



**Regulation Review Committee  
Parliament of New South Wales**

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**Report on  
Regulatory Controls  
Relating to Dingoes**

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**Report No 12/52  
October 2000**

This report was compiled using Microsoft Word 97  
and printed by Parliamentary Printing Services

*Copies of this report have been distributed  
to all legal deposit libraries in Australia*

New South Wales Parliamentary Library cataloguing-in-publication data:

**New South Wales. Parliament. Regulation Review Committee.**

Report on regulatory controls relating to dingoes / Regulation Review Committee, Parliament of New South Wales. [Sydney, N.S.W.] :The Committee, 2000. – 36 p. : ports. ; 30 cm. (Report no. 12/52, October 2000)

Chair: Peter Nagle.

ISBN 0 7310 2277 7

1. Dingo—New South Wales—Control—Law and legislation.
- I. Title
- II. Nagle, Peter.
- III. Series: New South Wales. Parliament. Regulation Review Committee. Report ; 52/12

344.944046 (DDC21)

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2. Letter dated 7 April 2000 from Dr Chris Dickman, Chairperson, NSW Scientific Committee
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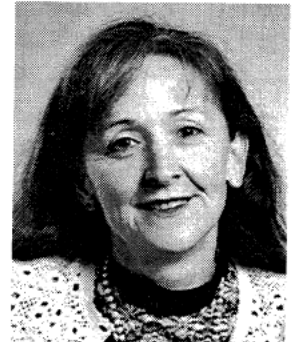
# Regulation Review Committee Members

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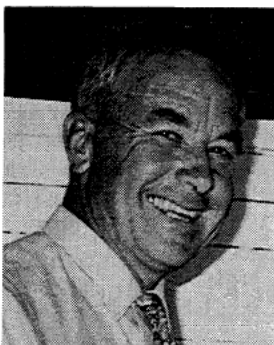
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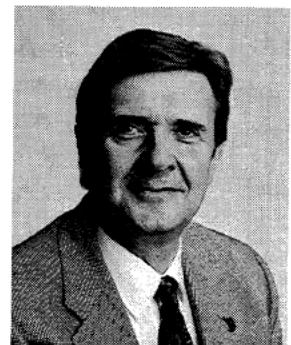
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## Functions of Regulation Review Committee

The Regulation Review Committee was established under the *Regulation Review Act 1987*. A principal function of the Committee is to consider all regulations while they are subject to disallowance by Parliament. In examining a regulation the Committee is required to consider whether the special attention of Parliament should be drawn to it on any ground, including any of the following:

- (a) that the regulation trespasses unduly on personal rights and liberties;
- (b) that the regulation may have an adverse impact on the business community;
- (c) that the regulation may not have been within the general objects of the legislation under which it was made;
- (d) that the regulation may not accord with the spirit of the legislation under which it was made, even though it may have been legally made;
- (e) that the objective of the regulation could have been achieved by alternative and more effective means;
- (f) that the regulation duplicates, overlaps or conflicts with any other regulation or Act;
- (g) that the form or intention of the regulation calls for elucidation; or that any of the requirements of sections 4, 5 and 6 of the *Subordinate Legislation Act 1989*, or of the Guidelines and requirements in Schedules 1 and 2 to that Act, appear not to have been complied with, to the extent that they were applicable in relation to the regulation.

The Committee may, as a consequence of its examination of a regulation, make such reports and recommendations to each House of Parliament as it thinks desirable, including reports setting out its opinion that a regulation ought to be disallowed.

A further function of the Committee is to report from time to time to both Houses of Parliament on the program for the staged repeal of regulations under the *Subordinate Legislation Act 1989*. Under this legislation all regulations currently in force in NSW are being re-examined, on cost benefit and cost effectiveness principles, starting on a chronological basis with the oldest of the regulations.

The staged repeal process involves the automatic repeal of existing regulations (except where exempt) made before 1 September 1990 in a staggered process commencing on 1 September 1991. Regulations made after 1 September 1990 are automatically repealed (unless their repeal is postponed) five years after they are made. The Companion Animals Regulation 1999 was made in connection with that process.

## Chairman's Foreword

This report examines and makes recommendations relating to regulatory controls affecting the keeping and conservation of the Australian dingo. These issues came before the Committee as a result of the concerns of the Australian Dingo Conservation Association that dingoes were inappropriately classified as companion animals under the *Companion Animals Act 1998* and were in urgent need of conservation.

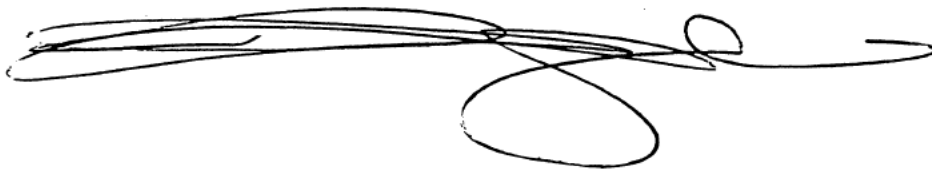
My Committee had the benefit of expert evidence from that Association and from senior officers of NSW Agriculture, the National Parks and Wildlife Service, State Forests of NSW, the Department of Local Government, the Wild Dog Destruction Board, the Australian Native Dog Conservation Society Ltd and the Wildlife Information and Rescue Service. The inquiry was a good example of the merits of greater public involvement in the regulatory process.

The inquiry discloses that there is a need for the Companion Animals Advisory Board to examine and report to Parliament, through the Minister, on whether changes should be made to the regulatory controls currently applying to Australian dingoes so as to respect their special characteristics.

The Association's concerns about the conservation of the dingo are also justified. My Committee, on the evidence presented to it, accepts that there is a strong public expectation that positive, professionally-sourced strategies should be taken by Government and the Australian community to save from further hybridisation the fast diminishing gene pool of the pure Australian dingo.

There is, unfortunately, no national approach on this issue. There is in NSW a proposal being developed on a whole-of-Government approach to balance the joint objectives of reducing wild dog predation on stock while at the same time meeting the community interest in conserving the purity of existing dingo populations.

My Committee's report examines this regulatory initiative and makes recommendations to address the significant shortcomings of it.



**Peter R. Nagle MP**  
**Chairman**

## **1. OBJECTIVE OF REPORT**

The objective of this report is to examine a number of public concerns raised with the Regulation Review Committee relating to the existing regulatory scheme affecting the Australian Dingo.

## **2. BRIEFING OF THE REGULATION REVIEW COMMITTEE, 28 OCTOBER, 1999 AT PARLIAMENT HOUSE SYDNEY**

On 29 July 1999 Mr Barry Oakman, President of the Australian Dingo Conservation Association, wrote to the Regulation Review Committee, seeking to brief it on what he perceived to be problems with the regulatory scheme under the *Companion Animals Act 1998* as it affects dingoes.

Consideration was given to his request at a meeting of the Committee held on 9 September 1999 when it was resolved to agree to a briefing and to also invite officials to attend from the Departments of Agriculture and Local Government, National Parks and Wildlife Service, State Forests of NSW and other relevant associations and interest groups.

Attendees at Committee briefing held at Parliament House on Thursday 28 October 1999:

Mr Barry Oakman  
President, Australian Dingo Conservation Association

Ms Ros Riordan  
Policy Officer, from the Office of Minister for Agriculture

Mr Eric Davis  
Program Leader, Vertebrate Pest Control  
NSW Agriculture

Mr Graham Wilson  
Manager, Threatened Species Unit  
National Parks and Wildlife Service

Mr Paul Meek  
Regional Ecologist, State Forests of NSW

Dr Rebecca Larkin  
Executive Officer, Companion Animals Advisory Board  
Department of Local Government

Ms Myra Craig  
Manager, Policy and Research Branch  
Department of Local Government

Dr David Steward  
Manager, Australian Native Dog Conservation Society Limited

Ms Sheridan Thomas  
Administrator, Wildlife Information and Rescue Service

Mr Keith Allison  
Member, Wild Dog Destruction Board.



### 3. CONCERNS RAISED BY THE AUSTRALIAN DINGO CONSERVATION ASSOCIATION

Mr Oakman argued that changes should be made to the *Companion Animals Regulation 1999* to introduce greater control on the ownership of dingoes. He said that the removal of dingoes from their pest classification under the former *Rural Lands Protection Act* was beneficial but that it had now been inappropriately placed at the other end of the spectrum in the companion animals class. He said the dingo is a wild animal in urgent need of conservation and that his Association favoured a permit system along the lines of that established in some other Australian States and the ACT.

**Mr Oakman:** *In the ACT the animal there is kept under a permit system but you still have to comply with the Dog Act as it currently stands. There is a cost on the permit, you have to have certain sized dwellings, certain types of lockup enclosures, and so on and each year you have to put in a register of the breeding that was done, you have to get permission to breed, you just can't do it willy nilly and you have to have permission to bring an animal into the ACT and take it out on a permit system. I lived in the ACT, I now live in NSW. For me to take an animal to the vet I am issued through the ACT a yearly permit to take my dog in and out, an export and an import licence. So it is completely under the native fauna in the ACT.*

*In regards to Victoria the system is one of a pest animal, even though they call it a dingo permit. Down there you have to comply with housing and so on and at the same time also comply with the Dog Act so there is not a great difference between what used to be here with the old system of the Minister issuing the permit if the person complied with the requirements of appropriate housing and so forth. The Victorian system is working very well and as I said earlier in my opening talk I believe that the regulations they have in Victoria would work well here even though it could come under the Companion Animals Act the dingo would be a separate identity. It has got to be treated quite differently to a dog.*

To consider these issues it is necessary to examine the *Companion Animals Act* and regulations and the provisions of the *Rural Lands Protection Act 1998*.

#### **4. COMPANION ANIMALS ACT 1998 , COMPANION ANIMALS REGULATION 1999, RURAL LANDS PROTECTION ACT 1998**

The *Companion Animals Act 1998* provides for the identification and registration of companion animals and for the duties and responsibilities of their owners.

Under this Act companion animal means a dog, a cat and any animal that is prescribed by the regulations as a companion animal. Dog is defined as an animal of either sex, or desexed, of the species *Canis familiaris*, whether or not domesticated. A dingo falls within this species and accordingly a dingo is a companion animal and its owner is subject to the provisions of this Act.

At the Committee briefing Ms Rebecca Larkin, Executive Officer, Companion Animals Advisory Board, Department of Local Government, said that the *Companion Animals Act* was not intended to address the issue of dingoes specifically kept as companion animals. She said:

*The Companion Animals Act definition did not change significantly from the definition under the old Dog Act and when the Companion Animals Act was made the Rural Lands Protection Act hadn't been reviewed so people who kept dingoes still came under that system and so the Companion Animals Act wasn't intended to address the issue of dingoes specifically kept as companion animals.*

Ms Larkin was then asked by the Committee whether dingoes were previously subject to the Dog Act:

**Ms Larkin:** *Yes, they were. Dogs that were kept under the permit system under the Rural Lands Protection Act for example, had to comply with the Dog Act the same as any other dog.*

**Committee Member:** *Well, what is the difference now? If it was exactly the same under the old Dog Act, why are we on about it now?*

**Ms Larkin:** *I think there is no change under the Companion Animals Act, I think the change has come with the changes to the Rural Lands Protection Act and the fact that dingo owners no longer have to have a permit from the Minister of Agriculture.*

The change Ms Larkin is referring to is brought about by the provisions of the *Rural Lands Protection Act 1998*, which repeals the *Rural Lands Protection Act 1989*. The 1998 Act has not yet been proclaimed to commence.

Part 11 of the *Rural Lands Protection Act 1998* provides for the control on public and private land in New South Wales of animals, birds, insects and other members of the animal kingdom that are pests. Under that Part the Minister for Agriculture can make pest control orders declaring any member of the animal kingdom to be a pest on controlled land, that is, the land to which the particular order is stated to apply. That order can impose a variety of requirements on the owner or occupier of land to which the order applies. This includes the obligation to eradicate the pest by lawful means or it can confer on an authorised officer or rural lands protection board the right to do so.

The Minister, in his second reading speech on this legislation<sup>1</sup>, said that the pest control provisions will relate to the dingo only if it is living in the wild and that dingoes that are domestic pets would be subject to the *Companion Animals Act 1998*, as are other dogs.

In the case of the dingo we have therefore moved from a situation where the dingo could only be kept as a pet, subject to the Dog Act and to a permit under the Rural Lands Protection Act 1989, to the position where the keeping of a dingo as a domestic pet is principally governed by the *Companion Animals Act, 1998*.

The evidence presented by Mr Oakman to the Committee in the course of the briefing raises the issue of the suitability of what might be called standard companion animal regulatory controls in their application to dingoes. Mr Oakman, on behalf of the Australian Dingo Conservation Association, recounted from his extensive experience in the keeping of dingoes several characteristics which he claims make them unsuitable to be kept as pets under the existing controls of the *Companion Animals Act*.

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<sup>1</sup> Rural Lands Protection Bill, Second Reading, 14/10/98

These are:

- the wild nature of the dingo is diametrically opposed to captivity in suburban backyards and to domesticity and it cannot be lumped together in the same management category as the domestic dog;
- during the yearly breeding cycle from March to July dingoes can become very aggressive and vocal;
- dingoes are very territorial;
- a lack of understanding of the special traits of dingoes in many cases leads to their abuse;
- allowing dingoes to be kept as pets with no special restrictions, such as a permit system, will exacerbate hybridisation in captive populations.<sup>2</sup>

The Bureau of Rural Sciences <sup>3</sup> is also critical of the trend of people acquiring dingoes as pets:

*There is now a trend for people to acquire (often illegally) dingo pups as pets. The pups may be easily handled, but adults are usually not good pets, simply because they are wild animals that have not been selectively bred for the behavioural characteristics that make a good 'pet' (RSPCA 1997). A 'pet' dingo is likely to use its owner's home as a base from which to roam and do as it pleases, or else it is abandoned when it becomes an adult.*

*The upshot of this 'pet' trend is that dingo-domestic dog contact is increased; because pet dingoes have grown up in the urban situation without those social behaviours that curb crossbreeding with domestic dogs, they are more likely to crossbreed with domestic dogs than wild bred dingoes. Many such hybrids are rejected by owners or stray to the bush where they may infiltrate wild dingo society and breed with pure dingoes. This process occurs more frequently in semi-rural areas outlying large urban centres. If dingo societies promote and sell hybrids as pure dingoes, the rate of hybridisation will increase (Section 2.9).*

The Bureau goes on to say, at page 76, that to prevent hybridisation, people who wish to keep pure dingoes or hybrids as pets should require permits and these animals should be neutered.

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<sup>2</sup> In a letter dated 29 July 2000 Mr Oakman supplied to the Committee details of incidents over the preceding 12 months involving stray or abandoned dingoes (Appendix 3)

<sup>3</sup> Fleming, P., Corbett, L., Harden, B. and Thomson, P. (in press) Managing the Impacts of Dingoes and Other Wild Dogs. Bureau of Rural Sciences (Department of Agriculture, Fisheries and Forestry - Australia), Canberra August 2000 page 39

RSPCA Australia states that dingoes should not be made available for ownership by the general public. The 1997 position paper by RSPCA Australia states:

*RSPCA Australia recognises that there is considerable division within the Australian community about the status of the dingo.*

*On the one hand, grazier concern about dingo predation of livestock, especially sheep, is largely responsible for its general status as a noxious animal.*

*On the other hand, the dingo has an emotional appeal for many Australians who regard it as a native animal with a rightful place in the Australian environment.*

*RSPCA Australia would encourage research into the behaviour of the dingo in relation to livestock, as the impact of the dingo has never been quantified nor the effect of farm dogs roaming assessed.*

*RSPCA Australia believes that the dingo has intrinsic cultural significance and that its genetic material should be preserved.*

*The perceived need to alleviate problems allegedly caused by dingoes in rural areas must be balanced against the need for preservation of the dingo.*

*RSPCA Australia supports stringent controls over the holding and breeding of dingoes. Only licensed zoos and fauna parks, or those individuals who meet strict guidelines for responsible care, should be permitted by government agencies to own or breed them.*

*Captive dingoes not required for breeding must be desexed.*

*Dingoes differ from domestic dogs in their social behaviour and are not normally suitable as pets. They should not be registered as a dog breed for show purposes nor made available for ownership by the general public.*

*The RSPCA accepts that control of wild dingoes may be required. Control methods must be humane.*

*In the future non-invasive methods such as hormonal controls may be practical. In the meantime shooting is the preferred method. A less suitable option may involve the use of the treadle snare trap, provided that such traps are checked daily.*

*Baiting with 1080 is unacceptable as is the use of other poisons.<sup>4</sup>*

Ms Larkin, in her evidence, agreed that:

*People keeping dingoes in their backyard would be irresponsible pet ownership.*

Mr Graham Wilson, Manager, Threatened Species Unit, National Parks and Wildlife Service, also commented on the keeping of dingoes as pets. He said:

*The Service would not fundamentally disagree that they are not, as a wild animal, particularly suitable to be kept as domestic dogs.*

The Committee notes that the regulation-making power in section 96 of the *Companion Animals Act* authorises the making of specific provision for particular classes of companion animals and to exempt classes from the provisions of the Act.

