



Sheena Watt MP

Report, Findings and Recommendations from the Legislative Council Select Committee Inquiry into Victoria's Recreational Native Bird Hunting Arrangements

Authored by Committee Member Sheena Watt, MLC for Northern Metro Region.

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Introduction

This minority report has been produced in response to the submissions and hearings held to gather evidence for the Legislative Council Select Committee on Victoria's Recreational Native Bird Hunting Arrangements (the Committee). This report is informed by evidence and experiences of people who presented at the hearings and in the many thousands of submissions to the inquiry. Through the course of the inquiry and the subsequent majority report, the Committee would have benefitted from a more considered examinations of the following:

- Traditional Owner involvement;
- Sustainable regulations, enforcement and compliance; and
- The economic, social and cultural wellbeing of Victorian communities.

My contribution as outlined in this report and subsequent recommendations is informed by my work as a Committee member in evaluating the evidence heard by this Inquiry. Additionally, I have drawn upon my experiences in formulating public policy in environmental regulation, Native Title and Indigenous land use and my cultural responsibility to listen to the wisdom and knowledge of my Elders. As Committee proceedings have progressed, it has become clear that further action was needed to adequately address and acknowledge the value of First Nations connections to Country and their land-based practices and traditions. The opportunities to forge greater partnerships with other parties that work on Country, including government, civil society, and the outdoor recreation sector, also need to be addressed.

I felt it necessary to make recommendations that speak to a commitment to self-determination and that highlight the cultural practices important to the path to Treaty that this state boldly embarked upon, in this, a most pivotal year for First Nations Peoples in Victoria.

My recommendations will enable the continued practice of hunting for the people of Victoria, in particular First Nations Victorians, who demonstrated across numerous submissions and evidence that they wish to share the cultures and traditions of our connection to Country that span many thousands of generations. I recognise and honour Uncle Rodney Carter for his esteemed leadership in Indigenous land use, Native Title and more recently as the elected Elders' Voice co-convenor on the First Peoples' Assembly of Victoria. I also recognise and honour Uncle Gary Murray and thank him for sharing his wisdom with the Committee through evidence that provided Committee Members with the perspective needed to consider the aspirations of First Nations Victorians.

The recommendations presented below contrast to the recommendations of the majority report, which gave prominence to non-Aboriginal aspirations for land use and outdoor recreation activities in this state. Furthermore, my recommendations effectively balance the need to address both regulatory and compliance issues and the social, emotional and cultural wellbeing of working people through the practice of native bird hunting, especially those located in regional areas. Regulatory and compliance issues in native bird hunting should not be relegated to the 'too hard' basket as a matter of course and expedience, with an approach that denies the community the outdoor recreation of native bird hunting, in favour of 'best guess' estimations and wholesale change that involves complex transitions in land use for regional communities. The recommendations of the majority report, if implemented, will deny ordinary working Victorians an activity that they treasure.

The Committee missed the opportunity to adequately examine and consider the public land management issues surrounding environmental degradation and remediation, costs and resources currently apportioned by community groups and land users, and the overall cost to the Victorian Government of the recommendations to change land use practices resulting from ending native bird hunting.

It is my view that the findings and recommendations outlined in the majority report did not appropriately consider the above issues. The majority report did not explore the regulatory complexity of land management, nor the cost, substantive time frame or the need for ongoing care that is associated with this. This ineffective consideration of associated risks also has the added effect of undermining the ability of First Nations Victorians to undertake the age-old cultural practice of native bird hunting, as the vast majority of land in Victoria is not covered by Native Title Natural Resource Agreements (NRAs). There are only three such areas in Victoria outlined in the majority report.

Findings on Recreational Bird Hunting in Victoria

Native bird hunting is an activity that was shown through the submissions and evidence provided to the Committee to contribute positively to mental health outcomes. We know that ill mental health and well-being will impact most Victorians at some point in our lives - and some of the most at-risk segments of our community are working people and their families.

Throughout the evidentiary process, the Committee heard that, for many working Victorians, native bird hunting can contribute to positive mental health outcomes. We saw through evidence provided to the Committee that outdoor activities such as native bird hunting are important recreational activities for working people, many of whom work in physically demanding roles and enjoy these outdoor activities during their recreation time. In this way, such outdoor recreational activities can act as an anchor for these communities, providing them with an outlet and an opportunity to relax and recharge when not at work.

We can't promote mental health on the one hand and deny working people the opportunity to take part in an activity that clearly has positive mental health outcomes on the other. The Committee received dozens of personal stories from ordinary Victorians who have told us the important role native bird hunting plays as they deal with the stresses and anxieties of everyday life. Looking after Victorians and allowing them to take part in the activities they love should be an integral focus as seen in the thousands of submissions to the committee that highlight the long and strong heritage of native bird hunting in the community, a heritage that spans back to my ancestors.

