

Second Reading

Ms LEE RHIANNON [5.11 p.m.]: I move:

That this bill be now read a second time.

This very timely bill repeals the Game and Feral Animal Control Act 2002. As a result of the passage of this bill the Game Council will be abolished, the restricted game hunting licensing system will be repealed, recreational hunting will be prohibited on Crown land and in State forests and other functions now performed by the Game Council will be handed over to the New South Wales Department of Primary Industries. As we are all aware, Mr Ian Macdonald recently resigned as the Minister for Primary Industries, so it is now time to abolish one of the bodies he oversaw, protected and allowed to operate despite some appalling practices. Since it was established in 2002 the Game Council has acted as both warden and poacher. We have had hunters regulating hunters.

The Hon. Robert Brown: That is as it should be.

Ms LEE RHIANNON: I acknowledge that interjection. As the Greens have done many times in this place, I acknowledge that the control of feral animals needs urgent attention, and the Department of Primary Industries has the necessary expertise to achieve that control. One of the problems is that the Game Council is an unaccountable body. It has no targets, it has not complied with annual reporting obligations and is not subject to independent monitoring. That is despite many attempts to get the council on track. Former Minister Macdonald provided cover for those who established and ran the council—which Shooters Party members believe is their right.

The Government has provided the Game Council with substantial loans despite the fact that we were told repeatedly that it would be self-funded. That money should be spent on employing professional hunters. A professional approach is the key to controlling feral animals. Hunting and shooting is not always the best solution. We need a strategic approach implemented by professionals, but the Game Council has been undermining that. It is time to stop hunting on public land and in State forests, particularly because of the enormous risks to the public.

The Hon. Duncan Gay: How many people have been shot?

Ms LEE RHIANNON: I acknowledge that interjection because I imagine that The Nationals would be quite excited by what is going on. The Game Council came about because of an agreement between the Labor Government and the Shooters Party that eroded The Nationals' territory. The Nationals are probably keen to get a little opening.

The Hon. Duncan Gay: Answer the question. You said people are at risk. No-one has been shot.

Ms LEE RHIANNON: Surely the Deputy Leader of the Opposition heard about the bullet shot into a house in the Illawarra that was attributed to hunting in that area.

The Hon. Robert Brown: It was a drive-by.

Ms LEE RHIANNON: It is interesting how certain the member is about that. Given the interjections, I assume that members will support the continuation of this debate on a future day so that we can hear their point of view.

The Hon. Robert Brown: By all means. Absolutely.

Ms LEE RHIANNON: I acknowledge that interjection. We have heard many wild claims from Game Council supporters about the savings and benefits it produces. However, none of those statements is supported by research. Publicly available research does not come into the council's orbit. Public funds should be directed to effective management of feral animals.

The Hon. Duncan Gay: Like what?

Ms LEE RHIANNON: We need professionals to deal with the problem. I know the Deputy Leader of the Opposition has trouble with that.

The Hon. Duncan Gay: You referred to what should happen. Tell us what should happen.

Ms LEE RHIANNON: I look forward to the Deputy Leader of the Opposition's supporting the progress of this legislation so that we can explore those measures in detail.

The Hon. Duncan Gay: I am asking a question. You are making statements. They are just platitudes; there is no substance.

Ms LEE RHIANNON: I acknowledge the Deputy Leader of the Opposition's interjections. The Game and Feral Animal Control Act 2002 was an ugly piece of legislation. It represented unashamed capitulation to the gun lobby and the Shooters Party. That statement can be made because on 13 December 2001 Mr John Tingle, a former member of this place, stated in a publication entitled "Newsletter from the Office of John Tingle MLC":

This was put together by hunters, for hunters. Hunter organisation numbers effectively will control the Game Council; the chairman must be a hunter; and any money derived will be used to the benefit of hunters.

Fortunately Mr Tingle spelt it out very clearly and it is on the record. As we know, the Carr Government delivered for the Shooters Party and the hunters. That legislation effectively robbed the Coalition of part of its territory. It out-Nationalled The Nationals and captured many of the conservative rural votes, and The Nationals' vote has declined consistently ever since.

