

Submission
No 403

**INQUIRY INTO HEALTH AND WELLBEING OF
KANGAROOS AND OTHER MACROPODS IN NEW SOUTH
WALES**

Name: Ms Anne Greenaway

Date Received: 30 May 2021

Portfolio Committee No 7
Planning and Environment
NSW Government

Dear Sir/Madam

**RE - Submission into the inquiry into the health and wellbeing
of kangaroos and other macropods in New South Wales**

Preface

Thank you for the opportunity to contribute to the discussion into the wellbeing of macropods and particularly kangaroos.

In preparing this submission, I feel it is important to acknowledge due to time constraints (on my part) three other people/organisations have given me access to their submissions. These are Philip Machin, Animal Liberation NSW and Susie Header. Therefore if there is duplication with what they have said in their submissions, I wish for that to be acknowledged. And I thank them for their generosity in sharing their excellent submissions with me.

Introduction

I would like to begin my submission with a story and photo about a gorgeous joey named Lego. I saw this post on Facebook a few days ago and it was too important not to share it with the Committee. Having had much to do with joey kangaroos, they all have their own unique personalities, traits and even playfulness and sense of humour.

Kangaroos Alive

April 25 2021 at 6:41 AM ·

You could not meet a more loving, caring, helpful being. Lego was left in his dead mother's pouch after she was shot by a Commercial Kangaroo 'Harvester'. He had no fur and his eyes were only just open, so very young, yet still called for help when he heard our footsteps approaching and cried for his mama as I took him gently from her cold, hard, now dead pouch. What a tragedy for them both. Lego is a prince among kangaroos who goes out of his way to kiss and hug the younger baby joeys to comfort them. He watches their every move and runs to their side if they are 'lost' then brings them home to me. This world needs Lego. He is a healer of the Earth. A shining light of love and compassion who is breaking down barriers to interspecies communication. He will only survive if humans stop killing kangaroos.

The world needs more Legos.



Lego

Response to Terms of Reference

I will now discuss the terms of Reference as set out by Portfolio Committee No 7. My responses are in blue and the main Terms of Reference are in black. While I do appreciate that the Inquiry focuses on all macropods my submission will mainly be focused on kangaroos. It should be noted from the outset that the current regulatory frameworks adversely impacts kangaroos and other macropods. It should also be noted that kangaroos and macropods are sentient animals. They feel pain and experience feelings, such as stress, happiness, joy, gratitude and pain. Killing off a dominant alpha male buck or a mother doe will affect its dependent young and the mob as a whole. Typically, kangaroos are seen by landowners, farmers – and politicians, as ‘pests’ that can be slaughtered without consideration for their wellbeing and that of their family unit. Over time, rather than make room for kangaroos in the landscape, governments have adopted an annihilation approach to appease developers, farmers and landowners. While landowners and farmers often destroy the environment through the farming of hard hoofed animals (which are not in any way suited to Australia) and mismanaged the land, kangaroos are often blamed for failure of outdated farming methods especially in times of scarcity such as drought. Prior to the introduction of ungulates (i.e., domestic animal species farmed for their flesh, fibres or bodily fluids), macropods were Australia’s dominant marsupial herbivore They perform an integral role in natural ecosystems and play an important role in the promotion of native vegetation regeneration Today, they are recognised as Australia’s top native herbivore and are considered important ecosystem engineers insofar as they play a vital role in biodiversity maintenance.

In terms of the background of the writer, I have spent most of my life living in rural NSW and see kangaroos on an almost daily basis. I am a member of two NSW native animal groups, namely Wildcare Queanbeyan Inc and Native Animal Rescue Group based in the Braidwood area.

TERMS OF REFERENCE 1. That Portfolio Committee No 7 – Planning and Environment inquire into and report on the health and wellbeing of kangaroos, and other macropods, in New South Wales, and in particular:

(a) historical and long-term health and wellbeing indicators of kangaroos, and other macropods, at the local, bioregional and state levels, including the risk of localised extinction in New South Wales.

Disappearing Species

What has happened in harvest zones in western NSW like Broken Hill, Narrabri, and Coonabarabran, where species have dropped out of the quota?

Of these the Narrabri KMZ is the real showcase. All four species were being shot out there until 2002, when the last 46 Western Grey Kangaroos were shot. In 2003 the Wallaroo was also shot out there for the last time. Nowadays these species are not even mentioned in the Narrabri harvest zone / quota / monitoring reports – why not? If it was good enough to shoot them in 2002, and this is a sustainable industry, why isn't this sustainable activity continuing? In fact, why are numbers not even being provided for these species in these “management” areas any more?