Many in the native bird hunting community have shared their personal stories about what this activity means for them, their families and their communities. It's clear that neglecting to effectively listen to and engage with community members involved in native bird hunting will have a negative impact on the many communities that we call home. Native bird hunting is more than just a sport or obscure hobby as some would portray it. It's a way of life, a part of their culture and identity.

This was a recurring theme in the thousands of submissions from ordinary Victorians. One submission outlined how as a rural veterinary nurse, native bird hunting was a family pastime. It continues to be a pursuit that her family does together, a recreation activity that teaches her children about the importance of responsible hunting practices and the sustainable harvesting of wild game. It is ordinary members of the Victorian community like this that show the importance of this practice as a family and social activity done responsibly with sustainable environmental considerations at its core.

At a time when cost of living pressures are acute for many regional communities, we don't have the luxury of closing an entire industry that contributes so significantly to rural communities. The committee received submissions and reports on the value of the native bird hunting industry. Of note was the report commissioned by the current Victorian Government in 2020 that estimates the contribution of the industry to the Gross State Product (GSP) as being over \$350m (2019). This industry employs more than 3100 Victorians in some of the most outlying regions of our state.

We can't let down the rural communities who rely on the tourism income from interstate and intra-state visitors for native bird hunting. Many people from these industries and these communities have reached out to me directly and contributed submissions, showing how tough they're doing it. There is simply a lack of other industries and economic alternatives that can replace the lost economic benefits caused by a ban on native bird hunting. This was explored in detail through the committee process however it was often framed as hunting to the exclusion of all other outdoor pursuits and recreation opportunities, not being explored in a complementary framework, including positive opportunities for First Nations people.

There is another way. We can prevent the 'closed' signs going up on the doors of many local rural businesses by simply addressing regulatory, compliance and enforcement concerns from the community through better practice and management. Management that adopts scientific and evidence-based approaches at its core, and management with adequately resourced compliance and enforcement.

Protecting Indigenous cultural heritage and practice

Hunting as a cultural practice and an expression of identity for Indigenous people in Victoria did not garner appropriate weight through the deliberation of the committee. Overwhelming evidence was provided by Traditional Owner Groups, and submissions by the First People of Victoria, showing the importance of hunting.

Traditional Owners have rights, interests, and responsibilities to care for Country that stem from their own systems of governance. Indigenous concepts around caring for Country often do not align with the approach taken through mainstream or non-Indigenous management of landscapes. Considering this, the current Victorian Government supported the development and adoption of the Traditional Owner Game Management Strategy, launched by Minister Thomas in March 2021.

The Federation of Traditional Owners best expressed the importance of hunting, game and wildlife management to the First Peoples of Victoria:

"Hunting, game and wildlife management is both a way of life and expression of identity for the Aboriginal people of Victoria. Traditional Owners within Victoria continue the cultural practices of their ancestors, particularly with respect to the animals they hunt as game." (Federation of Traditional Owners, submission 1,612.)

The importance of continuing these cultural practices was highlighted throughout many submissions by First Nations people:

"I am a proud Wurundjeri Man and have lived most of my life on Dja Dja Wurrung country. I am a Koori Court Elder and although I will retire soon, I currently serve my local community as the Justice Worker at the Bendigo and District Aboriginal Cooperative. Hunting and eating native fauna is a major part of my culture (dating back 60,000 plus years), as is sharing native game food with Community" (Mark Little, submission 665.)

“I am an Aboriginal woman with close cultural connections to Victorian traditional areas of country. It is vitally important to me to learn and maintain for future generations the cultural practices, including the women’s business practice of using duck feathers, to strengthen my connection to land and water” (name withheld, submission 10,394.)

These recommendations embody the wishes of Victorians, especially those in regional communities, and centralise the importance of traditional cultural practices to the identity of First Nations Victorians.

RECOMMENDATIONS

This report recommends the following:

RECOMMENDATION 1:

That the Victorian Government implements more stringent management, regulation and compliance in regard to the annual recreational native bird hunting season. That these strengthened provisions apply to all existing public and private land that is currently used for native bird hunting and that the further restrictions and protections are to be implemented as recommended in this report.

This recommendation is set in stark contrast with the majority report, which did not effectively engage with several thousand submissions from ordinary working Victorians, many from regional Victoria, outlining how the outdoor recreational pursuit of native bird hunting is important to them, their families and their communities. These submissions outlined the importance of their experiences in hunting native birds and how this hunting can be improved and strengthened through harnessing;

- Indigenous traditional knowledge and care of country;
- Stronger regulation;
- Stronger enforcement;
- Inclusion of traditional knowledge and local Aboriginal land managers; and
- Adherence to scientific and evidence-based game management in regulating and managing native bird hunting.