The 2002 bill was deceptive, as is the Game Council. It is all about recreational hunting and nothing more. The Game Council would never have seen the light of day if it were judged on its merits. As I said, it is an unaccountable body that puts public safety at risk and sucks millions of dollars out of the public purse. It is also the cause of unacceptable animal suffering and is a setback to the management of feral animals. The Game Council has no targets for feral animal eradication—it simply produces scorecards showing the number of animals killed. There is no independent monitoring of its work, and we know how it determines the number of animals killed.

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In April last year the Environmental Defenders Office made the interesting observation that the council's claims are really about relatively small numbers of animals killed, against which we should weigh up the relatively high cost of killing them. Even if you want to argue that shooting feral animals is the way to go—and it is certainly not the Greens position or that of the Invasive Species Council and those who bring a professional approach to this matter—you have to concede that it is an extraordinary waste of money.

With regard to the Game Council a culture has developed whereby it is running the show albeit with public money. It has released neither a 30-year strategic plan nor a five-year business plan. We heard from former Minister Mr Ian Macdonald that such things are commercial in confidence. How can he make such a claim when we are talking about public money and a supposedly public body? For quite a while annual reports were not published properly. A number of complaints were lodged. There has been some improvement but it still does not meet its full obligations as a publicly funded body. Any review of the Game Council is quite funny because it is stacked by its own members; it is unaccountable, whatever way one looks at it.

In 2009 it became clear that some interesting tendering arrangements were going on, which again highlighted the dubious way in which the Game Council operated. A tender was awarded by the Game Council to a company that the chair of the Game Council had managed for 10 years. I am referring here to Mr Robert Borsak, the director of Design Base before it won the tender to host and design the council's game licensing system. The *Sydney Morning Herald* reported that Mr Borsak left the company two years before the contract was awarded but the director and majority shareholder at the time was Mr Borsak's long-time business associate James Armstrong, with whom he has sat on at least 15 boards. This again highlighted the dubious way in which the business operations of the Game Council were managed.

Let us be clear about this bill. Hunters will be permitted to hunt animals using any method they wish except for poison baiting. That is what the Game Council and the bill that was passed in 2002 set up. We are talking about hunting animals with a club, a knife, a bow and arrows, and firearms. All are allowed. We have heard from Shooters Party members and their strong supporter Mr Macdonald that the provisions of the Prevention of Cruelty to Animals Act will cover any issues related to animal cruelty. What a farce. This was the cover put in place by the Game Council and its backers. Who is present out in the bush to bear witness to any incidents of cruelty that may occur? I remind members that recently a young orphan fawn was found in the Illawarra in an area in which Game Council hunters had been operating. Locals suggested that this was the result of non-professional hunters being used to cull animals in the Illawarra; the orphan fawn was left behind by recreational shooters.

The Hon. Robert Brown: It should not have been touched—

Ms LEE RHIANNON: I note the interjection that the fawn should not have been touched but Mr Brown fails to acknowledge that recreational shooters have responsibilities with regard to the handling of young animals that are found, and clearly those responsibilities were not met. But that is be par for the course for the way hunters operate. We acknowledge that New South Wales has a problem with invasive species, which are threatening biodiversity and in many places damaging our natural environment.

The Game Council is a bankrupt model for controlling feral animals. What the Game Council calls conservation hunting is scientifically unsound and environmentally damaging. Feral animals are a problem but they require

professionally planned control programs, not an ad hoc, unaccountable approach. Casual shooting stimulates breeding. Mr Brown knows that and he knows that many hunters want to hunt animals on the weekend to ensure that stocks are retained. There have been many examples of animals being left alive so that they can breed up.

Conservation hunters are not trained experts; they are recreational shooters. Rarely do they have local knowledge. They are out there shooting feral animals, often within firing distance of homes, workplaces and popular recreation spots. I am surprised by how often the Shooters Party members and The Nationals, who are trying to badge themselves up with this scheme at this late hour, try to deny that, given that these activities can occur in State forests. I am sure many members have seen those pathetic little signs warning people of the possibility of shooting activities in State forests. It is appalling.

The Hon. Robert Brown: How many people have been shot in State forests?

Ms LEE RHIANNON: I acknowledge that interjection. I find it quite troubling. Do you want people to be shot to prove what a failed scheme it is?

The Hon. Robert Brown: No, but it sounds like you do.

Ms LEE RHIANNON: Most definitely not, and that is another reason to remove the Game Council and to stop these activities before there is a tragedy. There have been instances of animal suffering and we do not want to increase those. I shall put on record the concerns of people in country areas about the activities of hunters in their immediate vicinity.

