

Supplementary
Submission
No 404a

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

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This is the public version of our Submission to the Parliamentary Inquiry into the Health and Wellbeing of Kangaroos and other Macropods. We have removed names and property locations, maps, etc. as well as a substantial section of the Submission pertaining to our Study into the likelihood of Commercial Kangaroo Industry Harvesters achieving instantaneous loss of consciousness with a single shot to the brain of those kangaroos they target.

We have replaced the study data with a brief overview of our motivations and aims as well as some of the outcomes derived from our data so far.

The study is in the final stages of completion so is sufficiently progressed to be considered valid in this forum and, we believe, absolutely essential to any consideration of the health and wellbeing of Kangaroos and other Macropods.

We have endeavoured to provide complete, comprehensive information accompanied by a concise summary but have been plagued with Kangaroo wellbeing related issues during preparation of the entire Submission. During the five weeks leading up to the Submission closing, we had 2 Commercial Kangaroo Industry shooting events, 7 non commercial or recreational Kangaroo shooting events, along with the fallout from the impact of those traumatic occurrences on surviving Kangaroos, particularly those in our care. The closer of the 2 Commercial Harvesting events resulted in a young Kangaroo in our care, Thom Yorke, jumping a 1.5 metre high solid barricade in order to escape from the sounds of the shots and the 'harvester' pursuing shot Kangaroos opposite our house. Thom had a recently healed bullet hole in his right ear when he came into care after being found undernourished and entangled in a fence. His mother had obviously been shot in the pouch area of her abdomen, as we have so often seen both farmers and Commercial Kangaroo Industry 'harvesters' do in their attempts to kill 2 Kangaroos with one bullet. The trauma of hearing the same sounds, seeing the spotlight and the shooter's vehicle caused Thom to flee from a place where he had sheltered, recovered, joyfully played and hugged, shouted repeatedly until his bottle was delivered. Completely safe and loved.

Documenting the shooting and gathering evidence of the cruelty is important but returning to our mob, our family, to reassure them and keep them close is too. Unfortunately, I left it too long and the sounds of kangaroos being chased and killed triggered a massive terror in little Thom which I needed to be with him to counter.

I searched for him. I waited for his return. I prepared his bottle twice a day, every day, in anticipation of his arrival in the front yard and him shouting for me to bring it! Now! I did that for 3 weeks then stopped. He has not returned. Another innocent victim of the largest massacre of terrestrial wildlife on Earth, Australia's Commercial Kangaroo Industry.

And Ricky, whose mother was intentionally run over on the track which leads to our house, who we raised and who then helped us raise 8 little brothers and one sister, was recovering from a kidney injury caused by the stress of being trapped inside our neighbour's paddock while shooting was occurring on an adjacent property.

He had improved significantly but, with each shot fired by the Commercial Kangaroo Harvester and each call of distress from Kangaroos attempting to escape, Ricky was startled, you know that awful feeling.

On the night of the Commercial Kangaroo Harvesting, Ricky's fate was sealed. The kind, sensible, caring one, the wise one, the one who had a dream run as a joey and never missed a beat, whose relationships with his brothers and sister were imperative to their survival and who had, even as young as he was, already earned the respect, trust and acceptance of our old ladies, was now destined to die, the trauma of the shooting less than 100 metres away reversing the healing he had achieved. He continued to try, we did everything possible, but it wasn't enough and he left us peacefully and on his own terms on a sunny morning with his head resting on my hand. No shot to the face for Ricky, no watching in horror while Lego or Tower or Batman hang upside down, writhing to escape the blade as it penetrates their throat, trachea, heart, lungs,

no watching Bliss's babyjoey being bludgeoned to death or stomped on. Ricky left on his own terms, sensibly and with no fuss, radiating kindness and peace, just as he had lived his 3 years on this Earth.

Since delivering our Submission and deciding we would need to modify the document to enable it to be made public, we have had 3 kangaroo shooting events which were either non commercial or recreational and one which, for all intents and purposes, appeared Commercial. The vehicle, the actions of its occupants, both seeming like Commercial Kangaroo Industry 'harvesting' but we could not be 100 percent sure with this one because we couldn't identify the vehicle due to our location and, when we went looking for the injured Kangaroos we had seen being relentlessly chased and mis-shot, we came across a butchering site but it wasn't a conventional butchering site typical of the Commercial Kangaroo Industry.

Kangaroo bodies, thrown over a fence, none of which had received a bullet to their brain, or even their head or even their heart. Three males and five females, one dead joey in what was left of a pouch, I think it was 8 lactating teats but only one joey. All of the kangaroos had their legs cut off, quite possibly while they were still alive, 3 had their tails cut off, one lady had her throat cut and 4 had bruising on their noses where they had been struck. We heard the blows from where we stood. The blows wouldn't have resulted in their death, wouldn't have even rendered them unconscious. The blows were just to punish them for being Kangaroos.

Reported the butchering site and the kangaroo with the bullet wound which shattered her shoulder to RSPCA the following day, photos and GPS location supplied. The admin person sent an email that the report had been provided to Inspectors and requested we send the footage we had offered, which we did immediately. Then nothing. Still nothing. Unless RSPCA Inspectors attended the scene within a day or two, it would be too late to collect independent forensic evidence and there would be no chance of pursuing the matter to court, RSPCA would not allocate resources to even investigate if there was no chance of pursuing the matter to court. RSPCA appears not to care about Kangaroos, even when the humans who did this to these gentle innocents are clearly a risk, not only to Kangaroos and other animals, but to society.

People who do this, who enjoy tormenting, torturing and terrifying animals are at risk of having their need to exert power over other being transfer to the humans in their lives. The links between violence towards animals and domestic violence and partner abuse are proven. What does someone who can do this to innocent Kangaroos, and their babies, do to his own children? Yet RSPCA ignores it and the Police ignore it when, with a bit of proactive attention, investigating horrendous acts of cruelty such as was perpetrated on these 8 Kangaroos, a human life might be spared.

Even though Office of Environment does not, I have been told by one of their Investigators, investigate acts of cruelty towards Kangaroos, we reported it anyway as, if the macabre scene and the lady whose shoulder was shattered, were indeed as a result of the actions of a Commercial Kangaroo Harvester or if there was no licence to harm Kangaroos issued by the Environment Department to that property, there needed to be a record of it. Days went by and we eventually heard that our report had been passed on to the local NPWS Office. Over a week later, a fellow from that office emailed advising us he was looking into it. Too late for the collection of forensic evidence. Again. Today we received advice that our report had been passed to yet another officer in a different office and they were seeking to meet with us to commence an investigation. It's something. It's more than has been done previously. But is it too late? The remains of the 8 Kangaroos are unlikely to be salvageable for evidence after all this time.

Nobody is watching out for Kangaroos. Nobody went out to search for the injured lady we saw or any others who may have still been alive.

An Independent Office of Animal Welfare under the umbrella of the NSW Police Department is required. Organisations and Government Departments with vested interests and whose influences from donor bases, political control and groups such as the Farmer's Federation, have no place investigating animal abuse. Their views and motivations are skewed by their need to appease or survive.

And, while we were endeavouring to pull together a complete, comprehensive yet concise Submission representing what we've learned, witnessed and experienced in relation to Kangaroos during the past 15 years, and there was shooting event after shooting event, we rescued 3 Kangaroos from our fence and took into care another who had been entangled in a fence elsewhere. Two of the Kangaroos we rescued, one of whom has an in-pouch joey, are being rehabilitated by some of the finest wildlife rehabilitators we know and the other, just yesterday, we released immediately as I had seen her get caught and was able hold her in such a way as to minimise her injuries until Greg could reach me to help disentangle her. She had a few scratches but was otherwise fine and very grateful to be helped and released.

A few days ago, and on two other occasions in the past 6 weeks, Kangaroos have been intentionally run over on the track which leads to our house by a neighbour of ours who does not like Kangaroos. He killed a Wombat outright the other night and injured a Kangaroo who we spent several hours searching for in the freezing cold darkness. Four more Kangaroos in the past 6 weeks have been intentionally run over on roads which lead to our home, one of which had in-pouch young and two of which had at-foot young who we searched for but could not locate. There was a small family group close to one of the ladies who was killed and, having seen Kangaroo mothers taking care of orphaned joeys as if they were their own, sincerely hope the little one was with her family, safe and not too frightened.

So, here is my recommendation;

1. Stop Killing Kangaroos.

The science contradicts the widely held belief that Kangaroos compete with farmed animals for food and water, even research undertaken by pro Kangaroo killing scientists such as Gordon Grigg. We are not biologists or botanists but our lived experience has shown us that, on pastures where Kangaroos naturally travel and spend time, the vegetation grows well. On pastures where Kangaroos have been wiped out by the bullets, metal bars and knives of farmers and the Commercial Kangaroo Industry or have been excluded with fencing, pastures don't seem to do as well. In our area, the paddocks where the most Kangaroos live, and where their family and society structures are still intact, have plentiful vegetation. There can be 100 Kangaroos grazing a paddock day after day with no visible impact on the vegetation (these are pastures with a mix of native and introduced pasture) yet on the properties where most of the Kangaroos are now pet food or soccer boots, there is minimal pasture which never seems to replenish even after the rain.

Also, Kangaroos don't damage fences, cows and sheep do while reaching through for the grass on the other side. We have photos and footage which demonstrates this. Kangaroos use the holes made by cows and sheep to traverse the landscape but they do not cause the damage to the fence.

- Restore at least some of the natural waterways so that Kangaroos can drink safely and not have to drink from dams where they are not welcome. Restoring waterways will lead to the restoration of vegetation adjacent to waterways, thereby restoring natural habitat for kangaroos, lessening their need to venture onto cropping and grazing land.
- Promote and fund research into the ACTUAL impact of Kangaroos on agricultural lands and the natural environment, research which is objective and not engineered to justify the killing.
- Phase out the Commercial Kangaroo Industry and, while doing so, restore the property specific tag system so that Commercial Kangaroo Industry harvesters cannot continue to contribute to the regional extinction of kangaroos by returning to the same properties in the same areas night after night until kangaroos are completely eliminated, so that the responsibility for monitoring the viability of a population returns to the Government agency charged with its protection, not some honour system where we entrust the long term survival of a species to someone who only sees them as valuable when they're bleeding out on the back of his ute.
- In my experience, the only difference to how things were with the removal of the non commercial tag system was that the Environment Department no longer had to receive or act upon reports of over shooting of kangaroos. None of the non commercial shooters we have witnessed has ever placed 'drop tags' on the bodies of kangaroos they have shot. The number they shot was always limitless as reports went unacknowledged or were countered with the usual spin, "they could be shooting rabbits or foxes", "why are you outside your house at night", "why are you watching people going about their business", "it's

dangerous to stand anywhere near your neighbour while they are shooting”, “aren’t there dear in your area, maybe they’re shooting dear”, and when reporting piles of untagged body shot kangaroo bodies or individual kangaroos who were shot but alive in paddocks, communication from the Environment Department several weeks later...”they were probably killed as part of the non commercial licence issued to the owner of that property”. I would recommend restoring the non commercial tag system just so it falls to the folks who are charged with protecting kangaroos to take responsibility, just in case someone who works in that department does actually care enough to act upon reports from neighbours of overshooting.

- How about implementing a system whereby roads are identified as very high, high and medium risk for wildlife collision to encourage people who don’t want to run over kangaroos to slow down. I think most people would if they were aware of the increased presence of kangaroos on particular roads.

So, I began with some reasons as to why this document is not what we would have expected to deliver after living with kangaroos virtually 24/7 for 15 years. We have existed in a microcosm of this State, we have been in the midst of every kind of horror for kangaroos imaginable and we have been invited by kangaroos to live within their social structure, their families. We have been trusted to help, support and protect them. They know us and our vehicles, they also know our neighbours and their vehicles. Kangaroos are loving, loyal, gentle beings who have strong family and friendship bonds so similar to human bonds that it would astonish you to witness.

I’m sure that without all the shooting, the fence entanglement injured kangaroos, the kangaroos intentionally run over and those who ran away in terror or saw their last sunset in the past 6 weeks, this Submission would have been a more comprehensive, complete, concise document. I only hope that in spite of all the hindrances we have done enough to encourage you stop and think for a moment, that you will begin to view kangaroos not as a pest to be eliminated, a resource to exploit or a nuisance to run over but as a gentle being whose intrinsic right to exist by far outweighs any profit made by a couple of individuals or your need to reach your destination more quickly. I hope we’ve shown you that coexistence with these amazing beings is not only possible but beneficial to our State and to you as an individual. I hope you read about our experiences and truths and begin to question the marketing rhetoric about plagues, over abundance and killing kangaroos for their own good and I especially hope you will doubt how humane the killing of kangaroos is claimed to be. Most of all, I hope you get to actually meet and form a bond with a kangaroo one day because it will change you forever.

Introduction

We would like to thank the Committee for the opportunity to make this submission into the Health and Well-being of Kangaroos and other Macropods.

Diane Smith and Greg Keightley

The contents of our joint submission are based on a combined 42 years of knowledge and experience in the field of wildlife rescue, care, rehabilitation and release, with a particular focus on kangaroos. We do not have formal tertiary qualifications in science or research, rather 'boots on the ground' respondents to the issues affecting the health, conservation and continued existence of the kangaroo and other macropods.

Our introduction to the plight of kangaroos began as wildlife carers in the western region of the Sydney Basin in 2000. We quickly became aware that the 4 species that exist in this bioregion, namely eastern grey kangaroo, wallaroo, swamp wallaby and red neck wallaby were seriously affected by urban sprawl, and the associated land clearing of huge developments that encompassed the Sydney Basin extending to the foot of the Blue Mountains. We became predominantly high volume respondents to kangaroos that were injured, orphaned and dislocated from the impacts of land clearing and development, fencing and roads. We found that there were few successes in our efforts and that kangaroo mortality remained very high. As volunteers operating under licence to WIRES, the Wildlife Information and Rescue Service, from June 2000 to July 2006 we attended to over 1000 individual calls to help kangaroos in distress.

Realising that there was little consideration by government and developers when opening up new areas of established bushland for urban development and infrastructure, and little consideration of the retention of wildlife corridors or viable remnant bushland, we both decided in desperation that we need to establish a facility not far from Sydney where we could achieve better outcomes for these species through research and conservation. In May 2006, we purchased a 200 hectare (500 acre) bush landholding that shared State Forest and Crown Land bushland on 2 sides and shared a 3km boundary on its eastern aspect. The property was assessed prior to purchase for its significant features of conservation significance, and it held distinct family groups of eastern grey kangaroos displaying clear family connections and hierarchy. The property also supported healthy populations of wallaroo, swamp wallaby and red neck wallaby in proportional numbers. Our aim was to co-exist with these and all species and to enhance the conservation value of the property whilst operating as a not for profit organisation providing education on kangaroos and conducting and attracting research into these beautiful integral players in the biodiversity of the property.

