to date and are incorporated in the revised version which is attached.

FOR CONSIDERATION

Secretariat,
Canberra,
July 1977.

DRAFT SUMMARY RECORD

STANDING COMMITTEE

COUNCIL OF NATURE CONSERVATION MINISTERS

NINTH MEETING

BRISBANE 3 JUNE 1977

STANDING COMMITTEECOUNCIL OF NATURE CONSERVATION MINISTERSNINTH MEETINGBRISBANE 3 JUNE 1977PRESENTQueensland

Representative: Dr G.W. Saunders,
Director,
National Parks and Wildlife Service.
(Chairman)

Advisers: Mr C.W. Price.
Dr H.J. Lavery.
Mr H.S. Curtis.
Mr W.J. Chadwick.

Commonwealth of Australia

Representative: Dr R.W. Boden,
Assistant Director,
Australian National Parks and
Wildlife Service.

Adviser: Dr D.F. McMichael.

CSIRO

Representative: Mr A.W. Charles,
Assistant Secretary,
Research.

Advisers: Dr W.D. Ride.
Dr J.J. Basinski.
Mr R.S. Goleby.

Australian Capital Territory

Representative: Dr B.H. Pratt,
Director,
Conservation and Agriculture Branch,
Department of the Capital Territory.

Northern Territory

Representatives: Mr M.A. Elliott,
Chief Inspector of Wildlife,
Department of the Chief Secretary.

Mr W.T. Hare,
 Director,
 Northern Territory Reserves Board.

New South Wales

Representative: Mr D.A. Johnstone,
 Director,
 National Parks and Wildlife Service.

Advisers: Mr W.S. Steel.
 Mr G.W. Reid.

Victoria

Representative: Dr R.G. Downes,
 Director,
 Ministry for Conservation.

Advisers: Mr J.C. Wharton.
 Mr D.S. Saunders.

South Australia

Representative: Mr R.G. Lyons,
 Director of National Parks and Wildlife,
 Department for the Environment.

Western Australia

Representatives: Mr H.B. Shugg,
 Secretary,
 Department of Fisheries and Wildlife.

Dr F.G. Smith,
 Director,
 National Parks Authority of Western
 Australia.

Adviser: Mr D.W. Arnold.

Tasmania

Representative: Mr P. Murrell,
 Director,
 National Parks and Wildlife Service.

Adviser: Dr I.H. Eberhard.

Papua New Guinea

Observers: Mr F. Parker,
 Assistant Secretary (Wildlife),
 Department of Natural Resources.

Mr S. Gorio,
Executive Director,
Papua New Guinea National Parks
Board.

Secretariat

Mr R.E. Hogg,
Secretary to Standing Committee.

Mr D. McAllister.

AGENDA

1. Welcome and apologies.
2. Adoption of agenda.
3. Confirmation of summary record of the eighth meeting of Standing Committee.
4. Reports on activities of Working Groups:
 - (a) Birds.
 - (b) Kangaroo Conservation and Management.
 - (c) Law Enforcement.
 - (d) Woodchip Industry.
 - (e) Education and Training.
 - (f) Endangered Fauna.
 - (g) Endangered Flora.
 - (h) Nuisance Species.
5. Role of the Australian National Parks and Wildlife Service.
6. Aboriginal Land Rights (Northern Territory) Act.
7. Reports from States and Territories on off-road vehicles.
8. Convention on Conservation of Nature in the South Pacific Region.
9. Integration of research.
10. Report on last meeting of the International Union for Conservation of Nature and Natural Resources.
11. Report on conference of Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.
12. Hang gliding in national parks.
13. Attendance of observers at Council meetings.
14. Control of flying over national parks.
15. World Wildlife Fund.
16. Correspondence.
 - (a) Remote sensing.
 - (b) Sponsorship of research in forest recreation.

17. Other business.

18. Next meetings of Standing Committee and Council.

Agenda Item 1 : Welcome and apologies

The Chairman, Dr Saunders, opened the meeting and welcomed all participants, in particular Mr Parker and Mr Gorio from Papua New Guinea who were attending as observers.

He announced that apologies had been received from Prof. J.D. Ovington, who was being represented by Dr Boden, Dr W. Grant Inglis, who was being represented by Mr Lyons, and Mr N.S. Coad from New Zealand.

Agenda Item 2 : Adoption of agenda

Standing Committee adopted the provisional agenda for the meeting without alteration.

The Chairman emphasised that it was necessary for the meeting to decide which items were to be placed on the agenda for the July meeting of Council.

He also advised that the following publications were available from the Secretariat for those members who had not already received them:

- (i) "The status of kangaroos and wallabies in Australia" (report of the former Macropod Habitat Sub-committee).
- (ii) "Trafficking in fauna in Australia" (report by the House of Representatives Standing Committee on Environment and Conservation).
- (iii) "Off-road vehicles - impact on the Australian environment" (report by the House of Representatives Standing Committee on Environment and Conservation).
- (iv) "Woodchips and the environment" (report by the Senate Standing Committee on Science and the Environment).
- (v) "Land use in Australia" (report by the former Australian Advisory Committee on the Environment).
- (vi) Report of the Australian delegation to the first meeting of Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Agenda Item 3 : Confirmation of summary record of the eighth meeting of Standing Committee

Standing Committee accepted the summary record of its eighth meeting as an accurate record of the proceedings.

Agenda Item 4(a) : Standing Working Group on Birds

Standing Committee noted the recommendation of the Working Group that the following projects be reactivated to enable Australia to discharge its responsibilities under the Migratory Birds Treaty with Japan:

- (i) The proposal submitted by CSIRO to the former Department of Environment for funds to conduct a survey of seabird populations of offshore islands.
- (ii) The proposal submitted by CSIRO to the former Department of Environment for funds to establish and operate banding stations in northern Australia for migratory birds.

Mr Charles advised that CSIRO was prepared to undertake these projects subject to funds being made available by the Australian National Parks and Wildlife Service. Dr Boden pointed out that the Service was sympathetic towards both projects, but that its capacity to fund them depended upon allocations in the forthcoming Budget.

Standing Committee considered the recommendations of the Working Group aimed at conserving Japanese snipe in Australia, and resolved:

- (i) To inform Council of the threat posed to Japanese snipe by swamp drainage in the eastern States.
- (ii) To request the Working Group to clarify the present status of Japanese snipe and its habitat in Australia and provide detailed proposals for conservation of the species, so that specific action under the Migratory Birds Treaty might be recommended to a future meeting of Council.

(RESOLUTION 1)

Standing Committee considered the recommendation of the Working Group that certain areas be set aside as permanent refuges to assist in the conservation of waterfowl during dry seasons, and resolved that the Working Group be given the task of defining the ecological criteria for selection of suitable drought refuges.

(RESOLUTION 2)

Standing Committee considered the views of the Working Group regarding the desirability of a uniform opening date for the duck season in south-eastern Australia, and resolved that representatives of the three States concerned (New South Wales, Victoria and South Australia) and CSIRO would meet to discuss the question of dates for the duck season and subsequently report back to Standing Committee.

(RESOLUTION 3)

It was agreed that Mr Johnstone would convene the meeting and that the current Chairman of the Working Group, Mr Elliott, would facilitate provision of data from the previous six duck season opening day surveys to assist in the deliberations.

Standing Committee noted the view of the Working Group that the recommendations concerning the National Wetlands Survey which had recently been passed to Council indicated that the primary concept of the original Survey proposal had been lost, and agreed to defer any action to initiate a survey of wetlands as waterfowl habitat until the results of wetland-related surveys currently being conducted by the CSIRO Division of Land Use Research and some State fauna authorities were available.

