

08 June 2021

**Chair - Dr Deborah Peterson**

Wildlife Act 1975 Review Panel

Department Environment Land Water Planning

**WILDLIFE ACT 1975 REVIEW SUBMISSION**

Dear Dr Peterson

The objectives of the Wildlife Act to protect feral deer for game hunting is totally inappropriate and inconsistent with other government policy and legislation. There is confusion both in government and the community by the fact that feral deer are protected as game under the Wildlife Act, whilst there are exemptions allowing deer to be “unprotected”, but only on private land and not including Hog deer. Public land managers currently must seek an ‘Authority to Control Wildlife’, to permit the removal of an introduced feral pest, to protect biodiversity and wildlife habitat in conservation areas.

Allowing feral deer to remain as ‘game’ under the Wildlife Act 1975 in Victoria because they are *‘already established in the wild in Victoria and beyond eradication with current control methods’*, is inconsistent with how we approach other pest animal management eg. rabbits, foxes and pigs. In the wild, feral deer and each of these other animals are invasive pests and should be unequivocally recognised as such.

All feral deer species in Victoria need to be removed as ‘game’ under the Wildlife Act 1975 for the following reasons:

1. Feral deer are now an established, self-sustaining invasive pest, destroying Victoria’s biodiversity and wildlife habitat, with the potential to establish across the entire continent;
2. Legislation and policy for invasive species should be consistent and clear across land tenure. Currently there is confusion in policy and legislation as to how deer should be managed;
3. It is important that the legislation and policy for feral deer management is in alignment across Australia to ensure consistency of management practices and best possible options to reduce the serious impacts of feral deer.
4. *‘The reduction in biodiversity of native vegetation by Sambar deer’* is listed as a Potentially Threatening Process under the *Flora and Fauna Guarantee Act 1988*;
5. The nomination of deer as protected ‘game’ under the Wildlife Act 1975 was made when deer were far fewer in number and were deemed in need of protection for recreational hunting purposes;
6. To dispel the misnomer that this will threaten sustainable game deer populations, given the exponential growth rate of feral deer in Victoria;
7. It is a contradiction to protect an introduced game species under the same act that also protects Victoria’s indigenous wildlife. Feral deer are a direct threat to the wildlife and habitat that the Wildlife Act is aiming to protect;
8. Feral deer have also been proven vectors of disease for wildlife and stock and should be legally defined as a biosecurity threat and managed accordingly;
9. State government management of feral deer would be more effective, as currently biosecurity officers are not authorised to assist with deer management. At this critical point

of feral deer populations increasing, all potential resources should be available to halt further dispersal;

10. More opportunities for research into alternative control methods are likely to be realised;
11. Feral deer are also known to spread a *Phytophthora*, which is widespread in the peri-urban areas of Melbourne and causing dieback of native trees and wildlife habitat;
12. The change of the status of deer in other states, has proven to raise awareness of the serious impact of feral deer and has increased management action by private landholders;
13. The Act should be changed to the 'Native' Wildlife Act, with the protection of 'native' wildlife as the key objective, not the regulation of hunting invasive species;
14. Pest status would support the establishment of a compliance regime to prevent the deliberate transport of feral deer to new areas;
15. It would allow for local laws to be created to require deer control on private land if necessary;
16. It is unethical to maintain and protect pest animal populations that are causing environmental destruction and economic hardship for the Victorian community.

