

IN-CAMERA PROCEEDINGS BEFORE

**PORTFOLIO COMMITTEE NO. 7 - PLANNING AND
ENVIRONMENT**

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

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At Macquarie Room, Parliament House, Sydney, on Friday 11 June 2021

The Committee met in camera at 16:15

PRESENT

Ms Cate Faehrmann (Chair)

The Hon. Mark Buttigieg

The Hon. Catherine Cusack

The Hon. Ben Franklin

The Hon. Shayne Mallard

The Hon. Mark Pearson (Deputy Chair)

The Hon. Penny Sharpe

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Evidence in camera by **WITNESS A**, Aboriginal Elder , affirmed and examined

The CHAIR: Welcome. Thank you very much for coming to this in-camera session for the inquiry into the health and wellbeing of kangaroos and other macropods in New South Wales. Before I commence I would like to acknowledge the Gadigal people of the Eora nation, who are the traditional custodians of the land on which we meet today. I also acknowledge the lands you are coming from today. I pay my respects to the Elders past, present and emerging and extend that respect to other Aboriginal people present. I welcome , who has agreed to give evidence in private today. I know that it is a big decision for you to speak to us today, , even in private. We thank you for the perspective you are about to share with us.

Please note that this is an in-camera hearing. The evidence is confidential. It may be valuable to publish some of what you say and, if so, the Committee secretariat will consult with you about this, taking into account your privacy. As you would be aware, your evidence is protected by parliamentary privilege. It is important to remember though that privilege does not apply to what you say outside of your evidence at the hearing today. There may be some questions that you can only answer if you have more time or information and, if so, you can take a question on notice and provide an answer within three weeks. I understand that you may have a short statement to make.

WITNESS A: I would like to acknowledge the traditional owners, the Gadigal people, and the wider Aboriginal community and acknowledge everyone here today. I have lived in the area I live for about years. It is a semi-urban area. Firstly, could I have these documents tabled?

The CHAIR: Absolutely.

WITNESS A: It is a semi-urban area. Wildlife are already vulnerable due to the expansion of subdivisions and so forth. The area I live in is actually a wildlife corridor. It is in close proximity to national park. I have been through a really horrific period of time in the last almost four years. In terms of the amount of shooting that has gone on, a licence to cull kangaroos was given to two or three properties that were adjacent to me and between myself and the village. When you get the map that is being passed around, you will see land with a yellow boundary. That was where the licence to cull was given, and the land towards the house blocks. Another two lots of land were part of that licence to cull.

Basically what has happened with me is that I have been subjected to all types of abuse. I have had a firearm discharged and the bullet land within three metres of where I was walking at night.

I was in the property and it was dark at night. I had a bright torch; there was no doubt that I could be seen very clearly. The bullet was fired towards me and went within three metres, in the very shallow end of a dam .

From there the abuse—verbal, racial, spotlights, drones and endless shooting all night long. I have camped out in the car in an attempt to try to stop the shooting, which perhaps is hard to understand for some people. It is because of my efforts to try every other avenue to have the shooting stopped because of the concern for my safety, my family's safety, the safety of anyone that came to visit and the public's safety. As you can see from the map it is not very far to the road I live on . There was also the concern with the continual shooting that other animals were frightened. There are deer there, and large kangaroos.

There are tourist places where people go.

When we are thinking of the night-time shooting, an animal might be shot. But how many animals will be frightened and go onto the road and perhaps cause an injury where a family might even be killed—or anyone, for that matter? The past four years have just been relentless; we are talking shooting all night long. When I spoke to a council person and expressed my concerns they said they are probably just shooting a few rabbits. We are talking semiautomatics; we are talking .308s, shotguns. One time there were 57 bullets fired in an afternoon-evening. Another time on a Sunday, which is when a lot of people are coming back from their activities, there were bullets fired. I am not here today to make something that is small into something large. I am here to tell the truth, and I am here to—

The CHAIR: It is okay.