The property was a significant investment that required ongoing investor support to achieve desired positive outcomes. Arrangements were put in place for investor support to allow the property to operate as a wildlife care, education and research retreat without profit, and for a high level conservation covenant to protect the property's primary use into perpetuity.

These goals have never been realised, and there has not been any positive environmental outcome as a result of the shooting of kangaroos locally for recreation, for non commercial reasons and commercial profit. We lost all financial supporters due to the debilitating effect that the killing had on visitors and the risk presented from firearms use as documented in this submission. We suffered and continue to suffer financial losses as a result of the decisions of Government to legitimise the killing of kangaroos for off-set and profit as documented in this submission. Our right to enjoy the repose of our property was withdrawn. Our dream of establishing the eco tourism, education and research centre ended and our daily lives became a nightmare.

Our region is predominantly a rural lifestyle demographic, though containing several larger landholdings with a limited agricultural use. It appears unlikely that agriculture is any landowner's primary source of income. We quickly found that there was an objection to a more conservation based land use, and a particular cultural hatred for kangaroos. We found ourselves being targeted for wanting to conserve and protect kangaroos, and there was some focus of intimidation by way of frequent recreational shooting of kangaroos on and near to our property as well as other forms of anti social and threatening behaviour. We made reports to local Police. Most reports to Police yielded little result, but ensured we became less popular locally.

Within 3 months of moving in, we also had frequent shooting of kangaroos along and adjacent to our 3 km boundary as well as further to the east. We were told by a local shooter that most of the kangaroo shooting on the adjacent property to ours was Commercial (even though this property was not yet within a Commercial Zone) and also that our neighbour on whose land the killing was occurring, had a chiller box for storing shot kangaroos and "his best mate is NPWS".

We raised concerns about the frequency of the shooting, and what we had been told, with NPWS (see correspondence and contemporaneous notes in attached 'Correspondence' document). NPWS responded by issuing licences to harm to these properties. There were then recurrent non commercial licences issued to the neighbouring properties by NPWS from 22/08/2006 to 30/06/2010 for 878 kangaroos (OEH GIPA).

The Central Tablelands South area, within which our property is situated, became a Commercial Zone (49) in June 2009 and with this came the issuing Commercial Licences running concurrently with Non Commercial Licences from 13 April 2010 to 1 June 2013 for 350 kangaroos (OEH GIPA). 350 Kangaroos equals about 8 and a half Commercial killing events yet there were over 90 kangaroo killing events in the period 2011 to 2013, most of which were conducted by Commercial Kangaroo Harvesters who shot, butchered and removed the kangaroos from the properties and transported them to a Commercial Kangaroo Industry chiller about 40km away.

The relentless Commercial and Non Commercial massacre continued into 2014 then 2015, all the while we gathered data and evidence, requested information and assistance, transparency and justice. We asked for help from Police, OEH, RSPCA, Members of Parliament, State Government Ministers, Non Government Legal and Environmental agencies, Solicitors. We made rational, reasonable requests for consideration, we respectfully challenged the senselessness of replies from Government agencies and the glaring contradictions. We repeatedly asked for consideration in the process highlighting the devastating impact the kangaroo killing was having not only on our Kangaroos but also on us. We asked for mercy. We respectfully

waited. We waited too long.

In November 2016, the killing reached a whole new level of horror. A new shooter whose brief was clearly to completely eradicate kangaroos from the landscape and to do so with as much torment and terror as he could inflict upon us and our gentle, majestic Kangaroos. He returned night after night, pushing kangaroos up against our fence, shooting, mis-shooting, bludgeoning, cutting legs, cutting hands, cutting throats, leaving babies behind. Barbaric, inhumane, slaughter. Reported. Ignored.

Then, in August 2018, the NSW Government removed what little protection Kangaroos had claiming that the Statewide drought meant that Kangaroos must be able to be killed more readily, without the 'red tape', and that this was for their own good so they would not die of thirst or starvation at some time in the future. Our Kangaroos were not at risk of dying of thirst or starving to death, they had access to 7 dams (which were well over half full) and one creek (which was running) on properties where they were welcomed, appreciated and cared for. They had an abundance of native and introduced pasture to eat, as well as pristine bushland to which they belong not only on our property but the two 40Ha properties to the South of ours, a large property of at least 500Ha to our South West and undisturbed grassy woodland, perfect Eastern Grey Kangaroo habitat of 400Ha, to our North. Our Kangaroos did not need to be killed for their own good.

Regardless of all of the above and the fact that the Commercial Kangaroo Harvester was still taking Kangaroos, albeit 18 month old male joeys and 20kg adult females as he had completely wiped out every adult male and almost every one of the larger females, the owner of the property adjacent to ours, the NPWS employee, began, in August 2018, to take pot shots at the few remaining young mother kangaroos. We assume he was granted a licence under the new legislation but finding out is nigh on impossible. He shot the young mums in the abdomen, they fell down, got up and ran away, to our place. When he did manage to kill one, he would tie her onto the back of his vehicle and drag her along the ground on her stomach, her pouch, with her joey in it and still alive, at least for the first hundred or so metres. On several occasions, the commercial shooter turned up and began shooting kangaroos in the same paddocks less than one hour after the non commercial shooter, the farmer, had finished. The Commercial Kangaroo Harvester also shot young mother kangaroos in their abdomen, male joeys in their bottom, I guess to help out our neighbour and "for their own good" so they wouldn't die from what would be an impossible scenario in our area, of thirst or starvation, at some time in the future.

Along with all of the licenced events, there was and still is, frequent illegal shooting of kangaroos; commercial, non commercial and recreational, on these properties as well as in neighbouring State Forest area which we share a 4km boundary with to the west.

We have been confronted with the realities of the harming of kangaroos in all its forms while witnessing, first hand and dangerously close, well over 600 shooting events during the past 15 years. We know this ridiculously inhumane, unjustified killing inside out. We see what motivates it and how cultural perceptions fuel and drive it. We see how incorrect these perceptions actually are, that kangaroos do not damage fences or compete with farmed animals for pasture or water, that, with some small considerations, co-existence with Kangaroos would not only be possible but actually beneficial to agriculturalists.

[Click here for a first hand testimonial from Greg Keightley on the facts and impacts of shooting on kangaroos](https://www.creativecowboyfilms.com/blog_posts/as-night-is-day-greg-keightley)

https://www.creativecowboyfilms.com/blog_posts/as-night-is-day-greg-keightley

SECTION 1

Terms of reference addressed: 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.

Male only policy: Impact on family structure and the behaviour of individual kangaroos

Case studies 1-3

The story of Lego

Cruelty videos

We have seen a marked decline in the number of all macropod species on and around our property and local area in the past 15 years. Since the fires this drop has been far more pronounced. We no longer see swamp wallabies, rarely see wallaroos and the number of eastern grey kangaroos has dwindled. We have also observed a significant and very disturbing decline in the Red Necked Wallaby population, on our property, following the wholesale clearing of a 2km tract of previously untouched native vegetation within an unused Road Reserve within our property boundaries.

The overall health and well being of kangaroos has also markedly dropped in our 15 years due to the impact of commercial, non-commercial and 'recreational' hunting on both the family and community structure of kangaroos and on the individual behaviors of kangaroos.

As a result of the aggressive nature of the shooting, by mid 2017, there were no longer any male kangaroos over 15 kgs within our 500 acres of kangaroo habitat. Kangaroos who spent the majority of their lives on our property, who may have crossed onto adjacent farmland 2 or 3 times per week for a few hours, were gunned down as they crossed our boundary onto adjacent farmland by the farmer shooter, the people shooting for fun or the Commercial Kangaroo Industry Harvester.

Our question to authorities has always been, who 'owns' the kangaroos, whose rights should be paramount, when a kangaroo spends 19 or 20 hours per day on your land and is welcomed and valued, where its intrinsic right to survive is acknowledged, along with its irreplaceable environmental role and its potential to benefit you professionally and financially, how can an adjacent landowner, whose land is visited occasionally and for short periods by that kangaroo, have their desire to kill that kangaroo for a nominal, fleeting (highly questionable) financial benefit, take precedence?

After each shooting session, which could be multiple times per week and at any time from sunset to sunrise, we were responding to the cries of orphaned baby joeys left after their mothers were shot. We were finding and having to capture mis-shot kangaroos that had escaped the shooters. The stress and anxiety not only from the effects of the shooting and killing, but the rescue of injured and orphaned survivors was debilitating. The remaining kangaroo family structures were in disarray, the mobs fractured, behaviour changed. The fields regularly smell like death. Visually disturbing scenes of bodies and body parts dumped adjacent our fencelines. We witnessed a dramatic increase in foxes and wild dogs due to carcasses and 'off-cuts' being strewn across the landscape resulting in further predation of smaller kangaroos and wallabies. Increase in non-native birds and flies.

Butchering sites, left behind in the paddocks by Kangaroo Industry harvesters, are a smorgasbord for foxes and wild dogs. All the best bits are there; heads, intestines, pouches, joeys. Having witnessed the effects for over a decade, we believe the Kangaroo Industry does more to feed non native scavenger species, and therefore increase their population and impact on the Australian environment, than any other entity. We have, in fact, witnessed one Kangaroo Industry harvester throwing heads to foxes waiting nearby as he was butchering the kangaroos.



Commercial kangaroo butchering site

Male only policy: Impact on family structure and the behaviour of individual kangaroos

Adult males, fathers, play a critical role in the development of their offspring and, in particular, their sons. When a male joey Eastern Grey Kangaroo reaches 18 to 20 months old, his father begins visiting him more often and, by the time he is 2, he is spending most of his time with his Dad, learning how to relate to others within his family and to visitors from other families, learning where to go for safety, what to eat to heal ailments, etc. Along with his father, the young male kangaroo also forms strong and lasting bonds with his brothers, uncles, grandfathers and will make a couple of male friends, while he is very young and still suckling from his mother, who will be his friends for life.

You might be surprised to learn that male kangaroos often 'spoon' when they sleep or rest their heads on their friend's legs, back or stomach. They have genuine and obvious affection for each other and are shaken to their core when witnessing their life long friend, or their father or brother, being shot, bludgeoned and cut into pieces by the Kangaroo Industry.



Brothers, Batman and Tower, sleeping together.

Older male family members step in as surrogate fathers when a young male's father is killed. Over the course of a few months, we have seen juvenile joeys lose their father, grandfather, uncles, older brothers to eventually be cared for by a brother or cousin who is barely a year older than them. Imagine your 6 year old trying to care for his 4 year old brother.

There has been a marked deterioration in 'manners' in the Eastern Grey Kangaroos who live on our property corresponding directly with the reduction and eventually complete elimination, by the Kangaroo Industry, of our entire population of adult male kangaroos.

The result has been an increase in unruly, disrespectful behaviour by juvenile males. This behaviour is normally countered by the big men and fierce mothers who only have to blow air out their nose or cast a menacing glare to put a young fellow in his place. The erosion of the Eastern Grey Kangaroo social structure with the reduction and then elimination of adult males was heartbreakingly obvious, the female roles changed to try to compensate but, once the larger mothers began to be shot, the system broke down completely.

Without adult males to show younger males how to behave with the ladies and with less and less mothers in families to protect young females from testosterone driven young boys, joeys started being produced by very young females who had no choice but to submit. We have yet to see how the young fellows who exhibit these behaviours are as adults because they have always been shot before they have had a chance to grow up around here.

The other noticeable difference in relation to behaviour is how the boys play. When we first arrived here, in 2006, and there were intact families, the big fellows would play fight with elegance, with 'Queensbury Rules', very rarely was anyone hurt or even shamed. While the big ones played, all other ages (down to 5kg joeys) played together, emulating the older ones. Very civilised and respectful. Once the big men were 'taken', the joeys and juveniles began copying the adult male Red Necked Wallabies who fight scrappy and rough, they wrestle, it's not elegant like the Greys.

The situation for us, at the moment, is that an adult male has moved in with us permanently and is having a very positive influence on the families. He first visited around 18 months after the last adult male on our property was killed by the Kangaroo Industry. He came and went for around 6 months and eventually, once the first joey he fathered was running around, stayed. He is occasionally visited by another adult male. They are gentle and respectful with each other, the ladies and the young ones so most likely from an intact mob the shooters haven't reached. The young boys' behaviour has improved already, after only 6 or so months of a permanent adult male.

The glaringly obvious question, from a biological perspective is, what happens when every one of the joeys is fathered by a single adult male? What is the impact of the elimination of every male kangaroo in a location, region, zone, by the Kangaroo Industry? We are not biologists but we look at the few little ones who are running around here at the moment and they all look like their father. What is the future for kangaroos genetically if the profit driven, male kill bias continues with its current voracity? How will the species evolve when genetically compromised by the male kill bias coupled with the slaughter of any female over 20kg, as has happened at our property? The Government and Kangaroo Industry provide no safeguards for this situation, particularly since the removal of property specific licencing.

It is not only shooting that kangaroos have to contend with; it is random acts of cruelty from people in their cars in the belief that the kangaroo is a pest.

We believe there is a direct link between the demonising of kangaroos through media outlets and by politicians and the behaviour of people and the subsequent treatment of, and cruelty directed towards kangaroos.

We see an increase in kangaroos intentionally targeted by drivers when the media is promoting the existence of kangaroos "in plague proportions", claiming that farmers are suffering as a result of kangaroos "invading their farms" and that kangaroos "threaten Australia's food production".

Here are some incidences:

Case study 1

Grazing next to the place we humans set aside to honour our loved ones, you would think she would be safe, this young mother, with her little son, who was doing absolutely no harm.

A driver had veered off the tar, onto the verge where she had stopped to nibble on the fresh grass. A driver had veered off the tar, onto the verge with the intention of hurting her. And they did.

Her struggle was obvious. The pain and confusion must have been massive. Her terror at being immobilised, unable to stand to flee or protect herself, or her baby boy, overwhelming.

Two innocent lives lost because of a culture of fear and loathing for kangaroos perpetuated to justify the largest massacre of terrestrial wild beings on Earth.

She was innocent of any crime. She was doing no harm. Her life was valuable to her, her son, family, friends, and to me.

I gently brushed the gravel from the little boy's face, held him for a few moments then placed him back into his mother's pouch. It may no longer matter to him, or even her, but for some reason it matters to me. He belongs in the place where he should have been safe from harm. The residual warmth I felt within her pouch grabbed at my heart and caused a lump in my throat.

I tied paper ribbon on both to signify they had been checked in case anyone else cared enough to cast a glance their way, apologised for the nightmare we humans have made of their lives, and left them where their family members could pay their respects as they pass by this place of 'honour' tonight.





Case Study 2:

If they aren't being shot to pieces, bludgeoned and cut up, entangled in barbed wire fences or chased and torn apart by hunting dogs, they're being chased along the track adjacent into my home by vehicles driven by those who are full of fear and hate for Kangaroos generated by pro killing propaganda.