Standing Committee discussed the request by the Working Group that a recommendation be forwarded to Council that the lists of rare and endangered birds, mammals and reptiles prepared for inclusion on Appendix I of the Endangered Species Convention be confirmed as Australia's official lists of rare and endangered animals for both domestic and international purposes, but decided to defer a decision on the request until after consideration of Agenda Item 4(f) (Ad hoc Working Group on Endangered Fauna).

Standing Committee considered the recommendation of the Working Group that all States and Territories participate in a proposed year-long investigation by Prof. C. White into the peregrine falcon and its status in Australia, and agreed that all member authorities would be prepared to co-operate in such a study.

Agenda Item 4(b) : Standing Working Group on Kangaroo Conservation and Management

Standing Committee noted advice from the Working Group that the position paper on the kangaroo management programs of the States which was being prepared at the instruction of Council would be completed in time for the July meeting of Council. Members felt that it was essential for the paper to be available for the meeting to assist Ministers in deciding what measures should be taken regarding the United States' ban on the import of kangaroo products.

Standing Committee recognised that action to have the eight commercially exploited species of kangaroo included on Appendix II of the Endangered Species Convention had been initiated to comply with conditions laid down by the United States for lifting of the import ban, and not because of any biological considerations. Standing Committee also noted the recommendation of the Working Group that in the light of the revised criteria for listing species on Appendix II which were developed at the Berne meeting of Parties to the Convention, this action be no longer pursued. However, members subsequently agreed that because there was a difference of opinion within Standing Committee as to whether an Appendix II listing for these species could be justified scientifically, it would be left to individual agencies to brief their Ministers on an appropriate stand to take in relation to the ban.

To assist in briefing the Ministers, Dr Boden agreed that the Australian National Parks and Wildlife Service would prepare and circulate to members of Standing Committee prior to the Council meeting a paper outlining both the scientific and political implications of listing the commercially harvested kangaroo species on Appendix II.

Standing Committee noted that in accordance with its term of reference "to keep Standing Committee and Council informed concerning kangaroo conservation throughout Australia", the Working Group had requested the relevant State and Territory fauna authorities to provide annually a report on their activities in relation to kangaroo conservation and management under the following headings, for collation into an overall annual report:

- (i) Species involved.
- (ii) Classification of land use and habitat.
- (iii) Evaluation of reserve/sanctuary system.
- (iv) Assessment program and determination of safe harvesting levels.
- (v) Management program.
- (vi) Research.
- (vii) Non-exploited species.

Agenda Item 4(c) : Standing Working Group on Law Enforcement

Standing Committee agreed to the request by the Working Group that its terms of reference be extended to cover flora and invertebrates, and resolved that the terms of reference would be amended to read:

"To examine the problems of law enforcement in relation to the protection and conservation of fauna and flora in each State and Territory with particular reference to trans-border activities, and to recommend ways in which these and other law-enforcement problems can be resolved by co-operative measures."

(RESOLUTION 4)

Standing Committee endorsed the recommendation of the Working Group that an approach be made to the Bureau of Customs (Department of Business and Consumer Affairs) with a view to establishing a central repository, to which all States and Territories would contribute and have access, for holding information on persons convicted or suspected of offences relating to fauna and flora.

Standing Committee expressed agreement with the view of the Working Group that while there were obvious advantages in exchanges of enforcement staff between States and Territories, there would be difficulties in establishing a formal system of exchanges because of staff and budget restrictions. It was therefore decided that any interested agencies would organise such exchanges between themselves as their resources permitted.

Standing Committee noted the recommendation of the Working Group that each State and Territory introduce a system of non-reusable and serially-stamped bands for the marking and identification of "protected" birds held in captivity. It was agreed that further consideration of this recommendation be deferred until the Working Group was able to report on the apparent success of a similar banding scheme which had been implemented in South Australia.

Standing Committee endorsed the recommendation of the Working Group that, to avoid potentially embarrassing situations, all fauna authorities exercise particular care in the reciprocal appointment as enforcement officers of persons unfamiliar with any aspects of the legislation or enforcement procedures of the State or Territory concerned.

Standing Committee endorsed the recommendation of the Working Group that each State or Territory prepare and circulate a list of fauna and flora products for which it would not normally issue export permits, and therefore for which it would wish other States and Territories not to issue import permits. Standing Committee also endorsed the import/export procedures advocated by the Working Group whereby:

- (i) All States and Territories would decline to issue import permits for any species which in the opinion of any other State or Territory required special protection, until the exporting State or Territory had agreed to the movement by telex or telephone.
- (ii) In all other cases, States and Territories would not issue export permits until the agreement of the importing State or Territory had been obtained.

Standing Committee noted the recommendation of the Working Group that each State and Territory review the penalties for fauna-related offences imposed under both its own legislation and that of the other States and Territories, in order to maintain the deterrent effects of such penalties and to ensure a degree of uniformity in punitive provisions throughout Australia.

Standing Committee considered the views of the Working Group regarding the menace of acclimatisation of exotic species, and noting the action already taken by Western Australia in compiling a list of exotic birds held in aviaries in that State, endorsed the recommendation of the Working Group that all States and Territories be urged to prepare corresponding lists to cover all vertebrates (excluding fishes) held in captivity.

It was also agreed that the extended terms of reference of the Working Group would enable similar action in relation to exotic flora with pest potential to be initiated in the future.

Standing Committee endorsed the recommendation of the Working Group that, because of the threat to indigenous fauna posed by feral exotic species, all States and Territories should have adequate legislation to:

- (i) Require the registration of all zoological collections.
- (ii) Control the security and conditions under which such collections were kept and regulate their operations in relation to breeding, acquisition and disposal of animals.
- (iii) Reinforce existing laws against the illegal introduction of animals.
- (iv) Authorise the seizure and destruction where necessary of diseased or illegally held or introduced animals.
- (v) Provide appropriate authority for the apprehension and prosecution of offenders.

Standing Committee noted the resolutions put forward by the Working Group in respect of certain recommendations contained in the report on trafficking in fauna in Australia by the House of Representatives Standing Committee on Environment and Conservation, and agreed that due to the significance of the report its recommendations should be considered in their entirety, with reference to the resolutions of the Working Group where appropriate, as a separate agenda item at the meeting of Standing Committee prior to the July meeting of Council.

Agenda Item 4(d) : Ad hoc Working Group on the Woodchip Industry

Standing Committee noted advice from the Working Group that preparation of its final report had been delayed awaiting publication of the report on woodchips and the environment by the Senate Standing Committee on Science and the Environment, and resolved that the Working Group be given approval to meet again in order to complete the report to Standing Committee and Council.

(RESOLUTION 5)

Agenda Item 4(e) : Ad hoc Working Group on Education and Training

Standing Committee endorsed the following recommendations of the Working Group regarding action which

should be taken to achieve a nationally co-ordinated program of training in the administration and management of national parks and wildlife, and resolved to request the Working Group to report on how the recommendations might be implemented:

- (i) A national syllabus be developed for sub-professional training programs, having regard to the differing needs of members.
- (ii) The syllabus meet a standard equivalent to the level of an associate diploma of a college of advanced education (UG 3) or a certificate from a department of technical and further education.
- (iii) Courses currently being conducted or proposed within some States be modified where necessary, and as the opportunity permitted, to conform with the national syllabus.
- (iv) Member organisations recognise those courses which conform with the national syllabus.
- (v) The Working Group reconvene, with co-opted representatives with expertise in education if necessary, to formulate details of the national syllabus.
- (vi) The Australian National Parks and Wildlife Service be asked to establish a register of training aids for use in in-service and continuing training programs by members and to collect, and where possible develop, training programs for use by all members.
- (vii) Training officers be encouraged to exchange ideas and experiences on the use of training resources with a view to collating and upgrading information.
- (viii) Wherever possible, members who organise training courses advise other members and invite them to participate.

