

Submission for Wildlife Act 1975

Introduction

I write this submission as a concerned citizen, shocked by the rapid decline in our biodiversity. I greatly value our wildlife, enjoyed from many years of bushwalking and camping in National and State parks.

The Wildlife Act needs to retain our precious biodiversity for future generations. Biodiversity and ecosystem services are being lost too fast that put humans at risk including loss of pollination, air and water pollution, and soil erosion (MSSI, 2021). Australia has an appalling record of extinction rate with loss of mammals being the greatest in the world (IPBES, 2019) and the fourth worst for animals globally (Wintle, 2019). Under the Flora and Fauna Guarantee Act 1988, Victoria has 194 animals, 53 invertebrates and 380 plants listed as threatened (MSSI, 2021). Other advisory lists account for 284 species of fauna at risk with 59% not examined for inclusion in the Flora and Fauna Guarantee Act 1988 [FFG Act] (MSSI, 2021).

Wildlife Act 1975 Recommendations

Scope of wildlife

1. Game Management and non-native wildlife needs to be removed from this Act so the focus on the Act becomes conservation, protection, and restoration for native wildlife.
2. The Act should cover all native wildlife including taxon of invertebrates.
3. Native wildlife extends to cover its habitat required for its conservation, protection, and recovery.
4. Native wildlife welfare needs to be included.
5. Endangered or threatened fish need to be covered and marine ecosystems within marine parks and sanctuaries. For example, Rickett's Point Marine Sanctuary is somewhere where I snorkel in Melbourne. It is a fragile ecosystem at risk from nearby fishing by boats and spearfishing.
6. The precautionary principle to be used where wildlife is at risk.

Wildlife habitat needs to be preserved and direct protections provided

1. There should be no exemption for native timber harvesting from damaging or destroying wildlife habitat. The OECD supports absolute limits on resource use and extraction (OECD, 2021). In Victoria, the value estimated of the Leadbeater's possum was three times higher than the value generated from timber sales found in its habitats Jakobsson & Dragan (2001). Burns & Lindenmayer et al. (2017) estimated a greater than 92% chance of ecosystem collapse of the Central Highlands, mountain ash by 2067. The Leadbeater possum, is critically endangered and relies on mountain ash for its habitat. Therefore, native logging should cease immediately as it impacts all wildlife habitats detrimentally where it occurs.
2. The Act needs to increase protections providing "wildlife protection zones", "wildlife protection orders" and regulation that a person is "not to damage, disturb or destroy any wildlife habitat".

3. The “rights of nature” needs to be recognised.¹
4. Expand sanctuaries and parks including wildlife corridors (Friends of the Earth (FOE), 2021), putting aside large areas as ecological reserves (Lindenmeyer, 2013)².
5. Legislate protection and recovery plans for vulnerable habitats, species, and ecosystems (FOE, 2021).
6. Remove practices that harm wildlife including:
 - 1) Native duck and quail recreational shooting.³
 - 2) Logging and quarries in sensitive areas like Fish Creek quarry in Strzelecki Ranges⁴ and Arthurs Seat, Mornington Peninsula that can harm koala habitat.
 - 3) Fishing and collecting of spider crabs during their annual migration at Mornington Peninsula.⁵
 - 4) Commercial harvesting of kangaroos as pet food.
 - 5) Illegal poisoning of wedge-tailed eagles had small penalties considering the offence.
 - 6) Reserves being too small for protection. Examples: The Leadbeater possums require a 1 km perimeter not 200m where logging now occurs (ANU, 2015).⁶

Wildlife needs to be correctly valued in biodiversity accounting

1. Biodiversity needs to be valued in economic accounting according to international standards.
 - (a) UN System of Environmental-Economic Accounting (SEEA). The UN supports using cost-benefit analysis and economic instruments including relevant taxes, fees and charges, tradable permits, offsets, and payments for ecosystem services (OECD, 2021).
 - (b) The Dasgupta Review (2021) that was prepared by the UK Government.
 - (c) Follow the Convention on Biological Diversity, Aichi targets, in particular Targets 5 and 11. (Noting to adjust the end year to 2025 or earlier).⁷
 - (d) The Act needs to consider flow on of risks from wildlife loss that can disrupt business and economy leading to physical, market, legal and reputational risks (WEF, 2020).

Monitoring and Enforcement

The *Authority to Control Wildlife System* requires clear principles, transparency, monitoring and enforcement that proactive protects native wildlife, not just regulating killing. A permissions framework requires clarity, transparency, and accountability.

¹ <https://www.earthlaws.org.au/aclc/rights-of-nature/>

² http://mpegmedia.abc.net.au/rn/podcast/2013/09/otk_20130928_1330.mp3

³ <https://www.rspca.org.au/take-action/duck-hunting>

⁴ <https://www.sgin.net.au/groups/friends-of-south-gippsland-koalas/>

⁵ <https://www.youtube.com/watch?v=rKiLBUzUcl>

⁶ <https://www.abc.net.au/radionational/programs/backgroundbriefing/the-possum-or-the-timber-industry/6706328>

⁷ <https://www.cbd.int/aichi-targets/target/11>

1. The **independent** statutory regulator needs to enforce the Act, including large penalties and appropriate prison sentences.
2. Invasive species like deer need to be registered as a pest and be eradicated from native wildlife habitats. Deer hunting licenses would be transferred to a separate Game Management Act.
3. The idea of a “general duty of care” should be supported with a duty to “avoid harm” to wildlife.
4. Stop native wildlife from becoming “unprotected” in legislation.
5. Recognise the rights and interests of Traditional Owners and Aboriginal Victorians.

Sources

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