It is also important that the Wildlife Act Review considers the recently released recommendations from the *Senate Inquiry into the Impacts of Feral Deer Pigs & Goats in Australia*, particularly Recommendation 8. Relevant recommendations include:

- **Recommendation 6:** The committee recommends that a standalone Key Threatening Process listing for feral deer under the *EPBC Act* be adopted, accompanied by a Threat Abatement Plan, to elevate the focus on controlling deer impacts.
- **Recommendation 7:** The committee recommends that the Department of Agriculture, Water and the Environment report annually to Parliament on the status of all Key Threatening Processes (KTPs) listed under the *EPBC Act*, along with information on what monitoring and management activities have been undertaken under Threat Abatement Plans associated with KTPs.
- **Recommendation 8:** The committee recommends that all Australian jurisdictions make any necessary changes to their existing legislative and regulatory frameworks to:
  - ensure that wild deer are treated as an environmental pest;
  - maximise the ability of landholders to control feral deer on their land; and
  - maximise the ability of park managers to control feral deer in World Heritage Areas and National Parks and State Forests.
- **Recommendation 9:** The committee recommends that Commonwealth, state and territory governments should commit to eliminating feral deer populations in World Heritage Areas, areas of national environmental significance, and national biodiversity hotspots.

## Other important issues

The Wildlife Act review also needs to consider:

- The protection of viable wildlife populations, the genetic variations of each species and their habitats;
- The impacts of Climate Change and the necessity to protect ecosystems and larger connected vegetation patches, to ensure more resilient and sustainable wildlife populations;
- Enforcement of the Act, along with increases in penalties, including prison;
- The Act needs to increase protections for wildlife and wildlife habitat by providing new tools such as "wildlife protection zones" and "wildlife protection orders".

- All native wildlife should be defined and protected as native wildlife, including our native ducks and quails, especially considering waterbird populations have dropped by 90% in the last 4 decades (Kingsford.R., 2019).

Enabling legislation that can be used to support the efforts of Local Government, Landcare and Community Groups and State Government agencies to protect wildlife and wildlife habitats is critical.

Biodiversity is most effectively protected by protecting habitat and it is essential that under the Native Wildlife Act this be given much greater consideration.

Other non-native species such as horses in the High Country should not be allowed. Cattle grazing is no longer allowed but much greater damage is being caused by deer, pigs and horses.

Wild dogs cause enormous losses to not only native animals but domestic stock and a consistent policy needs to be implemented to control them.

Cats are probably one of the worst predators for our native birds and small marsupials and much greater effort needs to go into sterilizing domestic cats, educating cat owners and controlling wild cats.

Domestic dogs are proliferating at a great rate and there seems to be little realisation by DELWP and FFM of the harm that dogs can cause to native species if allowed to defecate in State Forests and yet their websites now encourage people to get into the "Great Outdoors" and take their dogs with them.

There are some who want to breed up and reintroduce dingoes to State forests but dingoes came with the first Nations people and were not, as such, original species. They are predators who will only further harm our native marsupials, reptiles and birds.

Rabbits are once again on the increase and more Government funding is required to produce a new form of biological control.

Although our native wildlife generally needs to be protected there are times when the impact of wildlife on agriculture must be considered and managed. As a consequence of the presence and/or activities of humans, some species become over-abundant such as kangaroos, corellas and white cockatoos, large populations of which are supported by food sources associated with the activities of mankind. Managed culling may be necessary at times and provision in the Act should allow for this.

The increase in Australia's population and our exploitation of nature by landclearing, logging, and urban and rural "development" in addition to an increase in dog ownership, boating and fishing is causing increased pressure on wildlife habitat. There is at present pressure from Recreational Fishers and Victorian Fisheries Authority to open up all rivers to unrestricted camping. This includes licensed Frontages that adjoin and are paid for and maintained by farmers, many of whom have fenced off and revegetated riverine areas which provide habitat and corridors for native wildlife.

As well as this DELWP's Department Forest ,Fire Management are setting up free camping grounds along Victorian Rivers that will further cause the destruction of habitat and consequently loss of wildlife. Their only consideration is providing recreational pursuits for humans and there is no thought given to the effects on our native wildlife.

Allowing unlimited camping along all Victoria's rivers will have a catastrophic effect on both terrestrial animals and those who rely on waterways for their homes. No longer will they even be able to claim peace and quiet for their nocturnal activities.

Thank you for accepting my submission.