

**Submission  
No 53**

## **PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (VIRTUAL STOCK FENCING) BILL 2024**

**Organisation:** Wildlife Information, Rescue and Education Service (WIRES)

**Date Received:** 17 May 2024



WILDLIFE  
INFORMATION  
RESCUE AND  
EDUCATION  
SERVICE

**Submission:**  
**Prevention of Cruelty to Animals**  
**Amendment (Virtual Stock Fencing)**  
**Bill 2024**

17 May 2024

**Submitted to:**

The Committee on Investment, Industry and Regional Development  
Legislative Assembly  
Parliament of New South Wales

## Executive Summary

Whilst widely under reported, farmed animals pose a significant threat for wildlife. Farmed animals are known to attack kangaroos and wallabies, koalas, possums, echidnas, flying foxes, bandicoots and other small marsupial species. Of the koalas known to have been attacked by farmed animals each year, 75% do not survive – presenting another risk to the survival of the species.

The under reporting of incidents of farmed animals attacking wildlife prevents individual animals being taken into care, presents a significant welfare risk, and limits data available to government to ensure decision-making is informed and leads to improved outcomes.

It is crucial that landholders are actively encouraged to report all incidents of farmed animals attacking wildlife, and additional peer reviewed research is undertaken to determine how significant the impacts are.

More information is required before the *Prevention of Cruelty to Animals Amendment (Virtual Stock Fencing) Bill 2024* can be considered, and the Inquiry is well placed to make such a determination.



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## About WIRES

WIRES is Australia's largest wildlife rescue organisation, and operates a dedicated Wildlife Rescue Office assisting wildlife and the community across Australia 24-hours a day, 365 days a year, providing rescue advice and assistance for over 130,000 animals annually – including 862 koalas in 2023. We have around 4,000 dedicated volunteers as well as a fleet of Wildlife Ambulances operated by full-time, professional Emergency Responders across NSW, South-East Queensland and Tasmania. These ambulances travel, on average, 43,000 kms per year and have responded to more than 17,000 rescues since October 2020.

In addition, WIRES trains hundreds of rescuers and carers annually, is dedicated to the ongoing recruitment of new volunteers and the continued training of existing volunteers. This growing network is critical for the rescue and rehabilitation of our unique native wildlife. WIRES has responded to more than 60% of all animals needing rescuing in NSW over the last 8 years. Across NSW the volunteer contribution is estimated to save the government approximately \$27 million per annum and is growing.<sup>1</sup>

WIRES has developed partnerships and programs and provides forward-thinking national support to hundreds of projects which aim to see listed species' populations increase through protection efforts. Since the 2019-2020 summer bushfires, we have had an increasing focus on supporting projects that protect and restore threatened habitats and provide for the long-term recovery of wildlife habitat and the preservation of native species in the wild.

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<sup>1</sup> Department of Planning, Industry and Environment (2020) *NSW Volunteer Wildlife Rehabilitation Sector Strategy 2020-2023*, NSW Government.



## Introduction

NSW Wildlife Information and Rescue Service Inc (WIRES) welcomes the opportunity to provide a submission to the Inquiry into the *Prevention of Cruelty to Animals Amendment (Virtual Stock Fencing) Bill 2024* (the Amendment).

A clear and persistent omission in the current discussions about proposed technologies underpinning the Amendment is an overarching avoidance of any discussion of wildlife, the impacts of farmed animals on wildlife, and the ongoing and increasing implications of habitat destruction to increase land for raising farmed animals. Habitat destruction and fragmentation through land clearing is a key threatening process for wildlife, including many threatened and endangered species in NSW.

This brief submission identifies questions for the Inquiry to address, focussed on the impacts of livestock on wildlife and the as yet unaddressed potential implications of virtual farmed animal fencing to increase these impacts.

## Virtual fencing

The CSIRO define virtual fencing as “an animal-friendly fencing system that enables [farmed animals] to be confined or moved without using fixed fences.” The system includes placing neck collars on farmed animals and uses GPS data to map out a virtual fence. The location of the fence is dynamic and can be altered in real time from a computer or other internet-connected device.

The neck brace use of combination of audio, vibration and electric shock to actively discourage the movement of farmed animals towards and past the virtual fence.

