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LEGISLATIVE COUNCIL
GOVERNMENT ADMINISTRATION COMMITTEE "A"

REPORT

ON

WILD FALLOW DEER

Members of the Committee Inquiry:

Hon Robert Armstrong MLC (Inquiry Chair)

Hon Craig Farrell MLC (Committee Chair until 22 June 2017)

Hon Mike Gaffney MLC

Hon Leonie Hiscutt MLC

Hon Tony Mulder MLC (until 5 May 2017)

Hon Tania Rattray MLC

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CHAIRMAN'S FOREWARD

On behalf of the Committee, I am very pleased to be able to present this report on Wild Fallow Deer in Tasmania and would like to take the opportunity to thank the Members of the Committee who made such valuable contributions to its work.

I was extremely pleased by the response to the inquiry the Committee received throughout Tasmania. Most notable was the significant level of interest from members of the public participating in the hearings that were held in Campbell Town and Hobart. It was tremendous to be able to see such a high level of engagement between a Parliamentary Committee and regional communities throughout Tasmania.

In light of the level of interest, the Hobart hearings were broadcast so that people from around Tasmania could watch the proceedings.

As Chair, I am extremely grateful to all the interested people who made the effort to make written submissions, to appear at public hearings or to watch the hearings as an observer.

The inquiry has uncovered a number of divergent views on the issue of wild fallow deer and how to best manage them into the future. It was clear to me that regardless of individual views, people were genuinely appreciative of the opportunity to express their views on the wild fallow deer issue.

I would like to thank Mr Simon Cameron from grazing property 'Kingston', Mr John Kelly from Lenah Game Meats and Mr Michael and Mrs Connie Frydrych from Springfield Deer Farm for facilitating site visits of their properties.

I would also like to acknowledge the assistance provided by the Department of Primary Industries, Parks, Water and Environment in clarifying a number of issues and providing information when requested throughout the inquiry process.

I believe the work of the Committee has identified a number of issues that will be of great assistance to the Tasmanian Government in considering the future

management of wild fallow deer in Tasmania. At a minimum, it has been an opportunity for all stakeholders to express their views on the issue, which is important, given the increasing population of wild fallow deer and its spread into new ranges within Tasmania and the clear impact that the spread of the population is having on many Tasmanians.

I would also like to take this opportunity on behalf of the Committee to thank the Committee Secretariat staff.

Robert Armstrong MLC
Inquiry Chair

30 June 2017

INTRODUCTION

1. At a meeting of the Legislative Council Government Administration Committee "A" on Tuesday 12 February 2016, it was resolved that an inquiry be established to investigate the wild fallow deer population in Tasmania, with particular reference to:

    1. Environmental impacts on public and private land;

    2. Any impact on commercial activities on private land;

    3. The partly protected status of fallow deer under the Wildlife (General) Regulations 2010;

    4. Commercial opportunities for the use of wild population stocks; and

    5. Any matters incidental thereto.

2. Fifty-seven written submissions were received by the Committee. Public hearings were held in Campbell Town on Tuesday 22 November 2016, and in Hobart on Tuesday 29 and Wednesday 30 November 2016 and Monday 6 February 2017. Twenty groups or individuals gave verbal evidence to the Committee at these hearings.

3. The Committee also conducted site visits to farming property 'Kingston' (Conara), Lenah Game Meats (Rocherlea) and Springfield Deer Farm (Mole Creek) during 1 and 2 March 2017.

4. The Hansard transcripts of these hearings are available at http://www.parliament.tas.gov.au/ctee/Council/GovAdminA_Deer.htm.

5. The Hansard transcripts and the submissions should be read in conjunction with this report.

6. The Report provides a summary of the key findings contained in the evidence presented during the inquiry process. This includes consideration of the written submissions and the verbal evidence provided to the Committee during the public hearings, as well as additional information gathered during the course of the inquiry.

7. The decision to commence an inquiry was the result of feedback that had been received to Members of the Committee from constituents in a range of electorates across Tasmania about wild fallow deer populations. It had been consistently suggested there was an increasing population that was

impacting on farming land and wilderness environments and that the current arrangements were not managing the problem.

8. It was also suggested that the increasing wild fallow deer populations were expanding into areas of the State not considered to be the traditional regions.

9. As a consequence of the increased population, the suggestion was that it was proving difficult for some land owners to gain adequate approvals to control deer populations on their properties.

10. Another point of contention was that the prohibition on being able to sell commercially harvested wild fallow deer was a missed market opportunity in Tasmania.

