

Dear Panel Members,

My name is [REDACTED] and I am an undergraduate student at ANU majoring in Biodiversity Conservation. Throughout my degree, I have worked alongside ANU researchers in ecological management and bushfire impact evaluation. I have a great passion for Australia's natural environment and in order to further protect our native, endemic species I put forward the following recommendation for the Wildlife Act 1975.

My submission will cover 4 broad topics including the redefinition of wildlife, opportunities for environmental protection, enforcement of the act and establishment of an independent regulatory body.

### **Redefining Wildlife**

Firstly, the current legislation defines wildlife under the categories; "protected", "threatened," and "specified birds." These categories do not satisfy current approaches to defining wildlife which includes the terms of "endangered" and "critically endangered" as well as "native", "non-native", and "pests". These terms are widely used within the Australian Department of Agriculture, Water and Environment, United Nations and leading NGO's such as the WWF. The term "native" as well as "endangered" allows for a greater degree of specificity in terms of protection. At the same time the use of the words "non-native" may release introduced animals considered pests from these protections. In the case of Sambar deer, this may allow for opportunities to bring the population down to a controllable level that will not further disturb native habitat. It is worth mentioning that a recent Senate Inquiry raised the proposition of considering them pests. In order to formulate this new list of native, non-native, pests and endangered species, it is necessary to have an inclusive representation from the Game Management Authority, leading ecologists and land managers, local Indigenous Australian leaders and other affiliated groups. This ensures that population numbers, distribution, cultural significance, and current as well as future threats to species are considered. These redefinitions should, by extension, dictate means taken to ensure the survival and prosperity of particular species.

### **Environmental protection**

The Wildlife Act 1975 current scope does not cover key issues impacting wildlife such as genetic diversity or habitat. In section 1A; the purpose of the act should be amended to include biodiversity conservation as well as protection of native habitat as primary aims. Although regulations and restrictions of land use does not explicitly come under the Act, there are opportunities to embed terms advocating for viable habitat for native animals. These may include Wildlife Protection Orders that may play a similar role to that of Tree Protection Orders in the ACT or Vegetation protection Orders in Queensland. Furthermore, the Wildlife Act 1975 should not stand alone from other Acts that regulate the land in Victoria. There should be better collaboration and alignment with the Environmental protection Act 2017, National Parks Act 1975 and Conservation, Forest and Lands Act 1987. For example, similar offences like the destruction of state land should be dealt with the same under each act to avoid confusion.

## **Enforcement**

There are many other improvements to the enforcement of the Act that should be considered. The first of which is revisiting the penalty units associated with each offence. Here are three examples from the current Act in Part II.

20 : 1 'Offences of taking/destroying wildlife from State Wildlife Reserves.' 25 penalty units

20 : 3 '...damaging native flora...' 25 penalty units

21 : 1 (AA) 'Removing more than 2m<sup>3</sup> of fallen trees.' 50 penalty units and/or 1 year prison

Although in Part VII this is revisited with harsher penalties, there exists an ambiguity in the law as to which offence the destruction of wildlife would come under. Thus, the penalty units associated with offences within the Act should be revised so that they are consistent with current practices and are not redundant. Enforcement can also be improved by making land managers and tour operators responsible for promoting the protection of wildlife in their area. They can do this by providing educational materials to guests, allowing regular inspections of premises to see if they are safe for wildlife and by actively reporting members of the public they are not acting in the interest of conserving native species. By creating a 'duty of care' culture and increasing public awareness we can further prevent the occurrence of heinous crimes against Australian wildlife.

## **Independent Regulatory Body**

Finally, an establishment of an independent regulatory body under the Department of Environment, Land, Water and Planning is essential to greatly increase the effectiveness and efficiency of the act. An independent authority can help in the following ways:

- Relieve Secretary duties to assess applicants of licences, authorizations and permits including cancellations
- Ability to assess State National parks and provide consistent and updated information about ecological health and abundance of species. This can also be used to help inform decisions under Gaming Authority and permits to destroy native wildlife.
- Responsible for inspecting tour operator premises and issuing advice and/or warnings
- Assess land been given to or acquired by the state for wildlife conservation
- Can work alongside local law enforcement and land managers to enforce the Act
- May promote and advocate for the protections of native wildlife
- Responsible for the regular revision of the Act
- Encourage participation of Indigenous Australians in the enforcement, revision and assessments under the Act

Thank you for reading my submission. I look forward to seeing the final report.