I witnessed a kangaroo, a young female we knew by the name Shout being deliberately run over. She was hit once, they then reversed, lined her up and hit her again, the occupants laughing and cheering, then dragged her, under the car, to my gate. I was running to try to save her but they completed their mission when I was about 10 metres away and sped off beeping their horn in celebration. The beautiful lady had pouch young but I couldn't find the little one anywhere so I covered her with a blanket in the hope that her baby would snuggle in underneath it next to her pouch and planned to check her in an hour or so.

Kangaroos are loving, loyal, family orientated beings, something which was clearly demonstrated when I returned to try to find the little one a short time later.

I searched for Shout's pouch baby for over an hour without success. I walked in the freezing cold darkness, and eventually found Shout's mother, White Nosed Lady standing beside the track about 30m South of where Shout lay with fatal tyre marks across her belly.

I had never seen White Nosed Lady anywhere near here, she normally sticks to the northern part of the property. I walked towards her hoping against hope that she wasn't also injured. As I approached her, she danced in a circle on her toes, clicking. The closer I got, the more she clicked and tiptoed around until I was a metre or so from her then she took off into the darkness. I looked at the ground and saw White Nosed Lady's grandson, Shout's pouch baby, lying motionless on the frozen ground.

I picked him up, icy cold, lifeless.

He had gone to be with his mama.

His injuries were severe, but he had not been dead for long, so the cold took him despite his grandmother's best efforts to protect him.

I heard White Nosed Lady rustling around near me again. She followed me while I walked the 30 or so metres back to Shout's body where I placed the sweet little boy back in his mother's pouch, where he belonged and, with an ache in my being no amount of human comfort can fix, walked back to the house.

White Nosed Lady was there waiting for me. I asked her forgiveness on behalf of the human race for the relentless nightmare we have made of her life. She has watched every one of her sons

shot, bludgeoned, stabbed and cut into pieces by Australia's Commercial Kangaroo Industry 'harvesters'. Some of her daughters and their babies have suffered the same fate, yet others have been shot in their shoulder, face or abdomen by those 'harvesters' or by 'the farmer' and just left to struggle home to die.

White Nosed Lady has seen it all, she has lost almost everyone she loves in the most barbarically cruel ways. I have absolutely no doubt that she tried to protect each and every one in the same way she did her grandson that awful night that Shout and her son's lives were taken. Her poor, sad, courageous heart must be so close to breaking.



Case Study 3: (Media Article)

<https://medium.com/@HateKateSpade/from-new-south-wales-australia-8773809416d7>

From New South Wales, Australia

Sep 10, 2015

Greg and Diane Keightley are brave. They wrote this story and sent it to us. The Australian government is working to stop Californians from banning the kangaroo trade. An industry of [cruelty and slaughter](#) of innocent kangaroos. This is a graphic story. But these pictures must be shown. [The Australian government is acting in secrecy in Sacramento at the State Capitol.](#) They are pushing a story, a narrative, that all is cool and manageable and humane. The slaughter of kangaroos is neither cool, manageable, humane, nor something we should ignore. Why should we? So people can have new soccer cleats and designer hand bags made of kangaroo skin?



What we can learn from the Australian koala by Diane Keightley and Greg Keightley. It was the wisdom of an American President that saved the Australian koala. In 1927, President Herbert Hoover signed an order permanently prohibiting koala skin importation, and is credited for halting the trade of millions of koala pelts and avoiding their extinction.

In 1971, it was California Governor Ronald Reagan who issued a reprieve to Australia's declining kangaroo

populations being decimated by an aggressive commercial industry looking for world markets hungry for the marsupials' meat and fur. Now in 2015, it is sad that ordinary Australians again look to our friends in the U.S. for help to protect our unique wildlife.

Kangaroos are at risk of unrecoverable losses and cruelty. The science supports this view. Kangaroos are so often treated inhumanely. With almost 90 million kangaroos and wallabies killed for meat and fur in the last 20 years, a five percent botched death rate means 4.5 million animals who were not killed humanely.

The Australian Government doesn't know how many. They don't want you to know how many. We believe it's closer to forty percent who suffer inhumane deaths.

The kangaroo industry, often bankrolled by the Australian government, gives assurances as evidenced by what the Sacramento Bee published on Monday, September 7, 2015. "Humanely," he wrote. We have been exposed to commercial kangaroo 'harvesting' for seven years in rural New South Wales, Australia. We live amongst it.

We quickly grew to understand why the kangaroo industry doesn't want you to know what really happens. We have watched with our own eyes, and it is inherently cruel. Kangaroos are pursued at night for hours by a noisy truck with a very bright light. They are shot at or are standing with others that are being shot, often in family groups. They run, all the while being tormented by the light and the loud gunshots, until the shooter comes across them again. They are shot at again, sometimes hit by a bullet, often in the head but not the brain. Or in the neck or the muzzle, then they run again until they are immobilized but not dead.

The wounded kangaroo often has to wait for the shooter to shoot at other individuals until they come back to finish them off. We have heard them vocalise as the shooter approaches to deliver a final blow to the head. A plea for mercy perhaps? A solid shiny object is wielded into the kangaroo's head as she struggles. Joeys are often not killed with their mothers but ripped from her pouch and discarded into the bushes, not even counted as a statistical 'kill'. We hear them calling for their dead mothers until the sun comes up. We see them in the mornings lost and bewildered. We may see them again the next evening, but usually never again after that. This is considered 'acceptable collateral damage'.

We often see kangaroos shot on a previous evening who died on our property while escaping the terror of being continually hunted. We see the trails of blood where the kangaroo has had her throat cut. The body is hung on the back of the truck to bleed out. We see the butchering sites where the shooters stop to 'dress' the kangaroo. Cutting off heads, tails, legs and forearms before opening the torso to tip out the viscera. Joeys are often left lying amongst the remains of what was their mother, still smelling like their mother, until they die of exposure or predation. The scene is macabre.

The group social structure is ruined. The mob is in disarray. The fields smell of death. Such an integral part of the biodiversity of the Australian rangelands — hunted down, killed and then butchered in a dirty, dusty truck bed. The skin manufactured into soccer cleats, expensive shoes and gloves, or sold as key-rings to tourists.

The kangaroo is a gentle animal. The commercial hunting is relentless, mostly brutal and often barbaric. The industry is ruthless and no longer believes its own spin. We have lived it. It has to stop.

It is very sad that Australia needs California legislators to protect what our Government is so eager to exploit for the reward of a chosen few. Our hope is that lawmakers this week take a stand. Diane and Greg Keightly have been exposed to the commercial kangaroo industry since 2007 after purchasing 500 acres of land to conserve within a rural area in western New South Wales, Australia where three species of kangaroos exist.

Commercial 'harvesting' by the kangaroo industry occurs along 3 kms of one side of their property.

Lego

Rescued 22/4/2019: The Story of Lego, his mum, shot and killed by the commercial kangaroo industry

Lego, 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.

Lego's mum was found on a single, continuous set of tyre tracks. I found a freshly cut off tail, a hand, a pool of blood and blood trail. It shows lego's mum was killed by a commercial kangaroo shooter, confirming what I had seen the previous night.

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.

Lego will only survive if humans stop killing kangaroos.



Cruelty

[Video on the cruelty of the kangaroo trade please double-click.
https://youtu.be/jqp6EIDN- 0](https://youtu.be/jqp6EIDN-0)

[Video: showing Killing of kangaroos please double-click.
https://youtu.be/jqp6EIDN- 0](https://youtu.be/jqp6EIDN-0)

SECTION 2

Terms of reference addressed: 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,
(iii) land clearing for agriculture, mining and urban development,
(iv) the growing prevalence of exclusion fencing which restricts and disrupts the movement of kangaroos.

Bushfires

Land clearing

Exclusion fencing

Barbed wire fencing: The story of Fly

Bushfires

[Video - Bushfire Impact - please double click](#)

https://youtu.be/s_8XrdJa_j8

As a bushfire disaster coordinator for fires in the Blue Mountains and a WIRES volunteer from 2002 to 2021, I have extensive experience in working with and caring for wildlife during times of crisis. However, the bushfires of 2019-2020 were like nothing we had witnessed during my 20 years of experience. In the 2019-2020 fires I was an animal rescuer for the Gosper's Mountain fire and worked with a team of rescuers around Clarence and Bilpin from Boxing Day onwards. This involved entering townships including Clarence and Dargan looking for injured, orphaned or dying animals.

This involved Eastern Grey kangaroos with burns to their feet and tails, however most kangaroos we found had suffered fatal burns. The myth perpetuated by the government and commercial industry that kangaroos could outrun the fire is simply not true. The radiant heat of a bushfire is such that it would be virtually impossible to outrun. Consider the heat generated by the three logs in your wood fire, how you often need to move away from it as you find the heat too intense, now multiply that by the energy of one tree burning, 10 trees, a thousand trees, the heat alone was killing kangaroos, who are particularly susceptible to high temperatures and, for any who fled to agricultural land being protected by Rural Fire Service, their fate did not improve as there were Commercial Kangaroo Harvesters waiting to pick them off, easy targets who were exhausted and lost, who thought they had survived the worst and were betrayed.

The Gosper's Mountain fire came west towards our property, **where we witnessed commercial harvesting of kangaroos taking place as animals fled the fire, which was burning 4kms away.**

We engaged with local land holders (rural landholders) when they were allowed back onto the properties to watch out for and assist other injured, hungry and thirsty animals and to then follow their progress post-fires. We spent 12 months surveying the areas and have been very concerned as the four species: Eastern Grey, Red Necked wallaby, Common wallaroo and Swamp wallaby are not returning as would have been expected from previous fires which have occurred in the area.

The uniqueness of intensity and destruction of the 2019-2020 fires has been widely documented with the World Wildlife Foundation stating that nearly 5 million kangaroos & wallabies (including rock-wallabies and pademelons) died in these fires (Eden et al.). From our observations over the 12 months post-fires, we have witnessed the landscape being devoid of any of these species.

The west end of the Gosper's Mountain fire is the edge of the escarpment of the Blue Mountains which rolls down into agricultural areas. Any animals that managed to stay in front of the fire or escape the fire and travel west then found themselves in agricultural land where they were a focus of landholders with land use permits that allowed them to shoot kangaroos for commercial and non-commercial reasons. There were calls for a moratorium to stop the kangaroo industry and allow a proper assessment of the impact of the fires on macropods, however the government refused, this is despite that fact that the 2020 quota was set back in October 2019 - before the bushfires.

While the Gospers Mountain fire raged its way West towards us, the kangaroos from our property, and properties to our East, were targeted by a Commercial Kangaroo Industry harvester.



Land Clearing

I was part of the Western Sydney Conservation Alliance, which is a not for profit volunteer group that seeks to protect Western Sydney's dwindling natural heritage. When I was involved it was focussed on the conservation of wildlife throughout the development of motorways and housing / business estates in Western Sydney with a focus on the ADI site. Developers came in and locked everything down using fencing, pushing all the kangaroos onto the roads. For example, when they built the Glenmore Park estate the kangaroos had nowhere to go and were pushed onto the Northern Road, where many got hit by passing vehicles. This is still occurring today at the University of Western Sydney Kingswood campus where large fencing is forcing kangaroos onto the Great Western Highway. This has been a succession of disasters because of the lack of planning, lack of foresight and lack of concern for fauna.

This continues to be an issue not only in Western Sydney, but across the state.

We have lost around 80% of the population of Red Necked Wallabies on our property as a result of clearing of their habitat within a formerly unused Road Reserve within our property boundary, such a significant loss from a comparatively minor amount of vegetation clearing. The destruction of habitat for Macropods is causing immeasurable harm, not only during the clearing process but in the weeks and months following. The diversity of flora in the Australian environment is critical to the health of Kangaroos and other Macropods.

The knowledge we have gained, during our time rescuing and caring for kangaroos, regarding their dietary requirements is quite significant. We attempt to provide as natural a diet as possible while kangaroos are in our care and pay close attention to their choices and the choices of the wild kangaroos with whom we share our space. What we have observed is that, when consuming the most natural diet possible, so primarily native vegetation and not only grasses but all kinds of shrubs, barks, algae, flowers etc, kangaroos require far less bulk.

The more of the native plants we can provide, or which are available to them, the less the kangaroos eat introduced agricultural plants. It would be very beneficial not only to kangaroos, but also to farmers, for tracts of native vegetation to be left untouched so kangaroos have access to high energy, nutritionally complete, native foods. Native Kangaroo Grass has recently begun to be grown and processed by agriculturalists for use in 'stock' feeding because of its far superior nutritional value. Given the opportunity, the kangaroos I know would choose Kangaroo Grass to eat over just about anything else, and so would the cows who occasionally wander through our place.

Exclusion Fencing

As the owner of a large conservation land holding and to further understand the dynamics and the relationship between different land users, I became aware of the rollout of exclusion fencing across NSW. I was very familiar and had done some research into QLD where it is extensive and has been in place for many years, where 4.5 million hectares are currently under exclusion fencing. I embarked on a number of trips around rural NSW and I started to look at how the future of exclusion fencing might affect my ability to conserve kangaroos within my own landholding. It seems apparent that the government supported the use of exclusion fencing to keep kangaroos and all native animals out, given that the use of this fencing has already become so widespread. With the government continuing to both promote and fund its expansion. To pre-empt this, I have started to investigate the impact that this fencing has on stopping the movement of native animals between properties, given that fences are now prohibiting their natural movements.

To this end, I went to a large group of properties that had clustered their exclusion fencing into one large area of 500 000 acres – the Gilgunia Station cluster fence – to observe the effects that it has

had. It equates to around 210 km of continuous 2m high fencing. The Gilgunia exclusion fence was established in 2017 and was supported by the NSW and federal governments by way of contributions of greater than \$560 000. This particular model is the first one of its kind that the government had set up in conjunction with 22 landholders, who signed to say that should properties be sold in the future, the cluster would remain. I felt that someone ought to be conducting research into the effect, over time, that such a model would have on native species, in particular kangaroos, emus and echidnas.

Driving through the centre of the cluster of 22 properties and within the cluster over a period of 8 hours I observed no naturally occurring animals within the cluster, which made me very concerned. As a result of that, I went looking for any consultative research on the potential harm caused to native species which may have been conducted prior to this, particularly in terms of the exclusion of kangaroos, but found that there is none. Federal money has been siphoned down through the state without any consultation with the broader community or research undertaken to postulate the potential side effects of this.

[Exclusion fencing video – please double click
https://youtu.be/5cMxj-PYAhg](https://youtu.be/5cMxj-PYAhg)

I travelled over a total of 3500kms, through Moree, Walgett and Lightning Ridge, where exclusion fencing runs along major highways where animals are excluded and pushed out onto the highways as they have nowhere else to go. An example would be a cluster fence established between Collarenebri and Walgett where a 6km, 2m high fence, dug into the ground at the base was installed on either side of the highway, where wildlife carers themselves have described how landholders pushed all the kangaroos out onto the highway corridor where they subsequently could not escape and were run down by road trains.