One of the functions of the Companion Animals Advisory Board is to provide advice and recommendations to the Minister on the effective management of the *Companion Animals Act*. In the course of the briefing Ms Larkin agreed with the view of the Chairman of the Regulation Review Committee that the adequacy of the existing regulatory controls in relation to the keeping of dingoes as domestic pets would be an appropriate issue for examination by the Companion Animals Advisory Board with a view to recommendations to the Minister and the tabling of a report in Parliament:

**Mr Nagle:** *The Companion Animals Act sets up a Companion Animals Advisory Board. One of the functions of this Board is to provide advice and recommendations to the Minister on the effective management of the Companion Animals Act. It seems to me that the issue we are discussing would be appropriate for formal examination by the Board and perhaps a report and recommendations to the Minister could be tabled in Parliament. What is your view on that?*

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<sup>4</sup> RSPCA Australia – Dingoes: Position Paper (<http://www.rspca.org.au/policies/dingo.html>)

**Ms Larkin:** *Well yes, I think the Companion Animals Advisory Board has membership on it whereby there could be some very useful debate and resolutions on that issue. However I think the membership is definitely not representative of all the areas to do with dingoes and dingo control. I think if they were asked to consider that issue by the Minister they would have to set up a subcommittee, and second people, and that would certainly work very well.*

Although there are difficulties associated with currently defining what a dingo is it may be practicable to develop a working definition for the purposes of the *Companion Animals Act* and regulations. In discussions with Mr Laurie Corbett, co-author of *Managing the Impacts of Wild Dogs and Dingoes*, he advised the Committee Secretariat that a set of guidelines, based on a phenotypic definition or checklist, could be developed for use by an inspectorate to distinguish dingoes from other dogs.

The Regulation Review Committee recommends to the Minister for Local Government that the Companion Animals Advisory Board should be asked to examine the issue of the appropriateness of keeping dingoes (including dingo hybrids) as companion animals and whether modifications should be made to the regulations to either exclude those animals or to make particular provision for them. The examination should take in a review of the regulatory controls on the keeping of dingoes operating elsewhere in Australia. The findings and recommendations of the Advisory Board should be included in a report and tabled in Parliament.

## 5. CONSERVATION OF THE DINGO

At the briefing Mr Graham Wilson, Manager Threatened Species Unit, National Parks and Wildlife Service, said that the public have the expectation of the dingo being saved and that conservation of the dingo involved two issues:

*One is the hybridisation issue. There is gradual genetic dilution of dingoes as the species that was here when Europeans came to Australia. The second issue is, how do you manage a top order predator in an environment where they clearly interact with a lot of other issues such as predation of livestock. So we see them as a top order predator, an important part of wild ecosystems, because they certainly do keep other lower order predators under control.*

*There is reasonably good anecdotal evidence that they suppress fox numbers in areas where there are good dingo populations and contribute to some extent to controlling other pest species such as rabbits and also control some of the wild life, the kangaroos, and whatever, to stop their numbers becoming overabundant. So we see them as a necessary part of wild ecosystems. As Eric said, it is really having a top order canine, it does not have to be exactly the dingo that was there 200 years ago. But to have that function in the ecosystem we see as important.*

Mr Graham Wilson said that the view of the National Parks and Wildlife Service was that if specific populations of dingoes in large areas were identified, NPWS would not object to those endangered populations being listed. However, he said NPWS would not favour listing of the dingo as an endangered species across the whole of New South Wales.

**Mr Graham Wilson:** *We would not favour the listing as a species across the whole of New South Wales because there would be serious legislative conflict with the Rural Lands Protection Act if that occurred. That is not a decision for the Service, that is a decision for the Scientific Committee. Regardless of whether or not dingoes are ever listed, they are a native species. We try to manage them as a top order predator on a landscape scale, and the approach to date has been to develop a wild dog policy with the Service, with rural stakeholders and other agencies that basically says that in large conservation reserves we will seek to maintain dingoes but at the perimeters of those areas where there is evidence of livestock predation we will undertake control.*



*So on the one hand we try to manage livestock predation to acceptable levels but on the other hand preserve dingoes in large land areas. I don't see that changing, regardless of any future listing. That is the practical solution.*

*In areas where there are sheep, dingoes are basically incompatible with sheep. They kill large numbers of sheep. In cattle areas I guess there is some greater degree of tolerance but still some potential for problems. So you need, for instance, on the boundaries of Kosciusko National Park and the Monaro where there are lots and lots of sheep, there is a major problem with dingo predation. You need to be able to manage that boundary interface - or you can't have a sheep industry adjoining that area. So I see that as the only pragmatic solution that we can continue to operate on as a conservation, predator management issue. I don't see that as at all incompatible with the hybridisation issue because the threat of hybridisation is cross-breeding between domestic dogs which are really at the interfaces of those areas with the dingoes in those large areas. In removing dogs from those boundary areas you are reducing the likelihood of hybridisation.*

In March 2000 the NSW National Parks and Wildlife Service joined with State Forests of NSW, the Department of Land and Water Conservation and Sydney Catchment Authority in making a submission (Appendix No. 1) regarding public lands to be covered by the animal provisions of the *Rural Lands Protection Act 1998*.

In his evidence Mr Wilson went on to outline the operation of the proposal contained in the joint submission as follows:

*We accept that under the proposed new pest control orders for the new Rural Lands Protection Act there is the proposal which Eric alluded to, to have two orders, one for conservation reserves where there are large areas and significant dingo populations and the other for the rest of the landscape. So in the one situation all wild dogs, dingoes or otherwise, be controlled and removed, in the second situation where there are a series of large blocks of land - I guess one main area in the south of the State, the Kosciusko area extending up to the back of Canberra, the Brindabella ranges, that big range country there, a second area behind Sydney which is essentially the Blue Mountains National Park, Wollemi National Park, and other National Parks in that area and the third area in the north-east of the State from the New England Tableland back up towards the Queensland border where there are large existing areas that are more or less continuous and there are fairly large wild dog populations in those areas.*

*I guess we see those as three core areas where we will be seeking to have a second pest control order. The exact boundaries are something that have to be nipped out, but that is the principal of it. Those three large areas where basically there will be management at the peripheries to control predator impacts but also trying to conserve the wild dog population in those areas and that will be done through a plan of management process. If the species is listed in some of those areas as an endangered population you have to produce a recovery plan and that would basically just flow on from whatever plan of management we would look to currently develop now.*

Further details on the proposal contained in this submission were outlined in the written information on Pest Control Orders for wild dogs presented to the Rural Lands Protection Board Annual Conference on 22 June 2000. Those notes contain a resumé by NSW Agriculture of the possible approaches to Pest Control Orders for wild dogs under the *Rural Lands Protection Act 1998*. They read:

### **WHAT ARE THE POSSIBLE APPROACHES TO PEST CONTROL ORDERS FOR WILD DOGS?**

#### **1. Wild dog control order that covers all private and public land in New South Wales:**

##### **Consequences**

- *Public land managers would still only be required to control wild dogs “to the extent necessary to minimise the risk of damage to all land”.*
- *The Scientific Committee of the TSC Act would almost certainly list dingoes as a threatened species.*
- *The restrictions imposed by the EP&A Act would still apply to wild dog control on public land.*

#### **2. Wild dog control order that only covers private land:**

##### **Consequences**

- *Public land managers would have no legal obligation to control wild dogs.*
- *This would continue the status quo.*

**3. Wild dog control order/s covering all private and public land in NSW AND making wild dog control on public land that is important dingo habitat, subject to a Control/Management Plan (agreed by all stakeholders) that takes account of both agricultural protection and conservation objectives:**

### **Consequences**

- *Public land managers would be required to control wild dogs “to the extent necessary to minimise the risk of damage to all land” **BUT***
- *Plans would also take account of conservation objectives.*
- *The Scientific Committee of the TSC Act would almost certainly NOT list dingoes as a threatened species.*
- *The Scientific Committee of the TSC Act may still list dingoes as endangered populations in some areas (does not specifically prevent wild dog control orders).*
- *Control/Management plan cannot change the obligation in the Act, only specify the control methods, control areas, who is responsible, funding and co-ordination.*
- *The restrictions imposed by the EP&A Act would still apply to wild dog control on public land and funding to overcome the restrictions would still be the main constraint.*
- *Would force public land managers to give equal consideration to preventing wild dog impacts.*

The proposed arrangements relating to Pest Control Orders are being developed as far as possible on a whole of government approach because of the complexities brought about by the overlapping provisions of several NSW Acts. It is however anomalous that the main NSW initiative to conserve the purity of existing dingo populations is being taken under an Act that will classify them, statewide, as a pest requiring eradication.

The conservation benefits under the Pest Control Order proposals are intended to arise from the brake that the pest control activity will place on hybridisation along the boundaries of the areas thought to contain significant dingo populations.

In his evidence Mr Paul Meek, Regional Ecologist State Forests NSW, said that if you have a good boundary perimeter program you can probably slow down the dilution to an extent that allows you to keep the majority of the dingo gene pool intact<sup>5</sup>. Discussions between Committee staff and staff of NSW Agriculture and NPWS reveal that pest control would be warranted only at “hot spots” along the peripheries of the selected areas. This means that the pest control orders may not create a significant check on hybridisation, even allowing for any additional programs that might be initiated by NPWS to control feral or domestic dogs.

A further matter of concern to the Committee is the proposal to declare the dingo a pest throughout the whole of New South Wales. Although this would simplify problems of description in making pest control orders it is a proposal that appears to be based more on departmental convenience than on a demonstrated need for a pest control order operative over the whole of the State. Local Councils already have extensive regulatory controls of this type. The existence of such an order would also make it difficult to convincingly argue that the dingo, at the same time, required conservation.

The Committee recognises that under the proposals a second order is meant to qualify the operation of the first order but even in this respect NSW Agriculture concedes that its legislation currently contains no clear provision to authorise management plans and, further, that those management plans could not in any case override the specific nature of pest control orders which are to compel eradication of the particular pest.

The proposals being developed under the *Rural Lands Protection Act 1998* are a useful effort to meet the community interest in reducing wild dog predation on stock while at the same time seeking to advance conservation of the remaining dingo population in New South Wales. It is, however, clear that these proposals, alone, and in their present form, may not be adequate to meet conservation expectations. The proposals currently lack supporting scientific data and adequate justification by way of cost benefit assessment.

On 27 March 2000 the Regulation Review Committee wrote to Dr Chris Dickman, Chairperson of the NSW Scientific Committee to determine what action might have been taken under the *Threatened Species Conservation Act* in regard to the conservation of the dingo.

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<sup>5</sup> Transcript, 28 October 1999 (Appendix 4) p. 17

The Committee requested details of the current status of any application for the inclusion of the dingo in Schedules 1 or 2 of the *Threatened Species Conservation Act*. Schedule 1 relates to endangered species, populations and ecological communities of plants and animals. Schedule 2 relates to vulnerable species of plants and animals.

This information was provided by letter (Annexure 2 to this Report) to the Regulation Review Committee on 7 April 2000. Part of that letter reads:

*... The Scientific Committee, established by the Threatened Species Conservation Act, has received a nomination to list the Dingo in the Schedules of the Act.*

*On reviewing the nomination the Committee decided that further information was needed in order to assist the Committee with the assessment of the status of the Dingo. The nominator agreed to temporarily withdraw the nomination and consideration of the nomination has been deferred by the Committee until adequate information is obtained.*

The further information sought relates to:

- *The genetic integrity of the Dingo in NSW*
- *The function of the Dingo and Wild Dog in Natural Ecosystems*
- *The size of the remaining Dingo populations in NSW.*

On 31 July 2000 the Chairman of the Regulation Review Committee wrote to the NSW Scientific Committee asking whether it had any current or prospective program to gather this information and the level of funding to support it.

On 18 August 2000 the Scientific Committee wrote to the Regulation Review Committee as follows:

*Dear Mr Nagle,*

*I refer to your letter of 31<sup>st</sup> July regarding the nomination to list the Dingo in the Schedules of the Threatened Species Conservation Act.*

*As outlined in the Committee's previous letter, the Dingo Forum identified a number of issues which require further investigation. Of those mentioned, the Committee, to date, has given priority to obtaining information on the genetic integrity of the dingo in NSW. In conjunction with the National Parks and Wildlife Service, a grant application with the Australian Research Council for funding for a Dingo DNA Research Project was submitted.*

*Unfortunately, the Committee has recently heard that the application was unsuccessful. The Committee and the Service will be reviewing the project to determine whether part of the work can be advanced as a joint NPWS/Scientific Committee project. Part of this review will be to determine the resources currently available for the project as well as considering future funding options.*

*Yours sincerely*

*Associate Professor Paul Adam*

*Deputy Chairperson, Scientific Committee.*

No significant funding is therefore currently available for gathering the information that the Scientific Committee would need to effectively consider any application to determine whether circumstances justified listing the dingo in Schedule 1 or 2 of the *Threatened Species Conservation Act, 1995*.

A further major difficulty is that there is no national approach to the conservation of the Australian dingo. This situation means that in New South Wales, conservation of the Australian dingo will depend significantly on the effectiveness of the program being developed under the *Rural Lands Protection Act 1998*. These circumstances make it essential that a professional cost benefit evaluation is carried out of that program prior to its implementation to determine whether it sufficiently protects the public conservation values relating to the Australian dingo.

The publication by the Bureau of Rural Sciences <sup>6</sup> shows the type of work that has to be done:

### **7.2.3 Conservation**

*The presence of dingoes has unpriced value (Sinden and Worrell 1979). Various techniques can be used to estimate a monetary value for unpriced values. These monetary equivalents have not been calculated for dingo conservation, but, where the control of dingoes and other wild dogs in areas of the interface of government and grazing lands is deemed necessary, the intrinsic (Sinden and Worrell 1979) and contingent values (Wilks 1990) of dingoes should be included in the cost-benefit analysis.*

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<sup>6</sup> Fleming, P., Corbett, L., Harden, B. and Thomson, P. (in press) Managing the Impacts of Dingoes and Other Wild Dogs. Bureau of Rural Sciences (Department of Agriculture, Fisheries and Forestry - Australia), Canberra August 2000 page 108

*Before economic frameworks can be used to assist meeting conservation goals, the value the community places on the conservation of the dingo, and other native species vulnerable to predation by dingoes, will have to be estimated. This would require research. The cost and effectiveness of implementing wild dog control techniques to protect conservation values also needs to be assessed so that the most cost-effective management strategies for meeting community conservation values can be determined. This would only be the case if scientific data verified that controlling wild dogs actually protected conservation values, and that the costs of such control equated with the contingent conservation benefits.*

The Bureau states that a national decision must be scientifically made on what genotype and or phenotype constitutes a pure dingo. The Bureau warns of the consequences of not having in place a policy on this matter:

*Policy decisions and management strategies for conservation of dingoes depend on the ability to differentiate between subspecies of wild dogs. Without a method of differentiating that can be applied to live animals, conservation strategies are impossible to implement. A national policy on the genotype required for genetic purity will enable conservation to advance; without such a policy, dingo conservation is a lost cause (p.141).*

## **6. RECOMMENDATIONS**

- 1. The Committee recommends to the Minister for Local Government that the Companion Animals Advisory Board should be asked to examine the issue of the appropriateness of keeping dingoes (including dingo hybrids) as companion animals and whether modifications should be made to the regulations to either exclude those animals or to make particular provision for them. The examination should take in a review of the regulatory controls on the keeping of dingoes operating elsewhere in Australia. The findings and recommendations of the Advisory Board should be included in a report and tabled in Parliament.**
- 2. That the Minister for the Environment examine whether his administration should have a more central role in determining what measures are necessary for the conservation of the Australian dingo, particularly by greater participation in the arrangements being developed under the *Rural Lands Protection Act*.**
- 3. That a study should be carried out of the costs and benefits of the pest control order proposals to determine whether they adequately meet conservation values.**
- 4. That the merits of initiating a national approach to the conservation of the Australian dingo should be examined.**
- 5. That a study be carried out of the funding needed to support an adequate program to conserve the Australian dingo.**
- 6. The Committee recommends to the Minister for the Environment and the Minister for Agriculture that a report on the results of their deliberations on these issues be tabled in Parliament in due course.**



## APPENDIX 1

Joint Submission by the National Parks and Wildlife Service, State Forests of New South Wales, the Department of Land and Water Conservation and Sydney Catchment Authority regarding lands to be covered by the animal provisions of the *Rural Lands Protection Act, 1998* Note: The areas shown in Figures 1 to 9 have not been included in this Report because the colours could not be reproduced.