(RESOLUTION 6)

It was agreed to forward these recommendations to the July meeting of Council for information.

Standing Committee resolved that in accordance with the future role envisaged for the Working Group its title would be changed to "ad hoc Working Group on Sub-professional Training Programs".

(RESOLUTION 7)

Agenda Item 4(f) : Ad hoc Working Group on Endangered
Fauna

Standing Committee recognised the difficulties which the Working Group had experienced in carrying out its task by correspondence, and resolved that it be given approval to meet early in the new financial year to:

- (i) Review the Australian proposals for species to be listed on the Appendices to the Endangered Species Convention which were returned by the Convention Secretariat because they did not conform with the revised criteria for listing as developed at the Berne meeting of Parties to the Convention.
- (ii) Review all Australian species at present listed on the Appendices as a basis for deliberation at the technical working session of Parties to be held in Geneva in October 1977.

(RESOLUTION 8)

Agenda Item 4(g) : Ad hoc Working Group on Endangered
Flora

Standing Committee noted the report by the Working Group on its activities, and resolved that it be given approval to meet in the near future to:

- (i) Continue its task to investigate the inclusion of plant species on the Appendices to the Endangered Species Convention.
- (ii) Consider and recommend to Standing Committee how it or a new working group might usefully deal with broader issues relating to the conservation of Australian flora.

(RESOLUTION 9)

Standing Committee was advised that the Convenor of the Working Group, Mr W. Hartley, had recently tendered his resignation, but agreed that in view of his valuable contribution to date he be invited to continue in the position on his return from overseas. It was also agreed that as Mr Hartley had only limited clerical support available the Secretariat and members would assist him in this regard wherever possible.

Agenda Item 4(h) : Ad hoc working groups on nuisance
species

Standing Committee noted that the mechanism now existed to enable ad hoc working groups to be set up as required to examine particular problems in relation to nuisance species.

Standing Committee considered the request by the Secretary of the Australian Agricultural Council that a representative of the Vertebrate Pests Committee be appointed to any ad hoc working group formed to deal with individual nuisance species, and resolved that the Secretariat would inform the Secretary of the AAC that, providing Standing Committee was in agreement, the Committee would be invited to nominate a representative to any such working group which was established in the future.

(RESOLUTION 10)

Standing Committee resolved that any problems of macropods as nuisance species which were brought to its attention would be referred to the Standing Working Group on Kangaroo Conservation and Management, rather than to an ad hoc working group.

(RESOLUTION 11)

Standing Committee resolved that for the purpose of establishing working groups, the term "nuisance species" would encompass flora as well as fauna.

(RESOLUTION 12)

Agenda Item 5 : Role of the Australian National Parks and Wildlife Service

Standing Committee noted that at its last meeting Council had accepted a statement of basic roles envisaged for the Australian National Parks and Wildlife Service and had referred the following two additional roles proposed for the Service back to Standing Committee for reconsideration and advice:

- (i) Managing marine national parks.
- (ii) The responsibility, if requested under Section 18 of the National Parks and Wildlife Conservation Act, to co-operate with and assist Aboriginals in the conservation management of their land.

Dr Boden pointed out that as role (i) was to be the subject of discussion between the Prime Minister and the State Premiers he was unable to contribute any new material as a basis for discussion.

Standing Committee agreed that these two roles of the Service would be considered at the July meeting of Council, and therefore State members would brief their Ministers in anticipation of a statement by the Minister for Environment, Housing and Community Development clarifying the policy of the Commonwealth in these areas.

Agenda Item 6 : Aboriginal Land Rights (Northern Territory) Act

Standing Committee considered the paper submitted by the Northern Territory Reserves Board pointing out the implications for national parks and other conservation areas of the Aboriginal Land Rights (Northern Territory) Act 1976. It was agreed that because of the sensitive political nature of the issue, rather than have Standing Committee send it forward the appropriate Minister should request that it be placed on the agenda for the July meeting of Council. Mr Hare undertook to see that this action was taken.

Agenda Item 7 : Reports from States and Territories on off-road vehicles

Standing Committee noted the resolution from the August 1976 meeting of Council that respective Ministers report to the next meeting on action being taken in each State or Territory to control the problems associated with off-road vehicles, and resolved that each State and Territory would provide the Secretariat with a summary of its own relevant legislation for inclusion in an information paper for the July meeting of Council.

(RESOLUTION 13)

Agenda Item 8 : Convention on Conservation of Nature in the South Pacific Region

Dr McMichael reported on the current position of negotiations to have a federal clause inserted into the text of the Convention, and because a decision as to whether or not Australia would sign the Convention had to be made prior to 1 November Standing Committee agreed that the matter be referred to the July meeting of Council for consideration.

Agenda Item 9 : Integration of research

Standing Committee noted the paper prepared by the Secretariat outlining the methods used by other national councils in funding and/or co-ordinating research programs, and resolved to include an item "role of Council in the co-ordination of research" on the agenda for the next full meeting of Standing Committee.

(RESOLUTION 14)

Agenda Item 10 : Report on last meeting of the International Union for Conservation of Nature and Natural Resources

Standing Committee noted the report on the proceedings of the Thirteenth General Assembly of IUCN held in Geneva in April 1977, and the revised Statutes adopted at the meeting.

Agenda Item 11 : Report on conference of Parties to the
Convention on International Trade in Endangered
Species of Wild Fauna and Flora

Dr Boden reported on the first meeting of Parties to the Convention held in Berne in November 1976, and the special working session of Parties to be held in Geneva in October 1977.

Standing Committee noted the report of the Australian delegation to the Berne meeting which had been distributed to all members, and agreed that the outcome of the Australian proposals for amendments to the Convention Appendices had been adequately covered in the reports of the ad hoc Working Groups on Endangered Fauna and Endangered Flora.

Agenda Item 12 : Hang gliding in national parks

Standing Committee noted the paper submitted by the New South Wales National Parks and Wildlife Service on hang gliding in national parks in that State, and agreed that it be deferred for consideration at the meeting of Standing Committee prior to the July meeting of Council.

Agenda Item 13 : Attendance of observers at Council Meetings

Standing Committee discussed the suggestion by Senator Mulvihill to Senator Carrick (the Minister representing the Minister for Environment, Housing and Community Development in the Senate) that certain private organisations be permitted to send observers to Council meetings, and agreed that the question be referred to the July meeting of Council for decision.

Agenda Item 14 : Control of flying over national parks

Standing Committee considered the paper submitted by the National Parks Authority of Western Australia highlighting the adverse effects of low-flying aircraft over national parks, and resolved that the Secretariat would bring the problem to the attention of the Department of Transport and the Department of Defence and seek their comments regarding possible solutions.

(RESOLUTION 15)

Agenda Item 15 : World Wildlife Fund

Standing Committee noted three resolutions of interest to Australia which had been adopted at the Fourth International Congress of the Fund held in San Francisco in November 1976. It was agreed that while one ("protection to natural areas in Australia") was aimed directly at Australia, the other two ("trade in wildlife products not covered by the Washington Convention" and "funding of development projects") were only of general relevance to Australia.