The Game Council itself is a questionable organisation. But we should not be surprised, because it is clear from the words of Mr Tingle that it is all about hunters, and it is there for hunters. It is important to remember what constitutes the Game Council. It is further argument for disbanding this body and for giving support to and passing this bill. Eight members of the Game Council are members of hunting organisations and only one member has an animal welfare background. Robert Borsak, who I understand is a former vice-chairman of the Shooters Party, is paid more than \$340 a day to sit as chairman of the Game Council. Mr Robert Brown, who was also the chair of the Game Council before he came to this place as a member of the Shooters Party member, was instrumental in setting up the body and has a great deal of inside knowledge about how that was achieved.

The Hon. Robert Brown: I do have a great deal of inside knowledge, yes.

The Hon. Roy Smith: What about me? I was also on the Game Council.

Ms LEE RHIANNON: There are some interesting divisions between Mr Smith and Mr Brown when it comes to their funding arrangements for their party, so I am happy to get those interjections on the record. Many concerns have been raised over the years about this body. New South Wales Young Lawyers have raised a number of concerns, in particular the use of hunting dogs. Pig dogging is a most disturbing practice. One must wonder, after hearing about the details of this activity, how it could be associated with the control of feral animals. New South Wales Young Lawyers argue that the use of dogs in hunting should not be permitted. A study commissioned by the United Kingdom Government, the Burns inquiry, found that hunting with dogs causes extreme levels of stress to the hunted animal. It is incredibly cruel method of hunting. The use of dogs in hunting also puts the hunting dog at risk of injury. "Such cruelty to animals should not be condoned", are the final words in that study by New South Wales Young Lawyers.

In pig dog hunting pigs are pursued and caught by dogs and then killed by hunters with knives. The activity is not legal in many States; however, it is legal in New South Wales. Again, this is one of those examples that highlights the fact that the Game Council's activities and the bill that was passed in 2002 have nothing to do with feral animals. It is about a body that can use public money to fund a whole range of hunting activities.

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How can anyone suggest that a pack of dogs pursuing one pig is a successful method of controlling animals that do considerable damage to our natural habitat? I pay tribute to Lynda Stoner, who recently was featured in the *Sydney Morning Herald* after she attended a pig dog workshop one weekend. She made the point that controlling feral animals was not a feature of the workshop.

Feral pigs are a huge environmental threat but pig dogging, which involves enormous animal cruelty and risks causing widespread movement of pigs, is not an effective method of control. Feral animal control should be undertaken in a scientific and controlled manner. What the Game Council considers to be conservation hunting is scientifically unsound and environmentally damaging, and pig dog hunting demonstrates that point. It is worth remembering that pig dogging is illegal in Queensland. Dogs there can only flush out pigs. It is illegal in Western Australia. It is illegal in national forests in South Australia but it is legal on private land. It is legal only in Victoria, Northern Territory and New South Wales. In the twenty-first century it is a backward practice that we should move away from.

The essence of my bill is an issue that highlights why the legislation should be repealed, and that is the serious

mismanagement of the financial arrangements of the Game Council. The Game Council is struggling to stay afloat. It does so only because of the massive injection of public money. The New South Wales Auditor-General, in his last audit of the council's finances, raised significant concerns about the ability of the Game Council to ensure its ongoing financial viability. The Game Council has been propped up by increasing levels of government funding, from \$1.25 million in 2002-03 to a peak of \$3.52 million in 2007-08.

The Treasurer approved \$5 million in New South Wales TCorp loans between 2004-05 and 2006-07, \$2 million of which the Government stepped in to pay off last year. It is an extraordinary situation that the Government is writing off loans to the Game Council, which time and again we have been told would be self-funded. As Mr Brown, Mr Smith and Mr Tingle know, one of the key arguments for the council's establishment was that it would be self-funded and would not cost the taxpayers any money. Mr Brown and Mr Smith will not interject to say that statement is incorrect.

In October 2007 the Cabinet Standing Committee on the Budget approved additional recurrent funding and requested the development of a business plan by 30 June 2008. Former Minister Ian Macdonald came to the rescue and refused to release the 2008 to 2012 business plan for public scrutiny, deeming it commercial in confidence. At the time he said that the business plan was the basis for continued funding and addressed ongoing financial viability. It is farcical for the Minister to say that the business plan is commercial-in-confidence and that he would not make it public and expose the Government to scrutiny because he could not justify it on a financial basis.

