

Submission to the Legislative Council Government Administration Committee A

from Lyndel Poole, Manager, "Kingston," Conara.

From the outset I want to draw the review committee's attention to an issue that has and continues to be Tasmania's biggest single self-destruct mechanism, the introduced feral pest Fallow deer and its predators the hunters/shooters and its protectors the Politicians.

Firstly, I need to put forward my reasons for making a submission. Simon Cameron in his submission covers in detail the financial and environmental impacts on "Kingston" the property I manage for him and he examines the confusions around the regulatory frame work. Michael Bennett in his submission puts his outsider's view of the current problems. I have seen both of their submissions and support them.

My submission is the result of being collateral damage to Regulations that are manipulated to inflict extreme cost to any individuals speaking out for sensible control of deer all done by a Section of DPIPWE totally out of control. I have attached my complaint submission for the Integrity Commission as that is relevant and puts my submission in context. Personally I cannot go through what has happened again. More importantly I would fail as a person to not put in this submission in the desperate effort to stop this happening to another.

Since the Integrity Commission referred my complaint to DPIPWE the correspondence with the Wildlife Management Branch (WMB) and the Game Management Services Unit (GMSU) has been polite and permits have been easier to obtain. The Regulations are still not being used as the criteria for assessing rather it seems POLICY & PROCEDURE is the new landholder irritant. It has to be pointed out that any dissenter even now is as vulnerable as Simon Cameron and I have been.

I want my submission to be an holistic approach to making long term changes that will be acceptable and a financial benefit to the State economy for all Tasmanians.

The impact has been far wider reaching than "Kingston", Lyndel Poole, Simon Cameron and their respective families. Though I cannot quantify the financial damage to the State, it has to be considered and put into context.

Since taking on the management of "Kingston" in January 2007 I have tried, unsuccessfully, to get the WMB and its on ground operatives in the GMSU to help me understand the regulatory frame work with game management in general, and particularly with Fallow deer. It made sense to make sure that I could manage the wildlife control needed for the property, its natural values and its agricultural potential and importantly the safety and social issues.

The immediate concern was how Fallow deer were so praised and protected, being told on several occasions by staff of the GMSU that we could not have deer permits close to the start of the licence deer season because of the disturbance to the deer left me bewildered. The GMSU is not a neutral entity, its approach to Fallow deer is pro-recreational deer hunting, a pursuit that cannot be sustained without private landowners subsidising it.

Our decision to better protect "Kingston" was to seek change, actually just have the Regulations used as they are written (the Regulations are in need of clarification and change) so we liaised with GMSU and WMB for several years, correspondence I still have on record, to no avail. We were labelled rat-bags and finally in July 2012 Alistair Scott the then General Manager Resource and Conservation (RMC) met with Simon Cameron at "Kingston" and instructed that we end our communications with the Department. He suggested that his Department had done all it could.

The 'Witch-hunt' and proceeding Court case alone must have cost several hundred thousand dollars. There were at least eleven personnel involved either directly or indirectly over almost 18 months. In May 2014 the Integrity Commission requested the Secretary of DPIPWE to respond to a list of 33 allegations it had drawn from the complaint I had made. This has still not happened. All I know is that more than six months ago a private investigator after about ten months' work provided DPIPWE with a 561-page report.

During the action against me Simon Cameron was forced to instigate a Judicial Review, purely to try and get CPPs for his farm whilst the case against me was being 'cooked-up'. The Department's Lawyer was not expediting responses so again it was a cost to the State.

The Department withdrew the Court case against me before the defence was heard and their dishonesty could be revealed. No costs were awarded primarily as the "defence had not given evidence".

There are three key issues needing consideration from the 'review', Economics, Environment, Social, things that any business has to consider to be viable.

Economics = Tasmanian State

{The revenue lost to the State in taxes.}

Economics is relatively simple but possibly the major game changer. Tasmanian land forming the deer range is largely privately owned and a large percentage of that is farmed for various agricultural business types.

