

Cultural Practices of Tasmanian Aboriginal Communities

The Wildlife Regulations provide for the protection and management of wildlife in Tasmania. These Wildlife Regulations are now due for review and remaking, before 30 November 2020:

- ▶ [Wildlife \(General\) Regulations 2010](#)
- ▶ [Wildlife \(Deer Farming\) Regulations 2010](#)
- ▶ [Wildlife \(Exhibited Animals\) Regulations 2010](#)

Tasmania's Aboriginal cultural heritage provides a spiritual connection for Tasmanian Aboriginal people today and valuable information about one of the oldest living cultures in the world. Wildlife such as wallabies, kangaroos, possums and birds are hunted for food by Tasmanian Aboriginal people as part of their cultural practices. A permit or game licence (where applicable) is required to hunt native animals, regardless of whether the hunting is for cultural purposes or not, unless the hunting is on Aboriginal land.

Please note that Aboriginal cultural fishing (including abalone, shellfish and rock lobster) and shell collection is regulated under the *Living Marine Resources Management Act 1995* and is not being considered by this review of the Wildlife Regulations. This review is also not covering section 73 of the *Nature Conservation Act 2002*, which exempts Aboriginal cultural activities from requiring a permit or licence, including hunting, fishing or gathering for personal use, by an Aboriginal person on Aboriginal land (under the *Aboriginal Lands Act 1995*).

PURPOSE OF THIS INFORMATION SHEET

The purpose of this Infosheet is to help frame the discussion/comments with targeted stakeholders during the first stage of consultation.

This Infosheet describes the Wildlife Regulations that relate to the cultural practices of Aboriginal people in Tasmania, including muttonbirding, other cultural hunting and using or harvesting products of wildlife, such as eggs, skins or quill jewellery.

This Infosheet includes matters that have been identified by various stakeholders, external to the Department, since the Wildlife Regulations were last reviewed in 2009. They do not represent the views of the Department.

The Department is, in this stage of the consultation, seeking the views of identified stakeholders about the efficiency, effectiveness and adequacy of the regulations.

MUTTONBIRDING

Tasmanian Aboriginal people have harvested muttonbirds and their eggs for innumerable generations, and many families and communities continue this important cultural practice. The harvesting of muttonbirds is limited to the timing of the open season declared each year.

2019 WILDLIFE REGULATIONS REVIEW

Aboriginal people are required to obtain a permit to harvest muttonbirds from land that is not Aboriginal land. Cultural harvest permits are generally only available for harvest from one southern colony, at Fort Direction. To get a permit for a cultural harvest, you must be on the Central Aboriginal Eligibility Register administered by the Office of Aboriginal Affairs. A commercial muttonbird licence may be needed if the harvested birds are to be traded or used in another commercial way, even if they are taken from colonies on Aboriginal lands, such as on Big Dog, Babel or Trefoil Islands.

Alternatively, a Game Licence is available, for a fee, to anyone (Aboriginal or not) who wants to take muttonbird for non-commercial purposes. This type of licence allows the holder to harvest muttonbirds during the open season from colonies opened by the Department for that purpose.

Muttonbirds are a migratory species and numbers are monitored by the Tasmanian Government as a requirement of several international treaties. Accordingly, it is of continued importance that the Department receives reports of how many muttonbird are taken each season.

EGGS, SKINS, JEWELLERY (PRODUCTS OF WILDLIFE)

Products of wildlife include skins, quills, eggs, nests and any part obtained from the body of wildlife. To get a permit to collect, or harvest or sell products of wildlife for cultural purposes, you must be on the Central Aboriginal Eligibility Register.

The harvesting of eggs of native birds is practised by some Tasmanian Aboriginal people. Native birds and their eggs have varying levels of protection within the Wildlife Regulations. Unless the activity is on Aboriginal land, a permit is required to harvest the eggs of native birds for Aboriginal cultural practices.

Similarly, permits are required to collect wildlife products for cultural practices, such as echidna quills for making jewellery, unless the collection is from Aboriginal land. The sale, barter, exchange or other commercial use of any products of wildlife also usually requires a permit (unless it has been processed by someone accredited under the *Primary Produce Safety Act 2011*).

ISSUES IDENTIFIED PREVIOUSLY BY STAKEHOLDERS

The following points represent some issues that have been identified by various stakeholders since the regulations were last reviewed. They do not represent the Department's position on any particular matter:

1. The Department has received feedback that Tasmanian Aboriginal people would like to continue their cultural practices of hunting and gathering food from the land, including native wildlife and eggs, without requiring a permit or game licence.
2. It has been suggested that any permits under the Wildlife Regulations, where necessary, for Tasmanian Aboriginal cultural purposes should be able to be issued to Aboriginal groups or communities, rather than to individuals.

REVIEW PROCESS – WHEN CAN YOU HAVE YOUR SAY?

This Infosheet has been developed to assist the first phase of consultation with key stakeholders. The Department has engaged with around 90 groups and individuals. The Department is also reviewing existing regulatory practices for regulatory consistency to identify potential improvements.

Draft Regulations will be released in mid-2020 for public comment.

If you have an interest in receiving information on the review process, please contact the Natural Heritage Policy Section on (03) 6165 4422 to register your interest.

Department of Primary Industries, Parks, Water & Environment

For further information about the review email NaturalHeritage.Policy@dpiuwe.tas.gov.au or visit www.dpiuwe.tas.gov.au/wildlife-regulations-review