



Australian Veterinary Association
Submission

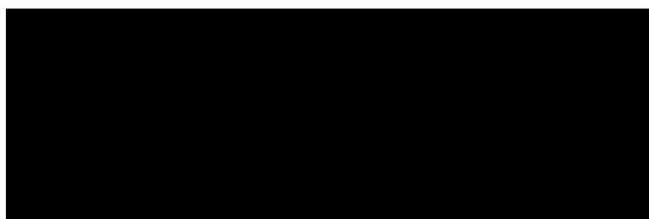
Independent Review of the
Victorian Wildlife Act 1975

July 2021



Contents

| | |
|--|---|
| The Australian Veterinary Association (AVA)..... | 3 |
| Background | 3 |
| Summary | 3 |
| Recommendations | 4 |
| Veterinary involvement | 5 |
| Victorian Wildlife Rehabilitation System | 5 |
| Emergency Wildlife Response..... | 6 |
| Translocation/habitat of wildlife | 6 |
| Intersecting Acts | 6 |
| AVA Policies..... | 7 |
| AVA Contact | 7 |





The Australian Veterinary Association (AVA)

The Australian Veterinary Association (AVA) is the only national association representing veterinarians in Australia. Founded in 1921, the AVA today represents over 8,500 members working in all areas of animal science, health and welfare – including conservation and wildlife. Veterinary roles extend far beyond caring for the health and welfare of our pets and production animals. Veterinarians are the pathologists, field officers and inspectors that secure the safety of our food, ensure market access for our exports, and help to safeguard the human population from zoonotic diseases.

The Australian Veterinary Association is grateful to the Expert Advisory Panel for the opportunity to provide comment to the *Independent Review of the Victorian Wildlife Act 1975*.

Background

The Expert Advisory Panel has produced an extensive guide for a discussion of the issues and this document will be used as a framework for AVA commentary.

The Panel identifies the purpose of the Wildlife Act 1975 as:

- Protection and conservation of wildlife
- Prevention of extinction
- Sustainable use of wildlife
- Access to wildlife
- Partnership with other Acts to achieve these purposes

By the very nature of these contrasting objectives and the potential for crossed-purposes, AVA is keen to see the legislation revised and updated to reflect a more consistent view in line with current community expectations.

Summary

AVA has a keen interest in the health and welfare of wildlife. This interest extends beyond the traditional role of veterinarians as service providers in animal health and welfare, to the broader issues of biodiversity and environmental health. AVA promotes a 'One Health' approach which considers the health and welfare of all animals, including humans, and supports the maintenance of healthy, sustainable ecosystems.

The *Wildlife Act 1975*, in its current form, is in many ways conflicted and confusing through the interchangeable and often inconsistent reference to various classes of wild animals. It thereby fails to elaborate a clear picture of which animals are "wildlife" and what the nature of the human-animal interactions should be. This is typified by the inclusion of species which are not native to Australia and have undisputed pest status. This confusion arises in the overlap between wildlife and game management.

AVA believes that "wildlife" should only refer to native Australian animals and none of these species should be referred to as 'game'. Furthermore, AVA's policy position is not to support the hunting of native animals, including waterfowl, for recreation alone.

The *Wildlife Act 1975* interacts and, in some cases, overlaps with the provisions of other state legislation, but often the relationships and 'hierarchy' of authority is very unclear. Examples of



related legislation include the *Protection of Cruelty to Animals Act 1986*, the *Livestock Disease Control Act 1994 (LDCA)*, the *Catchment and Land Protection Act 1994*, and the *Game Management Authority Act 2014*. The first two of these Acts in particular contain strong powers and authorise important actions that may be applied to wildlife with respect to animal welfare and animal disease control (noting that the definition of 'livestock' in the *LDCA* includes all wildlife animals). This relationship is poorly defined in the current *Wildlife Act 1975*.

AVA recognises that there are circumstances where native animal populations require management and control in order to limit environmental damage and to minimise negative impacts on agriculture and other legitimate land use. AVA is supportive of humane control in these instances - as long as these management actions are supported by contemporary, robust science.

As veterinarians are the key providers of animal health and welfare services, the profession must be appropriately acknowledged and enabled in legislation to undertake acts that support best practice wildlife care. This must include a recognition that appropriately trained and accredited veterinarians should be at the core of all responses where wildlife health and welfare is at risk. Legislation should recognise this and provide an appropriate framework for the integral involvement of veterinarians.