Gilgunia Fence

My research has led me to understand that kangaroos are not migratory, but they do have natural movement patterns along specific areas which they and their ancestors have travelled for thousands of years. Cluster fencing fractures Kangaroos' ancestral lines of travel, and our observations over the past 15 years have been that they use these lines, their energy lines, frequently, travelling similar routes every day. What has happened now is that kangaroos try to jump exclusion fences which often results in their deaths. This occurs for all the native animals – everything dies with this cluster fencing as they try to get through because this is how and what they have done for thousands of years.

It is horrifying to see exclusion fencing go up across the state. The government has conducted no research on the impacts of exclusion fencing on native fauna and flora, ecosystems or biodiversity. For all intents and purposes, the cluster fencing programme is yet another Government sanctioned programme whose aim appears to be the total eradication of Kangaroos.



This fence goes on for thousands of kilometres with no break

Barbed Wire fencing

Kangaroos can survive for days entangled in fences, imagine their terror and suffering. What an excruciating and lonely death. Occasionally though, there are brave little souls who fight for their lives just long enough for a human to come along to help them. An unknown number of kangaroos die this way across NSW every year. It's not just kangaroos who suffer this fate, but emus, echidnas, even wombats and turtles. It doesn't have to be this way. Humane alternatives are readily available.

The story of Fly

Fly is a teenaged joey who was hanging upside down by one leg in the barbed wire fence. Only his big toe was caught so he nearly made it home to safety.

Because he could push on the ground with his free leg and, due to the 35 degree heat, Fly's injuries were severe and his prognosis very poor upon rescue.

However, we had no idea just who we were dealing with! Fly is so brave! He is so tenacious! Joyful and accepting of help, he has come back from the brink of death to be a healthy, happy little man.

He lost his toe and still has a bit of a limp but he is fully mobile and independent. Fly's future is bright provided we can protect him from the Commercial Kangaroo Industry and other people who want him dead.

Fly knows when I'm making his bottle and gives me vocal encouragement to hurry up. It's hilarious!



SECTION 3

Terms of reference addressed:

d) Current government policies and programs for kangaroo management, including:
(ii) the management of licences to cull kangaroos,

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.

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.

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.

Section 3.1: Commercial and Non-Commercial Kangaroo Killing in our Region from 2006 – 2019 Head Study and Data Analysis

Section 3.2: Detailed correspondence, videos, testimonies and questions on the regulatory and compliance framework

Section 3.3: Financial loss statement

Section 3.1

Commercial and Non-Commercial Kangaroo Killing in our Region from 2006 –2019 Head Study and data Analysis

Much of this section has been REDACTED for the public document but will be available on completion of the study

Overview

'We were placed into a situation where the killing came to us. We could not unsee what we had seen, so we began to research and collect evidence to advocate for the more ethical treatment of kangaroos, to highlight the inhumanity of what was happening out there, in the dark with no one watching. We were told repeatedly by authorities (Police, wildlife regulatory authorities, animal welfare organisations) that, in order to stop the cruelty and killing, we would need to provide unequivocal proof of its occurrence by way of photographs and footage. We were told that we would need to provide unequivocal evidence of the identities of the perpetrators. When we offered such evidence to the authorities, it just caused them to hide 'harder'! We have documents which imply retrospective licencing and collusion with shooters and landowners in order to help make the problem of our evidence collection 'go away' Greg and Diane'.

Prelude

You're about to enter the world of data and data analysis. You're going to see some photos, x-rays and a lot of graphs, columns and lines of numbers, some in bold.

You can look at these, and even read and absorb the information portrayed, all the while staying comfortably detached from the reality which confronts me every time I look at the data.

Because you see, for me, Event 7, Head 1 is the young fellow who was shot then tried to stand up when the 'harvester' stepped out of his vehicle and grabbed his knife, Event 1, head 11 is the big man who stopped and turned, less than a metre from safety, to see if his family was following, Event 29th September 2011 were all ladies, there were 5 pouches amongst the remains of the kangaroos at the butchering site but only one joey. I looked for hours for the other 4 joeys and returned the next night and the next. I heard joeys calling for their mothers but could not find them.

And when I look at the head data, I think of the shot kangaroos whose deaths are unacknowledged within this report because collecting their heads was not possible; the young kangaroo who was standing beside his mother when a bullet tore open his face and who tried so hard to move away from the 'harvesters' while they cut off his hands and writhed desperately while the 'harvester' stood on his leg to keep him still while he cut off his other leg, his mother frantically calling for him to come to her while she watched, pacing back and forth, less than 20 metres away and all the young males who watched their mates being shot, cut and hung from the ute prior to being stabbed in their throat, the blade of the knife reaching sickeningly up into their chest while fully conscious and struggling to get free. And the big old grandfathers who came home splattered with blood down one side of their body, who stood at their friend's side till the very end.

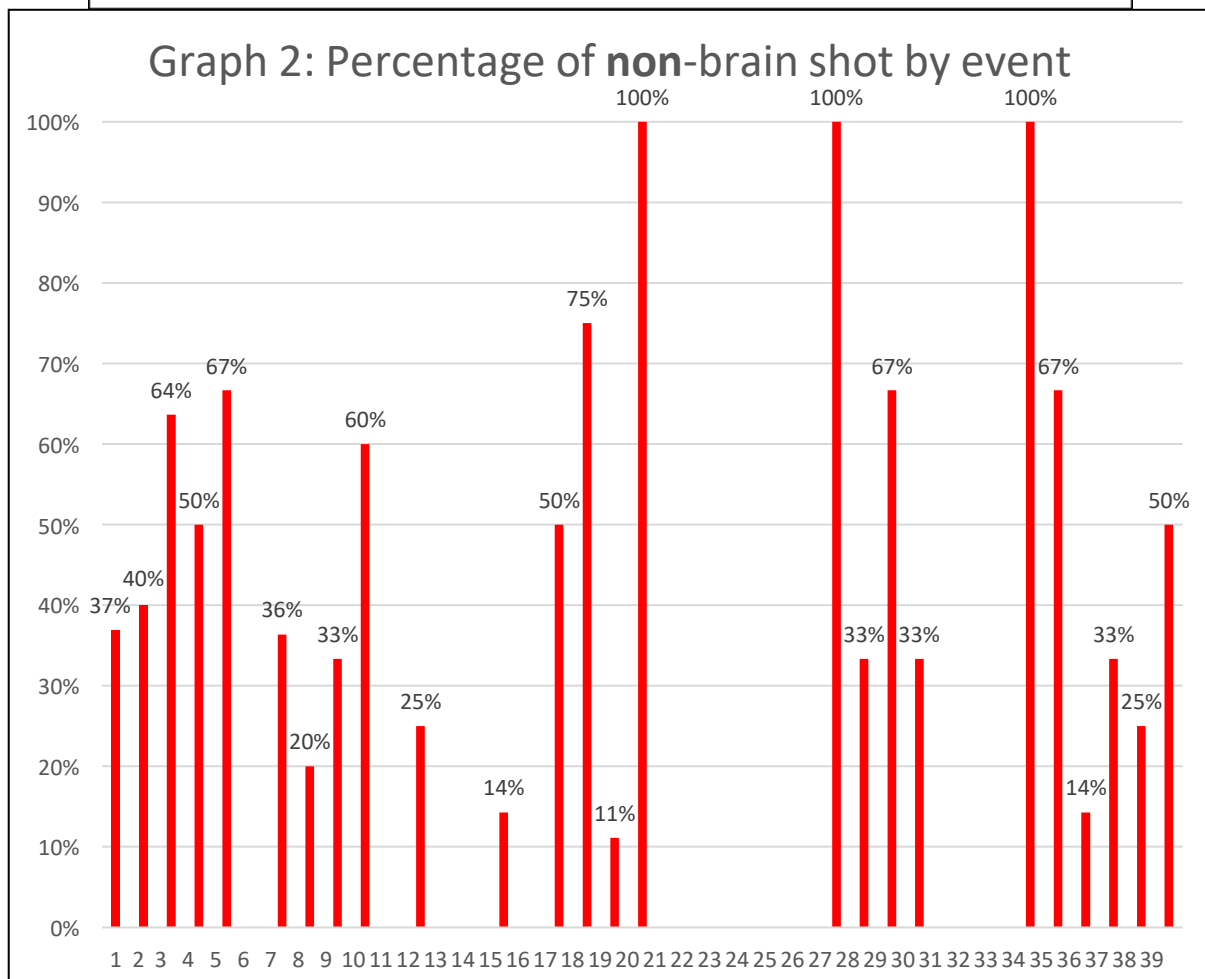
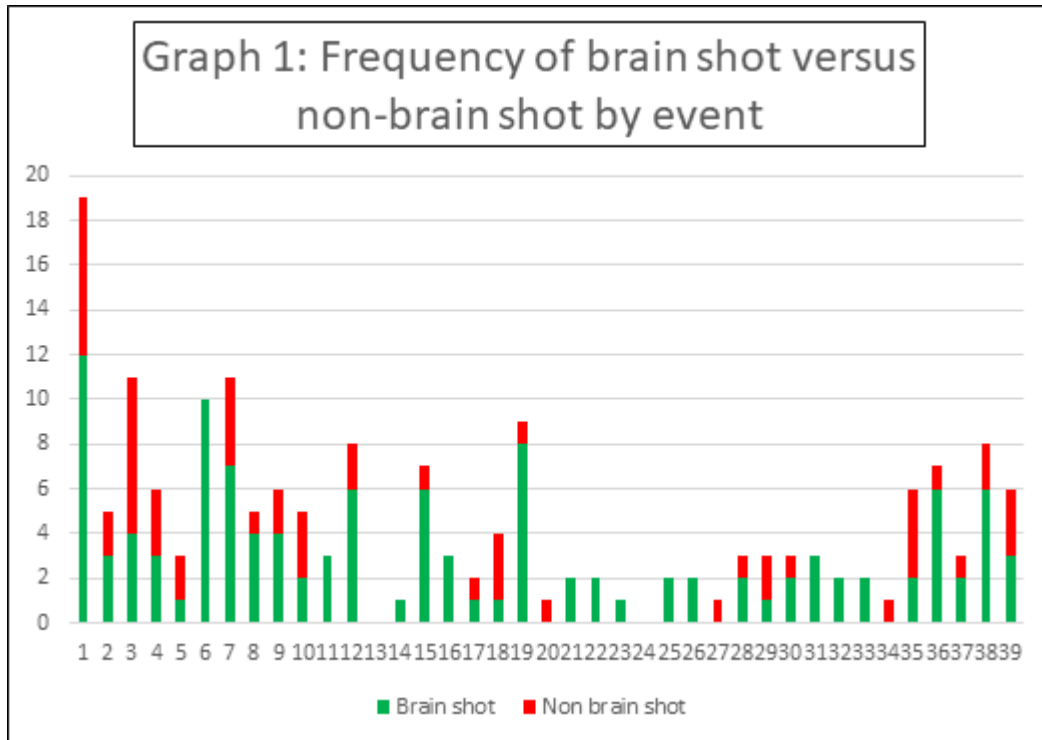
And they tell you it's humane.

Perhaps they believe it because they're only looking at graphs, columns and lines of numbers, some in bold. Or perhaps they know it isn't and are just hoping you don't find out.

I found out.

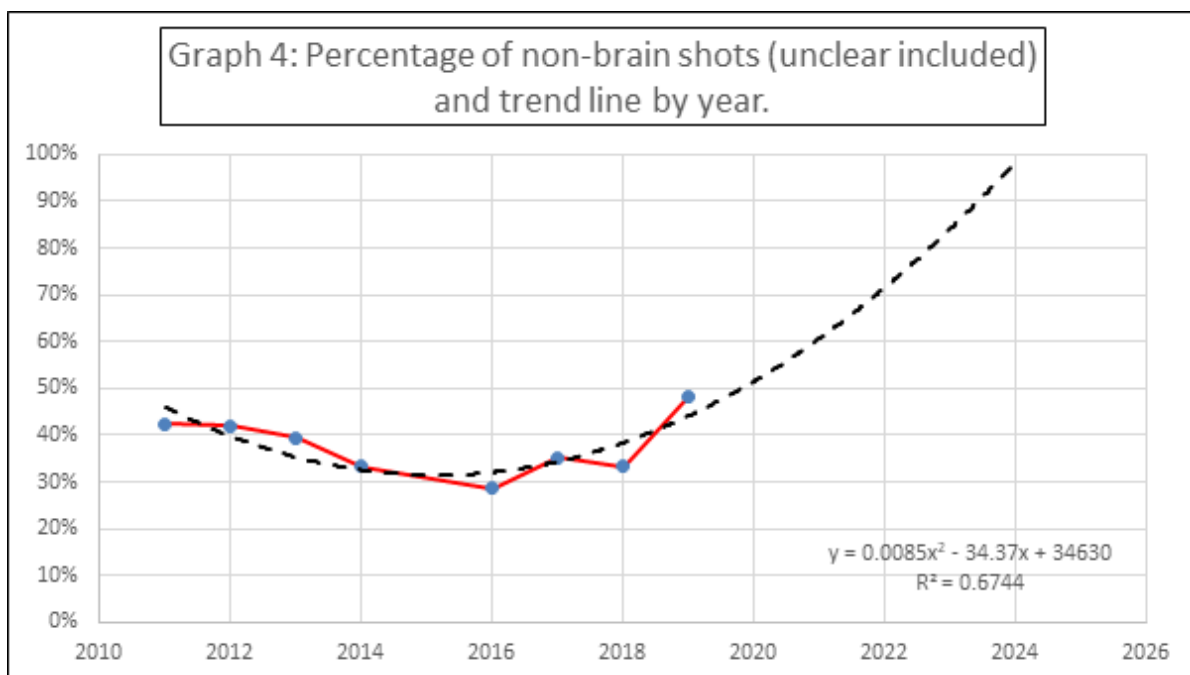
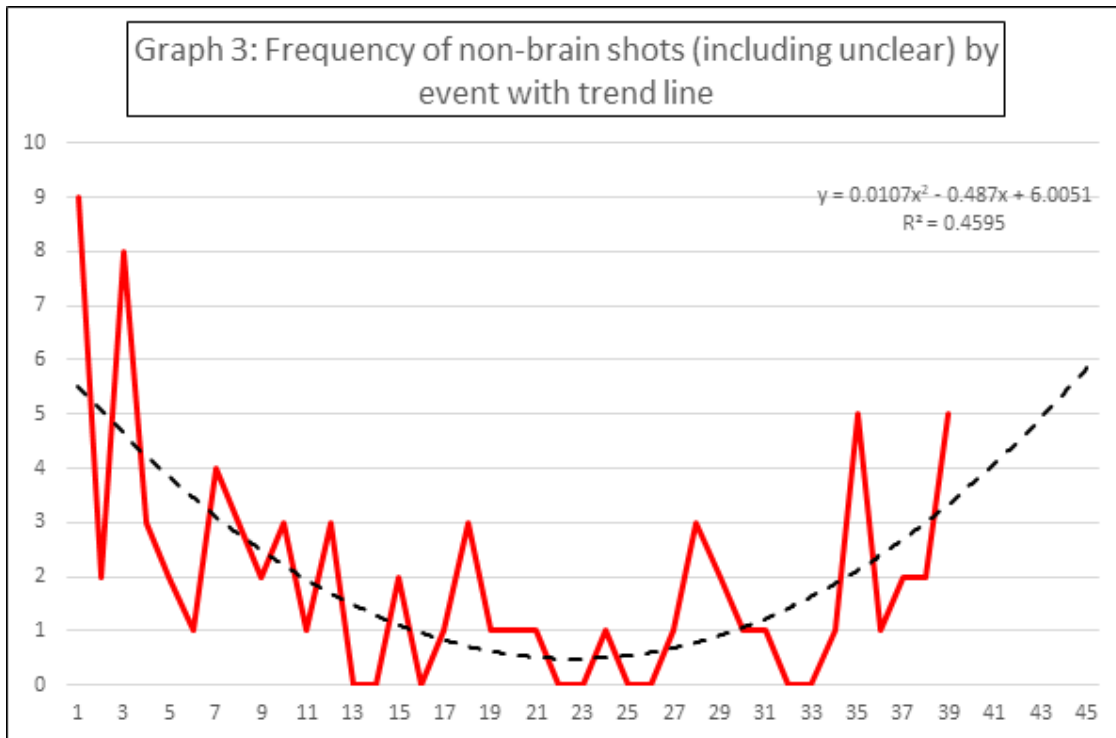
Between 2011 and 2019 a total of 205 kangaroos or joeys skulls / bodies were retrieved from 39 commercial shooting events. A figure of between 66 and 86 of the 205 (32 – 42%) were not killed by a single shot through the brain.

