

## Wildlife Act Review

### Issues Paper questions – Response 7:

Contributor: Individual

#### Primary interests:

- Protection and conservation of wildlife and habitat
- Management and control of wildlife causing problems or damage
- Eco-tourism involving wildlife
- Research relating to wildlife

#### Question responses

##### **1.2.1 Are the current purposes of the Act satisfactory? If not, what should the desired outcomes, objectives or purposes of the Act be? How should the objectives and purposes of the Act relate to the desired outcomes? How would they ensure desired outcomes are achieved?**

The Act should more clearly seek preservation of indigenous flora and fauna, within sustainable habitats, against specified targets for conservation. Management plans should be created, implemented and maintained for vulnerable indigenous flora, fauna and habitats.

##### **1.2.2 If objectives and purposes are likely to be competing, how could the tensions be resolved?**

Empirical information that tracks the preservation of indigenous flora, fauna and habitats should be routinely collected, analysed and provided to the general public. This information should be provided to parliamentary representative bodies, to some sort of independent standing commission that reports to parliament, and there should be a legislative requirement that the relevant indigenous custodians of the land are involved in decision making and management planning for specific habitat areas.

##### **1.2.3 Are there examples of well designed legislation from other jurisdictions (both in Australia and internationally) with clearly stated objectives and purposes that could inform Victorian law?**

The 2016 NSW Biodiversity Act provides better targeting, mechanisms for monitoring and implications for problems arising than our current Victorian Act.

##### **1.3.1 Is the Act a barrier to self-determination for Traditional Owners or Aboriginal Victorians? If so, what specific elements give rise to barriers and how might these barriers be reduced or eliminated?**

Some sort of independent standing commission should include indigenous representation. The relevant indigenous custodians of specific habitats should always be involved in decision making concerning planning and implementation of habitat care plans.

##### **1.5.2 Should any additional animal species or taxa (groups of species) be included in the definition of 'wildlife' or 'protected wildlife'? Should any species or taxa be excluded and therefore be exempt from some provisions in the Act?**

Exotic species, such as brumbies, deer, and feral pigs, dogs cats etc should be clearly excluded from the protections of the Act.

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

Please see above - all the introduced animals, "game" or not, should be excluded from protections under the Act.

**3.1.1 Should the Act include statements of principle and criteria to guide regulators, duty holders and the public? Why are such principles important? If you do support including principles, what do you think they should be and why?**

Principles and criteria should be data-based and data driven. Indigenous flora, fauna and preserved habitats should be monitored and reviewed publicly. Plans for the care and preservation of indigenous flora, fauna and habitats should be current and transparent and should be monitored and reviewed by some sort of statutory body that reports to the Victorian Parliament.

**3.4.1 Should the Act simplify and clarify the provisions relating to the various licences, permits and authorities? Is there scope to reduce regulatory burden without undermining the intended outcomes of the Act?**

Current penalties are completely inadequate and disproportionate to the costs of maintaining compliance and repairing damage. The penalties provisioned under the 2016 NSW Biodiversity Act are more realistic and provide a good benchmark for Victoria.

**3.5.2 Is full cost recovery appropriate, or should fees for some licences and activities be subsidised? What role is there for user pays or beneficiary pays principles? What, if any changes, should be made and why?**

A wide armamentarium of potential penalties and means of revenue raising should be created. Fees and licenses should be included in a revenue mix that provides the relevant authorities with the resources to implement and maintain plans, and monitor and penalise breaches of the Act.

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