The lost income tax from crop damage/loss alone would generate millions more into the economy than the few thousand deer licences sold and the claimed annual \$5 million injection into the State economy of hunter's prerequisites. The monetary value of deer licences cannot begin to add to the economy.

The down to earth effects of deer are felt daily, whether it be competitively grazing on paddocks, wrecking crops, or damaging infrastructure or spreading disease or the antisocial behaviour.

We are all familiar with “Pyramid Schemes” and with deer we have an inverted pyramid, Agriculture, Environment, Biosecurity, Social and State Growth all on top of a tiny base and inert. A small percentage of deer licence holders are holding the State to ransom something sorely in need of review.

One of the greatest threats to Tasmania is biosecurity, and it can be included under the three key issues mentioned earlier as it impacts each. Biosecurity seems to be a ‘dirty’ word when mentioned in context with deer and hunters. There is literature prepared by hunting groups claiming that there are no greater conservationists than hunters. The notion that recreational hunting and conservation are related cannot be acceptable. Recreational hunting is about conserving a species to kill for personal gratification and nothing more.

Environment = National Parks - Natural Values – Agriculture

Natural values and agriculture are largely a marriage under private ownership, unfortunately they can be precarious as some marriages. They are, for the most part, under guardianship for future generations.

National Parks are some of Tasmania’s most important international drawcards and thus need infinite protection. It is only a matter of time before deer become as established in National Parks as they are on private land. The concept that we have to spend millions of State money setting-up ‘task forces’ to monitor the impacts and develop ‘strategic’ control measures is ridiculous. The wheel has already been invented!

Social = All Tasmanians. Not a minority.

The very reason that a review of the way Fallow deer are managed in Tasmania needs all stakeholders to be considered.

For a lot of the people the idea that there is any real issue with anti-social behaviour is possibly novel. That is far from reality, it is constant, time consuming, personally confronting and a threat to personal safety.

Farm planning incorporates all the usual aspects that any business needs to consider and implement but it has a few extras and they are all related to Fallow deer.

Considerations are: safety for livestock and people when the bucks are in velvet, during the ‘Licence Season’ and rutting and any other time. Also which paddocks to leave out of the grazing cycle during the high risk times to prevent loss or injury to the livestock from shooting off public roads. The “trophy-tragic” claims that poachers are a menace while they are hunters and poachers are merely shooters. The only difference is that the hunters are licenced/permitted to be where they take their kill and the poachers are licenced, for the most part, but not permitted to be where they take their kill. Locked gates are a challenge for the hunter and a target for the poacher.

The hunter is as much in the line-of-fire from the poacher as the deer. To be able to take the prized buck that the hunter has “let go to let grow” and boasted about with his mates is the greatest prize of all. This is discussed openly and it is one of the bush codes that is understood by most involved, yet the minority group of hunters squirm and tell themselves that is false and that they are discreet and in control.

As with any group of die-hards the wider perspective is not there and numbers do not justify the power that they have.

In my ten years at "Kingston" the reasons for seeking permission to access hunting have ranged from "it's my right as my dad shot here 30 years ago", "Grandad was helping to control a bush fire in the 1960's", "I need a property as my son is 3 years old and he wants to shoot deer", the latter should be the most disturbing, yet I have heard similar requests on several occasions. We had experience of an 18-year-old female we employed and was training in general farm duties. She produced certificates from an RTO that she was competent in several areas of farming. It was apparent that she struggled with the basics but she had managed to gain a driver's licence, and a firearms licence, which did not require 'L' & 'P' plates. The expectation that landowners are going to host deer for yet another generation for their 'recreation.'

During the preparation of this submission TasTAFE have put a hold on Firearms training due to an incident that has seen a 74-year-old man on 16 firearms related charges. Has any enrollee ever been refused a licence? The notion that 18-year olds are able to attend a 2-day course and be armed thereafter is worrying along with being able to obtain different calibre firearms with just 28 days' wait. What proportion of urban 18-year olds are acquiring firearms?