At the time I questioned the Minister but he refused to provide a date when the Game Council was expected to be self-funding. The Government would only say that it had developed a number of scenarios regarding the future funding of the Game Council. That shows the loose nature of the Game Council's operations. Most people do not see it as a public body. They regard it as a group of mates doing something they enjoy, working towards different ways of going hunting across parts of this State. The Game Council's poor financial management continues, despite an increase in the number of restricted game hunting licences issued following an advertising blitz in 2008-09 across Sydney and rural areas. Members would have seen these advertisements, placed at great cost to the taxpayers.

Figures obtained by the Greens show that from 2004 to 2009 the New South Wales Game Council spent well over \$1 million of public money in advertising, and that its annual advertising budget has increased more than fivefold since 2004-05. This advertising campaign was intended to encourage more shooters, which would deliver for the Shooters Party. It was about expanding the number of shooters because down the track the Shooters Party gained a financial benefit. In 2004-05 the Game Council obtained a 10-year, \$2 million loan from New South Wales TCorp to finance its operations. At the time the expectation was that council would be self-funded within five years. By 2005-06 the Game Council had already drawn down the entire \$2 million.

In March 2006 former Treasurer Michael Costa, who had only come into the job in February 2006, knew what he had to deliver for the Shooters Party members of Parliament. He approved an additional \$2 million grant to keep the council afloat. In 2006-07 Treasurer Costa agreed that council could seek another TCorp loan that did not exceed \$1 million, with the expectation that the council would be fully self-funded from 2007-08. Everyone was told that the council was about to be self-funded so it was okay for the loans to be approved. Mr Brown and Mr Smith always knew that this was a con, yet they used that as cover to obtain more public money. During 2007-08 the Government had to step in and repay the Game Council's \$2 million outstanding loan from TCorp. That cannot be justified. Those were the financial arrangements of the Game Council.

Throughout this period the Game Council continued to push ahead with its agenda and it had in its sights hunting in State forests and national parks. Hunting in State forests commenced in 2006, which is when our phones started ringing hot because people were understandably very worried about their safety. They had a right to be concerned that hunters were walking through their properties, on many occasions not knowing their whereabouts. I will place on record some comments from a couple of people who have raised concerns. Robert Bignell from Brunkerville stated:

For almost 30 years my home in Brunkerville was surrounded by state forest, a tiny wildlife refuge.

In 2005 our State Government entered into a deal with The Shooters Party that allowed "hunting" up to the boundaries of my property.

On one occasion, I was confronted with armour-plated hunting dogs and their owners drinking from my dam. Signposting had simply been ignored, and an ugly scene ensued.

No-one should have to live with that uncertainty. David and Suzanne Alder also raised their concerns. They had meetings with the Game Council and actually thought they were getting somewhere. They stated:

We had a face to face meeting with the Game Council on our property ... to discuss our concerns over shooting in the State Forest. They showed an interest in our concerns and a willingness to try and address some of those concerns. Action will speak louder than words. We are very concerned that in many of the letters we received we were assured that detailed maps would be issued to hunters highlighting exclusion areas ... the issues of these maps is still six months away ... We also could be given no assurances other than the careful training of the hunters (see our

attachment about lost hunters).

It was a common complaint that hunters trampled through people's property and people were very fearful. A number of people who have left the Game Council have become whistleblowers, and we read some informative articles in last weekend's *Sydney Morning Herald*.

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Comments have also been received from Andrew Glover, a former managing ranger at the Moss Vale Rural Lands Protection Board who has been described as one of the State's most experienced professional feral pest shooters. Andrew Glover said in an interview with a *Sydney Morning Herald* journalist that his big fear is that when popular hunting areas become depleted there will be pressure among the hunting fraternity to restock. That is another of the arguments that show what a farce the Game Council is, and that includes its entire method of operation. I acknowledge that the Game Council may be able to show that large numbers of animals are being shot. But there are no targets, there is no methodology there, and there is no accountability, and certainly a massive degree of animal suffering is occurring.

For so many reasons, the bill should be supported. The bill is a piece of legislation that is necessary because since 2002 the regime operating under the Game Council in New South Wales is just too wasteful of public money, too potentially dangerous to public safety, causes far too much animal suffering, and indeed is a setback to managing feral animals.