

## Wildlife Act Review

### Issues Paper questions – Response 22:

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#### Primary interests:

- Protection and conservation of wildlife and habitat
- Rehabilitation of sick, injured and orphaned wildlife
- Wildlife welfare
- Hunting of wildlife
- Eco-tourism involving wildlife
- Protections for marine mammals
- Offences and penalties relating to wildlife
- Compliance and enforcement

#### Question responses

##### **1.1.1 In what ways does the Act succeed or fail in representing contemporary expectations for, and values relating to, wildlife in Victoria? Please provide examples from your own experience.**

Australians are mainly Animal lovers. With the advent of Social Media a greater awareness of our failings as a country towards our wildlife has occurred here and abroad. We now know we have the greatest extinction rate of any country in respect to our unique wildlife. Yet our government seems stuck in colonial times. We expect our government, its laws and acts to reflect our love of our wildlife and protect it. It doesn't. It continues to cull kangaroos which do not threaten our ecosystem, but rather the greed of farmers and a cruel industry. We love our kangaroos. The Act does not protect them. I rarely see kangaroo mobs now, never in the numbers I did as a child. That beauty is lost to our children and our country forever. We need to stop the kangaroo killing now. Our koalas and wombats and many other species are also veering towards extinction due to the lack of protection this act doesn't give. We need to stop the land grabbing, the developers, the forestry and protect our wildlife's environment. For our country. For the people. For our children. For our future as a unique tourist destination.

##### **1.1.2 Are there conflicts between the interests or expectations of different stakeholders or community members regarding wildlife in Victoria? Please provide examples from your own experience.**

Yes. All councils need to stop being able to sell or designate land to land/ housing developers or agriculture. We have more than enough undeveloped land, empty blocks without taking land where our wildlife live. No land developer, farmer or forestry should be able to take land from wildlife. The laws need to stop them and need to be strong enough to do so. Not just a slap on the wrist, if any action at all as it is now.

##### **1.1.3 How can the Act balance the diverse interests of Victorians in protecting, conserving, managing and using wildlife? How might such competing interests be better reconciled in legislation? Are there examples from other sectors or other jurisdictions (both in Australia and internationally) that may be useful?**

Reforest the land, bring back a wider ecosystem. The more land we keep or extend the less issues with wildlife competing. Make town boundaries for housing development smaller. Smaller housing will occur, but so will a greater eco system which supports us all. Also build as many land bridges over or under busy highways, for animals to cross over, so less are killed and fewer accidents are fatal to both animal and human. Create all highways that do not have these with animal warning beacons to keep animals away. We are just getting these down surfcoast. Bridges and beacons are seen in Holland, USA and various other European countries now.

**1.4.1 Should the Act prescribe a general duty of care related to wildlife conservation or biodiversity protection more broadly? Why or why not? How could it work in practice?**

It can help clarify if there is true enforcement of terms. For instance 1080 kills not just the targeted 'pests' but a variety of wildlife through ongoing transfer (one eats the poisoned animal) and has killed a wide variety of animals yet is still in use. There should be enforcement to stop this, as the duty of care rests squarely with the person using this poison

**1.5.1 Are there any definitions that are unclear or confusing or that cause problems for achieving the outcomes and objectives of the Act?**

That's life saying. Oh I don't like that species let's not call it wildlife. All wild animals regardless of nativity are wildlife. If this is narrowed the act will be challenged time and time again, reducing its effectiveness. Rather find ways to manage them in separate environments, moving species like deer/horses to areas which promote their life but do not harm other species. But do not kill. Australians are so sick of the government doing this. All animals can have a good life in the right environment. Humans actually do far more damage to wildlife than any other species.

**1.5.3 Should 'game' animals be defined as wildlife in the Act or defined some other way or excluded from the Act entirely?**

Do not start breaking apart the act. It is already complex enough. And many people will challenge on many issues. For instance Wombats and Kangaroos have been made 'game animals' by the governments culling or agreeing to kill, if you are looking at this. And it gets even messier.

**2.1.1 Do you have any comments on the interactions between the Wildlife Act and other legislation?**

Yes. Wildlife management should not come within the conflicting interests of any industry such as Forestry or Agriculture. Vic Forersts or DELWP for example have many conflicts .

**2.1.2 Should wildlife, flora and fauna generally be regulated by a more inclusive statute?**

An Independent management system

**2.1.3 Should game management be regulated under its own Act? What are the advantages and disadvantages of such an approach?**

What is Game in Australia. We kill our own species for sadistic 'fun'. It creates even more complexity unless Native species such as kangaroos and wombats and birds or even fish can never be killed nor culled.

**2.2.1 How do regulatory differences between states help or hinder wildlife management? Please provide examples from your own experiences.**

Duck shooting in Victoria is an abomination. As is wombat and kangaroo killing. We need an agreed no kill across all Australia.

### **2.2.2 How can the review of the Act address differences in regulation across land tenure regimes?**

Create an Independent Animal Welfare Federal Board. With no ties to any Industry, Agriculture or State Govt preferences.

### **2.3.1 In what ways does the Act succeed or fail in protecting and conserving wildlife habitat?**

**Please provide examples from your own experience.**

We have the worlds highest extinction of species rate. Enough said. Major failure on every level. Too much greed . The kangaroo is our National Icon. It is also the worlds largest slaughter of a native year after year. We have people in other countries calling for a cease. But here we just continue the slaughter. Soon even more species will be extinct. Despite the fact the Kangaroo is our greatest pull for tourism, and the industries which kill them bring in minor wealth by comparison. Where is the protection?