RECOMMENDATION 2:

The GMA must be supported to implement the outstanding action items related to native bird hunting and the lands used for native bird hunting as stated in the ‘*Traditional Owner Game Management Strategy*’ as released in 2020 and currently in place as a Victorian Government policy and hunting regulation strategy.

Evidence presented and further evidence made readily available to the committee by First Nations People was not given due consideration by members of the committee. The '*Traditional Owner Game Management Strategy*', developed and adopted by the Victorian Government, containing actions on how to make hunting a more ethical and environmentally sustainable practice was not given proper consideration and weight within the committee's deliberations.

The implementation of the actions set out within this strategy would lead to hunting practices being more consistent with the aspirations as outlined by Uncle Rodney Carter as a representative of a recognised Traditional Owner Group. Furthermore, the Committee failed to consider the future of our state and the growth of the Indigenous land estate under Native Title, future Natural Resource Agreements under the Traditional Owner Settlement Act and other opportunities such as the forthcoming Treaty.

RECOMMENDATION 3:

The Victorian Government must explore the involvement of First People's in the management of game reserves as a reflection of its commitment to the partnerships with Traditional Owners groups.

The Committee heard that Traditional Owners are seeking further opportunities for leadership and decision making on the management of game reserves within Victoria. Pilot programs funded under the Traditional Owner Game Management Strategy such as the example of the Tang Tang Swamp, highlighted the interest that Traditional Owners have in future management, restoration and employment opportunities that hunting on country presents. Increasing the statewide involvement of First Nations communities in the management of game reserves and having traditional land management practices being undertaken by Traditional Owners will significantly increase the health of these environments.

RECOMMENDATION 4:

That state game reserves, used for duck and quail hunting, be used for other outdoor recreational activities outside of the time specified by game management authorities for native bird hunting. This must be accompanied by appropriate investment in camping, boating and outdoor recreation related infrastructure.

Evidence to the committee often approached the competing uses for land from a 'winner takes all' standpoint, not exploring complementary or diverse activities and subsequent increased usage, a practice which already occurs in so many outdoor spaces in Victoria with other outdoor pursuits such as fishing, prospecting, bushwalking, trail bike riding and foraging amongst many others. There are several clear examples as ways forward to ensure that the Victorian community can benefit from the public use of game reserves outside of the defined hunting season permitted. This should also be combined with traditional land use and Indigenous land management practices.

RECOMMENDATION 5:

The GMA should receive further recurrent funding and resourcing to be able to check compliance adequately and effectively with native bird hunting requirements.

A consistent theme of the evidence presented to this inquiry was that game management regulators were underfunded and suffered a lack of recurrent resourcing. Given the recommendations for added measures of regulation, compliance and enforcement. Game management authorities need this support to be able to carry out their duties effectively.

A stronger game management regulator will allow for proper compliance to be carried out throughout Victoria and significantly decrease illegal hunting activity and behaviours to occur.

RECOMMENDATION 6:

The Victorian government strengthened the requirements to be able to receive endorsement for duck and quail hunting licences by instituting a yearly competency and knowledge test for duck and quail hunters in addition to making the waterfowl identification test a yearly requirement.

Identification is crucial, knowledge should be kept current and bird species may be deemed off limits for hunting as evidence demands. Ensuring that these bird species are not targeted by hunters can be achieved through an increase in hunter competency training that would occur yearly before the start of each season.

Further knowledge of endangered and off limit species along with good practice hunting behaviours being a mandatory prerequisite for a hunter to be allowed to hunt native birds will see the number of at-risk bird species injured during hunting decrease significantly.

RECOMMENDATION 7:

Membership of government approved native bird hunting clubs which have mandatory training as a component of membership being stipulated as a necessary requirement for native bird hunters.

Given the majority recommendation to effectively end native bird hunting, the Committee then limited its exploration of effective models of training and education. A model that I wished to explore includes the further integration of mandatory training into hunting clubs to appropriate training as recommended in recommendation 6 and the majority report. Furthermore, compulsory membership of a government approved club may enhance hunter knowledge and compliance rates. Hundreds of submissions detailed native bird hunting as a family and community activity and reinforcing this with mandatory club membership will further cement a strong

community knowledge base and further embed responsible native bird hunting practices through training.

Conclusion

I thank the many thousands of people who so thoughtfully and meaningfully engaged in the work of the Committee and submit this report, finding and recommendations to shape the path ahead for the regulation and practices of recreational native bird hunting in Victoria.

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