Graph 1 shows the frequency of brain and non-brain shot by event. The average percent of non-brain shots across all the events was 38%.

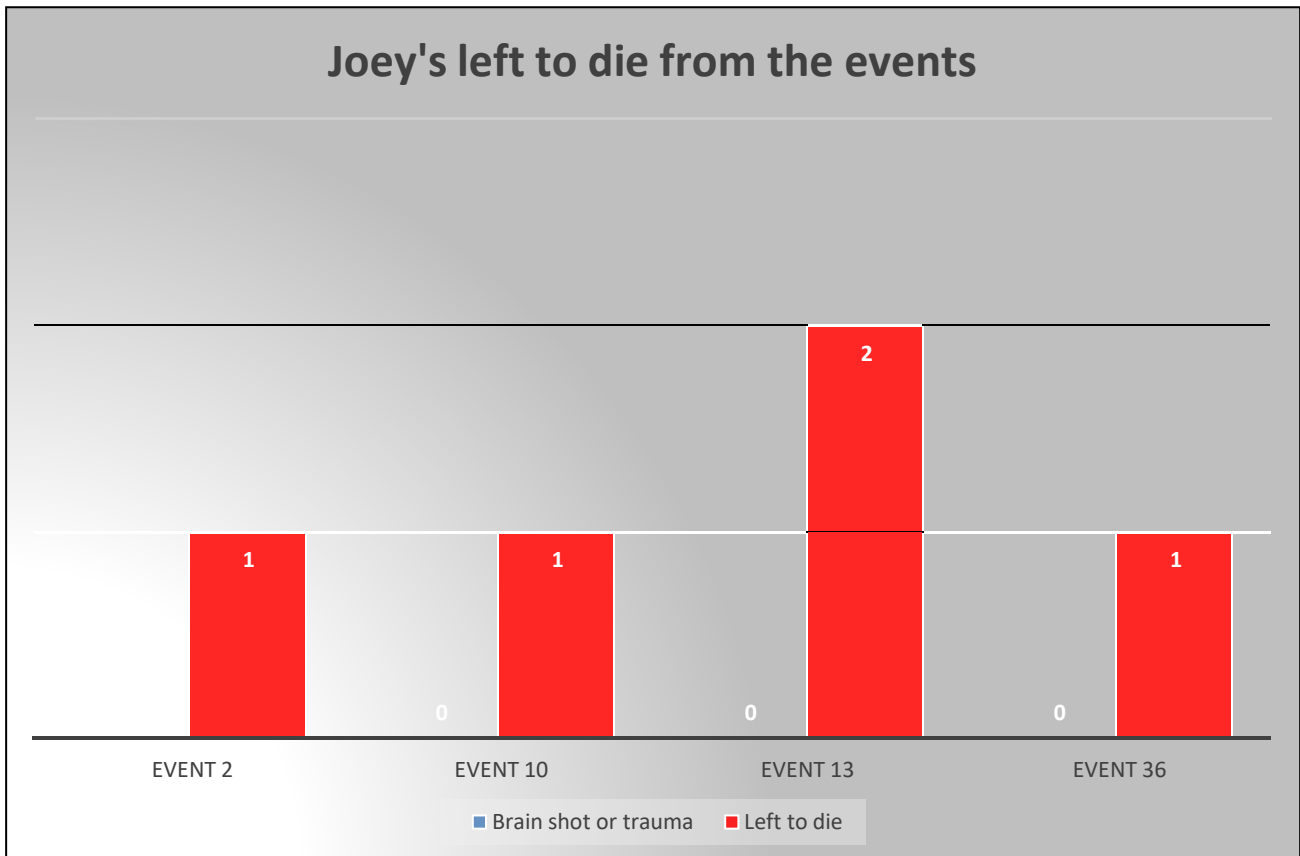


Graph 2 shows the percentage of non-brain shots per event and demonstrates on three occasions that 100% of kills were not completed using a single shot through the brain.

Graph 3 shows the frequency of non-brain shots (including those classified as unclear) by event. A polynomial trend line was fitted with an R^2 value of 46% and a clear trend projecting upwards extrapolating 5 events in advance. The inaccuracy demonstrated in Graph 4 was also evident when the data was reported by years (Graph 4) where the inaccurate shot tallies follow a polynomial trend with an increasing function line from 2015 onwards ($R^2 = 67\%$). Poisson regression showed an increasing trend although this was not statistically significant ($p > 0.05$). However, the accuracy has not improved over time and the graphs shows a trend towards the accuracy decreasing.



Joey's left to die from the events



Further data investigation was undertaken using the result of an average of 38% not being killed by a single brain shot applied to the Kangaroo Management 2021 Quota Report (Table 1). If the quota allowed for Eastern Grey kangaroos in the Central Tablelands South zone then from 2011 to 2020 approximately 388523 would not be killed by a single brain shot. Of note from the table taken from the Kangaroo Management report is that the population of Eastern Grey kangaroos dropped by 49% between 2019-2020.

Table 3: Quota projections for the Central Tablelands South Zone no. 49

Kangaroo Management Zone no. 49: Central Tablelands South (Table 44: Eastern grey kangaroo temporal variation – Central Tablelands South)				
Year	Population_Eastern_Grey_Zone_49	Quota	Density	38% of Quota
2011	347830	80340	15.05	30529
2012	347830	52175	15.05	19827
2013	347830	52175	15.05	19827
2014	811800	52175	35.87	19827
2015	811800	121770	35.87	46273
2016	811800	121770	35.87	46273
2017	933900	121770	49.4	46273
2018	933900	140085	49.4	53232
2019	933900	140085	49.4	53232
2020	488270	140085	25.85	53232
				388523

Summary of Findings from Section 3.1

1. Aspects of commercial harvesting on these properties could prove to have been illegally undertaken.
2. Rigorous surveillance of the properties and collection of data has been carried out over the course of a 13 year period with supporting photographic and video evidence for all data collected.
3. Expert veterinary and radiography reports provided scientific rigour to support the study.
4. Between 2011 and 2019 a total of 205 kangaroos or joeys were collected on the properties. A figure of between 66 and 86 of the 205 (32 – 42%) were not killed by a single shot through the brain.

Images / reports:

Image 1: Side view radiographs of the “Kangaroo identified as 2” in Event 1.



Image 2: Top view radiograph of the “Kangaroo identified as 2” in Event 1.



Image 3: Top view photo of the “Kangaroo identified as 2” in Event 1.



Image 4: Top / side view radiograph of the “Kangaroo identified as 2” in Event 1.



Image 5: Side view radiograph of the “Kangaroo identified as 2” in Event 1.



Image 6: REDACTED Veterinary Clinic Examination report – Event 1



Audio 17: Recording of shooting taken from our lounge room



Double click on the microphone to hear the recording.

<https://www.youtube.com/watch?v=VMI2Yy0-WXI>

The struggle is ongoing and the documentation of the cruelty, inhumane treatment and illegality continues

"The data contained in this report is the cold, hard science of the Kangaroos' experience, it is the scientifically provable reality which could be achieved within our means. In addition to these findings, we are compiling data on mis-shot Kangaroos left in the field which we couldn't carry or transport except when rescue of injured Kangaroos was required. Working our way back through footage and photographic evidence, we have 22 documented mis-shot adult Kangaroos and 15 joeys in just the past 2 years. We have 8 years of additional data to add.

(Details and photographs of some of the intact kangaroos and their joeys who were left in the field are included in a later Section of this Submission)

These mis-shot Kangaroos were not worth the Commercial Kangaroo Harvester's time or energy to search for or pick up as they were incorrectly shot or the Harvester shot a female by mistake while shooting for a male only processor or, perhaps, he shot so many at one time that he lost track of them all or maybe he was just doing the farmer a favour and getting rid of as many kangaroos as possible while he thought nobody was watching.

None of the kangaroos we have found left in the field by the Commercial Kangaroo Harvesters has been tagged, as is required by the Code of Practice, so there is no record of their deaths, they're not accounted for in the quota and take data and many suffered horrendous pain and terror until they died, as did their dependent joeys.

All live joeys were rescued, provided veterinary assistance if required, and taken into the care of licenced wildlife rehabilitators." Diane Smith

Section 3.2

Detailed correspondence and witness statements were maintained from 2007 through to 2016 which successfully led to the prosecution of an unlicensed shooter killing 61 kangaroos and then misrepresenting where the animals were killed. (News release below). The news release states the importance placed on protecting native fauna by the community which was the specific purpose of our property. . However, the relentless shooting has inhibited us from establishing, and sharing with others, our wildlife sanctuary, eco tourism and research retreat. In our Appendix, there, are 585 pages of correspondence and contemporaneous notes of meetings and telephone calls with the Police, EDO, RSPCA, Solicitors, Wildlife organizations and specialists, all of which was in vain.



\$6,000 penalty for kangaroo offences

A kangaroo shooter from Yetholme has been ordered to pay fines and prosecutor's costs totalling \$6,000 after being found guilty of shooting 61 kangaroos on properties near Portland for which he was not licensed to do so, as well as contravening his licence.

34 year old Ben David Collins pleaded guilty in Bathurst Local Court yesterday to a total of six offences under the National Parks and Wildlife Act 1974, including two charges of harm protected fauna and four charges of contravening a licence condition.

Collins was fined \$1500 for each offence of harm protected fauna, \$500 for each contravene conditions of licence offence and was ordered to pay \$1,000 in prosecutor's costs.

Office of Environment and Heritage Deputy Chief Executive Terry Bailey said the charges were laid with the assistance of members of the public.

"OEH takes the regulation of kangaroo shooting in NSW very seriously.

"Commercial operators can shoot restricted numbers of kangaroos on licensed properties, provided they comply with the conditions of their licence.

"In this case the properties on which the kangaroos were shot were not licensed and the shooter then misrepresented where the animals were killed.

"The offences came to light with the assistance of members of the public, which demonstrates the importance placed on protecting native fauna by the community.

"This case should serve as a deterrent for other licensed kangaroo shooters with a message that OEH will prosecute people who do not comply with their licence conditions," Mr Bailey said.

Media Contact: Jacki Roberts ph 02 6841 0946, after hours: (02) 9995 5347

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Reality of the commercial industry - impact on kangaroos impact on us - a first hand account

The shooting occurs at night and usually on large properties, in the bush where kangaroos would typically live as free-ranging. The property owners allow the commercial shooters onto their properties often after being asked, or rewarded for access, with little idea of what is happening on their properties. In the absence of any monitoring by the government department (due to safety concerns of their officers), the shooters really can operate with impunity taking short cuts with animal welfare, hygiene and accountability. Government monitoring only comes into play when the torso of the kangaroo is hanging in the chiller container up to several weeks later waiting to be processed.

Unimaginable horrors, terror, suffering, sorrow. Families torn apart by bullets, stunned kangaroos watching their shot mother or father being bludgeoned to death or stabbed in the throat while hanging from the shooter's truck by a hole cut through their leg (they are mortified, some just stand watching from a few metres away, immobilised by shock just as we may be in the same situation ... Just as we were the first time we saw it...others run for their lives, smashing into fences, blinded by terror, orphaned joeys running alongside their dead or dying mothers as they are driven away by the 'harvester' then calling for their mothers for days until they die of starvation, dehydration, predation or fear, confusion and sadness. Shot kangaroos being chased by the harvester in his vehicle for hundreds of metres until they fall. We've also seen inspirational courage from big male kangaroos as well as very old females who will often place themselves in the way of the shooter in order to allow their family and friends to escape. In most cases they are shot. We believe, having seen this over and over again, that they know the risk they are taking and they are prepared to lay down their lives for their families.

We have had rifles levelled at us while being tracked by shooter's spotlights as we move around on our own property. We have seen kangaroos shot directly in front of us, our house, our vehicle where, if the kangaroo moved, the bullet meant for her or him would have hit one of us. We have never seen a baby joey killed according to the Code of Practice. All but one of the joeys we have seen have been discarded by the harvester and have subsequently died from exposure or predation or we have rescued and taken into care.

We've seen, and gathered evidence from, commercial kangaroo industry butchering sites which are scattered over the property or bushland. Some of those butchering sites where the remains of dismembered, disembowelled, decapitated kangaroos lay often show that none of the kangaroos were killed by a single bullet to the brain. Not one kangaroo had been killed according to the Australian Government's Code of Practice. All of those kangaroos had suffered blinding pain and terror after being shot in their neck or jaw or across their eye socket, waiting until the harvester shot a few more of their mates before he came to beat them to death or cut their throat. We've found that, on average, around 40 percent of kangaroos taken for their flesh and skin by Kangaroo Industry harvesters are not killed by a single shot to their brain. We've had vets examine much of our evidence, that's where that figure comes from. The figure is slightly higher than we would have predicted based on our field witnessing. If you read the ABC Report into the Victorian Kangaroo Pet Food Trial by Jane Cowan, you'll see it's a very similar story ...kangaroos requiring 2 and 3 shots to kill them and shot kangaroos escaping. We've found that kangaroos who have been shot by harvesters and then escape can sometimes survive for several weeks until becoming immobilised by infection and parasite infestation. We've rescued jaw shot mothers who are unable to eat or drink and are struggling to survive days after being shot. She is still producing milk so her in-pouch joey survives only to then drown in their urine and faeces as mum is unable to clean her pouch. It really does have to stop.

[Video demonstrating that the commercial kangaroo industry is not humane](#)

<https://youtu.be/GNfyytTyY8s>

Regulatory and compliance Framework

Diane Smith

I've had people ask me, when I tell them about the situation I've lived in for the last fifteen years, "Why haven't you done anything to stop it? Why don't you call the Police or report it to National Parks or the RSPCA?"