Agenda Item 16(a) : Remote sensing

Standing Committee discussed the request by the Australian Committee for Earth Resources Technology Satellites that, as Commonwealth and State authorities were likely to become major users of satellite-derived data, Standing Committee consider and recommend to Council the proposal that a remote sensing committee be set up within its structure to improve communication between all users of such data. It was resolved that in order to obtain a broad appreciation of the potential of remote sensing for nature conservation purposes, individual agencies and/or interested individuals would send their comments on the ACERTS proposal to the Secretariat for collation into a background paper for the next full meeting of Standing Committee.

(RESOLUTION 16)

Agenda Item 16(b) : Sponsorship of research in forest recreation

Standing Committee considered the recommendation adopted by a refresher school for foresters held by the Department of Continuing Education, University of New England, that Council be asked to sponsor research in forest recreation, and resolved that the Secretariat would advise the University that as an organisation Council did not sponsor research, but that individual agencies represented on Council did, and therefore the resolution had been brought to their attention to act upon if they so desired.

(RESOLUTION 17)

Agenda Item 17 : Other business

Standing Committee resolved to include on the agenda for its next full meeting a review of the overall organisation and operation of Council and Standing Committee, including the structure and function of working groups and the proposal that future meetings of Standing Committee be held over two days.

(RESOLUTION 18)

Standing Committee agreed that difficulty had been experienced in isolating the recommendations of some working groups due to the format of their reports, and resolved that the Secretariat be requested to devise a uniform format which would facilitate the presentation and consideration of working group reports in the future.

(RESOLUTION 19)

The Secretariat advised that twenty copies of the publication "The status of kangaroos and wallabies in Australia" would be sent to each member and that if required additional copies were available for purchase from the Australian Government Publishing Service.

Agenda Item 18 : Next meetings of Standing Committee
and Council

Standing Committee agreed to meet for a full day in Brisbane on Wednesday, 27 July to both review the papers for the meeting of Council in Cairns on Friday, 29 July and deal with those items which were outstanding from the present meeting.

The Chairman closed the meeting and thanked all participants for their co-operation.

COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

C(77)

AGENDA ITEM 2 : Listing of macropods on the Appendices to the Endangered Species Convention - preparation of paper for Council.

At its last meeting, Standing Committee recognised that action to have the eight commercially exploited species of kangaroo included on Appendix II of the Endangered Species Convention had been initiated to comply with conditions laid down by the United States for lifting its ban on the import of kangaroo products, and not because of any biological considerations. Standing Committee also noted the recommendation of the Standing Working Group on Kangaroo Conservation and Management that in the light of the revised criteria for listing species on Appendix II which were developed at the Berne meeting of Parties to the Convention, this action be no longer pursued. However, members subsequently agreed that because there was a difference of opinion within Standing Committee as to whether an Appendix II listing for these species could be justified scientifically, it would be left to individual agencies to brief their Ministers on an appropriate stand to take in relation to the ban (Council agenda item 4 refers).

To assist in briefing the Ministers, the Australian National Parks and Wildlife Service agreed to prepare for consideration by Standing Committee prior to the Council meeting a paper outlining both the scientific and political implications of listing the commercially harvested kangaroo species on Appendix II.

This paper is attached.

FOR CONSIDERATION

Secretariat,
Canberra,
July 1977.

LISTING OF MACROPODS ON APPENDICES TO THE CONVENTION ON
INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA
AND FLORA

Background

Eight species of commercially harvested macropods were originally proposed for addition to Appendix II (Definitions of Appendices are at Attachment I) to the Endangered Species Convention by the Australian delegation at the Washington Conference in February 1973, but the proposal was received too late for consideration at that time.

The Australian delegation undertook to propose the species concerned for inclusion on Appendix II following ratification of the Convention by Australia. This took place on 29 July 1976 and the Convention came into effect for Australia in October 1976.

The first Conference of Parties to the Convention was held in Berne, November 1976 and due to the large number of proposed amendments to Convention Appendices and the short duration of the Berne meeting, the Conference of Parties allocated priorities to its considerations.

The Conference, recognising the rapid increase in the number of species proposed for listing on the Appendices, developed stringent criteria for the placement of species on the Appendices. These criteria include a requirement for documentary evidence indicating degree of endangerment to be provided by the proponent of an amendment. (The type of evidence required is outlined in Attachment II.) The Convention Secretariat has therefore sought detailed documentary evidence from Australia to substantiate the case for listing the eight macropod species. If this information is provided the proposals can be either submitted to a postal voting procedure or considered at the next meeting of Parties planned for late 1978.

Action by the United States Government

On 15 January 1973 the United States Government served notice of intention to ban imports of kangaroo skins and products of the Red, Eastern Grey and Western Grey kangaroo species. (These three species were amongst the eight species proposed by Australia.)

On 25 February 1976 the United States Government indicated that the lifting of the United States import ban, for a period of two years only, would be given consideration provided the Australian Government certified that each State concerned had observed certain specific requirements which were in general accord with the recommendations of the Ministerial Working

Party on Kangaroos set up by Australian Ministers in 1973. The United States further advised that consideration would be given to having the ban permanently lifted, contingent upon the Australian Government having ratified the Endangered Species Convention and having placed the three species of kangaroo in question (Red, Eastern Grey and Western Grey) on Appendix II of the Convention. (U.S. requirements at Attachment III). Certified programs from all States involved in commercial harvesting have been forwarded to the United States Authorities together with additional certification by the Commonwealth Government that the programs are satisfactory. To date no advice has been received from the United States on the acceptability or otherwise of the five conservation management programs, nor has any action been taken by the United States to lift the import ban (this would involve giving notice of intention to do so in the Federal Register, and would not automatically result in the ban being lifted).

Aspects for Consideration

Proposed Listing on Appendix II

a. Disadvantages

- (i) No assurance can be given that following the listing of the three species by Australia the United States will remove its import ban. Indeed unofficial advice would tend to indicate that removal of the import ban is seen by the U.S. Fish and Wildlife Service as a matter of low priority.
- (ii) If the Federal United States import ban was lifted, individual U.S. States are empowered to impose (or in some cases continue) their own specific bans regarding imports of kangaroo skins and products. Several major States have laws prohibiting the possession and/or sale of products from endangered species; these include Arizona, Illinois, Massachusetts and Florida, and in the case of New York and California kangaroos are specifically listed in the States' register of endangered species.
- (iii) Bearing in mind the newly-developed selection criteria for inclusion of species on Appendix II, the listing of the species could be seen by kangaroo conservation lobbyists as an admission by Australia that present management of kangaroos is insufficient to ensure their continued survival, even though all available evidence indicates that all eight species are common and widespread.

(iv) Alternative market prospects may be jeopardised by listing the eight macropods on Appendix II.

b. Advantages

- (i) The move to place the macropods on Appendix II would, no doubt, help to appease the kangaroo conservationists both in Australia and overseas.
- (ii) The United States market may eventually be reopened for exports of kangaroo products and provide additional markets for the kangaroo industry, which may be important in maintaining a viable industry as a tool of wildlife management.

Proposed Listing on Appendix III

Suggestions that these species be listed in Appendix III appear inappropriate due to the fact that existing domestic legislation is adequate to protect them. The revised criteria for selection on Appendix III, adopted at the Berne meeting are as follows:

- a. The Secretariat should not communicate to contracting Parties national proposals for additions to Appendix III prior to receiving copies of all national laws and regulations applicable to the protection of such species in that country (Article XVI para 4);
- b. When domestic legislation is adequate to protect a species, it should not be added to Appendix III; however, species occurring in a country could be added to Appendix III when international control is needed to provide proper protection; and
- c. As a temporary measure, to facilitate implementation of the Convention, Parties listing species in Appendix III should specify that all parts and derivatives should be covered.