The RSPCA position on the technology implicitly challenges virtual fencing for farmed animals as *animal friendly*, questioning anecdotal statements about the effectiveness of the technology to discourage movement and encourage compliance. They are clear in their opposition to the use of ‘electronically activated devices that deliver an electric shock to animals’.<sup>2</sup> WIRES supports the RSPCA position concerning the welfare implications of such devices.

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<sup>2</sup> RSPCA (2022) What is virtual fencing (or virtual herding) and does it impact animal welfare?

<https://kb.rspca.org.au/knowledge-base/what-is-virtual-fencing-or-virtual-herding-and-does-it-impact-animal-welfare/>



## Farmed animal impacts on wildlife

There is a growing body of evidence of the impacts that farmed animals can have on wildlife. Farmed cows, which is the focus on the proposed changes to POCTA, can seriously injure and kill wildlife. Species directly impacted include kangaroos and wallabies, koalas, possums, echidnas, flying foxes, reptiles, bandicoots and other small marsupial species.<sup>3</sup>

Largely unconsidered, ‘anecdotal incidents of koala injuries or deaths caused by livestock have been reported in news media reports, social media and wildlife hospital records over the past decade’ and are known amongst farmers and the volunteer wildlife rescue and rehabilitation sector.<sup>4</sup> For example, there were at least eight koalas killed by farmed animals over a 15-month period during 2016-2017, and dozens more are injured every year.<sup>5</sup> More than half of the recorded koalas injured by farmed cows die in hospital or are sustaining injuries so severe that euthanasia is performed on welfare grounds.

*Considering these outcomes together, 75% of instances in which farmed animals attacked koalas, the koalas didn't survive.*

Research by Alex Jiang and others (2021) refer to videos available on YouTube as accessible examples of the response of farmed cows to koalas. One video, from 2011, includes the text description: “Cows don't like Koalas, check this out. The cows get really angry when the Koala comes down from the tree, and they chase the Koala when it crosses to the other side.”<sup>6</sup> The koala is in a heavily wooded area, what would be considered koala habitat (not agricultural land). Jiang and others (2021) describe the content of the video as depicting a “koala being chased from tree to tree by cattle exhibiting aggressive behaviour, including lowered heads, pawing the ground and warning vocalisations”.<sup>7</sup>

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<sup>3</sup> Jiang, A., Tribe, A., Phillips, J.C. & Murray P.J. (2021). Do Livestock Injure and Kill Koalas? Insights from Wildlife Hospital and Rescue Group Admissions and an Online Survey of Livestock-Koala Conflicts, *Animals*, 11, 2684, p. 5. <https://doi.org/10.3390/ani11092684>

<sup>4</sup> Jiang, A., Tribe, A., Phillips, J.C. & Murray P.J. (2021). Do Livestock Injure and Kill Koalas? Insights from Wildlife Hospital and Rescue Group Admissions and an Online Survey of Livestock-Koala Conflicts, *Animals*, 11, 2684, p. 2. <https://doi.org/10.3390/ani11092684>

<sup>5</sup> Rebgetz, L. (2017). Koalas Being Trampled by Livestock Amid Habitat Loss, Wildlife Experts Say, 17 June. <http://www.abc.net.au/news/2017-06-17/livestock-attacks-koalas-more-common-wildlife-experts-say/862576>

<sup>6</sup> Scramblerbill (2011) Koala meets cows in Australia, YouTube, 9 January. <https://www.youtube.com/watch?v=dXL489RBNOc>

<sup>7</sup> Jiang, A., Tribe, A., Phillips, J.C. & Murray P.J. (2021). Do Livestock Injure and Kill Koalas? Insights from Wildlife Hospital and Rescue Group Admissions and an Online Survey of Livestock-Koala Conflicts, *Animals*, 11, 2684, p. 2.



Koalas face several significant threats and are likely to become extinct in NSW by 2050 unless urgent action is taken to support them. Agricultural expansion and increasing pressures on wildlife habitat are a direct threat to the viability of koala populations.<sup>8</sup> Tellingly, an ABC news story reporting on the impacts of farmed animals on koalas opens with: “As koalas struggle with habitat loss, they are now facing more attacks from cattle, horses and other livestock...”<sup>9</sup> With the ongoing and increasing impacts of habitat destruction, koalas are being forced onto open ground – including in locations where farmed cows are being grazed.

