

██████████ June 29, 2021

To whom it may concern,

I would like to make the following submission to The Independent Review of Victoria's Wildlife Act 1975.

I live in the ██████████. I am surrounded by an abundance of native and non-native wildlife. I am a Landcare member and I am a Wildlife Shelter Operator. I am also a member of Wildlife Advocates Nillumbik (WAN).

I have read the notes from the review and I was really impressed with the level of detail and the drive to bring it up to date with community expectations. I would like to make the following points with regards to the Wildlife Act review:

- The **Authority to Control Wildlife** System needs to be reformed so that clear principles are followed and so that there is far greater transparency, monitoring and enforcement, which actually protects native wildlife, not just regulating killing. An ATCW should only be issued if the applicant can prove:
 - that the animals in question are causing SERIOUS damage. The standard of “proof” needs to be quantifiable, not subjective.
 - Demonstrate, not just notate, that other methods have been exhausted before requesting an ACTW
 - The risk to the landowner or property must be grave to warrant an ATCW
 - The Act should ensure adequate monitoring of native wildlife populations and habitats, particularly those of threatened species, species likely to be in decline, and species subject to a control authorisation.
 - Neighbours/community should be given the opportunity to respond to an ATCW application and be advised when one is issued
 - These requirements must be very clear to enable VCAT to make better decisions for the wildlife
 - Immunocontraception methods should be considered where animal populations are exceeding balance PRIOR to shooting
 - ATCW should be a last resort
- **Competing requirements.** My Shire, Nillumbik, which is a Green Wedge Shire is coming under more pressure to be open to agriculture (see PLANNING for MELBOURNE'S GREEN WEDGES and AGRICULTURAL LAND Consultation paper, May 2020). There seems a very strong movement to allow agriculture to overrule every other aspect of the natural environment. This Act should also enable wildlife to be protected as we extend our agricultural requirements.
- **Native timber logging** should not be exempted from damaging, disturbing or destroying wildlife habitat. I have seen the greater gliders up in Kinglake just before the harvesting has taken place. I have been there to talk to the truck drivers who come to take the timber, I've called the government officials to ask them to stop

because they are destroying the habitat of these animals. Communities do not want to see this destruction of habitat. There was also a disaster at Cape Bridgewater with the massacre of many koalas (the outcome for the perpetrators isn't clear to me but it was strongly suspected this was a deliberate act with no known penalties.

Many threatened species rely on the unique resources of wet and damp forests, including the Greater Glider, Yellow Bellied Glider, Leadbeater's Possum, Sooty Owl, Smoky Mouse, and Spotted-tail Quoll. The current Act provides no direct protection for wildlife habitat, and the regulations give exemptions to the logging industry through the Regional Forest Agreements, RFA's. This exemption is incompatible with the survival of threatened species and we will only see the threatened and endangered species lists grow unless urgent changes are made to the Act. We need clear laws that prohibit damaging, disturbing or destroying wildlife habitat, and native timber logging operations should be held accountable to these laws. The Act needs to increase protections for wildlife and wildlife habitat by providing new tools such as "wildlife protection zones" and "wildlife protection orders" and by upgrading to legislation the current regulation that a person is "not to damage, disturb or destroy any wildlife habitat".

In Victoria timber harvesting is widespread and is the main distribution and habitat of the Greater Glider. The [Victorian Scientific Advisory Committee](#) has advised the Government that "Wood production practices are known to substantially deplete Greater Glider populations and gliders usually die if all or most of their home range is intensively logged or cleared (Menkhorst op. cit.)." Studies by [Lindenmayer et al, 2010](#) have shown an "annual decline of sites occupied by the Greater Glider in the Central Highlands averaging 8.8% per year in the period 1987 to 2010. This decline was attributed to logging practices, lower rainfall, and fire. In regards to the impact of logging; "We also found that the probability of observing the Greater Glider was significantly ($\chi^2 = 9.40$, d.f. = 1, $P = 0.002$) higher on our sites located in the Yarra Ranges National Park than in forests broadly designated for pulp and timber production. We identified a significant positive relationship between the abundance of the Greater Glider and both the age of the forest and the numbers of trees with hollows on a site (Wald statistic, $\chi^2 = 11.4$, $P = 0.039$).". .."Clear-cut logging, as indicated by both the absence of the species in forests that have been logged and regenerated in the past 35 years (Lindenmayer, 2009a) and relationships between the occurrence of the species and the significant reduction in abundance of large trees with hollows which are traditionally removed by timber harvesting operations (Lindenmayer et al., in press).

