

The Flora and Fauna Guarantee Act is a crucial piece of legislation for protecting the beauty of Victoria. This Act is of great concern to the 76 members of the Nillumbik Greens. Human activity is responsible for a huge amount of damage to the natural environment and it is crucial that we do everything we can to protect it. Conserving native species in Australia is of the utmost importance because the unique flora and fauna which can be found here attract tourists from all over the world. They are also very significant to Indigenous Australians and must be protected for their sake. This is why the act must stay strong. This review needs to make the act stronger and allow it to function in a modern world where climate change and urban sprawl are putting more and more of our environment at risk. We cannot allow the act to be watered down in any way as a result of this review.

Although the Nillumbik Greens welcome some of the proposals made in the consultation paper, such as improvements to accountability and transparency and the proposal to map critical habitats, we are concerned that the review may be going in the direction of weakening already limited habitat controls and that the idea of moving away from individual species protection is a backwards step for conservation.

The Flora and Fauna Guarantee Act is meant to protect Victoria's natural environment but doesn't provide any guarantee for the plants and animals which are at threat of becoming extinct. Logging is putting species like the Leadbeaters Possum at risk of extinction and even common species like magpies and kookaburras are in decline. This is something which needs to be remedied by the act and we would like to see the act strengthened to solve problems like this.

A suggested improvement to the act is to put less effort into conserving species which are threatened by climate change so as we can focus on species which are more easily saved. The Nillumbik Greens are concerned by this suggestion. While the government needs a strong plan to tackle climate change, we also need to be thinking about how we can deal with the inevitable impacts it will have on our planet. Rather than washing our hands and giving up on the survival of any species which is under threat from climate change, we need to engage scientists in finding ways of preserving these species. This may not be easy but it is crucial to ensure that all native species are able to survive in Australia. It would be a huge step in the wrong direction to turn our backs on the ones which are harder to save.

Allowing for the removal of native vegetation under the act is a risky move and although this may be necessary, it needs to be done very carefully. As we know, vegetation provides a habitat for animals. It is crucial to the survival of life. Clearing too much vegetation from an area can be very damaging. While this may be necessary for things like development and bush fire management, it needs to be heavily regulated and discouraged under the act. One of the strengths of this act is that it has an emphasis on education. We should educate people about the dangers of removing native vegetation and the alternatives to doing so. Further to this, a permit should be required for any major removal of native vegetation and permits should only be granted when absolutely necessary. This will serve to deter people from clearing native vegetation.

Currently under the act, it is illegal to remove native flora from a critical habitat without a permit. A suggested improvement, which is welcomed by the Nillumbik Greens, is to make it illegal to damage a critical habitat at all without a permit. The current regulations seem ineffective in this area. It only protects habitats from one form of destruction. This seems strange and we believe that

the suggested improvement should be adopted so as habitats are fully protected. Of course, a person will still be able to damage a habitat with a permit. There is a lot that needs to be considered when a permit is being granted. Not only does the importance of the habitat need to be taken into account but local residents and councils need to be consulted on what their views are and their views need to be taken very seriously. One way of achieving this would be to ask councils in the affected area to consult with their communities and vote on whether they think the permit should be granted. Of course, the final decision would still be with the department. The act should also put conditions on permit holders requiring them to remedy any damage they are doing. These measures will serve to discourage anyone from damaging a habitat and will also ensure that any damage done is remedied at the cost of the person who is doing that damage.

While we welcome measures to prevent people from breaching the Flora and Fauna Guarantee Act, we are concerned that the proposal to increase penalties for breaches of the act may not be the right way to go about things. The problem with this area of law is that laypeople are blissfully unaware of most of the regulations. This is why it's so good that the act has an emphasis on education. Education is the only way to make sure people know what they can and can't do and more importantly, why. Unfortunately, though, it is impossible to educate everyone and in fact most people will remain ignorant of the regulations no matter how much effort we put into educating the public. This is why increased penalties may do more harm than good, especially if they are used against first time offenders. Although ignorance isn't an excuse under the law, we need to be mindful that if a person who is ignorant of these laws is handed a huge fine or even jail time for breaking them, it is likely to make that person resent those laws and this is not what we want. We want to get more people on side. Retribution isn't the goal here. The main goals of this act need to be deterrence and education. If a person breaks the rules, a more appropriate response would be to ask them to remedy their actions and/or take a class on what the rules are and why they're important in exchange for a reduced fine. Of course, repeat offenders may need more of a punishment than this but the majority of offenders will not recidivise if they are given proper training and if they know that they may be fined. This is a much fairer approach and will be much more effective in preventing people from breaching the act.

Although this was not mentioned in any of the suggested improvements in the consultation paper, it is worth noting that a major flaw of this act is that it gives the department the power to do things which may be seen by society to be immoral. Conservation cannot be done at the expense of the animals involved. We need to show altruism towards all animal species. Regardless of how rationally an animal thinks or whether or not it's native, it is still sentient and if it can suffer, we need to be mindful of the impacts our actions may have on it. For example, a listed process under the act is "Reduction in biomass and biodiversity of native vegetation through grazing by the Rabbit". Unfortunately, this means that rabbits are hunted and culled on a regular basis. How can we justify the death and destruction of one species in the name of protecting another species? All species can suffer so why is one more important than the other? This is speciesism, a form of discrimination and this should not be condoned by the act. There are alternatives to this approach and the act needs to promote these above culling.

Australia has a long history of culling unwanted wildlife. This is not something to be proud of. While we should be proud that we are trying to protect the environment, we need to consider the destruction that we are causing in the process. It is estimated that for every two animals a

hunter shoots and recovers, at least two are wounded and die slowly. Not only is this extremely cruel but it is proven to be ineffective. Reproductive rebound is a phenomenon consistently observed when animals are culled. The reduced number of animals means less demand for food, therefore there is more food, which allows a new colony to flourish, causing animal numbers to return to where they were before or even increase beyond where they were before. The act needs to acknowledge that there are many viable alternatives to culling. The rabbit proof fence is a prime example of this. It prevents rabbits from invading Western Australia. Other alternatives include finding ways of relocating threatening species to areas where they will do less damage, modifying habitats to be able to cope better with invasive species or using repellents to keep harmful animals out of protected habitats. Another alternative which would be able to reduce animal numbers without culling is the PZP vaccine. This is effectively a vaccine against pregnancy. It allows people to spay the females of invasive species without even going near them. A person need only shoot a dart into the animal to deliver the vaccine. The dart will fall out of the animal and darts are brightly coloured so can be easily recovered to avoid litter. This is much more humane and more effective than culling and needs to be encouraged by the act.

The review of the Flora and Fauna Guarantee Act is very exciting, as it has the potential to make the act much stronger so as Victoria's environment can be better protected. It is crucial for us to protect the natural beauty of this state. This is the only planet we've got and Australia is a unique and beautiful part of it. Environmental protection cannot, however, come at the expense of the wildlife which lives in that environment and the act must ensure that we show altruism towards all animals, not just the ones we want to protect.