(Please see Mjadwesch R 2011 Nomination to List the Large Macropods as Threatened Species under the NSW Threatened Species Conservation Act 1995 MESS Bathurst Essential reading here)

<https://www.kangaroosatrisk.net/3-counting-kangaroos.html>

(b) the accuracy with which kangaroo, and other macropod, numbers are calculated when determining population size, and the means by which the health and wellbeing of populations is assessed,

The issue of calculating kangaroo numbers is critically discussed by Mjadwesch R 2011 Nomination to List the Large Macropods as Threatened Species under the NSW Threatened Species Conservation Act 1995 MESS Bathurst Essential reading here

<https://www.kangaroosatrisk.net/3-counting-kangaroos.html>

3.1 Problems with counting kangaroos

There must be some problem with counting kangaroos – every time OEH-NPWS or their consultants do it, they change the methodology. The only really accurate way to

count them, it seems, is to shoot them (Hacker *et al* certainly counted the hell out of 2,755 of them in 2004).

In 1975 an attempt was made to estimate the number of Red Kangaroos within the commercial harvest zones of western NSW via conducting an aerial count, giving a population of 3 365 300 kangaroos in western NSW (DECCW 2009).

From Caughley & Grigg (1981):

This study indicates that extensive aerial survey is a feasible, cheap and precise means of monitoring kangaroo populations in remote areas.

Subsequently, from Short & Grigg (1982):

*In each, a standardised technique of aerial survey (Caughley *et al* 1976; Caughley 1977; Grigg 1979) has been employed.*

Techniques included 2 counters on each side of the plane comparing counts from seven second intervals, and including 50 hrs of training for “trainee” observers. CSIRO scientists and university lecturers and researchers were probably capable of doing an adequate job, and the author does not have a problem with the c.2-2.6M Red Kangaroo population estimates in the 1:250,000 mapsheet areas surveyed in the period 1975-1979.

But between 1979 and 1980 something strange happens – the figure increases by 30% in a single year, then by 13%, then by 25%. Over the next 2 years numbers crash by 50% p/a, but then between 1984 and 1985, they miraculously double! That’s a 100% increase! Numbers have since been extremely erratic and increasingly implausible.

Each year, DPI&E publishes a Quota Report. These reports provide impressive estimates of the kangaroo population across NSW regions and quota are established for the commercial kangaroo harvest ‘industry’. Animals are counted by means of line transect surveys using alight fixed wing aircraft and ‘trained observers’. Mathematical modelling is then applied to estimate the density of kangaroos in a region. Only parts of NSW are surveyed from one year to the next and I suspect no surveys are undertaken where it is known kangaroos have largely been eradicated. This estimation method is inherently inaccurate, which is partly acknowledged in the Reports.

It appears that the underlying modelling has changed from one year to next. I am aware that enquires made about the rationale of the modeling were met with a deafening silence.

The accuracy of kangaroo numbers calculated is highly questionable as the counting methodology is ad hoc and subject to many variables. Aerial surveys are problematic, as they don’t necessarily give a true picture of wildlife numbers.

I suspect that there is a degree of ‘creative maths’ taking place to make the numbers ‘fit’ expectations. Except for additional special quota, commercial ‘take’ is limited to 15% of an estimated kangaroo population. However, it appears the practical way that animal numbers are identified is when a commercial shooter can no longer find

animals to kill. NPWS then acts and prevents further culling in that region. What is missing from the annual Quota Reports is an acknowledgement as to where the animals have largely been eradicated, or areas where the land does not support kangaroos.

After 220 years of European settlement, with the ensuing town and farm development, and continuous culling – particularly to the east of the Great Dividing Range, kangaroo is no longer abundant and has largely been eradicated in many areas. It would be useful for the government and community to be made aware of these areas to ensure whatever animals are left may be protected. The eradication of kangaroos in areas where they were abundant is an indication of the likely impact of wanton culling across the State. Development across NSW continues unabated.

(c) threats to kangaroo, and other macropod, habitat, including the impact of:

- (i) climate change, drought and diversion and depletion of surface water sources,
- (ii) bushfires,

Climate change

Though this is a global issue, in Oceania habitat loss represents a chief threat to over 80% of all threatened species. Given the rate of species decline in Australia, pressure on diversity is a primary national problem often felt at state or local levels. It has been recognised as the greatest threat to threatened species.