***RURAL LANDS PROTECTION ACT 1998***  
**WILD DOG CONTROL**

Submission regarding public lands to be covered by the pest  
animal provisions of the *Rural Lands Protection Act 1998*

Prepared by

NSW National Parks and Wildlife Service  
State Forests of NSW  
Department of Land and Water Conservation  
and  
Sydney Catchment Authority

March 2000

## INTRODUCTION

Wild dogs, including dingoes, cause substantial losses and disruption to livestock enterprises and there is an expectation by rural communities that their impacts be minimised. Recent amendments to the *Rural Lands Protection Act 1989* include the binding of the Crown (s.146) for the control of pest animals declared under the Act. Wild dogs, including dingoes, will be declared a pest animal throughout NSW.

The *Rural Lands Protection Act 1998* (the *RLP Act*) does not allow protected fauna, or threatened species, becoming pest animals [s.143(5)]. Dingoes are unprotected under Schedule 11 of the *National Parks and Wildlife Act 1974*. However, dingoes are a native animal and as shown by the strong support at the Dingo Symposium held in Sydney in May 1999, there is a public expectation that they should be conserved in New South Wales. The Scientific Committee (responsible for listings under the *Threatened Species Conservation Act 1995*) has deferred a recent application to list dingoes as a threatened species pending further research into techniques to determine the genetic purity and distribution of dingoes, and an examination of the impact of current wild dog management practices employed by the NSW National Parks and Wildlife Service (NPWS) and other public land managers.

The management of dingoes at the interface of public lands and grazing properties will therefore continue to be a contentious issue because of the need to balance the conflicting objectives of protecting dingoes and meeting the obligations of public land managers under the *RLP Act*.

Under the provisions of the *RLP Act*, Pest Animal Control Orders can be written to specify which vertebrate pests will be declared pest animals, either on a statewide, or local, basis. The Minister for Agriculture may specify where animals will be declared pests and the conditions or factors that will apply in a Control Order. NSW Agriculture and public land management agencies have been working together to develop a Wild Dog Control Order(s) that avoids creating conflict between the *RLP Act* and the *TSC Act*. To this end a series of regional meetings have been held involving public land managers (NPWS, State Forests of NSW, Department of Land and Water Conservation and the Sydney Catchment Authority) with the aim of identifying public lands that are considered to be significant habitat for dingoes. The aim being to identify areas for which there will be dual objectives of complying with the requirements of the *RLP Act* (controlling wild dogs to the extent necessary to minimise attacks on livestock: s.156) while at the same time conserving dingoes. It is intended that these areas be covered by a second wild dog control order where local management plans will cover both of these objectives.

Dingo conservation is most feasible on large reserves where further hybridisation can be minimised (less chance of contact with domestic dogs and pig-hunting dogs than in smaller, or dissected reserves). In larger areas there is also less likelihood of animals moving out of the core of the area to attack livestock. In a few cases, smaller areas have been included because they are considered to be high quality dingo habitat and there are no livestock enterprises nearby [e.g. Limeburners Creek Nature Reserve near Port Macquarie (Fig. 5f)].

Dingoes and their hybrids, as top order predators, may also have an important ecosystem function, such as predation of native macropods (and hence their impact on native vegetation) and minimising fox numbers (and therefore predation of small to medium sized mammals). The importance of this function in maintaining natural ecosystems is often overlooked.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

The NPWS manages over 5 million ha in 495 reserves. These areas have been reserved to protect a wide variety of native animals (and plants). Similarly, SFNSW manages 2.9 m ha for multiple uses including timber production and biodiversity conservation. These agencies have a duty to ensure their wild dog control programs are environmentally sound and have minimal effects on non-target species.

As part of the Integrated Forestry Operations Approval in Regional Forest Agreements, SFNSW is required to obtain a Threatened Species Licence. This licence requires SFNSW to develop local area Predator Control Plans which aim to control pests (predators) with minimum non-target impacts.

All wild dog control programs proposed on NPWS lands require an appropriate level of assessment of their environmental impacts. If an initial analysis indicates environmental impacts are possible, an assessment report in the form of a Review of Environmental Factors is required. If the impacts are considered to be significant the preparation of a more extensive assessment report, either an Environmental Impact Statement, or a Species Impact Statement, is required.

When private landholders are undertaking wild dog control as part of their routine agricultural activities they are exempt from the licensing provisions of the *Threatened Species Conservation Act 1995*. Reliance on this provision will provide exemption from prosecution for harming threatened species. NSW Agriculture has been issued a s.120 licence under the *National Parks and Wildlife Act 1974* to cover landholders against unintended harm to protected (non-threatened) species which may occur when they are controlling wild dogs. Irrespective of land tenure, all landholders have an obligation to use best practice techniques to minimise non-target impacts.

## **PUBLIC LANDS TO BE COVERED BY THE SECOND WILD DOG CONTROL ORDER**

The following is a list of reserves/forests managed by NPWS, SFNSW, DLWC and the SCA, which are considered to be important for the survival of dingoes. Inclusion on this list does not mean that previous wild dog/dingo control programs cannot continue. Rather, it means that a management strategy needs to be developed which considers both the requirement to conserve dingoes in the core of such areas, and the need to effectively manage their impacts on neighbouring agricultural lands. Wherever possible problem areas have been identified and in most cases local management plans are in place and will continue to be implemented. Accurate information on stock losses/attacks by RLPBs and WDAs is of great assistance in identifying problem areas and in developing effective management plans. A key aspect of this collaborative approach is that all stakeholders need to be involved and agree to the management plan.

Currently the NPWS manages 5.05 m ha in 495 reserves, SFNSW manages 2.9 m ha in 770 State Forests, DLWC manages 4 m ha in a large number of reserves, while the SCA manages 4 areas totalling 360,000 ha. Only 209 of these areas (NPWS 99; SFNSW 104; DLWC 4; SCA 1) have been included among the public lands to be covered by the second Control Order. Although the area included has not been calculated, a comparison of Figs 1 and 2 shows that only a small proportion of the total area managed by these agencies has been included for consideration (NB. Figs 1 and 2 only include lands managed by the NPWS and SFNSW).

Justification for inclusion in the second Wild Dog Control Order include:

- The reserves, and surrounding areas of publicly managed lands, contain dingoes and are believed to be important habitat for their survival.
- The reserves encompass a variety of landscapes and include tableland, escarpment and coastal habitats. The importance of one habitat to another cannot be compared as criteria to comparatively assess these are not available. However it is important to maintain habitat diversity to maximise potential gene diversity. This is an important consideration in wildlife management.
- Some of the reserves act as wildlife corridors, which are of conservation significance as they provide potential for gene transfer between dingo populations.
- A large proportion of the reserves listed sustain significant populations of small to medium sized mammals. Wild dogs, as top order predators, may have an important role in maintaining the biological diversity of these areas.

Fig. 1 shows all areas managed by the NPWS and SFNSW, while Fig. 2 includes only those areas to be covered by the second Wild Dog Pest Control Order. These areas are shown in greater detail in Figs 3-9, and a short summary of each of these areas follows. The exact boundaries will be shown in local management plans (yet to be developed), as over time the boundaries and tenure of some of the lands may change.

#### **Fig. 2. Sturt National Park**

Sturt National Park is a large area of approximately 340,000 ha in the far north-western corner of NSW. Although the dingo fence runs along the northern and western borders there is a small population of dingoes in the Park which is considered to be important by conservationists. The NPWS undertakes a large strategic baiting program along the southern and eastern park boundaries extending for over 340 km. Since its inception three years ago this program has greatly reduced stock losses on neighbouring properties and the NPWS plans to continue this program each year.

#### **Fig. 3a. Border Ranges, Mebbin and Mount Warning National Parks, Limpinwood and Numinbah Nature Reserves and Wollumbin State Forests**

These reserves lie within the central core of the World Heritage listed Central Eastern Rainforest Reserve system. They collectively cover more than 40,000 ha and in combination with Lamington, Springbrook and Main Range National Parks

in Queensland, contain the largest area of subtropical rainforest in the World. Border Ranges National Park is a World Heritage listed reserve with over 90% identified or declared as Wilderness. Collectively the reserves are critical habitat for over 150 threatened species. Dingoes occur in the area and cooperative wild dog control programs are undertaken with neighbours and the Tweed-Lismore Rural Lands Protection Board to minimise attacks on livestock.

Border Ranges National Park connects to Mount Nothofagus National Park and Toonumbar National Park through Mount Lindsay and Unumgar State Forests.

**Fig. 3b. Mount Nothofagus, Toonumbar, Richmond Range, Koreelah, Mount Clunie, Tooloom and Yabbra National Parks, Captains Creek Nature Reserve and Mount Lindsay, Unumgar, Edinburgh Castle, Toonumbar, Richmond Range, Yabbra, Donaldson, Koreelah, Bald Knob, Woodenbong, and Beauray State Forests.**

These reserves form a large interconnected area of publicly managed lands of over 91,000 ha stretching from Legume in the west to Kyogle in the east and nearly as far south as Mallanganee. These areas are the remnants of the Focal Peak Volcano forming the western part of the McPherson Range, the adjacent section of the Great Dividing Range and the Richmond, Tooloom and Koreelah Ranges. This contiguous tract of vegetation links with significant Queensland Reserves such as Mount Lindsay and Mount Glennie National Parks.

Beef cattle production is the main enterprise on surrounding lands, however, a large proportion of previously cleared land in this area is now being reforested through farm forestry ventures. Significant wildlife corridors connect these large areas of natural vegetation. Dingoes occur within these areas but cooperative control programs are undertaken with neighbours and the Casino and Northern New England rural lands protection boards to minimise damage to livestock on properties adjoining these areas.

**Fig. 3c. Mount Jerusalem, Nightcap and Goonengerry National Parks and Whian Whian State Forest**

These reserves form the southern rim of the caldera landscape with a combined area in excess of 16,000 ha. They contain several vegetation communities, such as World Heritage listed rainforest and wet sclerophyll forests, and are connected to Mount Warning and Mebbin national parks through reforested private lands and macadamia plantations. Dingoes occur within these areas and cooperative control programs are undertaken with neighbours and the Tweed-Lismore Rural Lands Protection Board to minimise attacks on livestock.

**Fig. 4a. Bundjalung National Park and Tabbimobile Swamp and Iluka Nature Reserves**

These areas comprise a large part of the coastal land system between Evans Head and Iluka and some of these areas have been identified as Wilderness and contain dingoes. Iluka Nature Reserve is an outstanding example of littoral rainforest and is part of the World Heritage listed Central Eastern Rainforest Reserve system.

The major agricultural enterprises are sugarcane and beef cattle. Sporadic attacks occur on livestock on surrounding properties, but cooperative wild dog control programs are undertaken with neighbours and the Tweed-Lismore, Casino and Grafton rural lands protection boards to minimise stock losses.

**Fig. 4b. Fortis Creek National Park, Mount Neville and Banyabba Nature Reserves and Banyabba Crown Reserve**

These areas form part of an extensive forested land system on the mid to lower Richmond Range known to contain dingoes. A large part (19,000 ha) has been provisionally identified as wilderness. Wild dog control programs have been undertaken along the boundary with agricultural land at known problem spots and these will continue as required.

**Fig. 4c. Yuraygir National Park and Candole, Newfoundland and Barcoongere State Forests**

Large coastal park and adjacent state forests known to contain dingoes. Problem areas mainly occur at the interface of the state forests and agricultural lands and the new additions to Yuraygir National Park. Control programs will be undertaken as required.

**Fig. 4d. Washpool, Spirabo, Capmoopeta, Gibraltar Range, Barool, Nymboida and Ramornie National Parks, and Ewingar, Billimbra, Washpool, Spirabo, Little Spirabo, Forest Land, Moogem, Glen Elgin, Mount Mitchell, Gibraltar Range, Ramornie, Nymboida and Dalmorton State Forests**

These reserves adjoin each other and together comprise an area of over 200,000 ha. Washpool and Gibraltar Range National Parks are World Heritage listed and the area is considered high quality dingo habitat. There has been a history of wild dog attacks on grazing properties in some areas (e.g. the northern boundary of Washpool National Park and in the Middle Bend area of Gibraltar Range National Park). However, control programs are undertaken in these areas, and these will continue.

**Fig. 4e. Guy Fawkes River, Chaelundi, Nymboi-Binderay, Cascade and Junuy Juluum National Parks, Mann River, Mount Hyland and Byrnes Scrub Nature Reserves, and Brother, Oakwood, London Bridge, Glen Nevis, Paddys Land, Chaelundi, Marara, Boundary Creek, Sheas Knob, Marengo, Ellis, Hyland, Clouds Creek, Moonpar, Wild Cattle Creek and Kangaroo River State Forests**

These reserves and a number of state forests form a large contiguous area of over 200,000 ha. Much of it is rugged forest terrain containing high quality habitat for dingoes. The western boundary adjoins sheep grazing properties where there has been a history of wild dog attacks. Wild dog control programs will continue to be undertaken along the western boundary with groups such as the Wongwibinda Wild Dog Association.

**Fig. 5a. Dorrigo, Bellinger River, Bindarri and Bongil Bongil National Parks and Bagawa, Nana Creek, Gundar, Orara West, Tuckers Knob and Pine Creek State Forests**

Bellinger River and Dorrigo national parks link the large areas of New England National Park to the Bongil Bongil National Park on the coast through Pine Creek and Tuckers Knob state forests. The coastal reserves link through several state forests (Orara West, Nana Creek, Bagawa, Kangaroo River and Wild Cattle Creek) and Bindarri National Park with Nimboi-Binderay and Cascade national parks. This whole area is considered high quality dingo habitat. Dingo control programs will continue in areas where isolated problems arise such as the south-western boundary of Dorrigo National Park and the northern boundary of Bellinger River National Park.

**Fig. 5b. Cathedral Rock and Cunnawarra National Park, Guy Fawkes River, Serpentine and Georges Creek Nature Reserves and Yooroonah and Styx River State Forests**

These areas link the New England National Park reserve system with Oxley Wild Rivers National Park (Fig. 5c). Results of trapping and radio tracking studies on dingoes in the Styx River and Cunnawarra areas indicate that these areas are an important habitat for dingoes.

**Fig. 5c. New England, Baalinjin, Juugawaarri and Dunggir National Parks and Diehappy, Roses Creek, Irishman, Oakes, Lower Creek, Dyke, Thumb Creek, Nulla Five Day, Buckra Bendinni and Mistake State Forests**

These reserves, along with a number of state forests, form a large contiguous area of approximately 150,000 ha. Collectively the parks and state forests form an important refuge for dingoes. Control programs will continue in problem areas such as the north-eastern and southern boundaries of New England National Park.

**Fig. 5d. Ngambaa Nature Reserve, Ingalba, Collombatti and Tamban State Forests**

Ngambaa Nature Reserve, combined with adjoining Collombatti, Tamban, and Ingalba State Forests, represent an area of over 20,000 ha. The area includes lowland coastal forests and extends to the soon to be gazetted Warrell Creek Nature Reserve on the coast. Ngambaa Nature Reserve is bordered by forested land to the west which links to the New England Wilderness area. Wild dog problems occur on parts of the Ngambaa Reserve boundary, and in these areas control programs will be undertaken as required.

**Fig. 5e. Oxley Wild Rivers, Carrai, Werrikimbe, Willi Willi and Kumbatine National Parks, The Castles Nature Reserve and Cochrane, Carrai, Boonanghai, Yessabah, Kippara, Mount Boss, Bellangry and Ballengarra State Forests**

These reserves form a large continuous escarpment system of over 240,000 ha. Part of the area is Wilderness and has World Heritage listing and is considered



high quality habitat for dingoes. These reserves are connected to other large areas of publicly managed lands (e.g. New England National Park and Cottan-Bimbang National Park).

Many of the reserves adjoin grazing properties and wild dog control programs will continue to be undertaken wherever there are problem areas.

**Fig. 5f. Limeburners Creek Nature Reserve**

Limeburners Creek Nature Reserve is an isolated reserve of approximately 9,000 ha. Dingoes inhabit the reserve and it is considered to be high quality habitat for them. Timbered private land and Ballengarra State Forest form a wildlife corridor which links Limeburners Creek Nature Reserve with Kumbatine National Park. The major problem area is west of the Nature Reserve (Maria River area) where a 1080 baiting program is undertaken as required.

**Fig. 5g. Cottan-Bimbang, Biriwal Bulga and Tapin Tops National Parks, Mount Seaview and Weelah Nature Reserves and Brassey, Doyles River, Bulga, Dingo and Knorrit State Forests**

These areas form a large continuous area of forested land which connects with the Werrikimbe and Willi Willi National Parks and associated reserves.