Well we have, so many times that we have a file comprising over 500 pages of correspondence and contemporaneous notes from meetings and telephone calls.

I stopped compiling the communication in one place in 2016 after we reported the Commercial Kangaroo 'Harvester' who, night after night...9th, 11th, 13th, 14th, 16th, 17th, 19th November and on and on shot our Kangaroos and cut and hung them on his ute while they were alive, conscious and struggling or dismembered them while they were lying on the ground, repeatedly rolling over to try to escape the pain and terror of having your hands cut off.

I submitted a report to RSPCA including detailed witness statements and a question about the legal admissibility of footage. Silence. Followed up with a request for a progress report. Nothing.

Greg reported the same to OEH including a question about whether it was legal, and sustainable, for the Commercial Kangaroo Harvester to 'take' around 300 kangaroos, our Kangaroos, in one week. He received a call from a compliance officer who told him it would be impossible for him to see what he was reporting as the 'harvester' would be too far away "and it's dark". The 'harvester' was actually right next to our boundary, in front of our house, with his butchering lights on so there was no way we couldn't see what he was doing. A very short time later, the same day or next day, Greg received an email stating that the compliance investigation had concluded. When we used GIPA to apply for and receive documents pertaining to the OEH investigation, the GIPA release comprised a copy of the email the Compliance Officer had sent to Greg and a page of scribbles and doodles the Officer had drawn during her telephone interview with Greg. That was it, the entire OEH investigation. We still don't know whether the 'Harvester' had the authority to kill so many kangaroos as obtaining licence information, even for an activity which has such a massive impact on every aspect of your life, is virtually impossible. That needs to change. Consultation and transparency in licencing is required.

We've learnt alot about the lengths those regulatory authorities charged with the protection of kangaroos, and us, will go to in order to avoid receiving and acting upon reports of illegal, inhumane and unsafe shooting of kangaroos. You will have to read some of the letters we've written to see for yourselves because I'm too tired to explain it here.

I was naive enough to think, as most people would, that there are laws in place which protect us from high risk activities while we are within our own property or on the public road which runs through our property. There are no laws. Or if there are, they are well kept secret which Police keep locked up in their bottom drawer.

I was naive enough to think that honesty and respect, coupled with logical, calm, reasonable communications and reporting would prevail. I did everything I was told to do in order to prove that I was being truthful in my reporting. I courageously obtained then provided photos and footage, or at least I offered to, but when I did, I was often met with aggression, patronisingly dismissive replies or silence. A couple of Police Officers have been kind to us and tried to help but didnt know which way to turn when I tried to show them film of a Commercial Kangaroo Harvester shooting a kangaroo on my property and driving across the boundary to pick him up.

I could go on for pages about compliance, or rather the lack of compliance, and tell you about the tiny success we had pursuing our allegation of unlawful commercial kangaroo 'harvesting' from

2011 to 2013. OEH charged the 'harvester' for 2 of in excess of 90 kangaroo 'harvesting' events which occurred nearby to us. As soon as I began submitting detailed witness statements the Investigator stopped replying to my emails, he then wrote to me advising that the investigation had been closed some time ago. A short time later we heard an ABC report that the 'harvester' had been convicted of 66 counts of 'harm native fauna' over 2 events. Imagine if all of the 10 statements I submitted for events in 2011 had been taken into account and if I'd had the chance to complete statements for the rest of 2011 and then for 2012 and 2013.

So, when considering compliance and the legislation which protects kangaroos, the Committee should be aware that the words you read or hear which sanitise the killing of kangaroos and imply that there are safeguards in place which prevent harm and provide avenues for punitive action against people who harm kangaroos cruelly or without proper approvals are just words. They do not, in my experience, transfer to the field. There is a reluctance to act upon valid, consistent reporting of unlawful, inhumane harming of kangaroos. It's sometimes called "lack of resources" or "not a high priority" and the Committee should take the time to look into that.

The Committee should also consider asking why RSPCA is so reluctant to raise concerns about the Commercial Kangaroo Industry and whether its place at the table of the Kangaroo Management Advisory Panel has some bearing on its actions or does it, as had been speculated, receive some sort of benefit for turning a blind eye such as donations of kangaroo meat to feed shelter dogs and cats. Just a thought.

The Committee should also consider the horrendously terrifying and debilitating effects the shooting and other harming of kangaroos has on neighbouring landowners and ask why most Police will not assist and are highly protective of those who are harming kangaroos to the point of vouching for the legality of the shooting and the good character of the shooter as they did for the two 2011 events for which 'our' 'harvester' was eventually convicted. The Police would not assist me as they had been told by the 'harvester' and the landowners that the shooting of kangaroos was all above board and legal. Every time I called for help during 2011, 2012, 2013 Police told me the same thing. We have since discovered that our concerns were valid and most of the Commercial Kangaroo Harvesting at that time was conducted illegally even though it was conducted by a Licenced Commercial Kangaroo 'Harvester'.

I can't write about this any more as I am spent and need to conserve my energy for activities which are effective in exposing the barbaric massacre of kangaroos, the burden of horror and sorrow we carry as witnesses and the campaign to protect us all from the wanton, fear, hate and profit driven destruction of some of the most gentle, loving, loyal beings on the planet.

I hope you will take the time to flick through some of the correspondence so you know just how hard we have tried and how impeccable we have been in our communications, evidence presentation and requests for help.*see appendix for correspondence

Testimony of an Ex kangaroo shooter

Lyn Gynther - commercial kangaroo shooter 10 years

Lyn Gynther is an ex commercial kangaroo shooter who shot kangaroos for 10 years for profit. Diane and I approached Ms Gynther as part of our research to greater understand the cruelty aspects of what happens during kangaroo shooting.

We interviewed Lyn on multiple occasions since 2017 to understand more about the behaviour of kangaroos that we witness to be hit in the head with a bullet (we see the splatter of blood come from the head upon projectile impact) and how they manage to stay conscious and often run from the shooter after impact.

The code for the commercial killing of kangaroos previously required the shooter to target the brain of the kangaroo to render the kangaroo immediately unconscious or provide an instantaneous death. We believe the new code only requires the shooter to hit the kangaroo in the head. It is obvious to us by our observations in the field as kangaroos are shot that a projectile placed in the head, on occasions, does not provide either loss of consciousness or death.

We were also interested in the way that cervical dislocation was adopted into the 2018 improvements to the code of practice for the shooting of kangaroo as a humane option for killing the baby joeys. We have only ever seen one baby joey killed by a commercial shooter and left on the ground and that Joey was documented as being stomped on with a boot mark across the body. See section 4 for Lyn's statement on Joeys)

We considered Ms Gynthers opinion to be valid and raise concerns that should be conveyed to the Inquiry for further consideration, hence the inclusion within this submission

*'The industry claims of humaneness and the single shot to the head, instant death are not true. Kangaroos with severe head injuries can still move and still be conscious. I have personally witnessed kangaroos who have been shot in the back of the head, they have stood dazed, shaken their head and hopped off. It has not always been possible to find the kangaroo on that night as it has taken flight, but the kangaroo has been found on some occasions the next night or following nights from when the incident took place. **Mis-placed headshots and facial shots are frequent events within the industry and are simply not spoken about. Shooters do not want to draw attention to the fact that this is not an occasional issue but happens frequently as the kangaroos only need to move slightly at the last minute, to have the bullet penetrate an area that was not targeted by the shooter. This causes weeks of suffering in many cases to the kangaroo as they slowly starve to death and as infection takes over.***

I have also witnessed kangaroos who have been shot, drop and remain in the position where they were shot - they thrash around dangerously. A thrashing kangaroo poses an extreme danger to the shooter and that shooter will not risk injury to himself over a humane death to the kangaroo on the ground in front of him. For those kangaroos who flee, seldom will a shooter seek out that animal – particularly in more heavily timbered areas, as they can waste a great deal of time looking for it without success in finding it. So that kangaroo in a lot of cases is ignored and the shooter will go onto the next animal. This causes extreme pain and agony to the injured animal with a slow death over days or even weeks in cooler months'. Lyn Gynther

Section 3.3

Throughout the past 15 years, we have gone to great lengths to assist our neighbours who feel the need to kill kangaroos by offering non-lethal options and subsidising any perceived losses by implementing programs to minimise the presence of kangaroos on their land. This has included (but is not limited to):

1. The new 2km fencing at a cost of \$20,000.
2. Installation of one way gates to exclude kangaroos in a non-lethal way from the adjacent property (please see video footage in section 6)
3. Every day we spend 2 hours checking the fence for entangled kangaroos and other wildlife and also undertake maintenance of the gates, repair any gaps under the fence and work with kangaroos who are still trapped inside the fence, securing gates open, and opening under fence holes, while encouraging trapped kangaroos towards them, etc. to assist their escape to the safety of our property. Our neighbour could readily exclude more kangaroos from his property if he were to

open his double width gates once in a while, as the gates are on existing kangaroo escape tracks and they instinctively congregate at the gates while attempting to flee. If our neighbour allowed us access, we could probably encourage all kangaroos off his property and would willingly assist in blocking accesses and installing one-way flaps on other boundaries.

(It is interesting to note that, since it was completed 22 months ago, there has been no damage to the fence by kangaroos or any wildlife and, as we refused to disturb the ground by clearing vegetation unnecessarily, wombats and kangaroos have not even attempted to dig under the fence, there has been no erosion and no trees have fallen on the fence despite 2 of the most damaging wind storms we have witnessed while living here.)

In mid-April my neighbour approached me and said that he had NPWS out to assess his property and determine if there was sufficient kangaroo population to undertake a cull as "he needs to manage his kangaroos". I informed him that since we built the fence 22 months ago we

had decreased the kangaroos on his property by 90% and that there were only a small handful left.

My neighbour advised me that the NPWS Officers who conducted the inspection determined there were insufficient kangaroos on his property to warrant the issuing of a non commercial damage mitigation licence. On the night of Friday the 30th of April, a commercial harvester entered the property and killed approximately 30 kangaroos. As they are zone, not property, specific tags a harvester can shoot those tags anywhere in the zone even if a NPWS inspection and assessment has determine that there are insufficient kangaroos to undertake any killing.

No notification was received. 140 decibels, which has been documented on video footage (please see the video in section 3.1). The harvester shot opposite the house and the incident has had a significant negative impact on the kangaroos on our property and in our care.

How can a commercial harvester be allowed to kill kangaroos in a location which NPWS has refused to issue a licence to harm, a non commercial damage mitigation licence, based on low kangaroo population density? How can this process be sustainable?

SECTION 4

Terms of reference addressed: 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.

Note: This term of reference was also addressed in section 3.1 Head Data however the data below is in addition to that.

Below are details and photographs of just some of the kangaroos who have been mis-shot by Commercial Kangaroo Harvesters and left in the field with a specific focus on those who had in-pouch and at-foot joeys.

Every kangaroo and joey documented has been photographed and/or filmed. A small number of photos of these kangaroos and their joeys have been included below the table.

These mis-shot Kangaroos were not worth the Commercial Kangaroo Harvester's time or energy to search for or pick up as they were incorrectly shot or the Harvester shot a female by mistake while shooting for a male only processor or, perhaps, he shot so many at one time that he lost track of them all or maybe he was just doing the farmer a favour and getting rid of as many kangaroos as possible while he thought nobody was watching.

It should be noted again that we have never witnessed a joey being killed according to the code of practice and have found only one joey in a butchering site who had been killed 'properly'. He had the imprint of the shooter's boot on his chest. One joey from the 21 documented so far has been killed according to the Australian Government Code of Practice, the rest were left behind alive by the Commercial Kangaroo Harvesters and rescued by us or died of exposure or predation.

No.	Date	Detailed description
1	5/2/17	1 adult female, shot across top of head or struck with knife or axe, live in-pouch Joey plus active teat for at-foot joey (unable to locate at-foot Joey, mother's stomach predated upon so at-foot joey likely also taken by the fox)
2	23/2/17	1 adult female, shot entry left cheek and exit right mandible, live in-pouch Joey, no other active teat.

3	23/2/17	1 adult female, shot across surface of back of head just below right ear, live in-pouch Joey, no other active teat.
4	11/8/17	1 adult female, shoulder shot, old in-pouch young either predated, ran away or removed by Commercial Kangaroo Harvester.
5	11/8/17	1 adult female, shot entry eye socket and exit below ear, then struck with knife across top of head after possibly being run over! In-pouch young removed, cut from teat possibly by Commercial Kangaroo Harvester
6	15/10/17	1 adult female, neck/jaw shot, live in-pouch young.
7	15/10/17	1 adult female, jaw shot, live in-pouch young.
8	15/10/17	1 adult female, head smashed, possibly shot in mouth, teats active for 2 joeys but neither were with her.
9	22/4/19	1 adult female, shot in brain, live in-pouch Joey, 2 active teats, unable to locate at-foot joey.
10	8/7/19	1 adult female, witnessed alive after being shot, by commercial kangaroo harvester, in abdomen/pouch area, dead on attendance, large active teat, old in-pouch Joey running back and forth near mother, unable to rescue due to his or her fear

11	8/7/19	1 adult female, shot in shoulder and had been grooming her wound evidenced by blood on foot and bloody fur between toes, in-pouch joey had been alive for some time after mother fell on her stomach and had tried to dig out from under her but was dead on attendance. Only one active teat.
12	8/7/19	1 adult female, shot in neck and decapitated, one active teat, joey running back and forth nearby, unable to rescue due to his or her fear.
13	8/7/19	1 adult female, shot in abdomen/pouch area, one active teat, joey running back and forth nearby, unable to rescue due to his or her fear.
14	8/7/19	1 adult female, shot across front of chest exposing uninjured heart, one active teat external to pouch likely due to joey suckling from mother after she was injured and lay down. No joey nearby, blood on mother's legs consistent with predation of suckling joey by fox.

Testimony of an Ex kangaroo shooter

Lyn Gynther - commercial kangaroo shooter 10 years

The Commercial Industry and the government have tried to deal with 'the joey issue', they introduced cervical dislocation as a better way to kill joeys - i think this will increase the cruelty to joeys ten-fold. Joeys will be rendered unconscious and/or paralysed, but still alive when disposed of by the shooter Not that it really matters, shooters will not change their behaviour in the euthanizing of joeys regardless of what method is available to them. Due to the incorrect information which has been provided to shooters by vets who have stated that 'unfurred joeys do not feel pain', not only is this incorrect information, but it has caused the shooter to become complacent and even unsympathetic towards the joeys welfare.

The individual victims of the shooting - Mother and joey

She was shot in her bottom while lying peacefully with her family on land she belongs to, her spinal cord severed at the base of her tail. She scrambled to her feet and ran instinctively along her energy line*, as did they all, safely reaching a crossing point.

She stood courageous and erect as her children passed by her, fleeing onto the safe land. Her youngest stood with her. She focussed her eyes and puffed out her magnificent, proud chest as the vehicle approached. Shot. Entry, right side of her proud chest just beside her right shoulder. Exit, left side of her proud chest just beside her left shoulder.