Australia's terrestrial environment has been markedly altered since European invasion. By the 1890s, a substantial amount of land had been cleared for agriculture. The clearing of land remains a significant threat to a range of values, including biodiversity and ecological health, to this day. In 2016, over 400 ecologists, including leading conservation scientists, issued a declaration warning of the devastating impacts land clearing has on Australia's imperiled biodiversity.

Bushfires

Nearly 3 billion animals were killed or displaced by Australia's devastating bushfire season of 2019 and 2020, according to scientists who have revealed for the first time the scale of the impact on the country's native wildlife.

- (iii) land clearing for agriculture, mining and urban development,

Land clearing

Most land appropriated for agriculture in Australia is used for the extensive grazing of cattle or sheep (In NSW, agriculture is the main driver of land clearing. The sector's impact has increased following reforms permitting further clearing. For example, following the Berejiklian government's loosening of laws in 2016, approvals for clearing in NSW increased 13-fold. In 2018, an area 200 times the size of Sydney's CBD was cleared.

Causes of fragmentation and habitat loss

Much of the continent has low soil fertility. This has led to agriculture occurring in the rare fertile and well-watered areas. Rangeland grazing and European modes of agriculture are both land uses not present on the continent prior to invasion and colonization. Each has since caused considerable damage to the landscape and has contributed significantly to the underlying environmental problems with which climate change is interacting. Fragmentation and habitat loss threatens biodiversity, impairs the functioning of ecosystems and have been identified as a key contributor to anthropogenic climate change. Experts have warned that unless the destruction and devastation of remnant native vegetation are halted, kangaroos and other native species will continue to face extinction.

Clearing of native vegetation was listed as a key threatening process ('KTP') on schedule 3 of the Threatened Species Conservation Act 1995 ('TSC Act') in September 2001 (DPIE 2017). The listing identifies several impacts caused by clearing, including: state level habitat destruction causing the loss of biodiversity and potential total or local extinction; fragmentation causing limited gene flow, reduced ability to adapt to environmental changes and loss or severe modification of interactions between species; habitat disturbance resulting in the establishment or spread of exotic species and; loss of leaf litter, removing important habitat for a wide range of species.

Clearly a balance needs to be established between 100% support of farmers who want to kill off a perceived pest and the need to protect the kangaroo species, across the NSW landscape, for all time. Establishing more national parks may be an option, but these need to be connected, not separated by freeways, 10 feet high fencing and grazing properties owned or run by farmers who are predominately hostile to the kangaroo and other animals who they perceive as competing with them for resources.

(iv) the growing prevalence of exclusion fencing which restricts and disrupts the movement of kangaroos,

Across Australia, fencing is used to mark the perimeter of properties and control the movement of animals, including wildlife.

Simple wire fencing that marks property boundaries has typically allowed at least some, if not most, movement of wildlife between different properties and environments.

Now, farmers are increasingly opting for taller and stronger fences that cover enormous distances and stop the movement of all animals entirely. This is called **exclusion fencing**. Exclusion fencing saves farmers money, but it costs the lives of an untold number of native wildlife, like kangaroos, as well as other free-living animals.

Exclusion fencing is any kind of sturdy, meshed fencing – typically around 1.5 metres high but sometimes up to 2.4 metres (8 feet) – that prevents the movement of animals from one area to another. Exclusion fences also have barbed wire strands along their top and bottom skirting so that any animal that attempts to dig under will be injured or become entangled.

Because exclusion fences often surround large agricultural properties or conservation areas, they are typically dozens or hundreds of kilometres in length, and sometimes thousands of kilometres in length.

Exclusion fencing is used to control the movement and/or grazing of so-called agricultural “pests”. The most dangerous fences are those used by private landholders. Farmers use exclusion fencing to protect their farmed animals from predators, but most often it is to reduce the total grazing pressure on their land. In other words, because farmers want the grass on their property to be eaten only by the animals (stock) that will make them money, they use exclusion fencing to keep other herbivorous animals off their land, even if they’re native.

Kangaroos are often targeted by the use of exclusion fencing. In fact, the NSW Government considers exclusion fencing as a form of kangaroo “management” that “gives landholders complete control of grazing pressures” and “provides opportunities for coordinated management of kangaroos and pests across neighbouring properties... to maintain a stable managed kangaroo population across a large area.”

(d)current government policies and programs for kangaroo management, including:

Due to the fact that the killing takes place at night and in the wild there is virtually no supervision of the killing.

The killing of kangaroos without stunning or anaesthetic fails to minimize pain and suffering or provide a humane death. Other animals killed for human consumption is generally stunned prior to being killed. The exception of kangaroos from this requirement is therefore a legal anomaly.