WITNESS A: I am here as a voice for the animals, because I know that so many animals have been shot. I know that so many kangaroos have been shot, and I have been out there basically risking my life. As an Aboriginal person the animals are connected to me; I am connected to the animals. I cannot sit by; I cannot leave. I do not want to. To be there and to reach out to authorities—police, the police commissioner, councils, media—you name it, I have tried it. I have written good letters. I have done a lot of research. I did not know a lot about a

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lot of this before it started. There have been firearms in my—because I lived in the country when I was younger. But I did not know a lot about what was happening there until I actually saw it. What I have seen is drones. I have hardly had experience at all with drones. We are talking about a lot of drones passing around in what looked like a circuit. We are talking laser pointers or laser flashes being used at night.

What I believe I stumbled into—and I did not know at first—a market where the animals are being used for some sort of meat or some monetary gain. The fact that someone would go to the extent of actually firing a bullet towards me was extreme. Even though I know the person has a strong dislike for me, the night the bullet was fired I was just in extreme shock. I also felt—

the thing I felt when I was out there in the dark and that shot got fired towards me was the fact that he may find me dead in the paddock the next day—the fact of what that would do—and also that why weren't some authorities listening? Why was my life and everything put at risk, and then I am still struggling out there? Nothing has come. There have been no consequences to any of this.

The person actually had his firearm licence in—I will go back a little bit. When the licence to cull kangaroos was issued, part of what my research indicates was that the police were to be notified and the neighbours were to be notified. No neighbours were notified. I was not notified, and I am adjacent, and no other neighbours that I spoke to around the area were notified. I was just left here thinking that this amount of shooting could go on forever. The police became involved after the shot was fired towards me—that was around . The police became involved then. I had rung the police on numerous occasions before this but they said "Look, the fella has a primary producer status." cows he has. There is also a commercial activity, separate, so part of it is leased. So he has cows, part of it is leased to a commercial enterprise and he can fire any sort of guns.

One night I was sitting there and if you can imagine 100 metres, there were a whole lot of people over at his house and a semiautomatic fired off 10 shots. They then went up the back with the utes—I am talking spotlights on top of the utes—and fired other guns. A shotgun was fired and it actually woke a small child. You can see that my property adjoins a larger property and there are three or four houses—three houses. It woke the child in that house. It was like the Wild West. They were out there shooting and there were spotlights in trees, spotlights everywhere, guns going off. This was the sort of thing that was happening regularly. When I approached the council they said, "Look, it is a firearm so it is a police issue." When I approached the police they said, "We cannot do anything about it. It is a primary producer; the guy can shoot." There are no limits on how many people he could have on the property shooting. Those cows gave him the status of primary producer.

In terms of applying for a firearm licence, there is no definition of rural land. If someone is a primary producer, it can be five acres. Unless the Firearms Registry looks at where the geographical location is and the danger that it presents—as you can see from my map—unless they actually take this into account when issuing a firearm licence, I believe that my experience will not be a single experience. For me, I felt like I was the protector of the animals. As I said, I would sleep in the car. I have slept in the car many, many nights in the winter. I would do it again, because they are voiceless. There is no-one to speak for them.

Recently had a camera in a gully, and we could see the kangaroos. We could see the joeys in the pouch were nearby. There was a round hole in the end of the ear, where clearly the shooting is continuing. In this instance what I have suffered—the shooting did not stop or start just with that kangaroo culling licence, because there is no-one there. There is no-one to monitor. There are no tags. At the point when they gave this licence in 2018 carcasses were then being allowed to be used by the landowner. Now, isn't that an open gate? Isn't that just open slather for the animals? Who is going to question that? Where is it going to come from that they say, "Look, how many did you shoot?"

The CHAIR:

WITNESS A: I did not find out about this kangaroo culling licence, by the way, until after the police became involved in an investigation.

Now, from what the police had told me, it was a commercial licence. From what the national parks had told me, they did not say it was not a commercial licence but they said that they had given the people involved—there are three properties—permission to shoot 25 kangaroos.