It was much more difficult this time, but she used her right, less injured, arm to push herself up and ran again, knowing her son's life depended on it.

She staggered repeatedly but made it home, she checked her son was close then lay against a fallen tree.

It didn't take long for the blood and life to leave through the gaping wounds in her body.

Her son just watched, his poor tiny heart pounding with fear as her clicks and whispers, her parting words to him, became quieter and eventually stopped.

I could not help this brave mother any more than to ensure the shooters saw me and stopped chasing, maiming and killing any of her family who had not been able to escape to safety.

Her son is terrified, watching his beautiful old mama now from a distance. I left them alone as she has an abundance of milk so he may be able to take a final, life sustaining, comforting drink before facing the struggle to survive alone.

As I walked away the joey shouted for help. I just kept walking, ashamed of my species and the carnage and terror we cause on a whim, for fun, for profit, for appetite.

150 metres further on, I heard him calling again and saw an even older mother running at top speed in his direction. His grandmother, with her youngest daughter, running towards the danger they had just fled to rescue one of their own?

I hope his Grandmother has taken him somewhere safe, as far away from the humans bent on killing him as possible.

I will look out for him and yearn to see his majestic mother watching me through the trees every day, as she has for the past 13 years, graciously allowing me into her home on my travels. I will yearn for her but nowhere near as much as her family will.



*Energy Line - "They move along the same tracks every day of their lives, generation after generation, beating the ground with their tails and stamping their feet. First Nations Spirituality recognises these tracks as 'Songlines' which Kangaroos energise with their actions. That's their job. Kangaroos embed these tracks, or energy lines in their psyche, in their whole being, and use them instinctively, without need for thought or decisions, with muscle memory, whenever they need to flee from danger



SECTION 5

Terms of reference addressed: 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.

Note: This term of reference was also covered in section 3.1. however economic loss is being addressed as a separate impact.

Economic Impact

Kangaroos are killed for money, to mitigate financial losses when they are claimed to eat pasture or drink water set aside for farmed animals, when they are accused of damaging fences while they try to travel across the landscape, or when they have the audacity to lie around on crops. The decision of Government to issue a non commercial or damage mitigation licence to kill kangaroos is a financial one, it doesn't take anything into account other than money even though there is nothing which demonstrates the actual 'cost' to a landowner of a live kangaroo and the benefits of killing kangaroos is unsubstantiated and unquantified. It's the same with the Government's decision to issue a commercial licence, the 80 or 90 cents per kilogram a Commercial Kangaroo Harvester and Kangaroo flesh or skin processor make from a dead kangaroo is, purely and simply, about money. If the decisions made by Government about whether kangaroos live or die are purely financial and are driven by the desire to deliver financial gains to landowners, harvesters and flesh and skin processors on the deaths of kangaroos, shouldn't the negative financial impact of the deaths of kangaroos on us receive equal consideration? Wouldn't it be discriminatory not to consider all stakeholders equally?

We have long questioned the the NSW Government approval process which permits the granting of licences to kill kangaroos with the blind acceptance of one landowner's perceptions and opinion and without a modicum of consideration, not only for the safety and repose of neighbouring landowners, but for their professional and personal interests and their opportunity to earn an income from their land.

Licensing decisions are solely financial, that is; whether there will be a financial benefit to a landowner and/or commercial kangaroo harvester if a licence to kill kangaroos is issued. Given that money is the only consideration in the issuing of a licence, we believe that the financial impact on us of the killing of our kangaroos also needs to be taken into account.

We have repeatedly requested that our right to a peaceful, safe existence and to earn an income from our land as was intended upon purchase be taken into account during the decision making around the granting of applications to kill. You can see from the attached documents, that the losses we have suffered as a result of the impact of the death of most of our kangaroos and sights and sounds of the shooting and cruelty prohibiting our operation of a retreat for research and ecotourism have, by far, outweighed the gains of others who have been granted their wish to kill our Kangaroos.

We are entitled to, at a minimum, be considered during a consultation process associated with any application for a licence to kill kangaroos given the impact the killing has on our entire existence and the high economic value of the presence of kangaroos on our land.

I was initially based in Western Sydney, where I dealt with over 1000 kangaroos in crisis, most of whom died due to urban and commercial expansion into what was formally natural habitat. For

example, the ADI site development which further restricted the last vestige of the Cumberland Plain Woodlands meant that kangaroos have had, and still have, nowhere to go, as they are completely cut off from natural land space. I decided that I would need to buy land to provide safe haven for kangaroos and other wildlife, which is why I purchased my 200Ha property, intending on setting it up for eco tourism and as a kangaroo research, rehabilitation and conservation sanctuary.

In 2006 I borrowed \$500,000 to fund the venture, collaborating with other potential investors. Unfortunately, within 6 months of purchasing the property, we became subject to threats and intimidation by neighbouring landholders, who started to shoot kangaroos. As a result, I have not been able to pay back those debts because the other investors made statements that they would not come on board to help fund the project because of the persistent intimidatory tactics and shooting.

Subsequently, all investors left (withdrew funding), and we were left behind in huge debt.

As a result of this I was not able to get an environmental outcome as the government continued to allow the shooting, police were not cooperative or helpful, and in fact became aggressive in working against us.

As a result of these shootings these statements prove that I could not have any income because the people that I had arranged to come in (all Not For Profit) could not participate in the project because the shooting was too intense, averaging 2 nights per week since June 2009.

Therefore, we have not been able to effectively rehabilitate and care for the kangaroos and could not realise the research or eco tourism potential of the property as there was no income because of the deleterious effect of the shooting.

STATEMENT 1: FINANCIAL LOSSES STATEMENT: Gregory John Keightley. 18th November 2009.

The proposal to purchase a property at REDACTED, a 200 hectare parcel of bushland between Lithgow and Bathurst was first mooted in May 2006. In consultation with six individuals, the property was inspected for its existing conservation values, potential for improvement and subsequent involvement in educational training and possible tourist activity. A person with suitable qualifications was commissioned and spent significant time transecting the property, providing this group with a favourable report and recommendations.

The proposal was taken to the Lender, who considered the loan application on my ability to repay the loan, and the potential earnings of the property. The Loans Manager was made aware of the proposed use of the property, the favourable report of the property's potential to provide earnings and the intention of those involved to support a conservation agreement with the NSW National Parks and Wildlife Service.

The property was purchased with agreements in place to have each investor provide a predetermined amount of money into the loan account for the purpose of reducing the amount of interest to be paid to service the loan. This amount totalled \$330,000, exclusive of my own investment.

The investors did not expect to generate net profit to them in return, but were keen to have involvement and some participation in this conservation project with favourable environmental outcomes.

It was proposed that investment would be rolled in as of the 2007/2008 financial year, giving a twelve month period to set firm goals and devise and agree upon a plan of management. I agreed to service the loan until then.

As it became apparent that there were some aspects influencing the property and the potential to realise the goal, namely continual shooting of wildlife by a neighbouring property owner, the investors expressed concern with this activity, with some witnesses these shooting activities for themselves.

Consequently, it was decided to enter into discussion with NPWS and ask how they could licence a landholder to kill so many animals over long periods of time with no consultation with neighbours, no consideration of their land's use or the effect that continued shooting would have on their ability to earn income, their safety and repose.

It was decided upon to wait for an outcome from the discussions before formalising the roll-in of the investors. As it then became apparent that preferential consideration of the neighbours' interests by NPWS would make it difficult for us to receive an objective result.

To date, we believe that the issues have not been dealt with adequately by the NPWS, it's Director General or The Minister. Requests for advice on how to mitigate our losses have been met with ignorance from the above.

Investors are still reluctant to proceed or have lost interest.

The attached spreadsheet calculates the interest paid on the proportion of the loan representing the investment amount of \$330,000. It has been determined over the number of days that an s121 licence was in force only, though it has affected me every day since 1st July 2007.

The total quantifiable loss from 24th December 2007 to 31st December 2009 is \$34,432.11.

This does not take into account compounding interest due to loss of capital reduction.

I also have unequivocal quantifiable losses generated from the inability to offer the property and its amenities to REDACTED Pty Ltd for commercial training as documented in correspondence from REDACTED, 18th October 2009. Having completed the proposed courses as planned, and completing a second year of these courses, it would have shown a gross income of around \$18,600.

Financial loss of primary income source by Diane Smith is a further consideration when calculating the effect of decisions made by NPWS that show favour to one landholder with no consideration of neighbouring landholders' right to use their property as they wish, earn an income and live peacefully. This loss of income to Diane Smith has created a further financial liability to me that can also be quantified.

I am interested to pursue my legal standing on formalising my claim for damages to offset my losses in the event that DECCW continue to be prejudicial in its handling of this matter, and have the DECCW properly review the behaviour of senior officers in the handling of this matter for the past two years.

Gregory Keightley.

18th November 2009

STATEMENT 2: FINANCIAL LOSSES STATEMENT: Diane Smith. 11th September 2009.

To whom it may concern, Re: Financial losses:

In June 2006 I made a \$30,000 payment to Greg Keightley to assist in the purchase of the property called 'REDACTED'. This payment was part of an agreement to rent the property for a period of two years. During this period of two years, I was to initially assess the impact of property use on both flora and fauna, with a view to determining whether it could be used for 'visitors'. A favorable pre purchase report from a suitably qualified ecological consultant had been supplied to me and I was very keen to participate. I had hoped that, if a minor presence could be tolerated by local wildlife, I would establish trails with hides offering visitors the opportunity to witness fauna behaving naturally as well as spectacular diversity of both fauna and flora. I had also planned to build a couple of very basic huts which would be available for rent to environmentally friendly and interested humans, and wanted to undertake minor improvements to existing buildings to help realize this project.

There was immediate interest from friends and acquaintances in renting the property, the funds from which were to be my sole source of income in return for housekeeping and minor maintenance, as well as hospitality and guiding if required. There was also an agreement in place between Greg and an entity called REDACTED who wanted to use the property for courses in field surveying techniques, bird biology and husbandry, and this would include my involvement for the provision of some services, and provide me with further opportunity for income.

I had anticipated that once any Local Government and/or other approvals were obtained, minor improvements made, overheads and other requirements such as insurances taken care of, rental income would be available to me to continue the undertaking, with a large portion to be re-invested in REDACTED for habitat restoration.

I had also agreed with Greg to support and encouraged the listing of this property as a conservation site with a medium level of conservation protection offered by a partnership with the Department of Environment and Climate Change.

I was excited by what I experienced merely by looking out the window, distinct family groups of Eastern Grey Kangaroos, clear family connections, physical and behavioural similarities clearly defining who was who, distinct hierarchies intra and inter family, social behaviour such as dominant males (fathers) playing with recently emerged joeys, mentoring by adult males of juvenile males, friendships, an adult female taking care of 5 and eventually 7, presumably orphaned, joeys. To witness this, we even had interest from family and friends living overseas.

None of the original adult Eastern Grey Kangaroos that were present around the house during the twelve months following purchase remain. Any that have survived the hunting and shooting are left injured, ill or highly wary, either alone or in fragmented groups of 2 or 3, many are juveniles which would be expected to spend most of their time with adults. Surviving animals are not only subjected to relentlessly frequent hunting, but herding with vehicles and dogs so obviously no longer demonstrate 'natural' behaviour.

There is an obvious impact on other species, for example, no large Red Necked Wallabies remain in the area, micro-bats only return after minimal day and no night shooting for 8 or 9 weeks, birds once roosting in trees on REDACTED eastern boundary no longer do so, no nocturnal birds, besides Southern Boobook Owls, are heard. Prior to Summer 2008 the calls of Barking Owls were common. These are just a few of the most obvious impacts on biodiversity, there would be many more that go unnoticed by my novice eye.

Rangers undertaking the law enforcement interview 21st September, 2007 were advised of the reduction in numbers of Red Necked Wallabies and of our concerns over the general impact we believed shooting of macropods was having on other species.

So, it's clear that the attraction of the property to potential users has been severely compromised and we would not even consider impacting any further on the already persecuted fauna in the area.

My 'investment' in renting the property has turned into a loan as with no income, Greg has been supporting my permanent presence here at REDACTED, impacting us both. I choose to remain on the property as much as possible to attempt, often fruitlessly, to protect surviving animals, and the property, from trespassers.

The decision to continue with our plan to realise our vision for REDACTED was in no small part influenced by dealings with NPWS staff between August 2007 and January 2008 all of whom were very concerned that REDACTED and REDACTED had claimed to be culling kangaroos under licence, with one officer stating repeatedly that there's little chance of REDACTED ever applying for another licence and even less chance of it being granted. They also offering the assurance that in the almost impossible event that he did apply for a licence, our input would be sought and valued.

Once shooting recommenced with 4 sessions in the first week of January 2008, that Officer stated that we could stop the shooting by raising concerns with REDACTED, when shooting continued he stated that once this round of shooting was over, that would be the end of it. When shooting still continued into February he stated that putting our allegations of excessive killing and herding of kangaroos in writing would immediately halt the culling with NPWS then being forced to investigate allegations and prepare a Kangaroo Management Plan for the area. Had NPWS Officers been fair dinkum, our choices may have been different. We certainly would have gone to greater lengths to protect ourselves and the animals on REDACTED and I would have ensured I had another source of income. Pretty naïve in retrospect but they were convincing at the time..

In conclusion, my primary source of income is dependent upon the existence of native fauna, in particularly Eastern Grey Kangaroos exhibiting natural behaviour in stable family groups, interacting in conventional ways with their habitat and other species.

The hunting and herding of native fauna results in large scale loss of adult population with both killed and surviving animals being 'tormented and terrified', unacceptable under the Prevention of Cruelty to Animals Act with those responsible for the animals, but not actually committing the offence, being equally liable. The subsequent disruption to social behaviour and biodiversity

causes me financial loss and significant hardship. Misinformation and the actions of NPWS Officers have prevented me from protecting myself financially, physically and legally.

Yours Sincerely, Diane Smith

11th September 2009

STATEMENT 3: FINANCIAL LOSSES STATEMENT: REDACTED. 14th September 2009.

14th September 2009

RE: Investment in REDACTED conservation project

Dear Greg,

Prior to your purchase of the property known as REDACTED, you and I discussed my interest in investing in a conservation project which could be developed into an educational and tourist facility. After you purchased the property I advised you that I would be prepared to invest \$100,000 on the understanding that within a reasonable time period we could begin generating income from training and/or lodge facilities and then later developing conservation tourism, possibly building cabins around the property, with the attraction of the local wildlife and flora, particularly focussing on kangaroos. We discussed the possibility of getting the property included in The Kangaroo Trail. While I always expected this project to generate little or no net profit to myself, some return was essential to cover costs associated with investing in your project. This project obviously depended upon the biodiversity of REDACTED and we recognised some work was required to restore native habitat on REDACTED.

I was also aware of your intention to list the property as a sanctuary with NPWS.