**Fig. 5h. Mummel Gulf and Nowendoc National Parks, Ngulin and Tuggolo Creek Nature Reserves and Enfield, Riamukka, Nowendoc and Tuggolo State Forests**

These areas form a large continuous area of forested land which connects with the Cottan-Bimbang and Werrikimbe National Parks.

**Fig. 6a. Barrington Tops and Mount Royal National Parks, Running Creek, Killarney and Monkerai Nature Reserves and Barrington Tops, Avon River, Chichester, Trevor, Fosterton, Masseys Creek and Stewarts Brook State Forest**

This is a large contiguous area of over 130,000 ha. It contains a range of habitats and ecosystems and a large area has been identified as Wilderness and has World Heritage listing. The area contains significant populations of dingoes. Problem areas occur on the north-western boundary and a cooperative baiting program is undertaken in conjunction with Scone Rural Lands Protection Board and neighbouring landholders.

**Fig. 6b. Myall Lakes, Ghin-doo-ee and Wallingat National Parks and Bachelor, Wallingat, Wang Wauk, Bulahdelah, Nerong and Myall River State Forests**

Myall Lakes, Ghin-doo-ee and Wallingat National Parks and Wang Wauk, Bulahdelah, Nerong and Myall River State Forests form a large contiguous area of approximately 85,000 ha. The area contains significant populations of dingoes. Attacks on livestock are sporadic and do not occur every year but control programs are in place to address the problem.

Wallingat National Park and Bachelor and Wallingat State Forests form an additional expanse to the north of over 10,000 ha. Wallingat National Park has only recently been transferred to the NPWS and as soon as problem areas are identified control programs will be developed and implemented.

**Fig. 7a. Watagans National Park, and Pokolbin, Yango, Corrabare, Watagan, Olney, Wyong, Awaba and Heaton State Forests**

Watagans National Park is only about 8,000 ha but it is surrounded by a number of state forests (Heaton, Awaba, Watagan, Olney and Wyong) which together with the National Park form an area of over 50,000 ha. These areas form a large expanse of habitat suitable for dingoes which joins up with Corrabare (5,000 ha), Watagan (4,000 ha) and Pokolbin (14,000 ha) state forests, forming an extensive forested corridor system to Yengo National Park.

The major problem areas are along the northern boundary of Pokolbin State Forest and adjoining Commonwealth land. Joint programs with the Commonwealth will be undertaken to protect grazing properties further north.

**Fig. 7b. Yengo, Dharug and Popran National Parks, Parr State Recreation Area and Comelroy and McPherson State Forests**

These reserves and State Forests are contiguous and collectively form an area of over 200,000 ha. The western boundary of Yengo National Park joins Wollemi National Park and this connects with a number of reserves including Blue Mountains and Kanangra-Boyd National Parks.

**Fig. 7c. Wollemi, Gardens of Stone, Blue Mountains, Kanangra-Boyd and Nattai National Parks, Yerranderie, Nattai, Bargo and Burragorang State Recreation Areas, Sydney Catchment Authority Special Area, and Putty and Jellore State Forest**

These reserves form an extremely large contiguous area in excess of 1 million ha. Large areas within these reserves have been declared or identified as wilderness.

The southern reserves form a contiguous area with the Warragamba Catchment portion of the Sydney Catchment Authority Special Areas and as this is jointly managed by the NPWS and the SCA it is logical that this should be managed as one block.

All areas are known to contain populations of dingoes and because of the rugged topography and large extent of the areas, such populations may retain a reasonably high degree of genetic integrity. This area therefore comprises one of the prime areas for dingo conservation in NSW and forms part of a study area for the University of NSW. Where wild dog problems arise along boundaries control programs will be undertaken as required.

**Fig. 8a. Morton National Park, Bungonia State Recreation Area, and Meryla, Wingello, Yalwal, Colymea, Yerriyong, Jerrawangala, McDonald and Crooybyar State Forests, and two areas of Crown Land adjoining Morton National Park**

These areas, including the Crown Land between Yalwal and Yerriyong State Forests and another block between Bungonia State Recreation Area and Morton National Park, are contiguous with each other and collectively comprise over 200,000 ha, approximately 70% of which has been declared or identified as Wilderness. The area contains populations of dingoes and because of the inaccessibility of much of the area, and populations in such terrain are likely to retain a high degree of genetic integrity. Control programs are undertaken on problem perimeter areas and this will continue as required.

**Fig. 8b. Budawang National Park and Flat Rock, Yadboro, Clyde, Shallow Crossing, and Currowan State Forests**

Morton National Park connects to the south with Budawang National Park. Yadboro, Clyde, Shallow Crossing and Currowan State Forests have Budawang National Park as their western boundary and the Clyde River (and the Carisbrook Road) as their eastern boundary – Croobyar and Flat Rock State Forests are located at the junction of the north-western corner of the state forests block and the south-eastern corner of Budawang National Park. These reserves have a total area of over 50,000 ha and contain high quality habitat for dingoes. There are few problems with grazing properties adjoining these reserves but where these occur, control programs have been implemented and will continue.

**Fig. 8c. Monga, Buckenbowra, Bolaro, Quart Pot, Mogo and Wandera State Forests**

These State Forests collectively comprise 55,000 ha and connect Budawang National Park in the north with Deua National Park in the south. Control programs are undertaken along the eastern and western boundaries.

**Fig. 8d. Deua National Park and Mungerarie, Moruya, Dampier and Badja State Forests**

Deua National Park and Mungerarie, Moruya and Dampier state forests comprise a large area of over 150,000 ha. Dingoes are known to occur within this area. The main control programs occur along the western boundary of Deua National Park and to protect some in-holdings.

Badja State Forest connects Deua National Park in the north with Wadbilliga National Park in the south. Wild dog problems occur along the western boundary and an effective control program is in place.

**Fig. 9a. Wadbilliga National Park and Wandella and Bodalla State Forests**

Wadbilliga National Park is a large area of approximately 80,000 ha. Dingoes inhabit and breed within the Brogo Wilderness "core" area of this reserve. A 25 km open ended, electric dog fence runs along the western side of the park. Maintenance of the fence is jointly funded by the Service and adjoining

landholders. Baiting programs are also undertaken along the boundary where problems occur.

Wandella and Bodalla State Forests occupy large areas (50,000 ha) to the east of Wadbilliga National Park. They contain important dingo habitat and control programs are undertaken along the southern private property interfaces.

**Fig. 9b. South East Forests, Mount Imlay and Ben Boyd National Parks, Nadgee Nature Reserve and Yambulla, East Boyd, Timbillica and Nadgee State Forests**

The South East Forests National Park is an elongated area of escarpment which connects the Wadbilliga National Park with the Coopracambra-Kay National Park in Victoria. Together with the other reserves the South east Forests National Park forms a contiguous area of approximately 265,000 ha. The coastal reserves of Nadgee NP and Ben Boyd NR adjoin East Boyd and Nadgee State Forests which connect through Timbillica and Yambulla State Forests and Mount Imlay National Park with the South East Forests National Park.

The main areas where dingoes cause problems are on the western interface of the South East Forests National Park (and other state forests) and grazing lands and also some in-holdings in the southern part of the national park. In all of these areas control programs are being undertaken in conjunction with Bombala and South Coast Rural Lands Protection Boards, State Forests of NSW and the Victorian Department of Natural Resources and Environment. The control programs will continue wherever they are required.

**Fig. 9c. Kosciuszko National Park, Bimberi and Scabby Range Nature Reserves, Brindabella National Park and adjoining Vacant Crown Lands and Bondo, Micalong, Bago and Maragle State Forests**

Kosciuszko National Park is a vast area of approximately 690,000 ha, while Bimberi and Scabby Range Nature Reserves lie between the Park and Namadgi National Park in the ACT. Brindabella National Park lies at the northern extent of these lands and adjoins Kosciuszko National Park via large tracts of vacant Crown lands. The state forests adjoin Kosciuszko National Park on its north-western boundary and collectively these areas form one large contiguous area containing several important wilderness areas. Research studies are underway to examine the genetics of the dingo/wild dog population and hence this area should be included under the second Wild Dog Control Order.

Current management includes regular meetings between reserve managers and neighbours including various rural lands protection boards. A recent trial contract between Queanbeyan and Tumut NPWS and Namadgi National Park in the ACT allowed the South East wild dog project to undertake proactive and reactive control in the area. This contract was very successful and will be continued. Other wild dog baiting programs are undertaken at known problem areas at the interface of the park and grazing land and these will continue (e.g. along the north and eastern bound of Byadbo Wilderness; Snowy Plains; Ingebyra area; and along the entire western boundary).

## **APPENDIX 2**

# NSW SCIENTIFIC COMMITTEE

Mr Peter Nagle, MP  
Chairman  
Regulation Review Committee  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Mr Nagle,

I refer to an inquiry from Mr Jim Jefferis regarding the Dingo. Mr Jefferis requested that my advice be forwarded to you. The Scientific Committee, established by the Threatened Species Conservation Act, has received a nomination to list the Dingo in the Schedules of the Act.

On reviewing the nomination the Committee decided that further information was needed in order to assist the Committee with the assessment of the status of the Dingo. The nominator agreed to temporarily withdraw the nomination and consideration of the nomination has been deferred by the Committee until adequate information is obtained.

In order to obtain further information on the current status of the Dingo, the Committee engaged the Royal Zoological Society to hold a Forum on the Dingo which included researchers with current knowledge and expertise with the species. The Papers from the Forum are currently in preparation for publication.

The Symposium identified a number of issues which are important to the assessment of the status of the Dingo and require further investigation. These issues include:

- The genetic integrity of the Dingo in NSW
- The function of the Dingo and Wild Dog in Natural Ecosystems
- The size of the remaining Dingo populations in NSW

The Committee will be seeking further information on these issues to assist in its assessment.

Yours sincerely



Dr Chris Dickman  
Chairperson  
Scientific Committee

- 7 APR 2000

## **APPENDIX 3**



## Australian Dingo Conservation Association

PO Box 444 Erindale ACT 2903

Phone (02) 6235 9082

ARBN 069 646 313

29th. July 2000.

Ms. Susannah Dale,  
Assistant Committee Officer,  
Regulation Review Committee,  
Parliament of New South Wales.  
Parliament House,  
Macquarie St. Sydney NSW 2000.

RECEIVED  
8/8/00

Dear Ms. Dale,

Reference Dingo rescues and stray animals referred to our organisation in the last twelve months. Most incidents appear to occur during the breeding season for dingoes each year, which broadly commences February to July dependent on the geographical area.

Following is our list of referrals for the association:

### Breeding Season 2000.

1. Terra - 10mths old Male dingo found by ForestWatch workers in the North East Gippsland after poisoning campaign in region, became a threat to livestock in the area, as this dingo was allowed to run free. The owner contacted Healesville after the animal came into season and was extremely difficult to manage. The owner was referred to us.
2. Featherdale Dingo - 1yr. old Male dingo referred to our association by a Metropolitan Animal Rescue Group, as female owner could not manage this animal, as he was in season, had been transferred to another person with no knowledge of dingo behaviour particularly with the stress on the animal as a young adult male in season taken out of its own familiar territory and away from the person it had bonded with.



3. RSPCA Newcastle - A request for assistance to rescue a dingo which had been mistreated, the owner had surrendered the dingo to this group and then the person decided to take it back. The RSPCA were very reluctant to do this and referred a request to rehouse the animal by our association.
4. Richmond Dingo - A stray dingo was seen wandering the streets of Richmond (NSW) scavenging in garbage bins etc., A request for assistance to try and catch the animal and rehouse it was made by locals.
5. Mt. Buffalo Dingo Pups - The parents of pups were shot, and the pups were taken, they were rescued by one of our members as they were mistreated.

#### Breeding Season '99.

1. Ernie - 18mth old Male dingo extremely aggressive in season requested to be rehoused by the owner.
2. Morton - 2yr. old Male extremely aggressive in season, requested to be rehoused by the owners.
3. Barcoo - Male dingo pup dumped at a veterinarian's surgery, rescued by a member of our association.
4. Moss Vale Dingo - Running on the streets living from garbage bins, hit by a car. A request from the local WIRES group to assist them.
5. Quinn - Young 4mth. old dingo pup caught in the wild, dumped at parents house, very stressed, difficult to manage, parents asked for the dingo to be rescued.
6. A Pair of Dingoes - Dumped at dog Kennels, the owners of the kennel asked for assistance on the management of these animals, and were concerned as the female dingo was in pup. We also arranged DNA tests on these animals.
7. RSPCA Gosford - Requested assistance for a dumped young male dingo found wandering the streets.

These incidents reflect that there is a serious problem out there as these are the ones we hear about, how many more are dumped in the bush etc.,

We hope this information assists you, and we hope to hear from you soon.

Yours faithfully,

A handwritten signature in cursive script that reads "Barry Oakman". The signature is written in dark ink and is positioned below the typed name.

Barry Oakman (President).

## **APPENDIX 4**



# REGULATION REVIEW COMMITTEE

THURSDAY 28 OCTOBER, 1999 WARATAH ROOM PARLIAMENT HOUSE

## BRIEFING ON THE COMPANION ANIMALS ACT 1998 AND ITS APPLICATION TO DINGOES

Meeting in Waratah Room, Level 7,  
on Thursday 28 October 1999 commencing at 10.00 am.

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**MR PETER NAGLE MP, CHAIRMAN:** Good morning, ladies and gentlemen. Welcome to the Regulation Review Committee briefing on the *Companion Animals Act 1998* and its application to dingoes. I thank you all for your attendance. I would like firstly to welcome Mr Barry Oakman who is sitting at the end of the table, the President of the Australian Dingo Conservation Association, who wrote to my Committee, seeking to brief it on what he perceived to be problems with the regulatory scheme under the Companion Animals legislation as it affects dingoes. Consideration was given to his request at the meeting of this Committee held on the 9th September 1999 when it was resolved to agree to a briefing and to also invite officials from the Department of Agriculture and Local Government, National Parks and Wild Life Service and other relevant associations and interest groups to attend. In this regard I would like to welcome, and as I read your names out could you just stand up and identify yourselves:

**Mr Eric Davis**

Program Leader, Vertebrate Pest Control, Department of Agriculture

**Mr Graham Wilson**

Manager, Threatened Species Unit,  
National Parks and Wildlife Service

**Mr Paul Meek**

Regional Ecologist, State Forests NSW

**Dr Rebecca Larkin**

Executive Officer, Companion Animals Advisory Board

**Ms Myra Craig**

Manager, Policy and Research Branch,

Department of Local Government

**Dr David Steward**

Manager, Australian Native Dog Conservation Society Ltd

**Ms Sheridan Thomas**

Administrator, Wildlife Information and Rescue Service

**Mr Keith Allison**

Member, Wild Dog Destruction Board

Two people, Ros Riordan from the Office of Minister for Agriculture, and Scott Cardamatis from the Office of the Minister for the Environment, are not here yet but we will proceed.

For the information of anyone unfamiliar with the work of our Committee, the Regulation Review Committee is a joint committee appointed by the Legislative Council and Legislative Assembly of New South Wales under the *Regulation Review Act 1987* to consider regulations while they are subject to disallowance by Parliament, and also regulations remade under the staged repeal provisions of the *Subordinate Legislation Act*. In June of this year the *Companion Animals Regulation* was remade. Mr Oakman argues that changes should be made to those regulations to introduce greater control on the ownership of dingoes. He says that removal of the dingo from its pest classification under the *Rural Lands Protection Act* was beneficial but it has now been inappropriately placed at the other end of the spectrum in the Companion Animals class; that the dingo is a wild animal in urgent need of conservation and that his Association would like to achieve to some workable solutions.

The main areas of his Association's concern are:

1. The current definition has problems;
2. Dingoes differ from domestic dogs in their social behaviour and are not suitable as pets;
3. His Association views the dingo as a wild animal in need of urgent conservation;
4. Backyard breeding increases hybridity;
5. His Association says there should be a permit system in the regulation for dingo ownership.

I would indicate that this is a briefing only, and we are not taking formal evidence. However we are recording proceedings for the purpose of taking minutes. I would

therefore like each person wishing to speak, as they stand up, to state their full name, and identify themselves for the purposes of the recording.

I will invite Mr Oakman to make his presentation to my Committee and ask him to restrict his presentation to about 10 minutes. Then I will invite questions from members of my Committee and proceed to a general discussion. As far as possible I would like members to stay their questions until the end of the presentation. I intend to keep proceedings as informal as possible and provide opportunity for full discussion.

Now, Mr Oakman?

