

Wildlife Act 1975

DECLARATION OF THE DINGO TO BE UNPROTECTED WILDLIFE

ORDER IN COUNCIL

The Governor in Council, on the recommendation of the Minister for Environment and the Minister for Agriculture under section 7A of the **Wildlife Act 1975** revokes the Order in Council published in Government Gazette No. S 123 on 14 March 2024, declaring the dingo (*Canis lupus dingo*), except when kept in captivity, to be unprotected wildlife.

The Governor in Council, on the recommendation of the Minister for Environment and the Minister for Agriculture under section 7A of the **Wildlife Act 1975** declares the dingo (*Canis lupus dingo*), except when kept in captivity, unprotected wildlife on:

- (a) private land within the area shown hatched in Schedule 1 of this Order; and
- (b) public land within 3km of the boundaries of any such private land.

Where the dingo is unprotected, the conditions, limitations and restrictions specified in Schedule 2 of this Order apply. The persons authorised under this Order to take or kill dingoes are specified in clauses 8 and 9 of that Schedule and the methods that may be used to take or kill dingoes are specified in clause 1 of that Schedule under this Order.

This Order comes into effect on 1 October 2024 and applies until 1 January 2028.

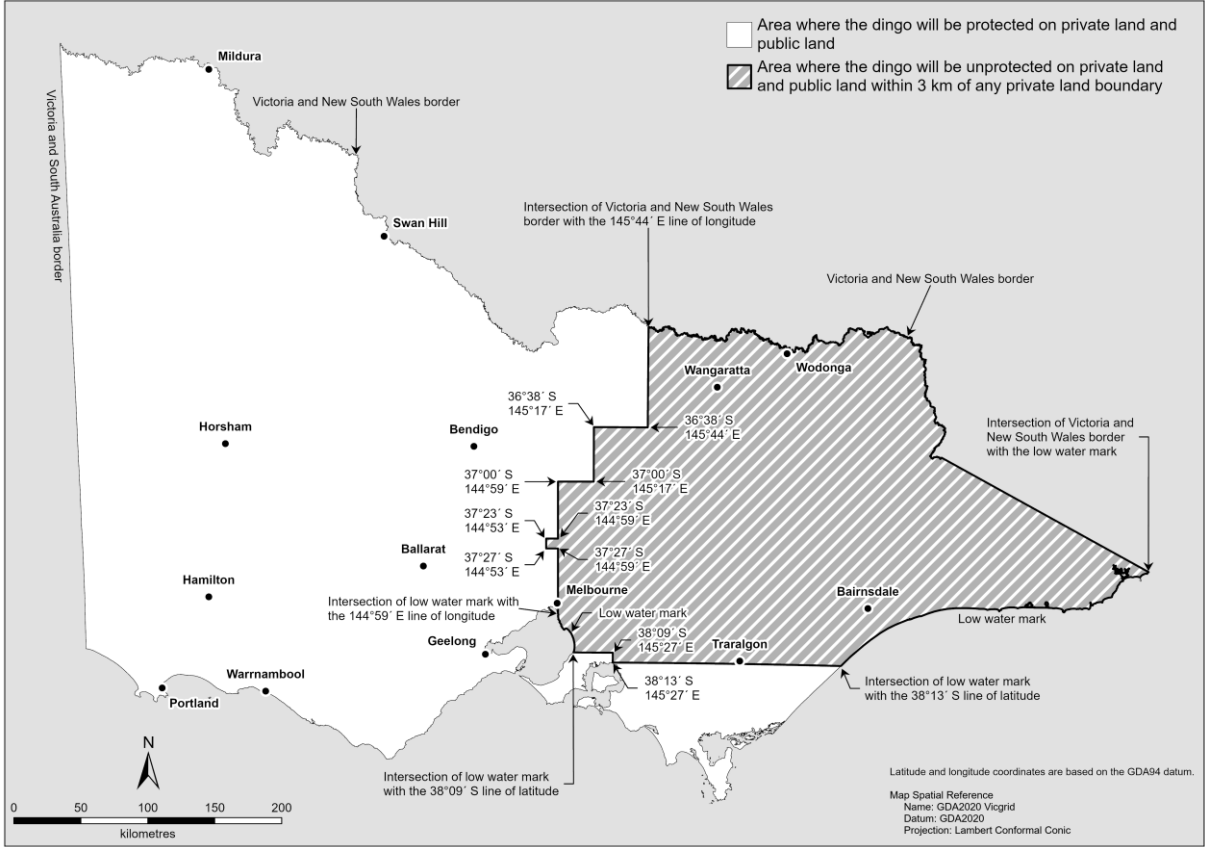
Responsible Ministers:

