

**AUSTRALIAN DEER ASSOCIATION (VIC)  
MEDIA RELEASE**

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**Flora and Fauna Guarantee does no such thing**

“The procedures for listing Potentially Threatening Processes, such as the recent listing of Sambar deer, are a farce and work against sensible conservation measures.”

The President of the Australian Deer Association [Victoria], Mr. Max Rheese said this today.

“The Australian Deer Association (ADA) has followed the listing of the Sambar deer from nomination to the Supreme Court, where the Judge has reserved his decision, and this whole process has laid bare the futility of our system. We have spent excessive amounts of time and money following a bureaucratic system that has not resulted in one beneficial conservation action.

“This case has important lessons for all participants and has highlighted the need for the Flora and Fauna Guarantee processes to facilitate and encourage more immediate and practical solutions.

“In this case it is important to recognise that the ADA has always acknowledged that deer can and do have an impact on the environment. It is also readily acknowledged that in some cases this impact can be on endangered flora. So the Government, environment groups and the ADA all agree there should be deer management to resolve conservation issues.

“Indeed the ADA has been so conscious of the impacts of deer on both public land and pastures on private land that it has sought, for years, for the Government to place a much higher priority on the management of deer. The ADA has twice presented the Government with a 38 page *“Deer Hunting and Wild Deer Management Strategy”*. Therefore, the ADA states unequivocally that deer can have an impact and this must be managed.

“At the same time however, deer hunters and the ADA value deer as Australia's pre-eminent game animal, a valuable wildlife resource and the icon of centuries of traditional hunting. The ADA has always been fearful that this listing will tarnish the century old traditions of deer hunting. Today's deer hunters regard themselves as custodians of this heritage of acclimatisation, hunting and conservation and feel obliged to defend the status of deer.” Mr Rheese said.

Mr. Rheese said, “In this case, the issue of greatest importance to the ADA is deer management.

“Unfortunately, the ADA has continually been disappointed with the lack of action on deer management and this reached the point of exasperation by the attention diverting influence of the Flora and Fauna Guarantee processes.

“Ultimately, the ADA reached the stage several years ago, that it took deer management into its own hands and offered public and private landholders remedies for incursions by deer. During this time, the ADA signed a Memorandum of Co-operation with Parks Victoria to assist in controlling deer in the park system.

“When this issue of deer being nominated as a Potentially Threatening Process arose, the ADA continued with its calls for the Government to allow it to assist in the control of deer in areas where damage was being recorded. The ADA has always thought the issue too urgent to wait for a long winded bureaucratic process to come up with solutions that were and have been available for years.

“The ADA suggested a middle course of action to the former Environment Minister Mr. Thwaites, whereby the Minister could appreciate the concerns of the nominator and the Scientific Advisory Committee and that the ADA assist in monitoring and controlling deer numbers in important conservation areas. This course of action would have resulted in immediate action on the ground, far quicker than if deer were listed. The ADA thought that under this approach the Minister could take timely action on the problem but not proceed with the recommendation to list Sambar deer as a Potentially Threatening Process, which would devalue the status of deer.

“This classically has been the case of hunters being able to resolve a problem with targeted hunting efforts rather than embark on a long winded bureaucratic process. It appeared to the ADA that it was the participant in this process that was most concerned about environmental impacts.

“Following the resignation of the former Environment Minister, the ADA had concerns that the new Environment Minister might accept the recommendation of the SAC without understanding the ADA's concerns and positive suggestions. The ADA went out of its way to bring the new Minister's office "up to speed"

“In November 2007, the ADA was called to a meeting in the Environment Minister's office, ostensibly to further discuss this issue but was told that the recommendation had been accepted and that the Minister had already signed off for Sambar deer to be a Potentially Threatening Process. The ADA's practical, proactive solution with immediate action had not been considered.

*“Subsequently the ADA wrote to the Minister and said, "We all acknowledged the issue about possible localised impacts of deer on rare or endangered species. We reiterated our long-standing offer to assist in direct targeting of deer causing damage. Although this course of action would have an immediate and direct beneficial effect there seems a reluctance to do something on the ground in favour of bureaucratic processes."*

“Ultimately the ADA resorted to legal recourse only after all our representations and protestations were either dismissed or ignored. We were left with no option except to seek resolution through the Courts. It was hoped that this action would focus on deer management and the best way to resolve an environmental issue. As the weeks unfolded, the ADA found it could not legally challenge the decision of the Minister, but the action that could be taken would be limited to some technical legal issues. The ADA's Constitution virtually required that this action be taken. The case cost us dearly but we did this on behalf of the deer which have given us so much.” Mr. Rheese said

Mr. Rheese said, “The situation now is that vast amounts of time and money have been spent on a bureaucratic process but nothing has been done in deer management to protect endangered plants. The Department of Sustainability and Environment has known about the damage since at least the first nomination of deer in November 2005 but nothing has been done to resolve the problem apart from allowing a flawed bureaucratic process to stumble to a sad and ineffectual conclusion. Even in the five months since the Minister made Sambar deer a Potentially Threatening Process, nothing has been achieved on the ground. The lunacy of all this, is that in the Minister's media statement announcing the listing of Sambar deer, he suggested introduction of control measures (hunting) proposed by the ADA many times over the past few years.

“The Minister, his Department, environment groups and ADA all agree there should be deer management. When will that happen?” Mr. Rheese asks.

Mr. Rheese said, “A simple and appropriate control measure, on the ground, has been ignored in favour of a tiresome bureaucratic process. The lesson out of this is that the system must move much faster and employ, wherever possible, readily available remedies.

“In terms of actually conserving flora, our Supreme Court action is the sad culmination of a failed process of the bureaucracy. The Judge has reserved his decision, but at the very least, I hope this action will encourage the Government to review the failed Flora and Fauna Guarantee procedures.

“The ADA Constitution obliges us to protect and better the status of deer and to ensure its perpetuity as a free roaming game animal. We had to fight this listing to the very end as it will, in layman’s terms at least, categorise deer as a pest.

“Nevertheless, the ironic conclusion is that the awesome Sambar deer will continue to live in the Eastern Highlands and it is obviously incumbent upon private hunters to ensure that any impacts on endangered plants are minimised and preferably eliminated. It will be another badge in the proud history of this animal if its listing as a Potentially Threatening Process leads to very necessary improvements to guarantee the conservation of its very own environment” Mr. Rheese concluded.

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