So, if you can imagine firearm all night, nearly every night—and day. It was drought time. I can remember them in the night. The kangaroos would come down towards the dams for a drink, naturally. It was

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drought. It was hot. They would have the headlights of the cars coming from the property next to the one in yellow towards the houses. They would have lights from the cars driving the kangaroos up the back with the shooters up the back.

The CHAIR: That's fine.

WITNESS A: What it is was 50 kangaroos a day were being shot. Now, I do not think the 50 kangaroos were being shot next to my house. I think part of a network and I think that the number of drones—for example, I saw 150 drones one night. I am not saying they are all different drones. I think they were doing circuits. I believe and I know that there were people involved in this that had outlets for meat to be sold, or an outlet if it was to be turned into meat—pet meat or whatever.

, they had a big freezer—we are talking like a freezer, you know, that is a container-type size. You know, that type.

The CHAIR: Yes, a chiller.

WITNESS A:

The CHAIR: , we are going to run out of time.

WITNESS A: Okay.

The CHAIR: I did not want to interrupt you, but there is less than 10 minutes now for us. Is that okay?

WITNESS A: That is great, thank you. Thank you very much for that.

The CHAIR: Thank you very much for your opening statement. I am very sorry for what you have experienced and for the stress that you have endured over a number of years with this.

you have lived at your current address for years, so I am trying to get my head around what started—like, what is the change? Obviously, there is the licence to cull kangaroos. We will talk to the Government about that and everything. What also changed? What changed in August? Do you know?

WITNESS A: No.

The CHAIR: It just started.

WITNESS A:

The CHAIR: Yes.

WITNESS A: It just started. Suddenly there was a young person there in camouflage-type gear in the middle of the day.

The CHAIR: And it had not happened before.

WITNESS A: No. I had not heard. I mean, sometimes you will hear an occasional shot; but, no, it had not happened like that before. I think the fact that I was on my own perhaps made the situation—and I had been away. I had often gone away for a number of months and come back and our land is very—like, it has a lot of bush on it. we found, like, skulls of kangaroos after we had been away before this licence to cull was issued. it went on, you know, so it is not like—I hear what you are saying and the terms. I do not know what started it.

The CHAIR: Just to be clear, do you know, is it commercial cull, or non-commercial?

WITNESS A: Yes, the police had told me that it was commercial because I asked again. I said, "It's commercial?" Like I felt it was really strange for a commercial one, but the person from the National Parks and Wildlife who had issued the licence or who had gone out and, I guess, okayed it, she said that they had given 25; they could kill 25 kangaroos, which to me, I am not sure because I have not been able to view that.

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The Hon. MARK PEARSON: Did you know the kangaroos? Did you used to see them coming and going over years?

WITNESS A: Yes. I did not know each individual one. There was a number of very large male kangaroos that would come through—like, very noticeably large. So, in the fact that we never killed anything and that we had no domestic animals, the kangaroos would come around regularly. On the day that this first shooting occurred in August with this young man, there were eight kangaroos there the day before. They would just come and then pass through, eat a bit of grass and then go on.

The Hon. MARK PEARSON: So, when you would hear them being shot, just the sound of it, is that the trauma? That was part of the trauma that you felt—knowing that these animals—

WITNESS A: Absolutely. Absolutely. And knowing I couldn't do anything. You know, the only thing I could do was what I did. You know, I could not do anymore and there was no-one to turn to, to make it stop. Because when I heard the bullets I felt the bullets. As an Aboriginal person, I am very connected. It was just so very hard to hear. In one situation a person towards the house past that yellow boundary had some cropping. What I saw was a little mob of kangaroos. I saw a really big male and I saw a small joey. I saw the big male and the joey go into the crop and I heard the bullet. This is in daylight. I heard the bullet. The little joey came back out and just hopped around, distraught. The male never came out again. These are the sort of things that could happen any time of the day, you know.