Steve Dimopoulos
Minister for Environment

Ros Spence
Minister for Agriculture

Clerk of the Executive Council

SCHEDULE 1



SCHEDULE 2

Conditions, Restrictions and Limitations

Authorised methods

1. An authorised person specified in clause 8 or 9 of this Schedule may only take or kill a dingo by the use of one or more of the following methods:
 - (a) a large leghold trap, if undertaken in accordance with clauses 2 and 3 of this Schedule;
 - (b) a confinement trap, if undertaken in accordance with clauses 2 and 4 of this Schedule;
 - (c) a net trap, if undertaken in accordance with clause 2 and 5 of this Schedule;
 - (d) poisoning with baits, if undertaken in accordance with clause 6 of this Schedule; and
 - (e) shooting with a firearm, if undertaken in accordance with clause 7 of this Schedule.

General conditions for trapping

2. A large leghold trap, a confinement trap or a net trap may only be used if:
 - (a) the trap is set and used so as to minimise:
 - i. any harm caused to the trapped animals; and
 - ii. the risk of catching any animal that is not the target of the trap;
 - (b) the owner or occupier of the land (in the case of private land) or the manager of the land (in the case of public land) has consented to the setting or use of the trap; and
 - (c) the trap is not used in an urban area, as defined in regulation 5 of the **Prevention of Cruelty to Animals Regulations 2019**.

Additional conditions for the use of a large leghold trap

3. A large leghold trap may only be used if:
 - (a) the trap has the features set out in regulations 36(a) to (f) of the **Prevention of Cruelty to Animals Regulations 2019**;
 - (b) the trap has an adjustable pan tension so that the pan can be set at a tension required for a dingo to trigger the trap;
 - (c) the trap is used on land in an area shown shaded on the map set out in Schedule 3 to this Order;

Note: For the avoidance of doubt a large leghold trap may only be set or used in an area that is within the area set out in Schedule 3 of the Order (which forms a subset of the area set out in Schedule 1 of the Order)

- (d) any animal that is trapped is not left alive in the trap for more than 24 hours;
- (e) if any animal, other than a dingo, is trapped, the conditions set out in regulations 38(4) to (6) of the **Prevention of Cruelty to Animals Regulations 2019** are complied with in respect of that trapped animal.

Additional conditions for the use of a confinement trap

4. A confinement trap may only be used if:

- (a) the trap has the features set out in regulation 42 of the **Prevention of Cruelty to Animals Regulations 2019**; and
- (b) any animal that is trapped is not left alive in the trap for more than 48 hours in the circumstances specified in regulation 44(2) of the **Prevention of Cruelty to Animals Regulations 2019**, or 24 hours in any other circumstances; and
- (c) if any animal, other than a dingo, is trapped, the conditions set out in regulations 44(4) to (6) of the **Prevention of Cruelty to Animals Regulations 2019** are complied with in respect of that trapped animal.

Additional conditions for use of a net trap

5. A net trap may only be used if:

- (a) the trap has the features set out in regulation 46 of the **Prevention of Cruelty to Animals Regulations 2019**;
- (b) the requirements set out in regulations 48(1) to (4) are complied with; and
- (c) if any animal, other than a dingo, is trapped, the conditions set out in regulations 48(5) to (7) of the **Prevention of Cruelty to Animals Regulations 2019** are complied with in respect of that trapped animal.

Conditions for poisoning with baits

6. Poisoning with baits may only occur if the poisoning is carried out in accordance with the **Agricultural and Veterinary Chemicals (Controls of Use) Act 1992**.

Conditions for shooting

7. Shooting with a firearm may only occur if:

- (a) the use of the firearm is in accordance with the **Firearms Act 1996**; and
- (b) the dingo is humanely destroyed in a manner which does not cause unnecessary pain and suffering.

Authorised persons

8. In the case of private land specified in this Order, any person may kill or take a dingo.
9. In the case of public land specified in this Order, only employees of, and persons engaged or otherwise permitted to kill or take dingoes in writing by, the Department of Energy, Environment, and Climate Action or Parks Victoria may kill or take a dingo.

SCHEDULE 3

