

## Submission into the Independent Review of Victoria's Wildlife Act 1975

Before I begin my submission into this review, one needs clearly and categorically call out the complete lack of independence in terms of the reason for and scope of the review. It has clearly been established to gain favour with ideologically bent minor parties and individuals that have no real interest in effective wildlife management – an ergo wildlife habitat – based on the current state of wildlife and its habitat instead focusing their energy on trying to deny that:

1. Much of Victoria has been mined, grazed by livestock, timber harvested, burnt to a crisp by huge bushfires and/or have significant infestations of non-native plants, animals, insects and birds
2. Native animals and/or birds can have a detrimental impact on themselves and subsequently their habitat
3. Effective management of overabundant natives and non-natives, provision for lethal control mechanisms and resource utilisation MUST be catered for in this Act regardless of ideology
4. Hunting is an activity that is not in conflict with effective wildlife management
5. Hunters care about effective wildlife management and often participate in programs to benefit wildlife management
6. Conservation and protection do not necessarily mean success and abundance of a species if the impacts on that species are not managed i.e. foxes and cats on small marsupials and birdlife

The activist classes in Victoria (indeed across Australia) are too focused on prohibiting what they dislike instead of looking for quality outcomes that may require actions they disagree with. This 'Independent Review' is littered with such examples and one should expect better of the bureaucracy than to align to a small band of ideological zealots ...however the evidence in this review is overwhelming it won't be reasonable and impartial.

### Part 1: What should the Act do?

The current Act is reasonable in its balance of protection / conservation and making provision for effective management of wildlife and wildlife related activities i.e. tourism, research, hunting etc.

Any change to the Act to reflect "contemporary expectations" will set wildlife in Victoria up for failure as it will disengage many people who have an interest in effective wildlife management (i.e. hunters, farmers, wildlife carers, researchers, public land managers) if provisions are not made for their interests or activities in the Act.

As an example, if a farmer or public land manager is suffering an overabundance of one species of listed wildlife (e.g. Eastern Grey Kangaroos) and they are unable to reduce populations through lethal means, then there could be detrimental impacts to endangered flora or other native wildlife. It is clear from responses received, that the complete removal of lethal control measures is a key outcome of this review certain activist organisations and political parties are chasing.

Conflict in this Act, especially the competitive conflict between the '*protection*', '*conservation*' and '*sustainable use*' provisions, provides the opportunity to test any action, whether by stakeholders or bureaucrats and ensure there is balance in relation to outcomes for wildlife and stakeholders. Any conflict in the community because of the current Act is due wholly to the ideological position of some stakeholder groups that have no interest in ensuring balance in the provisions or outcomes of

the Act, only a complete adoption of their ideological position regardless anyone else's requirements/desires or required outcome.

The following statement in the issues paper under Section 1.2 is absolute bullshit! *"The Act's stated purposes – 'protection', 'conservation' and 'sustainable use' – sit uneasily together and, in fact, are often in direct conflict. In particular, some activities sanctioned by the Act, such as protection offered to some introduced animal species and 'take' or 'unprotection' of indigenous wildlife, do not appear to be consistent with conservation of wildlife or prevention of extinction."*

The statement above is prejudicial in that it is clearly foreshadowing that 'sustainable use' will go, that 'unprotection' of indigenous wildlife will go and that protection of introduced animal species (they're still wildlife!) will go with no indication on how if they are removed from this Act, they will be replaced by any other Act.

As stated under above, this review appears to be chasing is removing the balance in the provisions of the current Act and creating a complete imbalance based on ideological positions.

Trying to remove conflict via additional legalisation will only create more conflict which is probably what the bureaucratic classes want as it will keep them in endless busy-work but achieve little for the community or wildlife.

The current Act, and its reference of 'protection', 'conservation' and 'sustainable use' strike an appropriate balance that is being achieved. Separating those out will create an environment where wildlife loses, stakeholders lose and only ideological idiots win (i.e. some politicians, activists and bureaucrats). This must not be allowed to happen!

One thing that should happen under any change to this Act is that more enlightened provisions be made for recreational hunting of some native wildlife (i.e. eastern grey kangaroos) much as is the case in Tasmania with the hunting of two species of wallaby. I very much doubt enlightened provisions such as that will be included in any remade Wildlife Act.

## Part 2: How does the Act interact with other legislation about wildlife and animals?

There is and always has been challenges with legislation overreach, interworking and conflict that goes well beyond the scope of the Wildlife Act. This will not change should the Act be remade.

Separating out provisions for 'protection' and 'conservation' from 'sustainable use' will create a bigger management nightmare than is currently the case. In fact, nothing in this paper highlights why these should be separated and what problem it would solve.

In addition, the strawman arguments in the paper around wildlife habitat management, vegetation management, private land management, interstate jurisdictions and impacts of cross border enforcement or regulatory action are no reason to completely remake the Act. Many of these arguments are a perfect example of bureaucratic overreach (scope creep) and have no place in a review of the Wildlife Act.

## Part 3: What mechanisms does the Act need to achieve its objectives?

As stated above, there is little that need to change in the current Act and it is achieving its objectives.

What is not happening in relation to the outcomes achieved, or not as the case may be, is a direct result of bureaucratic action or inaction as the case may be and not necessarily domiciled under the

Wildlife Act but other Acts i.e. the National Parks Act prohibiting hunting in many National Parks instead of providing a reasonable mechanism where this could be facilitated.

The addition of principles as an addendum to this Act is fine in principle, however who gets to define them and will there be a comprehensive benefits management assessment to ensure the principles actually achieve what they're supposedly designed to achieve. As has been seen numerous times, the bureaucracy often favours those groups who align to their ideological thought processes even though they may be in the minority and this would be guaranteed to happen again with the design of and inclusion of principles in the Act.

#### Part 5: Are current enforcement and compliance mechanisms adequate?

The current enforcement and compliance mechanisms in the Act do not effectively meet community expectations on many levels regarding types of offences and application by enforcement officers and the judiciary.

The current public safety provisions in the Wildlife Act pertaining to the presence of unauthorised persons on wetlands, where recreational duck hunting occurs, have proven to be wholly inadequate at addressing the dangerous and disruptive activities of protesters. The intent of the provisions is routinely subverted by protesters simply through their acquisition of a game licence and a shooters licence. A provision that an 'intent to hunt' is necessary should also be added. Whilst citizens have a right to lawful protest, that right should not reasonably extend to the consistent curtailing of the legal recreational activities of other citizens.

As a recreational hunter it seems that legislation is drafted with sole purpose of subverting the reason for that piece of legislation thus leaving the outcome as the status quo i.e. hunters can routinely be interfered with while conducting a legal activity with complete and utter impunity by the perpetrator.

#### Summary

I believe that the current purposes of the Act are satisfactory. They succinctly cover the spectrum of values and interests associated with wildlife.

The opposition to game licencing, to game status for wild deer and hunting in general (that abounds in this review paper) is demonstrably rooted in warped ideology and identity politics moreso than in evidence and a practical understanding of the dynamics of wildlife and environmental management.

People are entitled to their prejudices, but these are not a sound basis for public policy nor significant changes in Acts of parliament to cater for ideological zealots.

While the review of any Act, including the Wildlife Act, is reasonable and required, any panel undertaking a review must consider the broader context that the Act operates within as well as the broad gamut of community values and priorities, not as contradictions and conflicts to be solved, but as a realistic reflection of a liberal and pluralistic society.

Steve Garlick