The Hon. MARK PEARSON: What happened to the joey?

WITNESS A: The joey went back with the mob, but the big one, I assume, was shot.

The CHAIR: Can I jump in? Also, do you have, where you live are there other—like, your mob, if you like— is there other concern with your family or other Aboriginal people in the vicinity near where you live with what is going on? Have you taken this to your representatives?

WITNESS A: No. Where I live is not where my mob is from, . But they have been concerned and, you know, totally supportive of trying to get it stopped.

The CHAIR: Yes.

WITNESS A: The other thing quickly I would like to mention is just the social isolation it has created for me and my family. You know, my granddaughter has not stayed in the four years—because I think to subject a child to that shooting, you know, the fear. I have also been concerned when my family come—
—because there is the anxiety because you think, "Are they going to be safe if we go up the back?" and, you know, most people do not want to hear 30 or 40 bullets. Sorry.

The CHAIR: Is it still happening now?

WITNESS A: No, it is not.

The CHAIR: Was it over a period of time?

WITNESS A: It has not happened for probably six or eight months, where there has been more shooting. But what has actually happened is that from the police I have had no finalisation, if you like, of what was decided or what decision was reached.

That was the end of that. I offered to hire, buy—because the drought continued, the part where the bullet was fired was then dry. I said, "I will hire the equipment. We'll do something. Can we get the bullet?"

part of the licence to cull is that the applicant has to notify the national parks and wildlife of who the people were shooting there. Nothing came of any of it. Basically, there was no consequence and that is part of what I think is happening. The whole system has been based on, and is now still based on, a belief that there is going to be honesty: "You go kill the kangaroos; you come and tell me how many you have done."

The Hon. PENNY SHARPE: I am sorry. It sounds like a terrible situation for you. If I am understanding this correctly, you have lived there for a long time, there are lots of kangaroos across all of this land and they move across the landscape. Obviously there has been an intensification of them at some point. Your neighbours have sought to get a culling licence to cull 25, I think you said?

WITNESS A: Twenty-five, yes.

The Hon. PENNY SHARPE: On those nights when there are lots of bullets and you would assume that they are killing more than that—was it one or two occasions, or was it 10 occasions—how many times did you have this happening when they were clearly culling in excess of what they were licensed to cull for?

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WITNESS A: I cannot prove that they have been in excess of what they are licensed to cull for.

The Hon. PENNY SHARPE: Right, okay.

WITNESS A: But what I can prove, because I have sat there all night long—

The Hon. PENNY SHARPE: Yes, that is what I mean.

WITNESS A: I am talking probably close to two years or more that this went on.

The Hon. PENNY SHARPE: On a nightly basis.

WITNESS A: Nightly or almost nightly—do you know what I am saying?

The Hon. PENNY SHARPE: Yes, several times. We are not talking about two or three occasions; we are talking about hundreds.

WITNESS A: Let us say more than four times a week. Weekends would be worse. Friday night would be really bad because they would have all the people there—men's voices mainly I could hear. Then there would be utes with a number of spotlights across them. I have had those on my face. At my son and I had to leave our house.

As we drove up the back we could see they were going to start to shoot again and he said

The Hon. PENNY SHARPE: You have obviously gone to all of these different agencies but there are so many different agencies. There is the Firearms Registry, there is the police, there is national parks and wildlife and there is local government for some general amenity issues. Is the problem also that no-one can take responsibility because each individual decision is separate from the other?

WITNESS A: Or the primary production thing, so the council could not do anything.

The Hon. PENNY SHARPE: That just overrides everything.

The CHAIR: I am sorry to say that that is the end of our time. We had only half an hour this afternoon due to so many witnesses. I wanted to thank you very much for having the courage to come here today and tell us your experience and your story. I hope that we can get some answers for you and I hope that the Committee can come up with something to stop something like that happening again.

WITNESS A: Thank you. Could I say that I would be more than happy to take any questions on notice if anyone wants to forward that because I think that my situation highlights the problem with the whole system.