The NSW government’s draconian kangaroo management policies and regulations pose a major threat to the survival of the species. Too many animals are being killed off. So many areas in the more developed areas of NSW have been stripped of its kangaroo population. Government permission to kill off large numbers of animals to pander to ongoing town development, mining and farming expansion is taking its toll.

(i)the method used for setting quotas for kangaroo culling,

Kangaroo joeys are not included in the annual quota for the commercial kangaroo industry, despite the legislation stating otherwise. Kangaroos and their young are fully protected by law in Australia however the industry seems immune to such legislation and the young remain unaccounted for in this cruel business.

(ii)the management of licences to cull kangaroos,

Unlike non-commercial and recreational shooters, it is recognised the commercial shooters are generally required to pass a competency test before obtaining a license, however due to the large differences in terrain and prevailing weather conditions that might exist at the time of shooting, as well as human mistake, there is significant room for error.

There is no competency testing regime in place for non-commercial shooters of kangaroos.

(iii) temporary drought relief policies and programs,

How does the government support the use of exclusion fencing?

As well as providing information on how landholders should trap, starve and kill animals like kangaroos with exclusion fencing, the NSW and federal governments also fund the use of exclusion fencing. In 2016, the NSW Government opened applications for a program that provided landholders with exclusion fencing grants of up to \$1200 per km. Further details of this program, such as total funds distributed and total fencing erected, has not been published. Perhaps not surprisingly, questions of animal welfare concerns (or target or non-target species) were not included in the application form Local Land Services required of landholders for the grant.

(e) current government policies and programs in regards to 'in pouch' and 'at foot joeys' given the high infant mortality rate of joeys and the unrecorded deaths of orphaned young where females are killed,

In addition to the female kangaroos being shot, pouched joeys are decapitated, bludgeoned or shot, depending on their size. At-foot young are to be shot, but are invariably orphaned when separated from their mother during shooting. Young at foot joeys are also killed using brutal methods or left to die from predation hydration and/or starvation.

The destruction of joeys as a by-product of the commercial kangaroo industry is inherently cruel and inconsistent with current (or decent) societal values.

(f) regulatory and compliance mechanisms to ensure that commercial and non-commercial killing of kangaroos and other macropods is undertaken according to the Biodiversity Conservation Act 2016 and other relevant regulations and codes,

Regulatory instruments, such as the relevant regulations and codes (discussed further below), are crafted to enable a standardizing procedure that allows methods, practices and outcomes to be evaluated and administered. Many of these are operationalised via reference to compliance requirements in legislation

The inclusion of an ethic of humaneness exists in much contemporary regulation With growing public interest and concern for animal welfare, the role and efficacy of the law in regulating animal protection has become increasingly challenged. This includes animal welfare legislation and the various auxiliary documents, such as codes of practice ('COPs') or standard operating procedures ('SOPs').

Critics have convincingly identified a series of significant weaknesses in the regulatory framework. Critiques include the presence of ambiguous language used in legislation, the use of non-government organisations or charities for enforcement of this area of criminal law and the leniency of punishments or penalties meted out for infringements or offences. These amount to an "enforcement gap", wherein a disparity exists between practices outlined in regulations and actual practices of the regulations themselves. This means

there is “an identified gap between the intentions or goals of written law and the outcomes of the enforcement process [because] the goals are not meeting the expected outcomes” The chief goal of environmental or animal protection legislation is preventing harm to the environment or actions that cause cruelty to animals, respectively (see section 3 of the Prevention of Cruelty to Animals Act 1979, for example).

(g)the impact of commercial and non-commercial killing of kangaroos and other macropods, including the difficulty of establishing numbers killed by landholders since the removal of the requirement for drop tags, and

Shooters are reluctant to chase a wounded kangaroo to kill it. The lost time in retrieving a kangaroo is a main cost to a shooter. These animals are clearly not killed in a way that minimizes pain and suffering, nor are they provided with sudden and humane death.

All kangaroo shooters are required to abide by either the Australian National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes (2020) or the Australian National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-Commercial Purposes (2008). The key differences between commercial and non-commercial kangaroo shooters are the level of training and testing required, and the monitoring of compliance with the relevant code of practice.

The general opinion given by those associated with kangaroo management is that there is a far higher degree of inhumane killing of kangaroos in non-commercial shooting than with commercial shooting. The actual level of cruelty is unknown, as the level of policing and enforcement of the Code at the non-commercial level is extremely poor or non-existent.