It is unlikely that Appendix III listing would satisfy the United States Government's requirements, and would offer little advantage to either wildlife managers or the kangaroo industry. However it would be a way of acknowledging Australia's recognition that trade in the species should only take place in accordance with Australian law.

For consideration

Australian National Parks and Wildlife Service

29 June, 1977

Definitions of Appendices II and III

Appendix II shall include:

- (a) all species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilisation incompatible with their survival; and
- (b) other species which must be subject to regulation in order that trade in specimens of certain species referred to in sub-paragraph (a) of this paragraph may be brought under effective control.

Appendix III shall include all species which any Party identified as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other parties in the control of trade.

REVISED SELECTION CRITERIA DEVELOPED AT BERNE MEETING
OF CONVENTION PARTIES

Appendix II

It was agreed that, with reference to biological status, to qualify for Appendix II, species need not currently be threatened with extinction, but there should be some indication that they might become so. Such an indication might be a decreasing or very limited population size or geographic range of distribution. Information on biological status should be one of the types required for Appendix I species. Genera should be listed if some of their species are threatened and identification of individual species within the genus is difficult. The same should apply to listing any smaller taxa within larger ones.

Species meeting the biological criteria should be listed if they presently are subject to trade or are likely to become subject to trade. The latter situation can arise where heavy trade in one species is extended to include similar species if the demand grows or if supplies of the one species are depleted. The amount of trade that a species can sustain without threat of extinction generally will be greater for species in Appendix II than for those in Appendix I, so there should be evidence of actual or expected trade in such a volume as to constitute a potential threat to survival of the species. Appendix II serves in part as a monitoring tool (Article IV.3) to gather such trade data.

Appendix III

The following proposals were adopted:

- (i) The Secretariat should not communicate to contracting Parties national proposals for additions to Appendix III prior to receiving copies of all national laws and regulations applicable to the protection of such species in that country (Article XVI para 4): and
- (ii) When domestic legislation is adequate to protect a species, it should not be added to Appendix III; however, species occurring in a country could be added to Appendix III when international control is needed to provide proper protection: and
- (iii) As a temporary measure, to facilitate implementation of the Convention Parties listing species in Appendix III should specify that all parts and derivatives should be covered.

FULL TEXT OF UNITED STATES GOVERNMENT'S REQUIREMENTS
RECEIVED 25 FEBRUARY 1976

"The U.S. Fish and Wildlife Service (USFWS) received a request from the Government of Australia to lift the present ban on the commercial importation of the three subject species of kangaroo and their parts and products with regard to the States of New South Wales, Queensland, South Australia and Western Australia. Under regulations promulgated by the Secretary of the Interior, effective 28 January 1975, the Director, USFWS can permit such importation, at his discretion, upon receiving from the Government of Australia a certificate that a particular State has developed an effective sustained-yield program for these species and that the taking of such species in that State will not be detrimental to its survival in the wild, and upon proof that such wildlife is lawfully taken and exported from that State.

"The USFWS has received and reviewed the kangaroo management plans from all four States. Based upon this review, upon the Smith-Skoog Report ("Analysis of Kangaroo Status and Management in Australia, 1975"), and upon other deliberations, the Director has decided upon the following course of action. Before taking steps to lift the import ban for any State, however, he first must receive official certification from the Government of Australia with regard to each State concerned:

- (a) That the State has implemented an effective sustained-yield management program for each of the three kangaroo species (Red, Eastern Grey, and Western Grey) which occurs in that State;
- (b) That the taking of these species in that State will not be detrimental to their continued survival in the wild within the State;
- (c) That all animals, parts, or products of these species officially exported commercially to the United States will have been lawfully taken in an approved State and lawfully exported; and
- (d) That none of the three species is officially listed or classified as "vermin" by the State in question.

"Upon receiving such certification from the Government of Australia for any Australian State, the Director will issue a proposed rulemaking in the Federal Register outlining his proposal to lift the commercial importation ban on these kangaroos for one or more States, as the case may be, for a period of two years. There will be a 60-day comment period available to all interested parties. At the close of that period, a "Final Rulemaking" will be made if the ban is to be

lifted or, if the ban is to be retained, a simple "Notice" to that effect will be published.

"If the ban is lifted for two years, any further commercial importation beyond that time period will be contingent upon the Government of Australia having ratified the "Convention on International Trade in Endangered Species of Wild Fauna and Flora" and having placed the three species of kangaroo in question on Appendix II of that Convention, in accordance with the Government of Australia's commitment made at the Convention Conference in March 1973. If such action is accomplished, then all future imports into the United States will be governed by the Rules of the Convention.

"If the Government of Australia has not ratified the Convention by that time, the continued commercial importation of these kangaroos into the United States will be contingent upon the Government of Australia annually certifying, with acceptable evidence and for each State concerned:

- (a) that the State in question has maintained an effective sustained-yield management program for the kangaroo species occurring in that State;
- (b) that the taking of these species in the State is not detrimental to the survival of these species in the wild within the State;
- (c) that preserves and refuges (Federal, State and private), are adequate to maintain viable populations of all species in habitat not subject to loss or adverse alteration, and that continuing efforts are being made to acquire additional preserves and refuges for these species;
- (d) that adequate resources (manpower and money) are devoted to the management and protection of these species in each State concerned and that additional resources are being devoted to this cause as the occasion demands or the opportunity arises;
- (e) that continuing efforts are being made to improve basic management data on population levels, habitat trend, and kill statistics, and that these data are utilised to enhance optimum sustained-yield management programs and
- (f) that continuing efforts are being made to educate the public, particularly landowners, to the value of kangaroos both as a valuable renewable resource and a national heritage that must be maintained in perpetuity.

"Before taking any further action on this issue, the Director must have in hand the certifications described in paragraph 2. These certifications are in addition to any that the Government of Australia may believe it has already given in previous communications.

"In addition, it needs to be emphasised that, should the United States import ban be lifted, our enforcement agents at the United States ports of entry must have some assurance from the Government of Australia that all elements of any given shipment of kangaroo or kangaroo products represent legally taken animals from an approved Australian State. In our opinion an official Government of Australia export document accompanying each, repeat each, shipment would satisfy this requirement if the document contained an officially signed statement to this effect."

COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

C(77)

AGENDA ITEM 3 : Trafficking in fauna in Australia -
preparation of paper for Council.

At its last meeting, Standing Committee noted resolutions put forward by the Standing Working Group on Law Enforcement in respect of particular recommendations in the report on trafficking in fauna in Australia by the House of Representatives Standing Committee on Environment and Conservation, and agreed that due to the significance of the report its recommendations should be considered in their entirety, with reference to the resolutions of the Working Group where appropriate, prior to the Council meeting.

The relevant resolutions of the Working Group, extracted from its report to the last meeting of Standing Committee, are attached to assist Standing Committee in preparing a paper for Council (Council agenda item 5 refers).

FOR CONSIDERATION

Secretariat,
Canberra,
July 1977.

H of R Report - Recommendations (i) and (ii)

Working Group Resolution 3 - General Export Policy

Saving as set out in Recommendation 4, the Working Party, having considered Recommendations (i) and (ii) of the Second Report of the House of Representatives Standing Committee on Environment and Conservation, recommends to Standing Committee that the policy on export of native fauna be not relaxed.

(Note: This was a majority decision - South Australia opposed this resolution while the representatives of the Northern Territory and Australian Capital Territory and of Australian Customs abstained from voting).