The CHAIR: Yes. I am sure it is not unique either. Thank you very much.

WITNESS A: Thank you. I really appreciate the opportunity to be able to speak for the animals.

(The witness withdrew.)

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Evidence in camera by **WITNESS B**, individual and commercial harvester, before the Committee via videoconference, sworn and examined

The CHAIR: I now welcome our next witness _____, who has agreed to give evidence in private via video link today. Please note that, as this is an in-camera hearing, the evidence is confidential. It may be valuable to publish some of what you say. If so the Committee secretariat will consult with you about this taking into account your privacy. As you would be aware, your evidence is protected by parliamentary privilege. It is important to remember though that privilege does not apply to what you say outside of your evidence at the hearing. There also may be some questions you can answer only if you have more time or information to hand. If so you can take a question on notice and provide an answer within three weeks. Would you like to start by making a short opening statement to the Committee?

WITNESS B: Yes, I would just like to thank the Committee for allowing me to speak today. It will not be a great eloquent speech because that is not exactly what I do for a living, so here goes. One of my main concerns with the kangaroo industry is the huge discrepancy between the compliance regulations of the commercial industry and a non-commercial cull, which does have regulations at zero compliance. I would respectfully request that this Committee pushes to have the non-commercial cull by landholders or their workers comply to the same regulatory standards as the commercial industry and would like to see the following conditions put in place. One, non-commercial culling must be enforced to comply with the non-commercial code of practice, which does exist. But currently 98 per cent of culled kangaroos are body shot and not head shot. Two, the reintroduction of the drop tag must occur. Three, all persons, either landholder or layman culling on behalf of the landholder, must have done the shooting skills test to prove they have the equipment and the ability to cull the animals humanely.

Four, random checks must be done via compliance officers on landholders doing non-commercial culling, making sure all species are harvested humanely, offspring are euthanised and the number of animals culled is to the exact amount that the licence permits, because at the moment a landholder can get a permit to cull 500 animals and he could cull 5,000. There is no mechanism in place for accountability. Five, when the trigger point of 250,000 animals of a specific species is reached in the commercial zones, the commercial harvest ceases immediately yet landholders can still get a drop permit to shoot animals in these zones even though they are closed commercially. This must be stopped immediately because it seems quite bizarre to me.

Six, at least one special harvester should be given the opportunity to harvest animals to an acceptable level that the farmer requires prior to drop tags being issued. Seven, reported evidence to the regulatory authorities of the non-commercial industry, such as illegal culling, poisoning or inhumane shooting, must be investigated and prosecuted exactly as it would be in the commercial industry instead of being told, "There is nothing we can do about it." If we cut down a tree on our property we could be prosecuted. If we take a load of sand off our property we can be prosecuted. But you can go and cull kangaroos on your property with or without a permit and there is no consequences. How can we say that this is a protected fauna?

The CHAIR: Thank you very much _____ That was a very good opening statement.

The Hon. MARK PEARSON: Thank you _____. That was an extremely helpful opening statement. Could you clarify for me—you said up to a certain percentage body shot in the non-commercial killing of kangaroos. What percentage was that?

WITNESS B: Around 98 per cent.

The Hon. MARK PEARSON: Are you saying that when somebody shoots kangaroos with a non-commercial licence, 98 per cent of the kangaroos will be body shot and not clean shot? Is that your evidence?

WITNESS B: In my 40 years of experience I have been out and seen a lot of culling at different times. Personally, I have never seen a farmer have the equipment or the ability to be able to head shoot in the numbers that he requires to shoot swiftly. What I have seen is that they basically generally go for the chest area or heart shoot the animal.

The Hon. MARK PEARSON: What percentage of the body shots would you say is a clean shot—that is, the heart?

WITNESS B: In the heart—it is very difficult to say how many animals are being shot in the heart. I know that a lot are not shot cleanly in the heart because if they are heart shot they will run flat out generally and then drop after they lose enough blood. If they drop immediately, sometimes that shot that goes through the heart can penetrate the spinal column and make them lie on the ground and they will still be alive. That is what I have seen in my time, anyway.