In 2018 farmers got more powers to control kangaroos on their own properties under new regulations brought in by the NSW Government. The need to tag carcasses and also to visit NPWS offices in person to obtain culling licences was dropped. Also a South-East harvest management area for kangaroos was established. These changes were a disaster for kangaroos in NSW. The impact was disastrous in both animal welfare terms as culling licences were no longer needed so there was both adverse animal welfare outcomes and adverse outcomes in terms of large numbers of roos being shot, unabated. While preparing this submission I hoped to find a very distressing video I observed on Facebook after these laws were brought in. It showed a group of male rednecks driving a vehicle, all loaded up with firearms. They were driving into a large mob of kangaroos and shooting them at random. There was absolutely no attempt to shoot to the head. The males were clearly enjoying the killing spree and used filthy language to describe the kangaroos, repeatedly referring to them as “cunts”. It was very distressing to view such cruelty. I would have liked to include this video in the submission but I could not find it. The killing spree was occurring on private farming land in western NSW. It should be noted that I was born and raised on a large property near Bourke and also lived for some time in Dubbo. I currently live in rural NSW. I am very aware of the aggressive redneck culture that exists in these rural areas when it comes to animals. Often these males will make a detour to the bottle shop before they go off on one of their hunting expeditions and also often they invite

their mates from the City to go out “spotlighting” as a perverse and cruel form of entertainment. Rest assured that clean shots to the head would be in the minority when you have inexperienced shooters mixed with alcohol which, sadly for the roos, is often the case.

I believe that all those applying for shooting licenses should have to undergo psychological testing. Unfettered access to animals that disturbed humans can inflict cruelty upon unabated is the gateway drug to violence towards humans. It is also well known that those with firearms and a predilection towards killing/maiming animals are disproportionately represented in domestic violence and anger management statistics.

(h) current and alternative measures to provide an incentive for and accelerate public and private conservation of kangaroos and other macropods.

Established in 2013, the Centre for Compassionate Conservation is an innovative research, education and advisory centre based at the University of Technology, Sydney. It is the first Centre in the world that explicitly focuses on improving the welfare of wild animals using a Compassionate Conservation approach. Compassionate Conservation is a growing international movement that seeks to build the welfare of individual animals into conservation practice.

The growing international movement of Compassionate Conservation represents a paradigm shift by incorporating ethics and animal welfare into contemporary conservation practice to improve conservation outcomes. Wildlife conservation and animal welfare sciences share the common goal of preventing harm to wildlife. By bringing these sciences it becomes possible to find new ways to conserve and protect species and ecosystems in a way that has less impact on the welfare of individual animals.

International research in this area is beginning to explore frameworks for their unification, but examples are still few on the ground. More research is needed to explore how good welfare outcomes for wild animals can be gained.

Myths

There are so many myths about Kangaroos that are used to justify the killing and as an excuse for poor and unsustainable farming methods. I would like it noted that I believe the following to be true:

- Kangaroo populations are likely far lower than we have on record.
- Kangaroos do not have a large environmental impact.
- The impact of kangaroos on farm animals is minimal.
- The kangaroo meat industry is cruel and untenable.

Consultation with Indigenous communities

There needs to be more consultation with Indigenous Elders and communities, , and who also have animal welfare concerns about totemic and dreamtime story animals including the kangaroo.

Safe release sites for rehabilitated kangaroos and hand raised joeys

The committee needs to be acutely aware of the shortage of suitable and safe release sites for kangaroos that have been cared for by Wildlife carers. There is a critical and dire need for more safe release sites for kangaroos and other native animals.

Further reference material.

I am sure the committee will have no shortage of reference material to obtain more information on this issue. I include some I have found to be comprehensive and informative.

<https://www.kangaroosatrisk.net/>

<http://thinkkangaroos.uts.edu.au/who-we-are.html>

Conclusion

I would like to end my submission with a story and photo about a gorgeous Joey named Lego. I saw this post on Facebook a few days ago and it was too important not to share it with the Committee. Having had much to do with joey kangaroos, they all have their own unique personalities and traits and even playfulness and sense of humour.

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If an orphaned joey whose mother was brutally killed can show such empathy and sensitivity towards others, why can't humans?



Lego

I thank the Portfolio Committee No 7 for taking the time to consider my submission and I sincerely hope that there are monumental improvements in the legal framework relating to the regulation of kangaroos, animal welfare/anti-cruelty laws regarding kangaroos, treatment of, and respect given to, native animals, in particular kangaroos.

Yours sincerely

Anne Greenaway