### **2.3.2 How should the Act provide for the protection and conservation of wildlife habitat?**

It should be stronger with heftier fines and far more public consultation.

### **2.3.3 Should the Act prescribe duties for landowners about protecting and conserving wildlife and wildlife habitat on their land? What could those duties look like?**

Yes. Not allow to remove habitat. End of. Give them incentives for increasing habitat.

### **2.4.1 Do property rights related to wildlife need clarifying? If so, how?**

No wildlife should be the property of any landowner. Huge conflict of interest. Higher finers and more patrols

### **2.4.2 Should private landowners have greater rights to use of wildlife on their property?**

Definitely not! Already have rights which need removing. Should not kill unless physically threatening their own live, not just what the landowner sees as threating their 'way' of life.

### **2.4.3 Should the Act recognise sentience of some wildlife and, if so, what would this achieve? How would this recognition affect the rights and responsibilities of governments, businesses and individuals?**

Yes

### **2.4.4 What rights and responsibilities should Traditional Owners and Aboriginal Victorians have related to wildlife?**

Not to kill, but to protect.

### **3.2.1 Should the Act include provisions for consultation with the community on certain issues? What issues should undergo community consultation?**

Kangaroo killing. Duck shooting. Brumby killing. Camel killing. In fact anywhere where there is killing / culling within a community or area there should be consultation. There should be no right to kill before everyone who has to live with that killing is consulted.

Any time there is to be a clearing of habitat for native species, again all that live in that area need an open consultation

And the outcomes of these consultations should be the major factor in the decision. Not the minor with the government doing what it wants to anyway  
All consultations to be widely advertised and made public in all media ports well before the consult.

### **3.2.2 How can community involvement in decision making under the Act be improved?**

as above

#### **4.1.1 Does the Act require an adequate degree of transparency about, and accountability for, decision making on matters relating to wildlife? If not, how could this be improved? For example, which activities/decisions/criteria should be more transparent? Which parties should be more accountable and for what?**

All aspects should be transparent

#### **4.2.1 Should the Act include provisions that require and enable establishment of a scientific advisory committee or advisory panels to provide expert guidance to key decision makers such as the Minister, the Secretary or the regulator on specific matters relating to wildlife? Why or why not? What other approaches are available?**

Independent Advisory yes. Not the government led advisors we currently have ie DELWP. We need an Independent Department of Animal Welfare.

#### **5.1.2 Should any offences be repealed?**

no

#### **5.2.1 Are the maximum penalties in the Act adequate to punish and deter offenders? If not, what should they be?**

NO. To disturb damage or destroy habitat or any other offence should have a penalty of \$50,000 upwards reflecting the serious impact loss of our ecosystem is creating for us all. And \$50,000 is barely the price of a car now. Many cars which go into habitat are double that.

#### **5.3.1 Should the Act contain general provisions creating continuing offences and allowing for additional penalties?**

yes

#### **5.4.1 Should the Act contain provisions to permit community impact statements relating to the harm caused to wildlife?**

Yes, definitely. The community is hugely invested in its environment. Its statements must be given and acted on

#### **5.4.2 Should the Act contain specific provisions to guide sentencing of offenders convicted under the Act?**

The amount of cruelty/ destruction which occurred and repeat offenders and if it was for profit in some way. ie clearing habitat to make more use for their farm/ industry. ie killing kangaroos- hacking limbs/ pieces off and leaving in public or easily seen. Leaving kangaroos to die in agony. Not killing in one shot - leading to extensive suffering. Leaving joeys to die alone in agony. No joey should be bashed against truck to die.

**5.5.1 Should the Act contain civil penalty provisions? If so, what penalties should be included? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?**

Yes. Duck shooting Victoria. Ducks shot, left but not dead. Or ducks which were not allowed to be shot are. There should be serious consequences for these actions, not minor ones. It has been proved duck shooters can't even recognise correct ducks- should not be allowed on wetlands in this case. Heavy fines for doing so.

**5.5.2 Should the Act allow for infringement notices for minor offences? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?**

yes

**5.5.3 Should the Act contain provisions enabling regulators to enter into enforceable undertakings? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?**

yes. Definitely yes.

**5.5.4 Should the Act contain provisions allowing for compensation orders or mandated bonds/financial assurances? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?**

yes

**5.5.5 Should the Act contain provisions allowing for the making of costs orders? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?**

yes

**5.5.6 Should the Act contain provisions allowing for the making of a monetary penalty order? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?**

yes

**5.5.7 Should the Act contain specific provisions to allow for the forfeiture of property used in the commission of an offence under the Act? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?**

yes

**5.5.8 Does the Act contain adequate regulatory tools, sanctions and remedies to punish and deter wildlife crime? If not, what additional tools, sanctions and remedies should be included within the Act?**

No where near adequate.

**5.6.1 Does the Act contain the necessary powers and provisions to enable authorised officers to enforce the Act? What powers and provisions should be available to authorised officers? Are there examples from other jurisdictions (both in Australia and internationally) that could also apply in Victoria?**

need more powers to enforce the act.

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