**Mr OAKMAN:** Thank you. Barry Oakman, President, Australian Dingo Conservation Association. For the record, people here probably know nothing about dingoes. So what I would like to do first is quickly give you an overview of what a dingo is and where it came from. The dingo is a primitive dog that evolved from wolves in Asia some six to 10,000 years ago and became widespread throughout south-east Asia. Seafarers introduced dingoes into Australia three to 4,000 years ago. The Australian dingo has evolved in isolation to its other relatives and as such is a unique, wild Australian animal. The West Asian dingo, through selective breeding and intense artificial selection pressures by humans, finally became domesticated and they are the father of the domestic dogs that we know today. The East Asian dingo population, especially in South-East Asia, was not subject to the human pressures and remained true to their original population and impossible to domesticate.

A wild animal retains its natural behaviour patterns. It can be tamed but not domesticated and requires retraining with every new generation. A domestic dingo is not a dingo at all, just another dog adding to the 650-odd breeds we currently have. That is the way we see it at the present moment. Already since the *Companion Animals Act* came into place there are breeders out there, who have jumped on the band wagon, who know very little about dingoes and are breeding them specifically for the market - a market that basically gets - the type of people who want dingoes to enhance their dog lines, that is working dogs, hunting dogs and particularly fighting dogs.

Richard Amery in October 1997 said, "I support the view that people who choose to have a dingo as a pet should join one of the two dingo breed societies in New South Wales". But people now have no need to do this. They can obtain a dingo very easily by looking in the classifieds, have no knowledge of the animal, and six months down the track they want to replace it with something else or dump it. You don't have to be a member of a dingo association and most people will not even

bother to join. Dingoes require very special housing, no matter how socialised they are, and most people who are enquiring to my organisation about dingoes, particularly people from suburbia in Sydney, don't even have backyards, or fences around their houses. They have no knowledge of dingoes at all, and when you ask them why they want a dingo, "I like them, they're lovely yellow puppies". They don't realise that one day they grow up.

When I look at the Act, I see the dingo as probably being placed in some stages as a nuisance dog, because in the breeding season, which can be prolonged as long as three months, because if an animal isn't mated they will come into oestrous again and again at 30 day intervals, and through that whole period of time they howl. And I mean they howl - they make a heck of a racket. There is a guy that lives on a river down where I am, he has dingoes, he is part of our group, his dingoes can be heard howling 14 kilometres down stream on the right type of day - the wind blowing the right way and the air being nice and clear and so forth.

They are stimulated in suburbia by sirens, more so than domestic dogs are. Housing is going to be a problem. Pens and not chains should be used for dingoes because if a dog is chained up, and I am using the term "dog" for dingo, usually they will last about six months. Within the first six months of their life they hang themselves. It is a well known fact. Very few dingoes survive if they are left on a chain. They are cat-like in behaviour and people don't understand. They expect the dog to come to them when they call it. The dog doesn't respond. They are autistic in that regard, as I said, cat-like. They will come to you when they want attention not when you want to give it to them. People who don't understand that abuse the dogs. In part of that preamble that I sent you there is a section where a guy rang us up and said "I've got this dingo. No matter how much I flog the bloody thing, it won't do as it's told". That to me typifies what is going to happen right across the country because of people getting the animal that know nothing about them and apart from the people problem, there is the problem of humane treatment to the dingo.

Their hunting instincts are never diminished. They are a wild dog, and you have to remember that. Wild dogs beget wild dogs. I just recently sent dingo pups to a park in Alice Springs and some to a crocodile park in Cairns, all legally, on permits and so forth and in the last few weeks I have been having troubles with the fact that I had a dingo bitten by a snake and she died. She was the alpha female. She ruled the roost. Everybody did as she told them. Since she died, the dogs are all acting up. Somebody in the group is going to take over. In the meantime they are fighting and so forth and just in the last few weeks, of handling the pups and the business of the snake bite, look at my hands. My legs are just as bad. They chew you up. There can be times when they can be so docile you think you have an ordinary domestic dog. Then the breeding season comes along, and that is what

most dingo people call the biting season. These are the things the public are ignorant of.

This is the reason why I called this meeting and I guess at this point in time all I can say is that we see that a regulation should be put in place where people, perhaps like the Minister said, should be members of one of the two dingo organisations within New South Wales, and those people in turn should have to register their animals. Later on down the track, because we are doing DNA research on the animal, when the hybrids are identified, perhaps they should be neutered. At a symposium held here at the Museum in May, Laurie Corbett, one of the dingo experts of Australia, made the statement that he says that not too far down the track, with the amount of hybridisation taking place, hybrid dingoes are going to cause a death.

When you see what dingoes are capable of (not all of them, they are all different), that could happen. I see the dingo as an animal that is not for everybody. Our group doesn't recommend them as a pet. We are in the conservation game, that is, conserve the animal. One day it may be able to be placed back on an island somewhere, where it won't mix with other dogs. And as such the show ring, the backyard in suburbia, is not the place for dingoes.

So I believe the *Companion Animal Act* gives the wrong impression completely. It gives the public the opinion that the animal is something that can be made a companion animal, and will act accordingly. That is not so. There is the odd case, but I would suggest, in those odd cases, you would have to look very very closely at the animal to see whether it was a hybrid or a pure dingo.

The only other thing I want to say is that we were responsible as a group for the legislation, for the regulations within the legislation that took place in Victoria, and I have brought along a copy of the Victorian system and also the ACT permit system - it works very well - in case you would like to have a look at them.

**Mr NAGLE:** You might table those for the Committee, when you are ready.

**Mr OAKMAN:** I think I have given you the broad picture as we see it and all I can do is reiterate the fact that the dingo is a wild animal, not a domesticated animal. This is the thing that the public doesn't understand. In regards to enclosures and so forth, I have brought some photographs to show the sort of enclosures that are required. Pass them around the room and you can have a look. Also, that photograph there is the start of an album that has cross-bred dogs in it. This one has pure animals in the album - see if you can pick the difference. Most



people can't. These ones I am saying are pure, I have been given advice through the people doing the DNA that the particular animals that I have been given the okay on are the ones I have put in that album. In the yard situation, that's my place in Canberra, where I used to live, in a suburban situation. The other photographs are where I live now in a rural situation.

**Mr NAGLE:** Pass that to the Honourable Janelle Saffin.

**Mr OAKMAN:** So on that note, I guess I have had my ten minutes.

**Mr NAGLE:** Thank you very much Mr Oakman. Ros Riordan, welcome. Would you like to come to the table and give us your views in regard to these matters?

**Ms RIORDAN:** Could I ask Eric Davis from the Department to make a presentation?

**Mr NAGLE:** That's fine.

**Mr Eric DAVIS, Program Leader, Vertebrate Pest Management, New South Wales Agriculture:** If I may explain the background from New South Wales Agriculture's point of view in terms of why we changed the *Rural Lands Protection Act* provisions that Barry has mentioned. What we found, and Barry has alluded to this already, it is extraordinarily difficult to differentiate dingoes from hybrids and currently that differentiation rests with skull measurements, on dead animals usually.

There is a DNA test being developed as Barry has already mentioned as well, but it is far from commercially applicable test at this stage and it is certainly far from a test that has an application in the field. That raises the situation where there is no adequate way of determining what is a dingo, what is a hybrid, and whereabouts within that spectrum an individual animals lies, which makes it extraordinarily difficult to administer regulations that are based on a breed characteristic like "This dog is a dingo, or this dog is not a dingo". So from the point of view of implementing regulations it was impossible to implement a regulation that relied on an animal being a dingo.

The new *Rural Lands Protection Act* provisions when they are proclaimed will remove all that uncertainty and dingoes will just be wild dogs, and Barry has alluded to that already, the same as any other dog. I would like to add one comment to Barry's statements about hybrid dingoes. Yes, the keeping of dingoes as domestic animals and companion animals will inevitably, as always occurs, lead to cross-breeding with other animals and if those animals are pure bred to start with, there will obviously

be hybrids out there in the community. The Department of Agriculture doesn't see any difference between a hybrid dingo or any other dog that is roaming around causing livestock predation, and killing, maiming and injuring animals.

The key issue from our point of view is the adequate control of those animals under the *Companion Animals Act* and really from our point of view the breed perhaps makes some impact on the propensity of the animal to be involved in livestock attacks, but the fact is that they should not be out there anyway, they should be properly controlled. So we don't actually see a difference between the breed, and in fact some of the worst livestock predation occurs through all sorts of strange breeds, labradors, and you name it, that get out there and start running round killing sheep.

That is probably it, unless there are specific questions relating to those issues. There is one thing I wanted to mention as well, which goes a little broader than my strict sphere. That is the regulation of dingoes generally. The Committee probably ought to be aware that there is interaction between the *Rural Lands Protection Act* and the *National Parks and Wildlife Act*, in terms of on the one hand wild dog control and on the other hand dingo conservation. *Threatened Species Act* also comes into it but I won't complicate the issue.

The fact is that dingoes are currently unprotected by virtue of listing under Schedule 11 of the *National Parks and Wildlife Act*. That unprotected status allows them to be controlled as wild dogs in certain situations and for appropriate agricultural production reasons that needs to continue. So outside of the *Companion Animals Act* which is if dingoes are to be controlled probably the Act under which those controls would be implemented, outside of the *Companion Animals Act*, there is only the opportunity to control the keeping of dingoes in either the *Rural Lands Protection Act* and I have explained why that was pretty difficult, and I believe, and the Department believes still, inappropriate.

The only other Act under which the keeping of dingoes could be controlled is the *National Parks and Wildlife Act* and for the reasons I have indicated they could not effectively be controlled under that Act without removing them from Schedule 11, which then interferes with pest animal control of both wild dogs and foxes across New South Wales and the tie up is because it is difficult to distinguish the species take of bait, so it is difficult to distinguish the target species between wild dogs and foxes taking various baits.

**Mr NAGLE:** Well, I might just ask Barry, you have heard what Eric had to say. What do you say to that?

**Mr OAKMAN:** There is the conundrum, I suppose. I agree with Eric saying, but at the same time, if the dingo's worth saving and at this particular time I would say the public has expectations of the dingo being saved, we have got to do something to put the animal in a safe tight niche where in the long term we will have a gene pool. Whereas, now if there are pure dingoes out there it is almost 100 per cent certain, if they get into the hands of the public, cross breeding will take place and eventually we will end up with nothing.

In regards to the control of the dogs, I have never had a beef with that. I live right in the heart of wild dog country, where I live down towards Cooma, and I can hear wild dogs howling at night round my place. But again, I have sheep. So I am a bit of an oddity. The problem lies with the identification of the animal. I am hoping with the DNA research we are doing and my part in the collaborative grant that we have got, is that I collect the tissue from around the country and just at the moment I am getting a lot of localities, GPS localities and so forth, particularly from Western Australia where in the long term we may be able to map where there could be pure dingo colonies.

Then if they can be identified perhaps something can be done to save them in the wild situation. That could be pie in the sky. My own belief is that the only animals going to be saved are those that are in captivity, that are identified, and we have got an Australian species management program being implemented with Healesville Sanctuary in Victoria, that is already in place.

We have got a register of possible dingoes, DNA proven dingoes and then we will have a stud book of dingoes.

**Mr NAGLE:** I am going to ask some questions of both of you. As the dingo is an introduced animal, that has been a predator on Australian indigenous animals for thousands of years, has it got any greater claim for protection than, say, an introduced fox?

**Mr OAKMAN:** He has been here a lot longer than us and he has probably had less impact on the country than us. The only thing he appears to have had a real impact on is the thylacine. They would have evolved that way probably, even we hadn't turned up. There is the view of a lot of people that he is a native and I have a book here which has just been commissioned by the Natural Heritage Trust, Bureau of Rural Sciences, *Managing the Impacts of Wild Dogs and Dingoes*. It refers to the dingo as a native species, and that is a Federal document, or will be. That's the draft of it.

**Mr Russell TURNER MP:** Purely and simply, it has been here for some 4,000 years.

**Mr DAVIS:** There are a couple of issues here that I think are really critical. There is no dispute that dingoes arrived here between 3 and 4,000 years ago, no dispute that they replaced the thylacine or Tasmanian Devil from the mainland and there is no dispute that they currently occupy the peak ecological niche in many of these environments. I think that last statement gets to the heart of it. Whether we have got pure bred dingoes in many of these areas or some other large canids, there is an ecological role which is important to those ecosystems which, whatever is there occupies and discharges. So the actual ecological role becomes an important consideration and, I am sure Graham Wilson will talk about this, for National Parks, or conservation areas, not just the dingo itself, it is the ecological role that large canids perform and to some extent that underpins some of the ecological interests as opposed to the conservation interests in this.

There is, to support Barry, a wide feeling among conservationists that dingoes are native animals, or as close an approximation to large native carnivores that we have and they ought to be conserved. That statement came through very clearly at the dingo symposium on 8 May. I guess the other thing the Committee may need to reflect on is that in terms of dingo conservation, there are two issues. One is the hybridisation of a local urban area or local urban level. I don't see that having significant impacts. It does have potentially . . . at a local scale but does not have significant impact in terms of dingo conservation across large landscapes and by far the most significant issue there is hybridisation or continued dilution of the gene pool at those large landscape levels.

The problems, I just skirted around them in my earlier comments, of potential conflict between *Threatened Species Act*, and there has been an application to list dingoes as either endangered species or endangered populations under that Act, that application has been deferred. But there are potential conflicts between all these Acts and as a result of that the *Rural Lands Protection Act* pest control orders for wild dogs which are currently being developed in preparation for the new Act being proclaimed have attempted to try to differentiate and delineate dingo conservation areas and try and work out ways that we can contain them and put in perimeters and all that stuff to try and preserve dingo populations. It is not yet determined whether those dingo populations are pure bred, 50 per cent hybrid or whatever and what if any level of hybridity will constitute a dingo for conservation purposes.

None of these things have been determined but at a whole of government level we are trying to put together an approach to try and sort out these areas and put in programs to try and preserve whatever is there, or make it available for preservation and avoid continued dilution. So I think you need to differentiate hybridisation at a local urban level from the ongoing threat of hybridisation at a species level for

dingoes in general and there is no dispute that that hybridisation at a population level is the most significant threat to dingo population and to the potential survival of dingoes as a species in New South Wales.

**Dr Liz KERNOHAN MP:** What exactly is the skull morphology that differentiates a dog from a dingo?

**Mr DAVIS:** It is really just specific measurements between various of the skull features, the skull bones. I have seen diagrams with all these different measurements on them, and I can't tell you which various anatomical features are measured but as a species dingoes have slightly different measurements, statistically different measurements, for these various features.

**Dr KERNOHAN :** Why can't you use Xrays and do the same measurements?

**Mr DAVIS:** I imagine that any of that is possible, Xrays, CAT scans, or whatever. I imagine the cost and also the access to the facilities would be the limiting factors there.

**Mr OAKMAN:** My response to your question is that I was taught to do morphology testing by Dr Laurie Corbett, who spent many hours with me until I got it down pat. The difference mainly in the skull measurements is the width of the nose bones, the length of the jaw, the cranial height at the back of the neck, and there are 8 measurements and you have to come up with a mean average score on some of the measurements because you have a left and right side of the face. After a period of time you get a feel. You can pick the skull up and you can feel, almost say for certain, "I think it's a dingo".

In regards to CAT scanning I went through a period two or three years ago where I had many CAT scans myself, and MRIs and so forth and everywhere I went I used to talk to the people about this CAT scanning. It was done on a dog in Victoria and it made TV and it pitted me against the guy who did the CAT scan, me doing the skull measurements. And what took place there was that the guy who did the measurements said "Good enough for human medicine", it came to within 3 per cent.

Now with skull morphology testing you have got to come to within .4 of a decimal point. So you do it with callipers. It is a very intricate thing.

**Mr TURNER:** Either to Barry or to Eric, I must admit I am a little bit confused. We have got groups such as yourselves looking at conserving the dingo and as to whether it is acknowledged as a native animal, or just purely and simply because it has been here for 4,000 years, yet as you say, they are unprotected and

allowed to be poisoned in certain circumstances. I was up at the dingo fence in Queensland at the weekend and had a look at that fence for the first time. We are still attempting to keep them out of certain areas and I know 1080 baits are being used there to kill them. Yet in other areas we are trying to conserve them, so when you are trying to conserve a pure species, where do you imagine that conservation will be carried out? You talked about releasing them, or selling some pups to somewhere, do you propose to have them totally enclosed as a pure breed, or to keep releasing them into the wild in certain sections?