The [THREATENED SPECIES SCIENTIFIC COMMITTEE](#) advised the Federal government on the listing of the Greater Glider as threatened: The Minister approved this conservation advice on 02/05/2016 and included this species in the Vulnerable category,. The advice was that " Over the period 1997–2010, the greater glider declined by an average of 8.8 percent per year (a rate that if extrapolated over the 22 year period relevant to this assessment is 87 percent) (Lindenmayer et al., 2011). Higher rates of decline were recorded in forests subject to logging than in

conservation reserves, and declines were also associated with major bushfires and lower-than-average rainfall. More recent surveys undertaken by Lumsden et al. (2013, p. 3) stated: 'A striking result from these surveys was the scarcity of the Greater Glider which was, until recently, common across the Central Highlands'.

- Similarly, with **fuel reduction burns** - I understand that DEWLP relies almost entirely computer modelling and no actual surveys. That is not good enough when we have such a rapid decline of species numbers. If you don't check your model with real life, it's a problem. Relying on whether computer says to burn or not burn. No surveys are done before or after burning. There is no knowledge of what is in the area except by the local communities who have no power to act. The Wildlife Act needs to be able to challenge these decisions with community/citizen science if no other real life data is collected.
- The Wildlife Act 1975 should be titled the **Native Wildlife Act** and should properly protect all native vertebrate fauna. The ability to declare any native wildlife species as "unprotected" should be removed. All native wildlife should be defined and protected as native wildlife, including our native ducks and quails, currently open for recreational hunting. Community expectations have now moved on and many consider duck hunting outdated and so poorly regulated that it should no longer be permitted. Too many native animals are killed, and many animals left dying painful deaths. Government need to be out there with the shooters instead of just the wildlife rescue teams. Maybe consider increasing the cost of game licenses and setting up veterinary care at shoots. There should also be the ability to reduce the burden of proof for reported acts of cruelty. There is currently disproportionate penalties for rescuers v's penalties for cruelty. Rescuers receive harsher penalties than those convicted of animal molestation. Game hunters receive lower penalties than if you were to remove sand from a reserve.
- The Act It should ensure that populations of native wildlife have sufficient population size, diversity and suitable habitat to maintain or improve the capacity of species to persist and evolve in the wild.
- An independent statutory regulator should be established to enforce, monitor and report on the administration of the Act, monitor decision making processes and report on outcomes, as well as increase in penalties. There should also be a dramatic increase in penalties, including prison. The penalties given to the person who killed all the Wedge Tail Eagles in Gippsland was pitiful (\$6/bird). There are disproportionate penalties – wildlife rescuers to molestation, illegal hunting to removing sand from a game reserve.

- We also need to ensure the wildlife “killing methods” are all controlled from a single source – unlike today where ATCW being with DELWP and the “harvesting” program with Jobs. There is now multiple ways to legally kill kangaroos, they are not connected and very difficult to monitor. One area needs to be responsible for ALL killing/culling of any native wildlife.
- The idea of a “general duty of care” should be supported – a duty to “avoid harm” to wildlife could help to minimize incidences of wildlife being treated as collateral damage. For example, the Yan Yean Road duplication in our Shire is impacting on Swift Parrot and Flying Fox corridors – as residents we should have an Act we can use to challenge this decision. Mandatory wildlife management plans could include methods that promote the improve the area for threatened species. Such as migratory paths for threatened birds.
- Animal sentience should be acknowledged in the act – to guide the proposed principles with respect to the impact decisions have on the animals. Recognising animals feel fear, pain anxiety, and form familiar bonds should guide decisions. Many countries/regions do recognise animal sentience in law such as France, New Zealand, Quebec, Sweden and Brussels. Watching joey’s look for their mums when they are out of the pouch, seeing kangaroos going back to mourn their dead, watching the large males look after their mobs makes you realise the connections and bonds between these animals.
- Wildlife tourism needs to be controlled to ensure the animals are protected. Animals shouldn’t be chased, frightened or their natural environment be disturbed. Wild animals capable of being able to live in the wild should remain so. However, having people connect to wildlife is a great thing and learning how to do that respectfully.

Thank you for the opportunity to contribute to this important review.

Dr Mara Favoretto



Mara.f@unimelb.edu.au