Recommendations

1. The *Wildlife Act 1975* must be underpinned by the sound principles of the 'One Health' approach, considering the health and welfare of Australian native wildlife within the context of healthy, sustainable ecosystems

[REDACTED] de in revised wildlife legislation to support and diagnose and manage wildlife disease. These authority for veterinarians to take possession of purpose of disease management. These must also s of disease, injury or welfare (or any combination

3. All welfare provisions relating to vertebrates and sentient invertebrates in Victoria should be legislated under a single Act and this should be the proposed new Animal Welfare Act. Australian native wildlife require additional protections under the *Wildlife Act 1975*
4. All Australian native vertebrates and sentient invertebrates (Cephalopods for example) should be included in the Act
5. All non-native species should be excluded from the *Wildlife Act 1975* regardless of their 'game' or other status
6. All activities involving wildlife - including threatened species management, rehabilitation, emergency response and control measures need to be cognisant of the broader implications at all levels: Individual, Population, Species and Ecosystem



7. Mechanisms for removing wildlife protection should be scientifically based, have defined end dates and be subject to review
8. No native Australian animals should be hunted for recreational purposes alone or have their protections removed to this end
9. The *Authority to Control Wildlife system (ATCW)* is in need of an overhaul with regard to its purpose and administration. Control activities need to be prescribed, monitored and reported on such that the impacts of such activities can be assessed and better understood
10. Wildlife control operations should be subject to scientifically based management plans and implemented in accordance with clear objectives pertaining to that locality
11. National codes of practice should be adopted, which provide a compliance framework for protecting the health and welfare of wildlife. Whilst guidelines are useful, they are not enforceable and rely on the good intent of operators. AVA supports the development of Codes which provide clear direction on the standards expected in relation to wildlife care and management.

Veterinary involvement

Veterinarians are primarily concerned with issues of animal health and welfare. Beyond this, there are now many veterinarians that are engaged in wildlife conservation and biodiversity. The interests of the individual to the population and above to the species are many ways that animal health and welfare can be improved. Disease, in particular, is not well understood and its implications for biodiversity and indeed, human health, are significant. Revised legislation to support and enable the management of wildlife disease. These provisions need to provide protection for veterinarians to take possession of wildlife and associate samples for the purpose of disease management.

The handling of prescribed substances by persons lacking authorisation seems to be an ongoing issue. Legislation needs to be clearly evident and provided to the target audience. The supply and use of prescribed substances including sedatives and antimicrobials must be under the supervision and advice of a veterinarian and each individual accession must be subjected to the same controls.

Victorian Wildlife Rehabilitation System

Rescued wildlife requiring treatment and care are currently directed into the Victorian Wildlife Rehabilitation System. Authorisations within this system enable rescued wildlife to be rehabilitated. A comprehensive guide, the *Wildlife Shelter and Foster Carer Authorisation Guide*, supports this system by providing suggestions for the appropriate management of hospitalised wildlife pending rehabilitation. There are obvious deficiencies in any system which is not enforceable and in the absence of legislated codes rehabilitation practises are not appropriately managed and regulated.



Any revised Act should take into account the compliance framework provided by the Act and the Regulations and the Codes so as to ensure consistency and quality of standards. This framework should exist in harmony with training and accreditation programs which comply with national standards and which ensure the capabilities of wildlife veterinary operatives, shelter operators and carers. It is our opinion that Shelter operators should be required to work with a wildlife accredited veterinarian who oversees the health and welfare interests of rescued accessions. In general, the *Wildlife Act 1975* as it stands today, does not deal with care and rehabilitation in any detail and this area requires its own section.

Further to the rehabilitation of wildlife, it is not appropriate for non-veterinarians to engage in euthanasia (other than in extreme circumstances) or in the pre-release assessment of health and fitness. These procedures fall within the area of veterinary expertise - which must be drawn upon at all times.

Emergency Wildlife Response

Emergency Wildlife Response creates its own set of requirements and 'emergency' must include fire, disease, toxicity, flood, oil, stranding, drought, storm damage etc. The ability to take appropriate actions with affected or at-risk wildlife in response to such critical events needs to be explicitly provided for in revised legislation.

Translocation/habitat of wildlife

[REDACTED] must be reconciled with the issues of [REDACTED] some form of reintroduction. Hopefully, research [REDACTED] for legislators in this area.

[REDACTED] that and its protection being included in the *Wildlife Act 1975*, we suspect that there are other pieces of legislation in place to manage these environmental aspects. It is important however that this legislation reflects our general responsibility to guarantee wildlife adequate quantity and quality of habitat.

Some species require special consideration when in care and these include those that carry diseases of importance to humans (for example bats), those that are innately dangerous (for example venomous snakes) and those that have specialised captive needs and require hospitalisation at specific facilities (for example platypus).

Intersecting Acts

There are a number of Victorian Acts that intersect with the Wildlife Act. These include:

- *Game Management Authority Act 2014*
- *Prevention of Cruelty to Animals Act 1986*
- *Flora and Fauna Guarantee Act 1988*
- *Flora and Fauna Guarantee Amendment Act 2019*



- *Catchment and Land Protection Act 1994*
- *Livestock Disease Control Act 1994*
- *Drugs, Poisons and Controlled Substances Act 1981*
- *Firearms Act 1996*
- *Veterinary Practice Act 1997*
- *Environment Protection Act 2017*
- *Planning and Environment Act 1987*
- *Aboriginal Heritage Act 2006*
- *Traditional Owner Settlement Act 2010*

AVA Relevant resources

AVA Policies that assist to inform this submission:

- [Control of native and introduced animals causing damage to agriculture or habitat](#)
- [Euthanasia of injured wildlife](#)
- [Kangaroo and Wallaby Population Control](#)
- [Harvesting and culling of native fauna](#)
- [Waterfowl hunting](#)
- [Export of native birds](#)
- [Farming of native fauna](#)