Comment: Reference was made to the way that attitudes had changed in Australia and overseas to the utilization of wildlife populations. There appeared to be a hardening towards greater protection of remaining terrestrial wildlife populations whose habitats, almost without exception, were being reduced through the "developmental" activities of mankind and domesticated animals. It was reported that many emerging nations regarded trade in wild animals as an extension of colonialism.

If the export policy were to be changed, members considered that the financial and staff budgets would have to be greatly increased.

H of R Report - Recommendation (iii)

Working Group Resolution 4 - Export of Koalas, Platypus and Lyrebird

The Working Group recommends to Standing Committee that Recommendation (iii) of the 2nd Report of the House of Representatives Standing Committee be adopted provided that only those zoos and institutions which had demonstrated their ability to care adequately for such species be approved recipients.

(Note: Queensland expressed a reservation to this resolution in respect of the Albert Lyrebird).

Comment: Members other than Queensland agreed that it would not place stress on enforcement groups if the export policy in respect of these fauna were brought into line with other relatively common species.

H of R Report - Recommendation (iv)

Comment: Working Group merely noted this recommendation as it had no enforcement implications.

H of R Report - Recommendation (v)

Working Group Resolution 5 - Model Legislation

The Working Party, having noted Recommendation (v) of the Second Report of the House of Representatives Standing Committee, draws to the notice of Standing Committee that the Northern Territory has now to design and administer its laws directly. The Working Group doubts that the Australian Capital Territory is in a position to produce model legislation but the Group recommends that Standing Committee urge the early introduction of adequate wildlife conservation legislation in both Territories.

Comment: In reaching this resolution, some members expressed concern at the inadequacy of the existing legislation in the Australian Capital Territory and the long delay in introducing essential amendments.

There was no doubt in members' minds that birds freely available from dealers in the Australian Capital Territory had been illegally taken in other States.

H of R Report - Recommendations (vi), (vii) and (ix)

Working Group Resolution 6 - Review of Legislation

Having received reports from the Australian National Parks and Wildlife Service that it is considering the need to undertake a full scale professional review of wildlife conservation legislation throughout Australia, and from New South Wales that it has already been looking at such legislation, this Working Group recommends to Standing Committee that further action be taken to implement Recommendations (vi), (vii) and (ix) of the Second Report of the House of Representatives Standing Committee on Environment and Conservation.

To that end, this Working Group suggests that the Australian National Parks and Wildlife Service be invited, in conjunction with New South Wales, to undertake a review of all such legislation and the procedures adopted by each authority for consideration by Standing Committee.

Comment: In reaching Resolution 6, members noted that New South Wales had a competent professional officer (Mr Bruce Wilson) who had already reviewed many aspects of wildlife enforcement legislation in Australia. It would be necessary for the implementation of recommendations (vi), (vii) and (ix) to have professional advice on the inadequacies of all authorities' existing legislation and where it could be in conflict.

H of R Report - Recommendation (viii)

Working Group Resolution 7 - Customs Act Penalties

Having considered Recommendation (viii) of the Second Report of the House of Representatives Standing Committee on Environment and Conservation, this Working Group recommends to Standing Committee that it endorse this proposal.

Comment: Members considered that penalties in all wildlife enforcement legislation should be appropriate to the commercial value of the fauna, its status in Australia and enforcement costs.

H of R Report - Recommendation (x)

Comment: The Working Group noted this recommendation and considered it to be outside the Group's terms of reference.

H of R Report - Recommendations (xi), (xii) and (xiii)

Working Group Resolution 8 - Expanding Land Acquisition,
Education and Research

Having considered Recommendations (xi), (xii) and (xiii) of the Second Report of the House of Representatives Standing Committee on Environment and Conservation, this Working Group draws to the notice of Standing Committee that each of these recommendations has a potential to affect the law enforcement units of the several authorities.

Comment: Nil.

H of R Report - Recommendation (xiv)

Working Group Resolution 9 - Expanding Wildlife Services

Having noted the new trends in Commonwealth/State financial relations, this Working Group draws the attention of Standing Committee to paragraph 147 and Recommendation (xiv) of the Second Report of the House of Representatives Standing Committee on Environment and Conservation.

Comment: Nil.

H of R Report - Recommendation (xv)

Working Group Resolution 10 - Customs Fauna Squad

The Working Group noted with satisfaction a report from Australian Customs that Recommendation (xv) of the Second Report of the House of Representatives Standing Committee on Environment and Conservation was already being implemented.

Comment: Nil.

H of R Report - Recommendation (xvi)

Working Group Resolution 11 - Customs Surveillance Requirements

The Working Group recommends to Standing Committee that it endorse Recommendation (xvi) of the Second Report of the House of Representatives Standing Committee on Environment and Conservation and notes that progress has already been made in the provision of additional patrol craft and support facilities.

Comment: Nil.

H of R Report - Paragraphs 17-19

Working Group Resolution 12 - Reptiles

Having noted paragraphs 17 to 19 of the Second Report of the House of Representatives Standing Committee on Environment and Conservation, this Working Group recommends to Standing

Committee that all States and Territories should -

- (a) prohibit trafficking in reptiles except as approved by license;
- (b) prohibit the possession of reptiles except as approved by license.

Comment: Some authorities do not have clear authority to control the possession of or trafficking in reptiles. Members pointed out that weakness and discrepancies and other instances of lack of uniformity in the legislation of the various authorities would soon be revealed if Resolution 6 were adopted.

COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

C(77)

AGENDA ITEM 4 : Hang gliding in national parks.

At its last meeting, Standing Committee noted a paper submitted by the New South Wales National Parks and Wildlife Service on hang gliding in national parks in that State, and agreed that it be deferred for consideration at the present meeting.

The New South Wales paper is attached, together with a copy of a letter on the subject received from the Northern Territory Reserves Board.

FOR CONSIDERATION

Secretariat,
Canberra,
July 1977.



NATIONAL PARKS AND WILDLIFE SERVICE

STANDING COMMITTEE C.O.N.C.O.M. -
HANG GLIDING IN NATIONAL PARKS IN NEW SOUTH WALES

1. Preamble

Since the days of Leonardo da Vinci has man wished to fly. Progress through history saw an unprecedented interest in the manufacture and sophistication of flying machines. It is not difficult to understand why hang gliding has achieved its popularity as it presents an opportunity to challenge the elements and it is perhaps one step closer to "fly with wings".

In New South Wales, hang gliding was first introduced in the late 1960's. Water skiers were using gliders to gain altitude while being towed by speed boats. Large areas of enclosed waters were needed, with suitable safe landing areas being required. Hang gliding then progressed to foot launching, with no mechanical assistance. Areas chosen varied from sand dunes (beginners) to cliffs (advanced) adjoining the ocean where there is sufficient updraft to maintain flight. Both styles of hang gliding are being practised today.

The types of hang gliders currently in use are the triangular "ragallo" which is the most popular and most widely used, the other being a fixed winged variety similar in design to conventional aircraft.

As the sport gained in popularity, the need for suitable sites was evident and local Councils and authorities are trying to accommodate the sport on land under their control. A national body was established, the Australian Self Soar Association, with the N.S.W. Hang Gliding Association being this State's representative. The Federal Department of Transport has issued Air Navigation Orders which lay down conditions for flying and exempts hang gliders from the Air Navigation Regulations.

2. National Parks as Suitable Sites

Within the terms of the National Parks and Wildlife Act, the Director through the National Parks and Wildlife Service is responsible for the care, control and management of national parks. The Service does not control air space, which is a Department of Transport responsibility. The Service can therefore control launching and landing sites, access and any other factor which is not directly related to flight.