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The Hon. MARK PEARSON: Is it the case that if a landowner or landholder does get this licence to kill maybe 100 or 200 kangaroos without the use of tags—what is the implication there in terms of post-mortem inspection or checking to see whether an animal needs a coup de grâce or checking whether a doe has one or two joeys with her?

WITNESS B: There is actually none because most of the animals are shot and then they just drive off to the next animal. There is no need to—in the early days when Niall Blair introduced this is in about August of 2018, I think, the drop tags were no longer required. The farmers' argument at that time was that there was a plague of kangaroos, which is not always the case. We would have what I would call a plague of kangaroos if I saw it like the current mice plague throughout New South Wales. Generally, during a drought kangaroos migrate to where the feed is and it is a congregation of kangaroos in a specific area, not necessarily a plague of kangaroos. It can look like it is a plague of kangaroos but it is not.

It is the same as when you are travelling in dry times along a western roadway and you see hundreds of kangaroos—to me, in most of my experience, 70 per cent of that population is on the road because that is where the feed is. It is like if you go now 1,000 kilometres from here to Howlong in the New South Wales or Albury or somewhere like that, you would be unlucky to see a kangaroo on the road because they are dispersed back into the countryside where the feed is very good now.

The Hon. MARK PEARSON: We had evidence from Mr Gall from the Pastoralists' Association of West Darling. He stated that during a drought no doe would have any joey in pouch or at foot. Not one. Is that correct?

WITNESS B: No, that is not correct. At the worst point of the drought, that is still not 100 per cent—it is probably 90 per cent correct at the worst pinnacle of the drought. The kangaroos do get to a certain stage during a drought—the female—where they do not breed any more. When a drought starts it generally runs over two to three or four years and at the period after the second or third year when it gets to its worst possible feed condition, the kangaroo will actually get rid of the young. I have actually personally found dead young in the pouch, which has been created by the drought.

The Hon. MARK PEARSON: Could you tell us your view on cluster fencing or exclusion fencing? Because a lot of the organisations such as the Kangaroo Management Taskforce and the kangaroo industry and also the NSW Farmers are saying they think cluster fencing is a good thing. In fact, we have had evidence to say that cluster fencing actually is very good for kangaroos. Can you tell us what the harvesters think of this or the shooters who are involved in the industry—what is their view of cluster fencing and how has it impacted on kangaroos?

WITNESS B: It has a very big impact on kangaroos because—I think I saw somewhere in a newspaper clipping in recent times that, due to the downturn in the marketing of kangaroo products and so forth, farmers have actually found others ways to deal with the problem. Cluster fencing and enclosing your property with fences that kangaroos cannot move across the landscape does, in fact, hamper them. Generally, most times when the farms have been fenced, they get helicopters in, run them up against the fences and use quad runners where shooters with shotguns will shoot them along the fence.

Not only that, the migratory pattern of particularly red kangaroos across the landscape is that when there is lightning in the distance and they can smell the scent of rain and if it is in the north, they will move to the north. If there is a fence in their way that they cannot get through, they will just run up and down that fence until they get so exhausted they get too much adrenaline and they will actually drop dead. Or by the time that they can—if daylight comes and they realise that they cannot get through the fences, if there is no water in the vicinity they will die of thirst or lack of feed. The reality of it is that it is the migratory pattern of the animals to be able to move to better pasture and to be able to move to water and to move to where there is going to be feed—the landscape is interrupted by that fencing.

The CHAIR: In your submission, which of course is a confidential submission, you talk about the fact that "the non-commercial industry has a code of practice which is totally ignored. If you report illegal, inhumane culling to government compliance officers in the commercial industry, they go red in the face, become agitated when you want it investigated and they say it is National Parks' job. Report it to National Parks and they say they cannot do anything about it—'we have been instructed by Ministers to turn a blind eye to it.'" Could you please expand upon that, particularly being instructed by Ministers to turn a blind eye to the non-compliance?