Visitors to Kingston

A point that needs digesting is that Kingston is of national and possibly greater international significance than most have given credit to. OK, DPIPW has signed a Private Land Conservation (PLC) Covenant with Simon Cameron for Kingston, though it has done nothing within its powers to help with the preservation of the Natural history and in fact has hindered the ongoing preservation. DPIPW deals with large numbers of PLC covenants but none has the scale and diversity of Kingston. The State Government directly puts funds to such initiatives as "Midlandscapes", an important attempt at resurrecting large areas of private land, with financial stewardships, those that had been allowed to degenerate in pursuit of profit, but ignore and aid in the demise of one that is richer in its diversity than any other.

We have and continue to have visitors from all over the world, ecologists and environmentalists among them, and they cannot understand why an introduced feral pest is protected and are even more surprised that it is protected for a tiny group of the population.

Deer Licences and animal welfare:

We have had applications refused every year during November to late March for Antlerless deer on the grounds of animal welfare. The applications have included the competitive grazing and parasitic contamination of feed for the ewes that are lambing and for the feed I am wanting to preserve for weaning the lambs. The welfare of our livestock is disregarded, even more frustrating is that we have been told that if we cannot cope with deer as a part of our farming operation then we should consider other farming ventures or move to another State. (Simon Cameron was told publicly by the Section Head of the WMB to move to Victoria and farm if he did not like the way Fallow deer were managed in Tasmania.)

Consideration has to be given to the number of deer licences sold, approximately 4,700 were sold for the 2016 season. All the licence holders seem to be regarded as hunters and sportsmen. Applicants for deer licences do not have to demonstrate they have anywhere to shoot deer. They do however need to produce a firearms licence and that is not the same thing.

Deer licences are issued to people who do not have legal access to deer shooting and yet I was required to buy a licence for recreational deer shooting before I could have CPP to run concurrent with the deer season. As with all statistics associated with the deer interest the 4,700 has to be treated with an open mind.

Recommendations:

1. That "open-cull" of Fallow deer be immediately allowed with the same conditions as applied to Bennett's and Rufous wallaby and Brush-tail Possum. This will begin to address the environmental impacts on public and private land.
2. Deer do need to be deregulated and that should be able to happen without the wait for the 10-year review of the wildlife regulations. There needs to be an independent review of the Regulations this would avoid the heavy pro-recreational hunter influence of the WMB. A 'cull' within the WMB might be useful as the staff have long since lost perspective and identify with the deer interest at the expense of native animals, landowners, and the environment. The manifestly excessive penalties for a conviction do not align with any other. (In my IC submission, email from Gary Davies, says if convicted I would face a fine of up to \$13000 and a mandatory 5-year ban from holding any CPPs or licence for any species.) For me that would have ended my career.

3. The landowner must be free to make any commercial arrangements with commercial shooters and hunters. However commercial shooting must be done by properly licenced commercial shooters.

Without deregulation and property specific control commercialisation of deer will have the same problems that exist now. Landowners are forced to host Fallow deer at great expense and inconvenience, yet the State will not compensate them for their losses though Minister David O'Byrne in 2010 argued that the State owns the deer and *"damage from wildlife is treated in the same way as any other environmental impact (wind, rain, etc) ie it is part of the nature of the place and it is the land manager's responsibility to manage the impacts within the law."* We understood they were introduced by humans.

The chaotic mess and those perpetuating it has to be brought to light so it can be dealt with. My submission only scratches the surface. As noted earlier and reiterated by Simon Cameron we have extensive correspondence and experience with the WMB and subsequent regulations and conditions on CPPs. My endeavour is to help in reaching a more satisfactory outcome for all.

Please do not just read this submission but give it life as that is the only way it can have the desired effect upon the committee. I offer to present in person, and help the committee in any way if needed.

Appended:

1. Signed cover letter to Integrity Commission (Copy)
2. Complaint Submission Form for Integrity Commission from Lyndel Poole (Copy)
3. Simon Cameron Support Statement for Lyndel Poole's Integrity Commission complaint submission (Copy)