**Mr OAKMAN:** If we release them back into the wild they will continue to be hybridised. It was Laurie Corbett who is a dingo expert who originally said that perhaps Groote Island would be a good place for dingoes - remove the hybrid-type animals off the area, or Fraser Island. Fraser Island has a problem - there is a large percentage of hybridisation there even though there is supposed to be the most pure dingoes on the eastern seaboard-

**Mr TURNER:** They still pinched my breakfast one morning when I was up there.

**The Hon Janelle SAFFIN MLC:** They pinch a lot of things there.

**Mr OAKMAN:** And there you can see the interaction between man and dingo - those pups from the day they are born have got vehicle sounds in their ears, people talking and so forth, and hand outs. Every year they cause some form of trouble, it is usually young adolescent males whose hormones are running riot in the middle of the breeding season. There is no social structure there to keep them in line so they are running around like young thugs and that is when people get bitten.

In the long term, as I said, I don't know what the answer is. I think it will be up to the politicians to decide as to where there will be safe havens for the animal if that ever occurs. In regards to your saying we're selling animals, my group does not sell animals. We are providing animals to interested zoos, fauna parks and so forth who have basically discovered that their animals are cross-breds and come to me or one of the other dingo groups. At the present moment I believe there are only two reputable types, the dingo groups or associations in Australia. One is mine and one is at Merigal.

There is one in Victoria who advertises quite openly dingoes for sale, that crosses certain types of dogs into those dingoes to get white animals to sell to the unsuspecting public, white alpine dingo pups. So we keep right away from that material.

In the interim, there is a question mark. I don't know what the answer is. To breed dingoes and get the true dingoes the way that we want them, we need space. The only way you can do that is to fence in large areas and let them breed naturally as nature intended rather than selective breeding and that is what I am attempting to do where I am. I have got 180 acres and I have got a large percentage of that electrified off. The dingoes go in there, they do their own thing, they breed accordingly. What comes out the other end I am hoping in the long term will be pure dingoes with traits that they will retain and they don't have to be pure dingoes if they are brought up by a dingo mother who taught them to regurgitate food, to go out and reproduce, so there is no problem with them getting out and surviving, they would survive as the fox has. But to answer your question, in the long term, I don't know what the answer is.

**Mr DAVIS:** You raised the issue of a dingo being unprotected and we are trying to kill it on the one hand and conserve it on the other. There are a couple of issues -

**Mr NAGLE:** I am sorry Eric, the bells are ringing. We have to go - Don you are Chairman. You can continue.

#### **BREAK FOR MORNING TEA**

**Mr DAVIS:** I was responding to Russell's comments about the conflict between dingoes being unprotected under the *National Parks and Wildlife Act* on the one hand, and us potentially wanting to kill dingoes and wild dogs on the other and the reality is that even on Crown land, National Parks and other Crown land, you still have to bait for foxes - that uses 1080 bait and dingoes and other dogs can take those baits. You still have to do that and you still have to take out domestic or feral dogs that get into these things. So unless that situation exists the way it is it is pretty difficult to manage some of the other issues that have to be managed. The fact that dingoes are unprotected doesn't mean, and I am sure Graham Wilson will back me up here, that National Parks go out and kill them, that is certainly not the case.

Does that clarify the issue?

**Mr NAGLE:** Don ?

**Mr HARWIN:** No, Mr Chairman, I was going to suggest that we move on as we have 40 minutes before Upper House Question Time.

Mr NAGLE: Thank you very much, both of you. What I might do is now call upon Graham Wilson, Paul Meek and we might take Rebecca Larkin as well, if you could just put another chair up at the table.

Mr Graham WILSON, Manager, Threatened Species Unit, National Parks and Wildlife Service: I will deal with three issues. The first is to briefly respond to Mr Oakman's presentation. The second is to talk about our conservation issues and the third is our management approach that we are trying to use with dingoes at the moment. I guess we would not really dispute what Mr Oakman said, that there are problems with keeping dingoes as domestic animals. They are a wild animal and therefore keeping them as a pet without appropriate ways of keeping them under control is clearly problematic and so that is obviously an issue for your Committee to determine what regulation is required in relation to that. The Service would not fundamentally disagree that they are not, as a wild animal, particularly suitable to be kept as domestic dogs.

The second issue is in relation to the conservation concerns. You have probably picked up that there really are two issues. One is the hybridisation issue. There is gradual genetic dilution of dingoes as the species that was here when Europeans came to Australia.

The second issue is, how do you manage a top order predator in an environment where they clearly interact with a lot of other issues such as predation of livestock. So we see them as a top order predator, an important part of wild ecosystems, because they certainly do keep other lower order predators under control. There is reasonably good anecdotal evidence that they suppress fox numbers in areas where there are good dingo populations and contribute to some extent to controlling other pest species such as rabbits and also control some of the wild life, the kangaroos, and whatever, to stop their numbers becoming overabundant. So we see them as a necessary part of wild ecosystems. As Eric said, it is really having a top order canine, it does not have to be exactly the dingo that was there 200 years ago. But to have that function in the ecosystem we see as important.

Coming back to the hybridisation issue, there has been reference made to listing dingoes as a threatened or endangered species so if I can just briefly elaborate on what has happened about that. A nomination was made to an independent scientific committee established under the *Threatened Species Act*. That is 10 highly reputable scientists, independent of the National Parks and Wildlife Service, who are obliged to consider any public nomination. They sought advice from the Service about that and we then discussed with various other agencies what we thought should be done. We were clearly concerned that there is this need to control dingoes and if you list them as endangered you would interfere with that



control. At the same time we accept there are valid conservation concerns. Out of all that the Scientific Committee decided to have a symposium earlier this year to try and get better public debate on the trade-off between those two issues and ultimately the Scientific Committee has deferred but not ceased consideration of that issue.

They put it on hold while further information was being gathered about the issue but there is no decision that I am aware of not to move forward at some future stage with it and even if they decided to reject this nomination anybody could make a new nomination for listing as an endangered species and they would still have to consider it. So there is a potential for listing, there is no listing at the moment. The Service is aware that that could happen. Our view is that if specific populations of dingoes in large areas are identified, we would not object to endangered populations being listed. We would not favour the listing as a species across the whole of New South Wales because there would be serious legislative conflict with the *Rural Lands Protection Act* if that occurred. That is not a decision for the Service, that is a decision for the Scientific Committee. Regardless of whether or not dingoes are ever listed, they are a native species. We try to manage them as a top order predator on a landscape scale, and the approach to date has been to develop a wild dog policy with the Service, with rural stakeholders and other agencies, that basically says that in large conservation reserves we will seek to maintain dingoes, but at the perimeters of those areas where there is evidence of livestock predation, we will undertake control.

So on the one hand we try to manage livestock predation to acceptable levels but on the other hand preserve dingoes in large land areas. I don't see that changing regardless of any future listing. That is the practical solution. In areas where there are sheep, dingoes are basically incompatible with sheep. They kill large numbers of sheep. In cattle areas I guess there is some greater degree of tolerance but still some potential for problems. So you need, for instance, on the boundaries of Kosciusko National Park and the Monaro where there are lots and lots of sheep, there is a major problem with dingo predation. You need to be able to manage that boundary interface - or you can't have a sheep industry adjoining that area. So I see that as the only pragmatic solution that we can continue to operate on as a conservation, predator management issue. I don't see that as at all incompatible with the hybridisation issue because the threat of hybridisation is cross-breeding between domestic dogs which are really at the interfaces of those areas with the dingoes in those large areas. In removing dogs from those boundary areas you are reducing the likelihood of hybridisation.

We accept that under the proposed new pest control orders for the new *Rural Lands Protection Act* there is the proposal which Eric alluded to, to have two orders, one for conservation reserves where there are large areas and significant dingo populations

and the other for the rest of the landscape. So in the one situation all wild dogs, dingoes or otherwise, be controlled and removed, in the second situation where there are a series of large blocks of land - I guess one main area in the south of the State, the Kosciusko area extending up to the back of Canberra, the Brindabella ranges, that big range country there, a second area behind Sydney which is essentially the Blue Mountains National Park, Wollemi National Park, and other National Parks in that area and the third area in the north-east of the State from the New England Tableland back up towards the Queensland border where there are large existing areas that are more or less continuous and there are fairly large wild dog populations in those areas.

I guess we see those as three core areas where we will be seeking to have a second pest control order. The exact boundaries are something that have to be nitted out, but that is the principal of it. Those three large areas where basically there will be management at the peripheries to control predator impacts but also trying to conserve the wild dog population in those areas and that will be done through a plan of management process. If the species is listed in some of those areas as an endangered population you have to produce a recovery plan and that would basically just flow on from whatever plan of management we would look to currently develop now.

So in a summary form, those are the issues as I see them.

**Mr NAGLE:** Thank you Graham. Paul ?

**Mr Paul MEEK, Regional Ecologist, State Forests of New South Wales:**  
A lot of what I would say has already been said previously by Eric and Graham. I ask myself, what are the implications of the *Companion Animals Act* to State Forests, and there are very few. Essentially State Forests also consider the dingo or a wild dog to play a function and have a role in the ecosystem as a top level predator and our corporate policy states that we will conserve native species and manage our forests as best as possible to maintain the integrity of those populations. We are also caught in a compliance framework which says we will also work to the *Rural Lands Protection Act* and therefore control and suppress wild dogs and if it is dingoes, where there is proven livestock impact, we will undertake that sort of control. So they are the two key issues for us, balancing the conservation needs of dingoes as an Australian species and the need for controlling wild dogs which could embrace good genetic stock as well. We are also working with the other agencies in developing conservation reserves and how we maintain the integrity of those to some extent affected by the Act.

The other one which is not really State Forests related is the animal ethics component of having dingoes as a companion animal and I would have to agree with Barry that it is a very difficult task to try to domesticate a wild animal and having done that with other canids, e.g. a fox, or foxes, it is a very complicated issue and there are some obvious animal welfare implications.

From State Forests point of view, we are caught at the regulatory end of it. We will conserve dingoes as part of our ongoing management. We will also be required to work with other organisations and with our neighbours to try and control or suppress livestock impact.

**Mr NAGLE:** In your paper at this year's symposium on the dingo you described the dingo as a *Canis lupis* - we are told that dingoes now come within the definition of a dog in the *Companion Animals Act*, which is defined as an animal of the species *Canis familiaris*. In your view does a dingo come within the definition of a dog?

**Mr MEEK:** Yes, obviously with the definition of a dog. The issue comes down to taxonomy. The dingo and the dog are now being called *Canis lupis familiaris* or *var. Dingo*, the sub-variety of dingo and domestic animal, so there is some acceptance at a taxonomic level that they are different. All of the canid group can be classified as dogs to some extent. It has not been legally accepted at this stage, as far as I know, that *Canis familiaris* is no longer appropriate. But in the scientific literature we are referring to dingoes and dogs as *Canis lupis*.

**Mr NAGLE:** And in your paper you gave at that symposium you said that the legal status of dingoes in New South Wales varies, depending upon the Act under which it is considered.

**Mr MEEK:** Yes.

**Mr NAGLE:** Can you comment on that?

**Mr MEEK:** In the State Forests environment a dingo is native, we consider it to be a native species. If it falls on agricultural land, a farmer's land, it falls under the *Rural Lands Protection Act* and becomes an animal which we are supposed to control and suppress. If it goes onto a national park, it becomes a native species and is therefore protected. So depending on where the animal sits on the ground, its status can vary accordingly. If the dingo is in a State Forest or National Park, we manage it as a predator with an ecological function. If it jumps the fence onto land, we are supposed to implement control programs if there is a proven livestock impact.

**Mr NAGLE:** Malcolm?

**The Hon Malcolm JONES, MLC:** I would like to ask what might seem to be a contentious question. It is not intended to. It is really just to try to get a better grip on things. We have been listening to the argument about hybrids and pure dingoes. It appears that they are not suitable to be held in urban areas, and there are difficulties with them being out in national parks or State Forests where they are going to be cross-bred. Mr Oakman told us about having his dingoes on a 180 acre block and Dr Walmsley in South Australia has similar areas where he tries to encage various animals. But I can't see that as being a solution either, because I don't see how you can keep them in a controlled environment where they would not be able to develop their hunting skills - the question is if people are professionals who deal with this all day and every day, is the quest to keep the dingo pure really futile? Are we trying to hold back the inevitable which is the evolution of these animals with other species?

**Mr MEEK:** I think that is time scale related. If we look 100 years hence we can probably keep perhaps 90% of the existing dingo gene pool. If you look 500 or 1,000 years hence, who knows?

**Mr JONES:** You reckon you could, in 100 years time, have an accurate percent?

**Mr MEEK:** It is really a management issue. If you can stop the gene dilution at the interface, probably most dingo populations in Australia, certainly in the more remote areas it might be of the order of 90 per cent. So if you can stop that you might be able to maintain the status quo. You clearly can't stop it completely. We have not really talked about the DNA research that is being done at the moment because we are looking at the moment at New South Wales University through funding provided by Barry Oakman, looking at differentiating dingoes from domestic dogs and hybrids. That work currently allows identification of dingoes and dogs as two different species. It requires live animals or tissue samples.

The next logical development is to develop a field-based test on say, faeces or hair or something like that. So as those techniques evolve, perhaps in 10 years, the ability to manage the animals less directly should increase. But that is crystal-ball gazing. If you have a good boundary perimeter program you can probably slow down the dilution, whether it is 20 per cent or 10 per cent, I don't think matters that much, but you can keep the majority of the dingo gene pool intact.

**Mr JONES:** There are a lot of wild dogs out there.

**Mr MEEK:** Sure. But that is just a management issue of how much you can slow it down. You can't stop it and inevitably there is virtually an evolutionary process going on over the longer time period.

**Mr NAGLE:** One last question to you, Graham. Has anyone drawn up a long term plan for the preservation of the pure Australian dingo and what is the possibility that for a national approach to the conservation of dingoes to overcome various State laws?

**Mr WILSON:** That would be a matter for the Commonwealth Government. Nobody has done it formally, but the book that was being displayed, produced by the Bureau of Resource Sciences, is a strategy for dingo management. That is one step in that direction. I would not see dingoes at a national level as an endangered species. It is not as high on the priority list as some critically endangered species we are trying to deal with. However, at the end of the day that is a judgment -

**Mr OAKMAN:** If I could butt in, there is an Australian species management program at Healesville Sanctuary, to put together a dingo stud book where we could find where the genetic pool lies. All zoos, fauna parks and private individuals . . . like David Steward's and mine, are participating in that and it is well under way with regards to logging what animals are out there and now it is just a matter of the DNA being proven to know what the gene pool will be.

**Mr NAGLE:** Thanks Barry. Rebecca?

**Dr Rebecca LARKIN, Executive Officer, Companion Animals Advisory Board, Department of Local Government:** I will just read out the definition in the *Companion Animals Act* so everyone knows what people have been talking about. The definition in the *Companion Animals Act* of a dog means an animal of either sex or desexed of the species *Canis familiaris*, whether or not domesticated. We have already heard that scientists, since this legislation was put together, have changed the name of that species. So already it shows that there is some confusion. The *Companion Animals Act* definition did not change significantly from the definition under the old Dog Act and when the *Companion Animals Act* was made the *Rural Lands Protection Act* hadn't been reviewed so people who kept dingoes still came under that system and so the *Companion Animals Act* wasn't intended to address the issue of dingoes specifically kept as companion animals.

Clearly there is now a different situation and this argument that we are discussing now has been brought about by the changes. The *Companion Animals Act* actually provides the same protection to stock as the Dog Act did, for example, owned

animals that stray onto rural land and start attacking stock, in one definition they don't actually have to attack your stock, you just have to be of the opinion that they potentially will, you can take steps to control that animal, injure it or destroy it. The *Companion Animals Act* continues those provisions that were under the Dog Act. It also strengthens the provisions for dangerous dogs. For individual animals that are declared dangerous because of some behaviour that they have exhibited, those provisions still exist. They include requirements for housing and notices put up and that the animal be desexed.

The nuisance dog, which I think Barry mentioned earlier, is a new provision whereby Councils can take a step that is perhaps intermediate before declaring an animal dangerous so their specific behaviour can be subject to a nuisance order, and one of those would be barking, for example. But they only apply to an individual animal in an individual case. The whole thrust of the *Companion Animals Act* is to look at the individual, the deed rather than the breed, although there are several restricted breeds defined which are based on breeds that have restrictions for import in Commonwealth legislation and those restricted breeds have similar requirements to dangerous dogs. The dingo is not one of those restricted breeds. It wasn't ever considered to include it as a restricted breed, and in fact it would be counterproductive to the process of trying to conserve the species because restricted breed animals have to be desexed.

Clearly I don't think the argument would include dingoes as a restricted breed but they are useful in this discussion because one of the restricted breeds is an American Pit Bull Terrier, and there is an association which breeds American Pit Bull Terriers, and they are faced with a similar problem in differentiating American Pit Bull Terriers from other closely related breeds. They have to use skull measurements. It is quite a similar kind of process to go through and legally people who claim that their animal that looks just like a Pit Bull Terrier is actually a cross-bred animal or a Staffordshire Terrier, it is very difficult to take that person to court and prove in a court of law that this animal is actually a Pit Bull Terrier and the same scenario would be, so if we did something with dingoes, as everybody else has said here, the difficulty is in trying to define what a dingo is as opposed to a hybrid or any other kind of dog.