Shortly after this discussion and while you were in transition from arranging your other obligations, shooting commenced close to the house on the property. It was eventually established that your neighbour Mr REDACTED was shooting kangaroos and he advised he had permission to kill 80 kangaroos per month. While at first hopeful that this would occur only for a short period of time, it has in fact continued for 3 years and Mr REDACTED most recent licence of 2009 is for a period of 9 months. It is obvious to me that NPWS has no intention of considering your situation in any way and I wonder whether Mr REDACTED being an employee on NPWS and working from the REDACTED office, the same office as is issuing the licences, has played a part in that and the length of time his licences cover.

These licences cause problems for us in 2 aspects. The first is the loss of wildlife, primarily the kangaroos which are being killed but also other fauna affected by the noise of the shooting, including other species of macropod, (Wallaroo, Swamp Wallaby and Red Neck Wallaby), some birds, possibly frogs and most notably microbats. With such a loss in numbers it would be impossible to develop the tourist aspect of the project, and it undermines the project itself which is a conservation outcome.

The second aspect is the impact of the shooting on visitors and guests. The noise of the shooting is traumatic and debilitating. We could not promote REDACTED as being a peaceful sanctuary in touch with nature if our guests are subjected to the safety and noise issues surrounding shooting. As our guests would most likely have an interest in nature and conservation they are also likely to be disturbed to know kangaroos are being killed at all, regardless of the close proximity to the entry road and premises. Shooting also presents a dangerous risk given the topography and vegetation, and the fact that your property is reliant on solar power to provide lighting between dusk and dawn for it's locality to be made known to shooters. I know I have at times been fearful for my own safety and I believe our guests would also experience such fear. It is also possible we could be liable for any physical or psychological damage which occurs to our guests.

I have been involved in discussions with REDACTED of NPWS in January 2008 who at the time was acting Area Manager. Despite lots of platitudes, half promises and some intimidation, Mr REDACTED continues to be licenced. I have provided some funding in the form of loans in excess of \$20,000 to help with your loan repayments during periods of financial distress, all the time hoping that this situation would be resolved. I have also spent a considerable amount of time at the property to assist you with property protection, and attempting to help you reduce the excessive number of animals being killed, sacrificing my own projects in order to do that.

My personal circumstances have now changed and I must advise that in the coming months I will require the money loaned to you. As you know my wife now has in her care her 2 nieces because their mother was killed by their father. I was hopeful that upon their arrival in Australia we could spend some time at REDACTED thinking that a peaceful environment surrounded by nature would assist with the children's therapy. However, the possibility of gunshots and killing of kangaroos would make that impossible as it would only increase the trauma for these children, so I must find an alternative arrangement.

I can see no end to NPWS supporting the continued granting of s121 licences to Mr REDACTED the neighbouring landowner, and must therefore advise that it will be impossible to invest in your project. I hope you will still be able to find some fairness from somewhere and wish you luck.

REDACTED

STATEMENT 4: FINANCIAL LOSSES STATEMENT: REDACTED Pty Ltd ABN: REDACTED
Ph REDACTED. 18th October 2009.

Greg Keightley 'REDACTED'

Re: Draft agreement on training services

Dear Greg

I understand you are looking to quantify losses from the continual shooting activity in and around your property 'REDACTED' over the last eighteen months. I refer to our previous correspondence and discussions and correspondence on REDACTED Pty Ltd. proposal of 2008 and to use 'REDACTED' for environmental and animal husbandry training.

REDACTED runs training courses in bird biology; husbandry and field surveying techniques and these can be found on our website (www.REDACTED.com.au). We also run courses and carry out field work on avian interactions with vegetation with another organisation. Shortly after your purchase of 'REDACTED', we sought to negotiate commercial rates for the use of the property to carry out a series of training courses on both our own behalf and with other environmental organisations. These courses were to be residential and make use of the diverse habitats found on your property at all times of the day and night. Many of the species of interest in this type of training are either crepuscular or nocturnal (e.g. owls, nightjars, frogmouths etc.) and field exercise are often scheduled for late evening or early morning.

Our original proposition was to run up to five courses per annum on your property. Each course would have a 10-15 participants who would require basic hospitality services (five meals and two night's accommodation) which were to be provided by 'REDACTED'. Aside from the use of the property itself we also require training room facilities and some specialist cleaning and disposal for courses which involved teaching basic necropsy techniques. The specific courses proposed were:

Captive Management of Wild Birds – a two day course involving extensive field observation of wild behaviour as well as day and night time workshops inside.

Practical Bird Skills – a two day course on more advanced husbandry techniques with wild birds.

Beyond Birdwatching – a one day course giving new bird watchers an introduction to the field techniques of ornithology such as point counts, morphometrics, transects and basic GPS use.

Field Survey Workshop – this two day course was to take people from the previous course and involve them in extended exercises and worked examples of bird and plant surveys.

All of these courses have been run during the 2008-09 period in other locations with the exception of the last one which was specifically designed around the species and habitats of 'REDACTED'.

Our original agreement was to charge a rate of \$100-150 per person per two day course for accommodation and food and \$300 for training facilities. The price range was to provide some flexibility in cost should we not attract a full course of participants. This proved to be unnecessary as all courses were over-subscribed despite being run in other venues.

When it became obvious that the indiscriminate shooting of native fauna around your property was not an isolated event, REDACTED was forced to reconsider its program. As you know, I personally spent time on the property to establish the extent of the problem and its likely impact on our training program. On all occasions I witnessed shooting but on one particular night the proximity and quantity of small arms fire was such as to force me to inform you that we could not proceed with our plans. While REDACTED maintains public liability insurance this does not cover our participants for exposure to small arms fire and any attendant psychological trauma from close encounters with dead and dying fauna. As much of our field exercises were to be done in the early morning and evening the risk of injury was clearly unacceptably high.

REDACTED subsequently arranged to hold its courses (and continues to do so) in a range of venues around NSW, many less than satisfactory. This change also meant considerable disruption to the presentation and manual material as this was initially geared to the specific species and habitats of your property. Obviously the loss of these courses because of the regular shooting was a substantial loss to you but it also caused considerable costs and inconvenience to REDACTED as we had geared our new training agenda around your hospitality capacity and the specific and environmental values of 'REDACTED'.

While we regret the events which lead to the changing of our arrangements, REDACTED remains committed to using your property as a training venue and would reconsider our discussions about investing in the property should circumstances change. However our business is, by its very nature, not compatible with arbitrary and apparently unscientific shooting of native fauna in close proximity to trainees attempting to understand such fauna and their ecological interactions.

I wish you success in your efforts to recoup your losses and use your magnificent property in peace.



REDACTED 18 Oct. 09

STATEMENT 5: FINANCIAL LOSSES STATEMENT: REDACTED Surveys. 14th November 2009.

REDACTED Surveys

REDACTED NSW REDACTED

REDACTED
14 November, 2009

ABN: REDACTED GST Registered

Business Registration No.: BN

Ref. 1109316

FAO. Ms REDACTED, Senior Solicitor, Environmental Defender's Office (Northern Rivers) Ltd.

Re: Impact of shooting of protected fauna on land-holder.

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Dear Ms REDACTED,

In August, 2009 we undertook a preliminary BioBanking Feasibility Assessment at the property REDACTED, NSW, owned by Mr. Greg Keightley. Our preliminary investigations show that the site contains a number of significant features of conservation significance, including regionally rare vegetation communities, habitats for a number of threatened fauna (including SwiftParrot *Lathamus discolor*, Regent Honeyeater *Xanthomyza Phrygia* and Barking Owl *Ninox connivens*), and extensive populations of the threatened flora species Clandulla Geebung *Persoonia marginata*. The identification of the latter species has been confirmed by the Royal Botanic Gardens, Sydney and the specimens sent have been retained by the RBG Herbarium.

In our preliminary BioBanking Feasibility Assessment, we concluded that the property would constitute a site suitable for the purposes of a BioBanking agreement; however, we were unable to take the assessment to the next stage as we were unable to quantify (by means of the BioBanking methods) the indirect and direct negative consequences resulting from the scale and duration of shooting activities witnessed at the site.

We have made a number of enquires of the BioBanking support team on this issue; however, we have received no guidance on how to resolve this issue should our clients wish to pursue such an agreement. Relevantly, Section 2.4 of the '*BioBanking Assessment Methodology and Credit Calculator Operational Manual*' sets out the process of assessing indirect impacts on biodiversity values at a development site, but does not address the equivalent issues arising at a prospective BioBanking site. This means that although a proportion of credits generated are based on ecosystem surrogacy, it is questionable whether a number of those species would utilise the site given that the area is subject to frequent and ongoing disturbances associated with shooting.

An additional unresolved issue (also partly related to the value of the property as a BioBanking site) is that of fire management, particularly fuel loads. As the landholder, one of Mr Keightley's obligations under ¹Section 63 of the *Rural Fires Act* is to "...undertake practicable steps to prevent the occurrence of bushfires on, and to minimise the spread of a bushfire on or from any land vested in or under its control or management". One of Mr Keightley's enquiries in relation to this matter focused on whether changes in the structure and floristics of the area could result from altered mammalian herbivory regimes, and whether reductions in herbivory could result in greater fuel loads with subsequent implications for the magnitude of unplanned fires, or increasing the potential for the escape of prescribed fires. Given the foregoing, and the lack of scientific literature available on the matter, I have advised Mr Keightley that without evidence suggesting otherwise, it would seem reasonable that the continued loss of macropods from the locale could very well result in increased fuel loads on his property. I have also advised Mr Keightley that if this were the case, increased fuel loads could result in both increased risk to the landholders' lives from bushfire, increased risk of property loss and increased costs associated with the additional requirement to manage fuel loads by artificial means.

Whilst undertaking the surveys, we were able to carry out our vegetation mapping exercises unhindered during daytime hours. However, towards dusk, the landholder strongly recommended that for our own safety we remain well away from boundaries or the Crown Road that runs along the eastern boundary of REDACTED. Later in the evening, shooting activities became much more intense, and for our own safety Mr. Keightley asked us to remain indoors: he made it clear that his insurances did not extend to the protection of consultants undertaking work on his property. During our stay, we witnessed landholders fraught with concern for both their own safety, that of their visitors and for the animals that coexist on the

property. We are both astounded at the courage shown by the landholders; at the same time, we are appalled at the apparent lack of science used in the available literature to support the culling of protected species, and the apparent lack of concern shown by DECCW regarding the issues Mr. Keightley and Ms. Smith have documented.

In summary, as ecologists who have been working in the field for the last 16 years, we are concerned that to proceed with the BioBanking assessment without being able to quantify the impacts of these activities would be negligent. We cannot proceed with the next step of the assessment until we receive guidance from DECCW in relation to this matter. We also have concerns relating to bushfire fuel loads, as detailed above.

If we can be of any further assistance in this matter, please do not hesitate to contact us. Yours sincerely,

REDACTED(BSci; MEnvLocGovLaw

Macq; MEIANZ) and REDACTED(Partners, REDACTED Surveys)

¹ RURAL FIRES ACT 1997 - SECT 63 Duties of public authorities and owners and occupiers of land to prevent bush fires

² Re. REDACTED

STATEMENT 6: FINANCIAL LOSSES STATEMENT: Greg Keightley

INTEREST OFFSET DEFICIT DUE TO LOSS OF INVESTOR SUPPORT

Start date	Finish date	Days	% rate	Interest \$	Yearly Total \$	
24/12/2007	31/12/2007	7	0.0777	491.7452055		licence period 24/12/07 to 31/12/07
					\$491.75	TOTAL for 2007: 7 days.
1/01/2008	10/01/2008	11	0.0777	772.7424658		licence period 01/01/08 to 31/03/08
11/01/2008	7/02/2008	28	0.0797	2017.610959		total number of kangaroos to be killed unknown
8/02/2008	11/03/2008	33	0.0827	2467.405479		
12/03/2008	31/03/2008	20	0.0862	1558.684932		total of 91 days
						Break of 73 days of non licence period
13/06/2008	13/07/2008	31	0.0874	2449.594521		licence period 13/06/08 to 31/12/08
14/07/2008	7/09/2008	56	0.0888	4495.956164		total number of kangaroos to be killed 184
8/09/2008	12/10/2008	35	0.0863	2730.863014		
13/10/2008	29/10/2008	17	0.0783	1203.460274		
30/10/2008	9/11/2008	11	0.0762	757.8246575		
10/11/2008	11/12/2008	32	0.0704	2036.778082		
12/12/2008	31/12/2008	20	0.0604	1092.164384		total 202 days.
					\$21,583.08	TOTAL for 2008: 293 days (80%) from 366days
						break of 104 days 01/01/09 to 14/04/09
15/04/2009	16/04/2009	2	0.0504	91.13424658		licence period 15/04/09 to 31/12/09
17/04/2009	14/06/2009	59	0.0494	2017.610959		total number of kangaroos to be killed 174
15/06/2009	13/10/2009	121	0.0504	5513.621918		
14/10/2009	9/11/2009	27	0.0529	1291.339726		total of 261 days.
10/11/2009	31/12/2009	72	0.0529	3443.572603		Based upon current % rate
					\$12,357.28	TOTAL for 2009: 261 days (71%) from 365days
					\$34,432.11	TOTAL LOSSES

SECTION 6

Terms of reference addressed: (h) Current and alternative measures to provide an incentive for and accelerate public and private conservation of kangaroos and other macropods.

As previously stated at our time at REDACTED we have gone to great lengths to protect the kangaroos. An adaptation we have installed along the fence line a one way gate which the kangaroos can get through easily and remain on our side of the fence. These have come at a great economic cost, but they are effective and could be implemented in other properties to help protect kangaroos.

“Over the last 18 months since funding and installing the new 2km boundary fence along the 3km boundary we have 'encouraged' the remaining population of kangaroos to remain within our property and after 12-18 months most kangaroos display behaviour of no longer wanting to visit the farmers paddocks. For the first 6 months their behaviour included running the fence line and testing the fence. We did have many entanglements. We needed to place visual blocks on the new fence where many of their energy lines were forever, and eventually they decided to stay on the natural bushland of our property. With that, as we passed 12 months, more kangaroos came from the farmland through the gates as it appeared that word had got out that this was the place to be. We had to continually adapt the gates to make them easier and more attractive to use. We also had to progressively provide more 'escape options' than we had. We identified other locations where the kangas wanted to come through so continued the project by installing 'under fence' flaps on old energy lines which are now well used as well. They are more discreet than the fixed fence gates.





[Video of kangaroo exclusion gates - please double-click
https://youtu.be/Z4fzbXnoi18](https://youtu.be/Z4fzbXnoi18)

References

van Eeden LM, Nimmo D, Mahony M, Herman K, Ehmke G, Driessen J, O'Connor J, Bino G, Taylor M, Dickman CR (2020) Impacts of the unprecedented 2019-2020 bushfires on Australian animals. Report prepared for WWF-Australia, Ultimo NSW

Appendix

Correspondence File: Detailed summary of all correspondence from 2006 onwards pertaining to statements and other information provided in this submission. REDACTED