

WLDLIFE
VCTORIA
ON CALL TO HELP
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Near Orbost, after the Black Summer 2020 bushfires.

Photo: M. Davidson

INQUIRY INTO ECOSYSTEM DECLINE IN VICTORIA

Submission by [Wildlife Victoria](#)

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Wildlife Victoria Inc.

About Wildlife Victoria

Wildlife Victoria has provided the Victorian community with a Wildlife Emergency Response service for over 30 years. Every year thousands of native animals in Victoria become sick, injured, or orphaned, often as a direct result of human activity. If left unassisted, these animals may suffer and die in pain or of starvation.

Our Wildlife Emergency Response Service receives notifications from members of the public via our emergency phone and online reporting system. We receive more than 80,000 requests for help a year and help over 50,000 animals. When a member of the public contacts us about a sick, injured, or orphaned animal, our Emergency Response Operators provide advice to help the caller manage the situation appropriately, and when necessary, arranges for a trained volunteer to attend. They also liaise with other organisations to ensure the best possible outcome for the animal.

The rescue service relies on an extensive state-wide network of rescue and transport volunteers, veterinarians who provide pro-bono services for wildlife, and the licenced carers and shelters who accept animals into their care for rehabilitation and release.

In addition to the rescue service, through our education programs and activities we help wildlife by providing people with the knowledge and skills they need for peaceful and positive co-existence with wildlife, and by facilitating positive community attitudes toward wildlife.

We advocate for wildlife whenever their welfare is under threat or compromised. We support efforts by government, community groups and individuals to ameliorate threats to wildlife, particularly those that are caused by humans.

Our Submission

Thank you for the opportunity to provide a submission to the Inquiry into Ecosystems Decline in Victoria.

As a wildlife rescue organisation, we see the impact of human activities on wildlife every day. We see the impacts of government policy on wildlife and on the lives of people who appreciate and care for wildlife.

Our submission will focus on two key impacts of environmental decline in Victoria, the failure of current regulatory and policy frameworks to halt and reverse that decline, and what we see as urgent actions required.

As a wildlife rescue and advocacy organisation, this submission will focus on impacts of government policies and programs around:

1. Habitat destruction, and
2. Permitting killing of wildlife

The decline in biodiversity and habitat destruction have been extensively documented, and we will here only acknowledge these key documents:

- [Australia's Faunal Extinction Crisis, 2019](#)
- [Independent Review of Timber Harvesting, 2018](#)
- [State of the Environment 2018](#)

Habitat Destruction

Habitat is destroyed by a range of primarily human but also natural causes:

- land clearing for agricultural and mining activities
- the felling of native forests for the timber industry
- the loss of green spaces to housing and other developments
- the over-extraction of water from rivers and aquifers
- invasive species that displace native species or their food sources
- bushfire
- prolonged drought

Habitat destruction is an existential threat to species that are listed as threatened (and therefore to biodiversity), but also has devastating effects on other species.

Logging of native forest, which continues even after the devastating fires of the 2019/20 summer, is one immediately preventable cause of the destruction of habitat of threatened and other species. VicForests has failed to obtain FSC controlled wood standard, has repeatedly violated its obligations (the most recent findings by the Federal Court in August 2020) and receives substantial government subsidies. That it requires the actions of citizen scientists and not for profit organisations to achieve the protection of critical habitat for the threatened Greater Glider and critically endangered Leadbeater's Possum, is further evidence that this state-sanctioned, taxpayer supported activity, is an anachronism. The habitat destruction caused by VicForests, coupled with the substantial subsidies required to maintain its operations, are compelling reasons to cease native forest logging operations immediately. The existing government subsidies should be used to redeploy timber industry workers to undertake habitat restoration and protection works.