WITNESS B: Sorry, what was the last section there? I heard what you said but what was the actual question there about compliance?

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The CHAIR: I was wondering whether you could or were able to expand on anything in relation to who was saying—you are implying here that there were instructions by Ministers to turn a blind eye to what is going on in terms of inhumane and illegal culling. Is that correct?

WITNESS B: That is correct.

being able to do compliance on illegal shooting or whatever. In that case I have put forward that, for me, if there is a complaint put in about an issue, it should be put to the right people to manage that because at the end of the day if a police officer is off duty and he sees someone murdering someone on the side of the road, he does not say it is someone else's job. This is what these people are there for, whether it be non-commercial or commercial.

The non-commercial industry—many shooters have, and many people have, reported directly to National Parks and Wildlife, and their wording is that they cannot do anything about it. They have been told to turn a blind eye. In recent times I have been told

"We've been told by Ministers we can't do anything about it, and you should get more proactive and do something about it yourself if you want it done because we don't get paid enough money to do something about it."

The CHAIR: Are you saying that it is within the NSW National Parks and Wildlife Service? That is where the compliance officers sit? I understand there used to be, before July 2013—I think the number that I have been given is three compliance officers who were specifically in relation to kangaroos. After July 2013 the compliance officers were the compliance officers who have to look at native vegetation, threatened species and what have you. They are the compliance officers who sit within, you are saying, the NSW National Parks and Wildlife Service and they are responsible for investigating any of these allegations about inhumane culling and everything that is occurring?

WITNESS B: What I have been told by the kangaroo management program, commercial, is that they have nothing to do with it. The drop tags are issued by National Parks and Wildlife, and they have the compliance over it. But there is no compliance over it, as I said.

The CHAIR: Your submission states:

I have reported kangaroos being illegally culled by landholders, poisoned by landholders with urea in water troughs, run up against barrier fences and shot from helicopters and absolutely nothing is done about it.

You are reporting that. Is there a hotline? How do you report it?

WITNESS B: In the case where I have done it,

" So, wherever it has happened, it has been reported to that particular National Parks and Wildlife office that deals with that area, and there have been many reports that have gone into many, many, many National Parks and Wildlife offices throughout the State, and nothing gets done.

The Hon. PENNY SHARPE: I apologise because this is probably a very basic question: Are the commercial aspects of compliance dealt with by Local Land Services [LLS]? Which department oversees that?

WITNESS B: Which department oversees the commercial industry?

The Hon. PENNY SHARPE: Yes.

WITNESS B: They have their own compliance officers within the industry who do chiller reports and go around checking chillers, and if there have been any regulations broken or if they go—they regularly go into kangaroo chillers to make sure the animals have been head shot, that the animals are tagged correctly, that the cull of species for the tag that goes on the animal is correct. They pick out animals in the chiller that—

The Hon. PENNY SHARPE: Sorry to interrupt; I just want to be clear. So, that is DPIE, is it? Or is it LLS? Which part of government is overseeing the commercial compliance?

The CHAIR: DPIE.

WITNESS B: The department of environment and climate change and water.

The CHAIR: Just to butt in there: That has been renamed. It is the Department of Planning, Industry and Environment. Does that sound right to you ?

WITNESS B: That is correct, yes.

The CHAIR: Do you think the compliance regime that DPIE undertakes—DPIE is the new department and that is the acronym for the Department of Planning, Industry and Environment. I have some information here

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that the compliance is undertaken—I assume this is for the commercial—by the regional staff. This is what I was talking about: that they do native vegetation and threatened species and the kangaroo management plan. There is one inspection per year for chillers and three per year for dealers. Is that correct?

WITNESS B: That would be correct, yes.

The CHAIR: What is the compliance showing with the commercial industry in terms of your view? Do you think that is all okay or are there issues there as well?

