

Dear Sir/Madam,

I would like to make the following submission to The Independent Review of Victoria's Wildlife Act 1975:

Introduction

I live in the Melbourne Green Wedge of Nillumbik Shire. I am surrounded by an abundance of native and non-native wildlife. I have worked for 21 years to maintain the tiny eco system on my property, to provide and enhance habitat that can sustain the natural flora and fauna of this region. I have worked to correct fencing on my property, encourage native species of all kinds to take up residence here, nurtured and protected injured wildlife, kept my domestic animals under control, and I am a Committee Member of Friends of Nillumbik Inc and actively interact with my Council to provide the best outcomes for our environment. I support the local wildlife groups, and am an active volunteer with emergency services.

Statement regarding the Independent Review of Victoria's Wildlife Act 1975

I have read the notes from the review and I was really impressed with the level of detail and the drive to bring it up to date with community expectations. I would like to make the following points with regards to the Wildlife Act review:

The Authority to Control Wildlife System needs to be reformed so that clear principles are followed to ensure there is far greater transparency, monitoring and enforcement which actually protects native wildlife, not just regulating killing. An ATCW should only be issued if the applicant can prove:

- that the animals in question are causing SERIOUS damage. The standard of "proof" needs to be quantifiable, not subjective.
- Demonstrate, not just note, that other methods have been exhausted before requesting an ACTW
- The risk to the landowner or property must be grave to warrant an ATCW
- The Act should ensure adequate monitoring of native wildlife populations and habitats, particularly those of threatened species, species likely to be in decline, and species subject to a control authorisation.
- Neighbours/community should be given the opportunity to respond to an ATCW application and be advised when one is issued
- These requirements must be very clear to enable VCAT to make better decisions for the wildlife
- Immunocontraception methods should be considered where animal populations are exceeding balance PRIOR to shooting
- ATCW should be a last resort

One of my reasons for asking for these changes is that living in a semi-rural of the state where block sizes can vary from 2 acres to over 100 acres it is very disconcerting to hear shooting without knowing the reason. We have one property nearby where shooting occurs consistently all weekend and there is no enforcement agency who can intervene as he "has a valid shooters' permit". He sits on his balcony and fires at kangaroos and wallabies who compete with his sheep for pasture. Many neighbours have complained about shooting with high calibre rifles very close to neighbouring properties.

My Shire, Nillumbik, which is a Green Wedge Shire is coming under more pressure to be open to agriculture (see PLANNING for MELBOURNE'S GREEN WEDGES and AGRICULTURAL LAND Consultation paper, May 2020). There seems a very strong movement to allow agriculture to overrule every other aspect of the natural environment.

This Act should also enable wildlife to be protected as we extend our agricultural requirements.

In Victoria timber harvesting is widespread and is the main distribution and habitat of the Greater Glider. The [Victorian Scientific Advisory Committee](#) has advised the Government that "Wood production practices are known to substantially deplete Greater Glider populations and gliders usually die if all or most of their home range is intensively logged or cleared (Menkhorst op. cit.)." Studies by [Lindenmayer et al, 2010](#) have shown an "annual decline of sites occupied by the Greater Glider in the Central Highlands averaging 8.8% per year in the period 1987 to 2010. This decline was attributed to logging practices, lower rainfall, and fire. In regards to the impact of logging; "We also found that the probability of observing the Greater Glider was significantly ($\chi^2 = 9.40$, d.f. = 1, $P = 0.002$) higher on our sites located in the Yarra Ranges National Park than in forests broadly designated for pulp and timber production. We identified a significant positive relationship between the abundance of the Greater Glider and both the age of the forest and the numbers of trees with hollows on a site (Wald statistic, $\chi^2 = 11.4$, d.f. = 3, $P = 0.039$).". .."Clear-cut logging, as indicated by both the absence of the species in forests that have been logged and regenerated in the past 35 years (Lindenmayer, 2009a) and relationships between the occurrence of the species and the significant reduction in abundance of large trees with hollows which are traditionally removed by timber harvesting operations (Lindenmayer et al., in press).

The [THREATENED SPECIES SCIENTIFIC COMMITTEE](#) advised the Federal government on the listing of the Greater Glider as threatened: The Minister approved this conservation advice on 02/05/2016 and included this species in the Vulnerable category,. The advice was that " Over the period 1997–2010, the greater glider declined by an average of 8.8 percent per year (a rate that if extrapolated over the 22 year period relevant to this assessment is 87 percent) (Lindenmayer et al., 2011). Higher rates of decline were recorded in forests subject to logging than in conservation reserves, and declines were also associated with major bushfires and lower-than-average rainfall. More recent surveys undertaken by Lumsden et al. (2013, p. 3) stated: 'A striking result from these surveys was the scarcity of the Greater Glider which was, until recently, common across the Central Highlands'.

The Wildlife Act 1975 should be titled the Native Wildlife Act and should properly protect all native vertebrate fauna. The ability to declare any native wildlife species as "unprotected" should be removed. All native wildlife should be defined and protected as native wildlife, including our native ducks and quails, currently open for recreational hunting. Community expectations have now moved on and many consider duck hunting outdated and so poorly regulated that it should no longer be permitted.

The Act It should ensure that populations of native wildlife have sufficient population size, diversity and suitable habitat to maintain or improve the capacity of species to persist and evolve in the wild.

An independent statutory regulator should be established to enforce, monitor and report on the administration of the Act, monitor decision making processes and report on outcomes, as well as increase in penalties. There should also be a dramatic increase in penalties, including prison. The penalties given to the person who killed all the Wedge Tail Eagles in Gippsland was pitiful (\$6/bird). There are disproportionate penalties – wildlife rescuers to molestation, illegal hunting to removing sand from a game reserve.

The idea of a "general duty of care" should be supported – a duty to "avoid harm" to wildlife could help to minimize incidences of wildlife being treated as collateral damage. For example, the Yan Yean Road duplication in our Shire is impacting on Swift Parrot and Flying

Fox corridors – as residents we should have an Act we can use to challenge this decision. Mandatory wildlife management plans could include methods that promote the improve the area for threatened species. Such as migratory paths for threatened birds.

Animal sentience should be acknowledged in the Act – to guide the proposed principles with respect to the impact decisions have on the animals. Recognising animals feel fear, pain anxiety, and form familiar bonds should guide decisions. Many countries/regions do recognise animal sentience in law such as France, New Zealand, Quebec, Sweden and Brussels. Watching joeys look for their mothers when they are out of the pouch, seeing kangaroos going back to mourn their dead, watching the large males look after their mobs makes you realise the connections and bonds between these animals.

Wildlife tourism needs to be controlled to ensure the animals are protected. Animals shouldn't be chased, frightened or their natural environment be disturbed. Wild animals capable of being able to live in the wild should remain so. However, having people connect to wildlife is a great thing and learning how to do that respectfully.

Thank you for the opportunity to contribute to this important review.

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