I am not quite sure how the *Companion Animals Act* and regulations can be changed to allow for people who are interested in conserving dingoes to keep them and breed them. The *Companion Animals Act* looks at responsible pet ownership and it would apply to any companion animal kept in an appropriate place, for example a large active dog kept in a small unit or a breed like a German Shepherd kept in a small area with small children. There are a whole swathe of things that people tend to do with animals that could be defined as not being responsible. The *Companion*

*Animals Act* tries to promote responsible pet ownership without being prescriptive. So there is nothing in the Act or the regulations which controls how an animal was bred, what sort of records should be kept.

The prescriptive stuff is left up to the breed associations so, for example, to breed and own pure breed German Shepherds and be able to sell them as pure breed German Shepherds you have to be a member of the New South Wales Canine Council and they have certain requirements they have to comply with. It is far better for that system to remain than it to be put into a regulation and I think the same would apply to dingoes. If people want to keep them for the purpose of breeding them then being members of an association as a requirement is a good thing. I don't think anywhere in the Act it promotes the keeping of dingoes as pets and clearly we would be of the view that people keeping dingoes in their backyard would be irresponsible pet ownership.

Mr NAGLE: Myra ?

Ms Myra CRAIG, Manager, Policy and Research Branch, Department of Local Government: I've nothing to add to that.

Dr KERNOHAN : I was just wondering, how many other people are we going to hear from?

Mr NAGLE: The last three are Dr David Steward, Ms Sheridan Thomas and Mr Keith Allison.

Dr KERNOHAN : I will leave mine until we have heard everybody because it is a more general thing I want to ask. But there is one I want to ask now, who had the bright idea to put dingoes in the *Companion Animals Act*?

Mr OAKMAN: I fought it –

Dr KERNOHAN: My question is to the local government representative — who decided to put it in?

Dr LARKIN: To answer that, you have to look at the other side. If you decided to take it out how would you? That is the problem. If you are going to have a *Companion Animals Act* which defines “dog” as being XYZ how do you then come up with a definition which says “except A B and C which means dingo”.

Dr KERNOHAN : They weren't in the old Dog Act, were they?

Dr LARKIN: Yes, they were. Dogs that were kept under the permit system under the *Rural Lands Protection Act* for example, had to comply with the Dog Act the same as any other dog.

Dr KERNOHAN : Well, what is the difference now? If it was exactly the same under the old Dog Act, why are we on about it now?

Dr LARKIN: I think there is no change under the *Companion Animals Act*, I think the change has come with the changes to the *Rural Lands Protection Act* and the fact that dingo owners no longer have to have a permit from the Minister of Agriculture.

Dr KERNOHAN : That's a big change.

Mr OAKMAN: Mr Chairman, there is a provision that requires the local pest control boards to approve the keeping of a dingo, isn't that still the case?

Mr ALLISON: Under the *Wild Dog Destruction Act* that applies in the Western Division.

Mr NAGLE: We might deal with that question in a second. Don?

Mr HARWIN: My principal interest is your view on how the Victorian and ACT regulations work and whether you consider it is a better approach to what we have here in New South Wales.

Dr LARKIN: I am not aware of how that permit system works, whether it comes under the Victorian Act companion animals legislation. The ACT is considering it. I would think that permit system is something similar to the *Rural Lands Protection Act*, under agriculture rather than something specific to companion animals.

Mr HARWIN: In Victoria a pest animal can't get permission, is that right Barry?

Mr OAKMAN: That's correct.

Mr HARWIN: And in the ACT there is the Wildlife Act.

Mr OAKMAN: The same as snakes and birds - they are treated the same way. You have to have records of breeding, you have to have permission.



Mr NAGLE: We will come back to that a little later.

Mr HARWIN: So you can't really comment?

Dr LARKIN: No. Because those are Acts that come under Agriculture or National Parks.

Mr HARWIN: Perhaps I could just get a response from Eric or Graham? Just the approach in the Victorian legislation where they have a pest animal captive permit - whether that is a preferable situation to New South Wales.

Mr DAVIS: From New South Wales Agriculture's point of view the answer to that is no. I would like to elaborate. The previous situation was that the permit issued by the Minister allowed the keeping of what was otherwise a noxious animal, that animal was still subject to the Dog Act and more recently the *Companion Animals Act*. There is no real opportunity for New South Wales Ag to implement that sort of a system without having an equivalent provision in the new Act or the orders under the new Act and I really can't see that operating effectively here outside of the *Companion Animals Act*. I take Rebecca's point but I can't see you sort that out within the *Companion Animals Act* given the difficulty in differentiating the breed types between dingoes, hybrids and everything else. I can't see that functioning efficiently within NSW Agriculture or the *Rural Lands Protection Act*.

Mr HARWIN: . . . huge dilemma as to what we do.

Mr NAGLE: Barry, would you like to come down and tell us your view on that question of Don's?

Mr OAKMAN: In the ACT the animal there is kept under a permit system but you still have to comply with the *Dog Act* as it currently stands. There is a cost on the permit, you have to have a certain sized dwelling, certain types of lockup enclosures, and so on and each year you have to put in a register of the breeding that was done, you have to get permission to breed, you just can't do it willy-nilly and you have to have permission to bring an animal into the ACT and take it out on a permit system. I lived in the ACT, I now live in NSW. For me to take an animal to the vet I am issued through the ACT a yearly permit to take my dog in and out, an export and an import licence. So it is completely under native fauna in the ACT.

In regards to Victoria the system is one of a pest animal, even though they call it a dingo permit, down there you have to comply with housing and so on and at the

same time also comply with the *Dog Act* so there is not a great difference between what used to be here with the old system of the Minister issuing the permit if the person complied with the requirements of appropriate housing and so forth, and the Victorian system is working very well and as I said earlier in my opening talk I believe that the regulations they have in Victoria would work well here. Even though it could come under the *Companion Animals Act*, the dingo would be a separate identity. It has got to be treated quite differently to a dog.

**Mr NAGLE:** Myra and Rebecca, I want to ask you a couple of questions. Under the regulation-making power of the *Companion Animals Act* it is possible by regulation to make specific provision for particular classes of companion animals and also to exempt classes from the provisions of the Act. This gives the Minister plenty of scope, doesn't it, to make particular provisions for dingoes if they are justified?

**Dr LARKIN:** As far as I understand, those regulatory powers are to make exemptions or requirements for micro-chipping and registration. There is no mechanism within the Act which sets up that a certain breed has to have a permit and must be kept under certain conditions so it would require a change to the Act so that you could then put a definition in the regulations which said "This would apply to dingoes" and if that was the case we would still have the problem of how we would define what a dingo is. And if people say, "no, it's not a dingo", how you would police that I don't know.

**Mr NAGLE:** Thank you. Barry Oakman said in the May 1999 symposium on dingoes, and I quote "The NSW *Companion Animals Act* is not suitable for dingoes, and gives a completely wrong impression for the general public. Unless regulations are placed within the Act or the dingoes as a breed specifically removed from the Act and placed under conservation there will be an increase in the exploitation of the animal, a proliferation of backyard breeders, a subsequent cross-breeding and abuse, abandonment and so on of such a misunderstood animal". I am not asking you comment about "misunderstood animal", but will that be a result of the Act?

**Dr LARKIN:** Well, having already said the *Companion Animals Act* doesn't actually significantly change the situation from the *Dog Act*, if there is a public perception out there that somehow dingoes are now listed specifically in the *Companion Animals Act* and that gives people the ability to keep them now, I think that is a misconception and I don't know where that would have come from but from the correspondence and inquiries that we have had I do not believe that this is a widespread belief amongst the general public.

The Department has provided clarification to a couple of concerned councils who were of the view that the change in the *Rural Lands Protection Act* meant that the *Companion Animals Act* covered dingoes, and as we have seen, it clearly doesn't, there are still controls for wild dogs, so I guess if there was a misconception out there, that is a potential for something to be addressed in the education campaign which is established under this *Companion Animals Act*. There is a specific fund to provide money for a statewide education campaign and essentially one of those issues could be providing some kind of material for the general public about that, if it was felt to be a major concern.

**Mr NAGLE:** Myra?

**Dr LARKIN:** Yes, if I could just add. At the moment with the *Companion Animals Act* hotline, we would probably be taking approximately 500 calls a week in relation to companion animals, that is not ministerial correspondence, just phone calls, and a tiny percentage of those would have anything to do with dingoes. I think from our perspective it is not something that we have identified as a public concern in relation to the Act. The correspondence would be of a much more serious nature if it relates to dingoes. It might be something from an organisation like Barry's which would require a more detailed response but it is not our perception that it is a public issue in relation to the *Companion Animals Act*.

**Mr NAGLE:** Fine. One last question in regards to both Rebecca and Myra. The *Companion Animals Act* sets out a Companion Animals Advisory Board. One of the functions of this Board is to provide advice and recommendations to the Minister on the effective management of the *Companion Animals Act*. It seems to me that the issue we are discussing would be appropriate for formal examination by the Board and perhaps a report and recommendations to the Minister could be tabled in Parliament. What is your view on that?

**Dr LARKIN:** Well yes, I think the Companion Animals Advisory Board has membership on it whereby there could be some very useful debate and resolutions on that issue. However I think the membership is definitely not representative of all the areas to do with dingoes and dingo control. I think if they were asked to consider that issue by the Minister they would have to set up a subcommittee, and second people, and that would certainly work very well.

**Dr KERNOHAN :** I was under the impression that Boards like this would be seeking advice from the experts, not that the Board would be made up of experts on it. Because they have to look at it in the general context of the Act.

**Mr OAKMAN:** Could I answer a question which came up earlier, you talked about microchipping. In my group there are three people, myself being one

of them, who have a quantity of dingoes. The others are spread around with people only having one or two. We put a newsletter out where we told people to “go and get your dogs microchipped”. The chap I spoke of earlier, whose dogs can be heard 14 ks down the river, went into Mulwaree Shire to microchip his dogs and they told him, because he is a member of a conservation group, that it didn’t have to be done. He rang me last night and told me that. So there is confusion out there already.

**Mr NAGLE:** At this point I might ask Scott Cardamatis, David Steward, Sheridan Thomas and Keith Allison if they could take the floor.

**Ms Sheridan THOMAS, Administrator, Wildlife Information and Rescue Service:** Mr Chairman, I think I prefer not to comment at this stage.

**Mr NAGLE:** All right. Scott?

**Mr Scott CARDAMATIS, Office of the Minister for the Environment:** I have just come along as an observer today.

**Mr NAGLE:** Well, now we have David.

**Mr David STEWARD, Australian Native Dog Conservation Society Ltd:** The comments I would make at this stage, I will keep it brief because we have been going for a while, are that we don’t promote dingoes as pets to the public generally but we do maintain a colony of what we understand are 29 pure dingoes and five mixed dingoes. I can say that we are working with NSW Tourism. We have tourists coming out, they visit the sanctuary, we get dingoes out on leash and they handle them. We have been doing this (under supervision of course) for, I don’t know, we have been going for 23 years. In that time we have never had a serious incident. While I would not like to see - I feel it is regrettable that perhaps people are seeing dingoes as a possible pet now. I certainly wouldn’t say that our dingoes have acted in a savage way. They have got highly developed hunting instincts so they like to jump on the odd bird or mouse that happens to stray into their enclosure. But I feel that a lot of comments being made about dingoes being a wild animal without people actually having had experience with dingoes in a domestic situation, and the problem with calling something a wild animal is that that obviously affects way that you handle it.

If you are going to put the animal on a chain and say it is a wild animal, and you shouldn’t handle it, of course such an animal is going to behave in an aggressive way, a defensively aggressive way. Our dingoes are about 30 metres from our nextdoor neighbour’s place. The only comment I ever had from the neighbour was when I put the cattle dogs on the boundary. He said, “Those aren’t dingoes are

they?” and he complained about the barking, but as far as the dingoes we have never had any complaints, or trouble with Council.

So I think the concerns we have with dingoes we also could have with some other breeds, such as hound and spitz breeds. When you are looking at dogs, dog behaviour, there is a continuum, not every dog is like a labrador or a cocker spaniel. There are some breeds which are better adapted to a domestic situation and some which are not so well adapted to a domestic situation. Breeds such as whippets, greyhounds, and some of the spitz breeds like huskies, etc. some of the problems that people are experiencing with those are similar in quality, if different in perhaps magnitude, to those that are going on with dingoes. I feel for that reason the problems we might expect with dingoes are not easily separated from those that we might expect with other breeds. I think it makes it difficult to look at dingoes separately for that reason. I will reiterate, our organisation doesn't want to see dingoes become a fad pet. On the other hand the problems are similar. So I will leave it there for discussion.

**Mr NAGLE:** And Keith?

**Mr Keith Allison, Member, Wild Dog Destruction Board:** Yes, Mr Chairman, I am both a member of the Wild Dog Destruction Board which has the responsibility of maintaining the dog fence on the far west of the State on the South Australian and Queensland borders, and also a member of the State Council of Rural Lands Protection Boards. I am holding those positions on the Department of Agriculture Pest and Animal Advisory Committee and the subject of dingoes has come up on several occasions and is always under discussion. Before the proposed amendments to the new *Rural Lands Protection Act* dingoes were discussed, and the ability for the *Rural Lands Protection Act* to maintain control and removal from noxious to pest animal, and the alleviation of the word “dingo” to “wild dog”, there was a large amount of discussion.

Under the *Rural Lands Protection Act* the Rural Lands Protection Boards were given the responsibilities of licensing and knowing where and preventing the keeping of dingoes in captivity, until there were amendments by the Minister. It was virtually impossible to maintain any licensing or knowledge of the breeding of dingoes in that you could not field-identify a pure dingo, because it was not classed as a wild dog or whatever, it was classed as a dingo. Unless you had the skull measurements a person owning that dog had an argument to say, “It's not pure”. How can you identify it? We couldn't do it.

The housing requirements and breeding status of it, the time to keep track of a bitch having pups and to dispose of those pups, it was virtually impossible for us and our staff to have any idea of where and when breeding was occurring, and how

you are going to control it, I don't know. Therefore it was removed and put under the *Companion Animals Act*, dingoes being not identified as a pure dingo, because it can't be identified, we believe that the breeding and restrictions, if you are going to have them on, my biggest worry is, how you are going to police it and how you are going to identify them.

I know, and from our experiences out there, in the west, we have also had the *Threatened Species Act* or the application in relation to *Threatened Species Act*. The whole sheep industry and goat industry, and to a degree your cattle industry, are in a central part of the State and the far west of the State. If there wasn't dingo control, then the viability of two-thirds of the State could be affected. Currently in South Australia outside the dingo fence and in Queensland they are having to bait the dogs at least twice a year, trying to maintain a 60 per cent calving average in their cattle.

Since the Calici virus has gone through, it has been very very distinguishable and noticeable, especially in South Australia where we had the rabbit plagues, since Calici virus has come in, the dingo population has fallen. We have a lot less trouble on the fence. In the big plague years of the rabbit, we had virtually 100 per cent survival out of the dingo bitches and we could bet, after a rabbit plague, we would have dog pressure a huge dog pressure one or two years afterwards from the natural increase.

We have just seen the pressure come with the Bulloo River overflow and those good rains in Queensland when it came down and because the Bulloo River hasn't been done for four or five years, the numbers have increased, the flooding coming down and pushing the dogs out of the habitat they were in, applied a huge amount of pressure on the fence on those occasions. We are used to that and we control. I don't know one person in the cattle country of South Australia or Queensland, even Stambroke and AMP and those big holdings up there, that want to eradicate.

We have a pig problem as well, they help that, but we just want to control. In relation to maintaining the dingo as pure, if we can get a field identification it is going to be easy. However to identify areas, I have grave concerns in relation to identifying the areas and proven to baiting. I think that is great, but there must be animal control of the dog population in that area, if as the gentleman here, on his visit to Fraser Island, had a sandwich pinched by a dingo, any person going up there would be ashamed to have a native animal in that condition and in the state that they have to go and pinch your sandwiches to survive. They have eaten out and the dingo has a habit of killing for joy. They have eaten themselves out of their supply of food, and the only supply they have consequently, the food chain is the only controlling factor they have on that island.