WITNESS B: The compliance with the commercial industry is very good because there are so many checks that they can do to make sure that you are doing the right thing. When you harvest an animal in the field, you have only got so many tags to harvest and you have only got a certain period of time to harvest them within. There is a time period when the tags expire. So just say, for instance, that I had 100 tags to harvest with and I had only shot 97 of those animals, when those tags expire those three remaining tags have got to be sent back to the commercial program and the 97 animals that I have shot during that four-month period—there is usually a four-month expiry date on tags—when they go in the chiller, they are inspected basically by an officer of the department of environment and planning as you say, not necessarily every time but at some stage.

The chiller operator does a kangaroo return for the species and what the shooter put in. The shooter does a kangaroo return. The company does a kangaroo return to national parks. It is pretty hard. The shooter is not going to go out into the paddock with 100 tags and shoot 200 kangaroos because he cannot sell them. That is what he is there for. If the farmer gets 200 tags, he could shoot 2,000. Where is the compliance or the ability to be able to have compliance in that situation?

The CHAIR: From your perspective, what would you like this Committee to recommend in terms of the non-commercial culling situation of kangaroos that is going on?

WITNESS B: I think the whole of the industry—long story short, if there are 100,000 landholders in New South Wales that have 30 hectares or more, they would be all entitled to go and get drop tags and harvest them if there was no commercial industry. If 100,000 landholders decided to go and shoot, or the New South Wales farmers federation decided, for instance, that we are going to have an annual cull because there is no such thing as a commercial industry, 100,000 people get 100 tags. If you spread that out over the average size of the properties, that is 10 million kangaroos that could be culled in a week.

To my way of thinking, the commercial industry has to be a sustainable industry for the population, it has to be as humane as it possibly can be and the non-commercial industry should either be tied into it so that the program then becomes a sustainable resource program and the culling program should not exist unless the commercial side of it cannot utilise the product or get to them. Because if a farmer lives so far away and you cannot get there, then there is a possibility that culling should be allowed. But under most circumstances, there should always be a way to utilise that product and culling should only be—and a harvester will only harvest animals to a certain level and he has an acceptable level. Whether a farmer has an acceptable level or not, I am not quite sure.

The Hon. MARK PEARSON: Why do you cut the heads off the kangaroos after you have shot them?

WITNESS B: Generally it has always been that the head has come off the kangaroo and that is because the processors are so tight, they do not want to pay for it. That is the real truth of it. In some cases—I will admit that I can see the point that you are getting at—it could be perceived that it is to hide low shots, but that is not the case at all. It was only ever brought in because the processors are too tight. If the head weighs a kilo and they are paying a certain value for it, they say, "Why should we buy something that we can't sell or can't use?" But I do take the point that it could lead to deception if someone wanted to be deceptive—yes, it could.

The CHAIR: The identification of male and female kangaroos, we have heard some evidence about that today in terms of how difficult that is in terms of a commercial kangaroo shooter. How do you determine that? Is it difficult?

WITNESS B: Did you say what a male cull—

The CHAIR: How do you determine which is a male kangaroo and a female kangaroo when you cannot shoot the female kangaroos, for example?

WITNESS B: That is all about experience. I could take you out into the paddock, and I would be happy to at any time, and you could show me 500 kangaroos and I could drive you through and from 200 metres point out the males and the females. But that has come from 40 years of on-ground experience. I know that when the male-only cull came in, there were many, many, many harvesters who had difficulty being able to differentiate

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between male and female. So there were a lot of females that were being killed and left on the ground through lack of knowledge and ability to be able to differentiate between the sexes.

The CHAIR: I thank you very much for agreeing to appear before us in this confidential session. I understand it is a very difficult thing to do, to talk about your industry to a committee like this, so I wanted to thank you for making the time. If Committee members have any additional questions for you, if you are happy to take those we will submit them via the secretariat if that is okay.

WITNESS B: No problem. Thank you very much for that.

(The witness withdrew.)

(Evidence in camera concluded.)