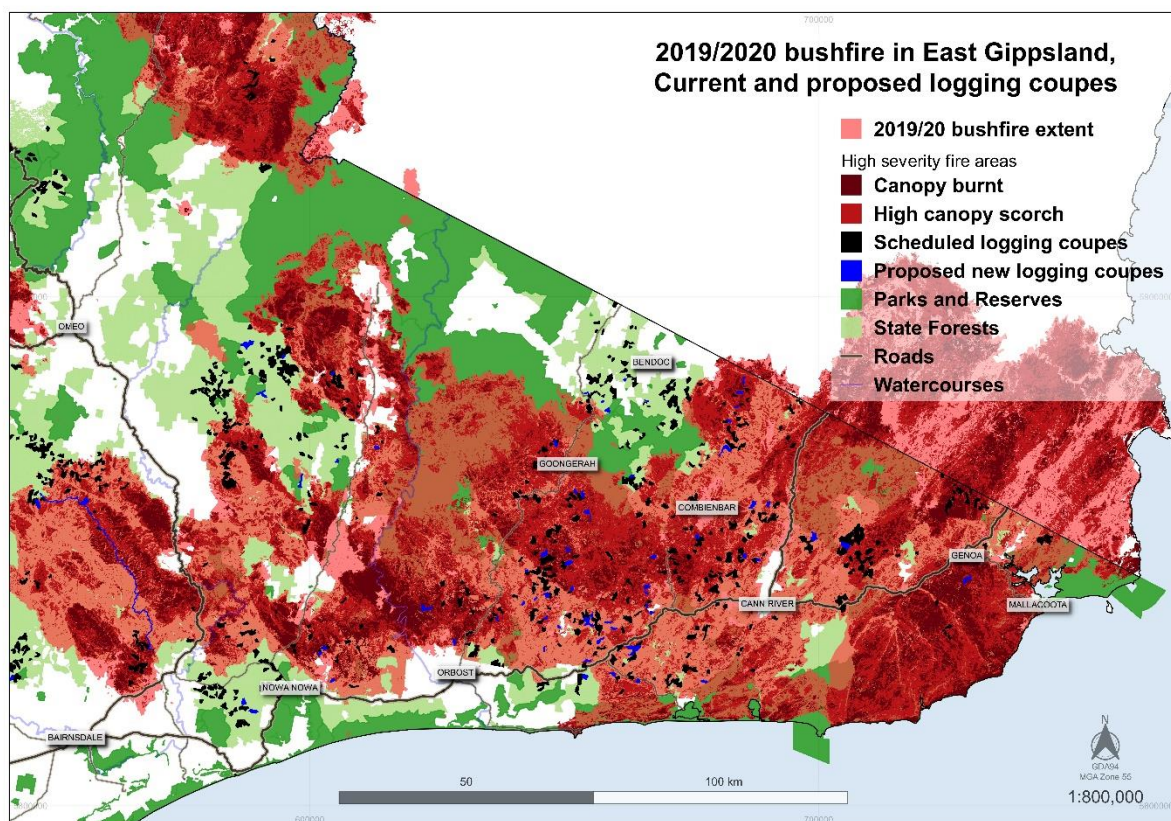
For most species, habitat is a localised need. However, one threatened species, the Grey-headed flying fox (*Pteropus poliocephalus*), which is continuously nomadic, requires food and roosting resources that extend across Victoria and indeed across its range from South Australia, Victoria, New South Wales (and the ACT) to Queensland. Recent research (Walbergen et al 2020) showed that GHFF travel up to 270km a day and up to 2,564km per year. Animals typically move east and north during autumn and winter, and west and south during the spring and summer. This year, bushfires have destroyed millions of hectares of native forest in Victoria and NSW that this species would normally rely on for food resources. The species, which may have lost 15%-20% of its numbers due to extreme heat events across its range, and starvation from prolonged drought in NSW and Queensland, is now being put under even more pressure in Victoria by logging of unburned forests in East Gippsland.

Flying fox carers and conservationists are anticipating the possibility of widespread starvation of Grey-headed flying foxes this summer as they fail to find sufficient food resources following the loss of so much foraging habitat.

In addition, an ATCW was issued for the next three years by DELWP to permit dispersal of the species from the Colac Botanic Gardens, ensuring that animals will be pushed into less summer-survivable locations and contribute to deaths of more animals.

In East Gippsland notable habitat destruction affecting this and other threatened species has occurred:

- The removal in 2019 of a large number of mature trees protecting the ancient palms trees at Cabbage Tree Creek, officially said to be for “safety” and “fire access” by DELWP’s Forest Fire Management Victoria. but an action that was widely seen as a grave error and likely to lead to the loss of this unique natural asset.
- Post the 2020 summer bushfires, there have been widespread reports of “overzealous” roadside tree felling for the logging industry.
- “Salvage” logging is occurring by the timber industry - removing trees from burned areas, compounding bushfire damage to the environment.
- In 2020 post the disastrous summer bushfires, logging by VicForests of coupes continue in unburnt forest:
 - 40Ha Diblo coupe # 835-511-0002 on the Cabbage Tree-Conran Rd has recently been destroyed – critical foraging habitat for the threatened Grey-headed flying fox, vital remaining habitat for the Long Footed Potaroo, Yellow Belly Gliders and Powerful Owls among many other species.
 - The map shows the threat of logging operations within the burned and unburned areas of East Gippsland.



Map source: [Goongerah Environment Centre](https://www.goongerahenvironmentcentre.org.au/)

It is only monitoring, reporting and legal action by citizen scientists and not-for-profit groups¹ that has achieved the protection of threatened-species habitat in numerous coupes that would otherwise be destroyed.