Because national parks are generally spacious areas set aside for the conservation of nature and recreation of a generally passive nature, they provide many potentially suitable launching and landing sites. These would include Royal, Mt. Kaputar, Warrumbungle, Ben Boyd and Kosciusko National Parks.

Towed hang gliding could be possible in national parks wherever enclosed waters form part of the park. These areas include Blowering Dam in Kosciusko National Park and Cowan Water in Ku-ring-gai Chase National Park.

3. The Development of Policy

Kosciusko National Park was the first area that was considered to have suitable hang gliding sites. Service officers were concerned about the proposal because hang gliding represented an unnecessary extension of use and one that could be readily practised elsewhere. There was good cause to believe that hang gliding could interfere with the use of areas by more conventional park users and even constitute a danger to them.

Hang gliding was prohibited in all areas administered by the National Parks and Wildlife Service. Representations were then made to the Service to review its policy to permit hang gliding for a trial period at Thredbo; a resort area within Kosciusko National Park. Thredbo was also proposed as the venue for the first hang gliding championships.

Service policy was amended to permit limited hang gliding in areas of parks which are zoned for high density recreation and development use. It was necessary to issue licenses to the main lessee at Thredbo to conduct the championships and to individuals for flying. Strict conditions were laid down by the Service which included compliance with the regulations of TASSA and Department of Transport.

Licenses are due to expire in October 1977 when a review of Service policy will be made.

4. The Future

Like any sport there are inherent dangers and in some areas (not in national parks), deaths and injuries have occurred. As a result the N.S.W. Sport and Recreation Service has claimed the need for overall control of the sport in New South Wales and it has requested the various hang gliding bodies to submit details of areas seen as being necessary or essential to conduct the sport. At the time of writing these details were not available but it is anticipated that a few sites within national parks will be included.

Pressure to use hang gliders in New South Wales National Parks has been relatively low key, with the exception of the Thredbo area in Kosciusko National Park. This indicates that enough suitable localities are available outside Service areas.

Hang gliding does not meet the normally accepted criteria for park uses and, for this reason, the Service is reluctant to encourage hang gliding in National Parks.

An exception has been made in the case of Thredbo, because it is already extensively developed and is run by a lessee who is prepared to control the sport. The lessee has accepted full responsibility for ensuring that normal safety standards are adopted, and all Acts and Regulations are strictly enforced.

It may appear that by passing over the supervision of the sport to a private concern the Service has avoided its responsibilities. However, this is not the case as the Service has, on many occasions, adopted the principle that it cannot cater for all minority groups particularly where demands are made on the Service's staff and resources, which are excessive relative to those of the majority of park users.


The sport of hang gliding has special management and control problems. If hang gliding is allowed in National Parks special access will be required for the areas they choose, sophisticated rescue facilities will be needed, and strict control and marshalling would be essential (especially where the launching site is a scenic lookout used by conventional park users).

Demand for areas to be set aside in National Parks is negligible at the present time and it is expected that this will remain the case. Potential hang gliders will be more and more deterred by the high incidence of serious injury and death in the sport, and this will be strengthened by the increasing publicity given to this aspect. In addition the hang gliding enthusiast is probably looking for the strong element of freedom in the sport as it is now, and it is felt that this will be considerably eroded in the future as more statutory club control is introduced. This will no doubt have an effect on the growth of the sport and the demand for new areas.

Therefore, generally speaking, hang gliding will not be approved in areas under the control of the Service. Exception has been made in the past and applications will be considered in the future by properly constituted clubs in association with private enterprises existing in developed areas of National Parks.

These exceptional approvals will be covered by a license which will incorporate indemnities, conditions, etc., (including requirements of any regulations introduced by the Sport and Recreation Service of N.S.W.) to adequately control the sport in National Parks. A copy of the draft license is attached for perusal.

The Service's views on this matter are drawn to the attention of the Standing Committee to promote discussion and, if considered warranted, to take forward to Ministers a statement of recommended policy in this matter.


D. A. JOHNSTONE,
Director.

13 MAY 1977



HANG GLIDING PERMIT TO AN INDIVIDUAL -
.....NATIONAL PARK

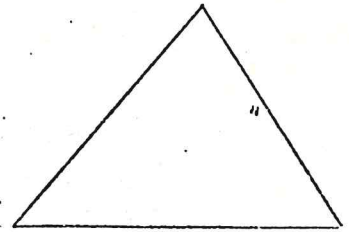
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ERW

I, (full name)
of (residential address)
having Membership No. of The Australasian Self-Soar
Association ("TASSA"), and currently being of TASSA Pilot Proficiency Rating....,
in consideration of the Director of the National Parks and Wildlife Service
(hereinafter called "the Service") of New South Wales hereby consenting in
writing pursuant to By-law (3)(n) under the National Parks and Wildlife Act,
1974 to my flying my hang-glider (as defined by the Department of Transport and
described overleaf) in the above-mentioned National Park HEREBY AGREE TO COMPLY
WITH THE FOLLOWING CONDITIONS TO PROTECT THE PARK:-

1. I shall operate my hang-glider only in the area described overleaf in strict accordance with -
 - (a) the National Parks and Wildlife Act, 1974 and By-laws thereunder,
 - (b) Air Navigation Regulations and Orders thereunder issued by the Department of Transport, as amended from time to time, and
 - (c) training, operational and safety codes adopted by TASSA and approved by the Director.
2. I shall deliver a copy of any application to the Department of Transport Regional Director for exemption from any provision of the Regulation or Orders, to the Park Superintendent.
3. In addition to Order 4.3 of Section 95-8 of the Air Navigation Orders, I shall submit a written application to hang-glide at any regatta, race meeting or public gathering to the Park Superintendent not less than 7 days prior to the proposed flight.
4. I certify that I have effected or am a party to (by virtue of my TASSA membership) a Public Risk Liability Insurance policy by which the Director of National Parks and Wildlife and the Minister for Lands for New South Wales are insured for a sum of not less than \$250,000.00 in the case of any one accident resulting directly or indirectly from my hang-gliding, and I indemnify the Director, the Service and the Minister fully in respect of my operations hereunder.
5. I undertake to pay to the Service all costs and disbursements incurred directly or indirectly in connection with any search and rescue operation, damage to the Park, Service personnel or property.
6. I herewith lodge with the Service a security deposit of \$....., which may be forfeited in whole or part in the event of my non-compliance with these conditions.
7. I shall not require any special access or egress amenity in the Park.
8. I shall not use mechanical or non-human power for the launching of or in the flight of my hang-glider.
9. I shall launch, fly and land my hang-glider in a manner which shall not interfere with the safety, enjoyment or use of the Park by other Park users.
10. I shall not consume any alcohol or drugs in the eight hour period immediately prior to any flight.
11. I shall ensure that no rubbish is deposited or permitted to remain at my launching and landing positions.
12. I shall keep a record of all my flights within the Park, including date, time, weather, launching and (approximate) landing positions and any incidents or accidents therein, and shall produce such record to any officer of the Service upon request so to do. Any accident involving injury or death to any person or damage to property shall be notified to the Park Superintendent within seven (7) days of that accident.
13. This licence shall terminate on -
 - (a) issue of an oral or written order without notice by and at the sole discretion of the Superintendent or Director that this Permit is revoked, or
 - (b) 30th October, 1977, whichever is the earlier.

Signed by the Permittee:..... Superintendent:.....
in the presence of a Witness:..... Date: .../.../...