Dr Neil Shepherd who was Director-General of the National Parks and Wildlife Service, in Sturt National Park observed two dingoes kill 17 kangaroos in a matter of three hours for fun. And that is habit. I have had two dingoes kill 90 lambs in one night and travel over 30 miles in the process of doing it. Not only dingoes, I have also had 2,500 young ewes killed on three properties from two town dogs from Broken Hill as well, and I am 30 miles out. It took me five days with about four horsemen to find them. So it is not only the dingo, there are plenty of domesticated dogs. The hybridisation of the dog with the dingo is going to continue and to a greater extent now that there are more tourists about and especially a lot of the population from the cities taking pig dogs, having sporting fun and then abandoning the dogs when they go back to the capital city.

**Dr KERNOHAN :** Mr Chairman, one of the things that seems to me to be the basis of the problem, with everyone talking around the subject, seems to be the definition of what a pure bred dingo is. I am a scientist and I appreciate fully what everybody is talking about, an animal subject. But before we knew about DNA sampling, skull morphology, that being 20, 30 years ago, anything that looked like a dingo, acted like a dingo, was shot.

What is wrong with starting off now and defining a dingo on the basis of general morphology and what is accepted to the general community as a dingo, such a definition has been used to designate other groups of things for the purposes of benefits or looking after, and then work from there and all the departments get together and work out what they are going to do to conserve, to train, to control where necessary etc. It seems to me that everybody is getting a little bit too scientific, when you have got a problem that needs fixing. Control in some areas, preservation in others. I would just like some comment.

**Mr ALLISON:** To describe them, or try to describe them, cross-breeding to produce a white, they say there are only four colours, red, black, and black and tan. Where those colours come from or are placed on the dog are going to be very hard to identify. It is going to be very hard to put into words and get through to the general public the identification.

**Dr KERNOHAN :** Most people in the general public wouldn't recognise that there was the black and tan. I think I only found out about it when I went to Merigal. Most of them think of the sandy colours, right through to the light white. But I am saying, as a start, because while everybody fiddles around with exactly what definitions are and you can't do it, everybody's evading the question of what should be done.

**Mr MEEK:** I think you will find that that is taking place at the moment. Many of the species that are here today are working collaboratively to look at how we are going to manage wild dog livestock impacts and dingoes. As you have heard before we are now working with State Forests, National Parks, Rural Lands and Department of Agriculture to identify dingo conservation areas where we can get the best picture possible as to the integrity of those populations which then identifies where our livestock impacts are in relation to reports through Rural Lands and Department of Agriculture and having a unified approach towards controlling animals in some areas where there is a proven impact while conserving them in other areas. So I think there is a pragmatic approach and an all-of-Government approach to try and come to some suitable management outcome.

**Dr KERNOHAN :** And then it gets back to the *Companion Animals Act* and why it's there and controlled by it, if this is the case, because it isn't a companion animal, according to the experts we have heard today.

**Mr DAVIS:** Just to follow Paul's point, I think we have to start with the end in mind, in other words what are we trying to achieve with this. Paul has reiterated what is happening with dingo conservation areas pretty well. In terms of the *Companion Animals Act*, you said what are we trying to achieve. Well from an agricultural point of view probably among the largest impacts for livestock injury and death and maiming and so forth occurs around small towns, villages -

**Dr KERNOHAN :** They are domestic dogs gone berserk.

**Mr DAVIS:** Yes, absolutely. Certainly we are trying to minimise that and that is one of the aspirations of the *Companion Animals Act*. So other than that, the question becomes, what are we trying to achieve in terms of controlling animals in urban areas and I come back to the point, how do you differentiate a dingo from anything else. It is no good talking about morphology or any other physical characteristics for which there is a continuum between a pure bred dingo and ranging right through to any other dog, because how does that then pan out in a court of law? That is my question. You are asking for something that I believe is not a practical possibility in the urban context.

**Dr KERNOHAN :** How do you differentiate, in a court of law, between other so-called German Shepherd dogs, it used to be banned to have German Shepherds, Alsatians, in certain areas of the country. Did they have to have a pedigree to be determined as German Shepherds or was it done or morphology?

**Mr DAVIS:** I can't answer that I'm sorry.



**Mr OAKMAN:** You're looking at a manmade dog - not nature's dog.

**Mr Jim JEFFERIS, Director, Regulation Review Committee:** I could ask Eric this question, if a particular animal that is classified as a pest under an eradication order, if someone wants to keep it, it seems that under the new *Rural Lands Protection Act* Section 174, that you would have to get the Rural Lands Board's approval. Say the Rural Lands Board says, yes, well this animal, we know it's a dingo. Couldn't you impose appropriate conditions which would flow through to the conditions that that person would have to maintain under the *Companion Animals Act* and you wouldn't have to worry about the definition. You would just deal with the particular pest animal and you would work on the basis, that we know it's a dingo, and we will put these particular types of conditions on and the person would have to comply with them and you wouldn't have to worry about the *Companion Animals Act*.

**Mr DAVIS:** There are a couple of points there worth making. The first is that there are a number of provisions under section 143 and the provision you are referring to, the section you are referring to in section 143 is 2(g), and it says - and these are powers that may be included within pest control orders, at the Minister's discretion - and I think the one most pertinent to your point is "confer on a Board the power to give approval whether or not subject to any condition for any person or class of persons to keep the pest in captivity on the controlled land".

The point is that implementing that provision or the one to which you have referred really takes us back to the same situation or the same scenario that we faced under the Noxious Animals provisions of the previous *Rural Lands Protection Act* and that is simply that that only confers on the owner a right to keep an animal which is otherwise a pest animal or otherwise a noxious animal. It doesn't remove from that person the obligation to comply with the Dog Act as it was then, the *Companion Animals Act* as it is now. So the animal is still a dog and it is still covered by the *Companion Animals Act*, so you still have two sets of regulations.

**Mr JEFFERIS:** Under the *Companion Animals Act* you just make that condition, that has been imposed -

**Mr DAVIS:** Yes, but you still haven't progressed in that situation -

**Mr JEFFERIS:** - in a way that the companion animal people don't have to worry about imposing that one directly, they just pick up the condition you have put in.

**Mr DAVIS:** But all you are doing is transferring the problem of imposing or enforcing that provision from one Act to another. The real issue as I see it is the issue of how do you determine that this thing is a dingo, because unless you can

reliably and cheaply at a practical field level do that, I can't see that you can realistically impose any requirement or constraint on a dingo whether it be under the *Rural Lands Protection Act* under the two provisions we have discussed or under the *Companion Animals Act* in terms of anything other than a deed rather than a breed approach.

**Mr NAGLE:** Any other questions?

**Mr ALLISON:** Just on pest animals, the word noxious is going out of the old Act and pest is coming in. The provision is in there for the Minister to allow a Board or a group of boards of a section of the State or whatever to be able to control or have a particular problem animal or species declared pest. That will even come down to your plague locust, your wingless grasshopper and others to assist in the control and eradication of the pest animal. In some areas cats might be a problem etc and the community want it controlled in relation to their preservation of some other species. Likewise boards or the Rural Lands Protection Board system may apply to the Minister to be able to control that particular species under particular conditions and that is why we have taken the word noxious so we can get a greater range of pest animals and better control.

**Mr NAGLE:** Does anyone else wish to make any general comment about what has been discussed? Liz?

**Dr KERNOHAN :** I was just going to ask, does everybody still believe that everything is in the right place? All our experts here from the Government Departments do they believe that everything is in the right place? Whether people trying to restore the dingo and conserve it, such as Barry and David, have got a point?

**Mr DAVIS:** From my point of view, I see clearly that the keeping of companion animals is correctly controlled within the *Companion Animals Act* and the issues that arise with dingoes, their suitability as pets and even hybridisation, those issues that relate to their suitability as pets and the potential for those animals or their hybrids to attack livestock are nevertheless the same issues that apply to all other dogs that are kept as companion animals. I can't see us progressing anywhere by trying to separate out specific subtypes of dogs that all have the same sorts of problems, albeit, and I think this point has been well made this morning, albeit to varying degrees for different breeds.

**Mr NAGLE:** Barry?

**Mr OAKMAN:** I believe that the term “companion animal” doesn’t fit the dingo. I believe that in the long term the dingo will be maligned because of it. As I said earlier, chained up down the back somewhere, mistreated and in the long term, it hasn’t happened just around here recently but within the last few months I have been asked to go to four different towns, one of them being Bowral to pick up dingoes. WIRES have rung me and said, can you come down here, a dingo has been hit by a car, running around the streets of Bowral, living out of garbage tins, can you come down and catch it for us. More and more of these things will happen.

The Merigal organisation and my organisation each year are asked to take in dingoes that people have got as pets who grow up and eventually they can’t handle them because of the breeding season and the psyche of the animal - they are that screwed up, when we get them we can’t do anything with them, and we now have to say no, and there have been a lot of dingoes put down wholly and solely because they have changed hands so many times they are screwed up completely. That is one thing again the public doesn’t understand - a dingo bonds to a certain area or to a certain individual. Once that takes place it is very very hard to change the circumstance. They don’t bond easily with a new environment or a new person.

My concern, and why I brought all this up, is the fact that the public have got to be educated. I heard earlier that there is money for an education program. If that was to take place perhaps that is the way to go. I don’t know. I brought it up because I have a concern for the animal. I have had dingoes for 53 years so I go back a long way with them. I think I can talk with some authority about the fact that dingoes can be a wild animal. They can be bonded to a certain environment and belong to a social group. My dingoes love me to death. Come the breeding season there are three or four of them I would not even turn my back on. Now but put those dingoes into a suburban situation with that type of makeup and you are going to have trouble come the breeding season.

**Mr NAGLE:** Thank you. David?

**Mr STEWARD:** Just one final comment. I think as far as a regulation goes, we have always been offered dingoes. They come up all the time, we have been going the last 23 years. In fact many of the dingoes we are being offered are coming from Queensland where they have very tough laws on them. Perhaps some of the problem is regulation, the fact that people can’t seek help and can’t disclose they have a dingo because they are dobbing themselves in. So education, I think, is a key to this thing. Where people have a problem because of regulation with seeking that, that could create a problem in itself.

Mr NAGLE: Sure, there is one outstanding question we have to have answered, the one that Liz asked about the statutory regime.

Dr LARKIN: Just a couple of things to comment on that question and to back up what Eric Davis said, I agree that it seems like there is a labouing on this “how do you tell the difference between a domesticated dog and a dingo ?” I guess the problem is if you are requesting something to be put into legislation that deals with dingoes then how do you formulate it in legal terminology? That is where the problem falls down. Certainly to promote keeping of dingoes as companion animals was never one of the aims of the *Companion Animals Act*, but if you are requesting some kind of definition or exclusion to be built in then if we have to go to the people that draw up the legislation and try to come up with some definition, that is where it all falls down.

I suspect that is what’s happened as a progression with all these controls being imposed, for example, the German Shepherd scenario you mentioned, I am not aware of it but I suspect if it existed why it no longer does is for the same reason. It is impossible to regulate it. There may now be other mechanisms and I think in the case of dingoes they’re being managed effectively, as Eric said, with the cooperation between those conservation organisations that manage them. But perhaps the conservation status and the breeding can be achieved far better, rather than providing some kind of regulatory mechanism, but providing more emphasis on the captive breeding and the stud book side of things through the Australasian Regional Association of Zoological Parks and Aquaria (ARAZPA) which are the people that run the species management plans so they have membership of major zoos and fauna parks but also private individuals. I think that that is a far better way to go in having people who have dingoes who want to breed them, have them as members of that organisation and abide by the stud book rather than try to write in some kind of definition or exclusion or requirements under any of the Acts we have been talking about and particularly the *Companion Animals Act* .

Dr KERNOHAN : Is that the requirement by law now ?

Dr LARKIN: Sorry, is what the requirement by law?

Dr KERNOHAN : What you were saying about them being part of clubs?

Dr LARKIN: No it’s not.

Dr KERNOHAN : Thank you, that’s answered the question.

**Mr JONES:** I would like to ask Barry Oakman a question if I may. For the sake of trying to manage dingoes, my colleague has suggested, if it looks like a dingo and acts like a dingo, I would like to add to that, and makes a noise like a dingo, because there is a difference in whining and barking, from your position would those three conditions be suitable for defining a dingo for management purposes?

**Mr OAKMAN:** I don't think so. The reason I say that is because crossbreds and it only has to be a little bit of crossbred in the animal, you can have a double cycle, oestrous cycle during the year. The pure dingo cycles only once. The thing that amazes me is that my group were the ones that agitated originally to get the dingo taken off the noxious list within New South Wales. We were not only dealing with New South Wales, we are dealing with every State and Territory in the country. We have had some success in the other areas. That is why I have copies of the ACT and Victorian rules.

Now all of a sudden the people that were fighting me before about me trying to save the dingoes are saying "Let's treat it like another dog" and it is amazing that on the 31<sup>st</sup> December 1998 the dog was a noxious animal and on the following day is a companion animal. In regards to the conservation side of things we have gone too far down the track, put too much commitment money wise and so forth just for the little exercise to get the dog removed from the noxious list within New South Wales, personally cost me \$30,000. So you can see I have got a passion and the passion is that I want to see the dingo in its pure form somehow or other conserved. That will not happen if every Tom Dick and Harry can go and get one from a classified ad, hold them in the back yard and cross them with everything else. The gene pool is not large enough.

We don't even know - I was amazed that David said nothing at this point of the proceedings of the DNA. He is the guy doing the DNA work. How far down the track are we before we can get a field test? In answer to "Is a dingo good enough if it looks like a dingo, yodels like a dingo and so forth" to me, as a purist, no.

**Dr KERNOHAN :** We are trying to help. What we are trying to say is, if you want special requirements such as membership of a society, requirements to be licensed to have them and the fact that if you want them to go into the backyard they have to be sexed, not sold as that, you have got to be able to define them. To start off with, if you have a morphological one that someone says they are going to buy as a dingo -

**Mr OAKMAN:** Can I go back a bit? Back in 1989 we, a group of people including some Victorians and professional dog show people, put together an assessment document which said "Doesn't have a smell, one cycle a year, looks like

a dingo, yodels like a dingo, question mark, may be a dingo. Righto, let's put it in that little pile there." Then further down the track I attempted to get DNA work done. I couldn't raise the funds. Eventually that took place through another format. It is well in place. At the time that we put the B class dingoes on this B register we went to Healesville Sanctuary and said, "Can you put together an Australian species management program". They couldn't do it.

Western Plains Zoo asked me to go and see them. At Western Plains Zoo they wanted me to do DNA work with them at the zoo, supply tissue and so forth. To cut a very long story short the outcome eventuated where Healesville said they would do the species management, the stud book and then when we started to say these dingoes are a type, they look a type, the geneticist down there said, "You cannot put a particular style or" the word I am looking for is when you type a dog in a show ring, it has to be a standard, you can't put a standard on a wild animal. It can vary, vary greatly and the DNA will prove that. So I don't know, it is a conundrum. I really don't know what the answer is.

**Dr KERNOHAN :** Were breed societies of dogs formed by scientists on scientific bases or were they formed by people that loved dogs and bred them?

**Mr OAKMAN:** Look how they've screwed the dog up.

**Mr JONES:** We are faced with a specific problem here. We cannot progress until we have a pragmatic method of saying whether a dog falls into a dingo category or not a dingo category. We can't kill them and measure their skulls because that would surely defeat the purpose. We can't wait 12 months to see how many cycles they have. We have got to have, to manage this and come to terms with these issues, a consensus opinion on how we say whether a dog is something or is not something. With due respect to your being a purist, we live in an imperfect world and we have to come to a pragmatic means of determining whether this dog fits a category or not and I would urge you to sensibly address that issue. I am not suggesting that it is not sensible -

**Mr OAKMAN:** We did originally sensibly address it by saying, as you said "Smells like a dingo, yodels like a dingo, looks like a dingo" so we will put it on a B register. The so-called scientific world said to us "You can't do that" on a wild animal. So in answer to that question, that's what I was told. I guess the perfect thing would be, as far as I am concerned, that the Government give recognition to the two reputable dingo groups, the Merigal group and our group, the DNA work is being done between the two groups, and in the long term we can get the pure dingo in some form of captivity but at the present moment we are not given recognition.

Mr NAGLE: Mr Allison ?

Mr ALLISON: It seems the nub of the issue you are trying to deal with here is defining what is a dingo versus a dog. I was just going to suggest that there is descriptive element and probably the way to resolve the disputed cases is to go to DNA but that you probably have to have a general description and say, for general purposes, the dingo is this, however where there is a dispute there is DNA testing because it seems the DNA stuff is pretty well able to do that.

Mr OAKMAN: I have the document that will describe what a dingo is if you want to do it in a particular format.

Mr NAGLE: Why don't you guys get together?

Mr OAKMAN: We've done that.

Mr NAGLE: We will have to start to wind up I think. Thank you very much for your attendance ladies and gentlemen. The Committee will now deliberate on the evidence and then you may be able to contact the Committee secretariat to find out what the Committee has decided. Thank you very much for your attendance and educating us about the dingo.