Ending the logging of native forests, and reforming and modernising Forest Fire Management Victoria are key components of halting habitat destruction and protecting threatened native species.

Legal protections for wildlife

The Victorian community expects wildlife to be effectively protected, for wildlife crimes to be detected and prosecuted, and for available penalties to be applied by the courts.

The various legislative instruments in place are failing to provide adequate protection for wildlife. The announcement of a review of the Wildlife Act 1975 is decades overdue and is a major opportunity to establish more effective protections. Archaic provisions, such as the Governor in Council Orders “unprotecting” wildlife, which have no review or sunset dates, should be urgently reviewed. Permits to kill protected wildlife should not be issued except in the most exceptional of circumstances that do not include simply being inconvenient.

The formation of the Office of the Conservation Regulator is a welcome development, but this office is currently limited by a regulatory system that fails to adequately protect wildlife and the environment.

Illegal killing

There have in recent years been multiple detections of mass poisoning by farmers of Wedge-tailed eagles in rural Victoria. It can be inferred that the actual practice of illegal killing of wildlife on rural properties is far more widespread than the few cases detected. This is a problem of outdated attitudes and farming practices, as well as a failure of adequate laws and compliance activities.

Even in the most egregious case – that of **John Franz Auer** the Tubbut farmer on who’s land was discovered hundreds of poisoned Wedge-tailed eagles in 2018 – resulted in no prosecution of Auer under the Wildlife Act 1975. The only penalty that Auer paid for this wildlife crime was a conviction for the incorrect use and storage of chemicals, with a financial penalty of less than \$30,000, a community corrections order and 100 hours of community service. Auer’s employee (and whistleblower) **Murray James Silvester**, was convicted over the deaths and served 14 days in prison, the first custodial sentence in Victoria for killing protected wildlife, despite a provision in the Wildlife Act 1975 of up to 6 months imprisonment (Part VII, 43, (1)).

Judy Edwards, another Tubbut farmer, was charged and convicted in 2019 of cruelty and wildlife offences for killing wildlife (including Wedge tailed eagles and other birds), was fined just \$10,000.

¹ Friends of the Leadbeaters Possum; Wildlife of the Central Highlands; Environment East Gippsland; Victorian National Parks Association

In another case that shocked the community, **Jacob Scott MacDonald** was sentenced to 42 days jail, reduced on appeal, and served no custodial sentence, after being convicted of deliberately running over emus in Cowangie in 2019.

Examples of illegal killing of wildlife where no perpetrators have yet been charged include:

- 2020: [4 wombats killed near Kyneton](#)
- 2020: [Wedge-tailed eagle shot in Macedon](#)
- 2020: [6 Grey-headed flying foxes killed in Bairnsdale](#)
- 2019-20: [Hundreds of koalas killed or injured at Cape Bridgewater](#)
- 2019: [89 poisoned Wedge-tailed eagles near Violet Town](#)
- 2017: [20 Wedge-tailed eagle bodies found dumped near Yea](#)
- 2017: [8 Grey-headed flying foxes shot in Bairnsdale](#)
- 2016: [3 shot birds of prey found dumped near Violet town](#)
- 2013: [Box Flat wildlife massacre](#)

Legal killing

The issuing of Authorities to Control Wildlife (ATCW) under the Wildlife Act 1975 means that many thousands of otherwise protected animals can be legally killed each year. Together with the quotas of Kangaroos permitted to be killed under the Victorian Kangaroo “Harvest” Program, hundreds of thousands of animals are killed legally each year. Both Wildlife Victoria (2019) and the RSCPA (2019) do not accept that the animal welfare outcomes of kangaroo shooting are acceptable.

At present, the Department of Environment, Land, Water and Planning provides only aggregated annual reports of non-lethal and lethal permits. There is consequently no transparency of the extent of legal killing in Victoria under this scheme. Adverse impacts on neighbouring properties are not part of the requirement of obtaining a lethal ATCW.

The annual duck shooting season is another example of legalised killing of otherwise protected wildlife, but for recreational reasons.

There are many adverse impacts of the legal killing of wildlife, including:

- Fear of injury and death from shooting close to residences
- Mental trauma of witnessing killing and the aftermath of killing
 - An example is Dunkeld, where residents and visitors have been traumatized by kangaroo killings in 2019 and 2020.
 - Authorised wildlife carers having the animals they have rehabilitated and released being shot by neighbours issued an ATCW
- Damage to businesses reliant on wildlife experiences
- People moving from rural areas following traumatic experiences with local wildlife killings
- Discouraging people moving to or visiting rural areas
- Adverse international attention impacting tourism potential
- The cultural normalisation and reinforcement of violence toward native species

References

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