HANG-GLIDER DESCRIPTION:
(colours, pattern etc.)



AREA OF LAUNCHING, FLIGHT-PATHS AND LANDING: -

AUSTRALIA

AIR NAVIGATION ORDERS
PART 95

DEPARTMENT OF TRANSPORT

EXEMPTION FROM PROVISIONS OF THE AIR
NAVIGATION REGULATIONS - GLIDERS
HAVING AN EMPTY WEIGHT NOT EXCEEDING
70 kg. (HANG GLIDERS AND MANNED FREE KITES)

SECTION 95.8

Issue 1
Page 1

CONTENTS

1 - Applicability
2 - Definitions

3 - Exemption
4 - Conditions

1 - APPLICABILITY

This Section of Air Navigation Orders applies to gliders with an empty weight not exceeding 70 kg, commonly referred to as hang gliders or manned free kites.

Note - A glider is defined in the Air Navigation Regulations as a non power driven aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight.

2 - DEFINITIONS

In this Section -

'empty weight' means the actual weight of the glider in its airborne configuration including all fittings and equipment, but not including the pilot;

'Regional Director' means a Regional Director of the Air Transport Group, Department of Transport.

3 - EXEMPTION

3.1 In pursuance of the powers vested in him by regulation 329A of the Air Navigation Regulations the Secretary hereby exempts the gliders to which this Section applies from compliance with the provisions of Parts III, IV, V, VI, VII, VIII, IX, X (other than Regulation 124) XI, XII, XIII and XV of those Regulations and specifies the conditions set out in Paragraph 4 of this Section as the conditions to be complied with by such gliders.

4 - CONDITIONS

4.1 Except with the permission in writing of the Regional Director, and in accordance with any conditions specified in the permit to minimise hazard to other aircraft or to persons or property on the ground or water, a glider shall not be flown -

- (a) at a height in excess of 300 feet above terrain;
- (b) within five kilometers from a Government or licensed aerodrome;
- (c) within controlled airspace;
- (d) within a prohibited or restricted area;
- (e) at a height lower than 300 feet within a horizontal distance of 100 metres from persons other than;
 - (i) persons directly associated with the operation of the glider; and
 - (ii) during the launching phase, persons situated behind the launching point relative to the intended direction of flight;
- (f) within 100 metres horizontally from or at any height over buildings;
- (g) at any regatta, race meeting or public gathering.

4.2 A glider shall not, in any circumstances, be flown in cloud.

4.3 Where it is proposed to fly a glider at any regatta, race meeting or public gathering, it shall be the responsibility of the person actually operating the glider, or his agent, to submit a written application specifying the details of the proposed operation to the Regional Director not less than twenty-eight days prior to the proposed flight(s).

Note - Attention is directed to the fact that the exemption granted by this Section does not confer on an operator of a glider any rights as against the owner or occupier of any land on or over which the operations are conducted, or prejudice in any way the rights and remedies which any person may have in respect of any injury to persons or damage to property caused directly or indirectly by the glider.

AUTHORITY

The Air Navigation Orders included herein are issued by the Secretary to the Department of Transport in pursuance of the powers vested in him by the Air Navigation Regulations.

Issue - August 1975



Northern Territory Reserves Board

(Established Under the National Parks and Gardens Ordinance 1959-1974)

Telephone: 522738

Gap Road, Alice Springs
P.O. Box 1046, Alice Springs, 5750
Northern Territory, Australia

8th June 1977

IN REPLY PLEASE
QUOTE 39/2

WTH.DMK

The Director,
National Parks and Wildlife Service,
Box N189, Grosvenor Street Post Office,
SYDNEY. N.S.W. 2000



Dear Sir,

I do not know if Agenda Item 12 - Hang Gliding in National Parks was discussed at the Standing Committee on 3.6.77 after my departure, but for your information I wish to advise that Hang Gliding is prohibited on national parks and reserves controlled by this Board. The relevant by-law reads:

"35B. A person on a reserve shall not, except with and in accordance with the written authority of the Board and subject to the directions of the curator of that reserve -

- (a) engage in or attempt to engage in the sport of hang-gliding; or
- (b) tow a hang-glider.

Penalty : 100 dollars "

In submitting the by-law for approval, we made the following points:-

1. In company with other national parks authorities in Australia, the policy of the Board is to administer areas dedicated to its care and control to ensure the preservation of their natural beauty, the consideration of native flora and fauna and the protection of geological and other features of special interest.

8th June 1977

2. It is considered that the appropriate use of a national park is in activity which is inspired by and derives its enjoyment from the natural characters and features of the Park. Such an activity can be accommodated without material alterations or disturbance or the introduction of artificial conditions into the natural conditions.
3. The Board does not argue that Hang Gliding should be discouraged, but does not consider it to be an appropriate activity in a national park. For example, one party of Hang Gliders at Ayers Rock endangered their lives by trying to glide at night and had to be rescued and others have wanted to Hang Glide there because of the publicity attached to it. In addition all Hang Gliders have to have search and rescue parties with vehicles, and drive off main roads to recover equipment and personnel. Driving off roads is one of the major problems in national parks in so far as protection of flora and fauna is concerned.
4. The prohibition of Hang Gliding in areas under the Board's control will not prevent people engaging in the sport in the Northern Territory as there are many areas, particularly along the Macdonnell Ranges where necessary elevation for launching can be obtained outside reserves.
5. It is understood that the most appropriate conditions for Hang Gliding occur along cliffs close to the ocean where movement of air is at its maximum.

Yours faithfully,



W. T. HARE
DIRECTOR.

COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

C(77)

AGENDA ITEM 5 : Duck season in south-eastern Australia.

At its last meeting, Standing Committee considered the views of the Standing Working Group on Birds regarding the desirability of a uniform opening date for the duck season in south-eastern Australia, and resolved that representatives of the three States concerned (New South Wales, Victoria and South Australia) and CSIRO would meet to discuss the question of dates for the duck season and subsequently report back to Standing Committee.

This meeting is scheduled to be held in Melbourne on 25 July with the following participants:

New South Wales	-	Mr W.S. Steel.
Victoria	-	Mr S.J. Cowling.
South Australia	-	Mr R.G. Lyons.
CSIRO	-	

A verbal report on the outcome will be given to Standing Committee.

FOR INFORMATION

Secretariat,
Canberra,
July 1977.

COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

C(77)

AGENDA ITEM 6 : Remote sensing.

At its last meeting, Standing Committee discussed a request by the Australian Committee for Earth Resources Technology Satellites that, as Commonwealth and State authorities were likely to become major users of satellite-derived data, Standing Committee consider and recommend to Council the proposal that a remote sensing committee be set up within its structure to improve communication between all users of such data.

Members are reminded that it was resolved that in order to obtain a broad appreciation of the potential of remote sensing for nature conservation purposes, individual agencies and/or interested individuals would send their comments on the ACERTS proposal to the Secretariat for collation into a background paper for a future meeting of Standing Committee.

FOR INFORMATION

Secretariat,
Canberra,
July 1977.

COUNCIL OF NATURE CONSERVATION MINISTERS

STANDING COMMITTEE

C(77)

AGENDA ITEM 7 : Meeting to consider the overall organisation and operation of Standing Committee and Council.

At its last meeting, Standing Committee resolved to include on the agenda for its next full meeting a review of the overall organisation and operation of Standing Committee and Council, including the structure and function of working groups and the proposal that future meetings of Standing Committee be held over two days.

Standing Committee is requested to consider a suitable date and venue for its next meeting.

FOR CONSIDERATION

Secretariat,
Canberra,
July 1977.