## External and/both internal virtual fences

Agriculturally-focused research on virtual fencing primarily discusses internal fencing. Specially, the use of neck collars with combination of audio, vibration and electric shock to force farmed animals to move to different locations within a landholding. The reasons vary, including moving to different pastures and in response to flood events.

Given the existing threat that farmed animals pose for wildlife, any consideration of the Amendment and changes to POCTA must include – as a minimum – that the removal of physical fencing include protections for wildlife, their habitat and connectivity, and their movement.

Of concern, in introducing the *Prevention of Cruelty to Animals Amendment (Virtual Stock Fencing) Bill 2024* to the Legislative Assembly, Mr Philip Donato’s, MP glowing endorsement referred to reducing the risk of fence entanglement, injury and mortality as a ‘valuable fringe benefit’. It is not clear if the MP is recommending external fences – which keep farmed animals out of (off-landholding) wildlife habitat – would no longer be used to constrain their movements. Any notion that farmed animals may be permitted to range more freely across boundaries appears to be an unstated expansionist aim of the agricultural sector’s push for the Amendment. Expansionist aims are evidenced in Tasmanian Institute for Agriculture research, published by the University of Tasmania, which troublingly situates the focus of this technology as

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<https://doi.org/10.3390/ani11092684>; see also, Jiang, A.Z., Tribe, A., Phillips, J.C. & Murray P.J. (2022). Insights from Koala–Cattle Interaction Experiments: Koalas and Cattle May See Each Other as a Disturbance, *Animals* 12, 872.

<https://doi.org/10.3390/ani12070872>

<sup>8</sup> Jiang, A., Tribe, A., Phillips, J.C. & Murray P.J. (2021) Do Livestock Injure and Kill Koalas? Insights from Wildlife Hospital and Rescue Group Admissions and an Online Survey of Livestock-Koala Conflicts, *Animals*, 11, 2684, p. 2.

<https://doi.org/10.3390/ani11092684>

<sup>9</sup> Rebgetz, L. Koalas Being Trampled by Livestock Amid Habitat Loss, Wildlife Experts Say. Available online:

<http://www.abc.net.au/news/2017-06-17/livestock-attacks-koalas-more-common-wildlife-experts-say/862576>





“ensuring sustainable growth for industry”.<sup>10</sup> Further agricultural expansion, particularly the clearing of habitat for farmed animals, is a key threatening process for wildlife – including the survivability of koalas – in NSW.

Whereas the removal of physical fences would allow for the movement of wildlife across their range with reduced fence entanglement risk, there is a concomitant increase in the risk posed by farmed animals. Such a risk presents a significant threat to wildlife.

## **Conclusion: further research is essential, critical**

It is not surprising that landholders either do not or under report the impacts of farmed animals on wildlife, more-so for endangered species including koalas. This under reporting is reflected in the limited data available, and the existence of anecdotal evidence going back more than a decade.

Underreporting prevents wildlife being taken into care, presents a significant welfare risk, and restricts data being available to inform government decision-making.

The limited research available is clear that farmed animals pose a significant risk to wildlife. For example, the outcome for 75% of koalas attacked by farmed cows is death. Farmed animals also attack kangaroos and wallabies, koalas, possums, echidnas, flying foxes, bandicoots and other small marsupial species.

It is crucial that Landholders are actively encouraged to report all incidents of farmed animals attacking wildlife, and further peer reviewed research is undertaken to determine how significant the impacts of farmed animals on wildlife are before the *Prevention of Cruelty to Animals Amendment (Virtual Stock Fencing) Bill 2024* can be considered.

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<sup>10</sup> Tasmanian Institute for Agriculture (2023) Virtual fencing: A game changer for pasture-based livestock systems, University of Tasmania. <https://www.utas.edu.au/tia/research/research-projects/project/livestock-production/virtual-fencing-a-game-changer-for-pasture-based-livestock-systems>



## Recommendations

1. NSW Government undertake additional peer reviewed research in partnership with academic institutions and engagement with landholders, to determine the extent and severity of impacts of farmed animals on wildlife.
2. The *Prevention of Cruelty to Animals Amendment (Virtual Stock Fencing) Bill 2024* be withheld until more accurate data is available to the NSW Government to ensure an informed decision can be made.

Yours sincerely,



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