11. In contrast to these views was the position of the hunting community. It believed the current regulatory framework was appropriate but acknowledged a population increase was evidenced. In general, it was suggested current arrangements for the culling of wild fallow deer through the combination of recreational hunting licences and crop protection permits worked well, however, changes to tag numbers may be an appropriate measure to tackle the increasing numbers.

12. In addition, objection to changing the current regulatory arrangements was prominent amongst the commercial deer farming sector. The suggestion from the sector was that any change enabling the commercial harvesting of wild fallow deer would significantly impact the viability of commercial deer farming operations in Tasmania.

13. The Committee commenced its investigation with the objective of obtaining as much evidence as possible from a cross section of stakeholders in Tasmania.

14. The concerns that had been initially identified were reflected in the terms of reference and in the broad range of evidence that was received.

15. The Committee was extremely pleased and grateful for the level of interest and the quality of evidence it received from a wide range of stakeholders and other interested parties. It was pleased that the discussions were respectful, even though some of the terms of reference confirmed opposing views on the issues.

16. Having taken into account all of the views and evidence received, the Committee has concluded that ongoing regulation will be required. The Committee acknowledges that there were mixed views amongst the witnesses regarding the deregulation of the sector.

17. The Committee believes that its work has identified a number of key issues that the Tasmania Government should attend to and that the recommendations be addressed.

Hon Robert Armstrong MLC
Inquiry Chair
30 June 2017

Hon Ruth Forrest MLC
Committee Chair
4 July 2017

FINDINGS

The Committee makes the following key findings:

Environmental Impacts on public and private land.

1. The Committee found that there is very limited information about the contemporary population density and dispersal of wild fallow deer in Tasmania;

2. The Department of Primary Industries, Parks, Water and Environment does not undertake regular studies of wild fallow deer populations in Tasmania;

3. As a consequence, the Department concedes it does not hold contemporary data on the population;

4. As a result of not holding contemporary data on wild fallow deer populations, issues are being managed by the Department as they arise on a seemingly ad hoc and reactive basis;

5. Wild fallow deer populations can cause extensive damage to native and commercial plant species and the research in Tasmania on the environmental impacts is surprisingly limited;

6. Sensitive biodiversity areas and their values are being negatively impacted by wild fallow deer.

7. The majority of stakeholders agree that wild fallow deer populations have increased overtime and their footprint has moved outside of the traditional ranges in Tasmania.

8. Wild fallow deer populations have spread into sensitive conservation areas such as State Reserves and the World Heritage Area as well as community identified land areas of concern such as Bruny Island;

9. The increase in irrigation schemes appears to be a contributing factor to the increase and spread of deer populations;

10. A 'demarcation arrangement' was suggested as a mechanism to confine deer to their traditional ranges.

Any impact on Commercial Activities on private land

11. Wild fallow deer populations are creating an increasing financial burden for those involved in agricultural, farming, forestry and other rural activities.

12. Evidence suggests there is confusion about the crop protection permit system for wild fallow deer culling and as a result, there continues to be the belief by some that permits are difficult to obtain.

13. There are different strategies being applied by landowners in relation to the management of wild fallow deer on their properties. These strategies range from no action, ongoing engagement with hunting clubs and/or the use of professional shooters.

14. Landowners generally believe that the management of deer should be a matter for the individual property owner.

15. Landowner knowledge of the crop protection permit system varies significantly and as a result, there is a perception by some landowners that obtaining crop protection permits is difficult.

16. The crop protection permit system is adequate and the Department provides assistance when required.

The Partly Protected Status of fallow deer under the Wildlife (General Regulations 2010)

17. The status of wild fallow deer varies between States in Australia. Some States categorise wild fallow deer as a pest;

18. Tasmanian fallow deer are categorised as 'partly protected' but acknowledged to be a pest in certain areas of the State.

19. Under the current regulatory system, Tasmanian wild fallow deer cannot be commercially harvested.

20. The Tasmanian Deer Advisory Committee is primarily focused on the interests of recreational hunters.

21. There is currently no Committee or advisory body that includes the broad interests of all stakeholders such as landowners, land conservancy, deer farmers, recreational hunters and meat producers.

Commercial Opportunities

22. Commercial deer farms are an important niche sector in Tasmania however, the number of commercial operations has reduced;

23. The current regulatory framework does not enable crop protection permits to be issued for the purpose of commercially harvesting of wild fallow deer.

24. There is commercial potential for Tasmanian wild fallow deer to be harvested both for human and pet food consumption;

25. Commercial deer farmers believe that a decision to allow wild fallow deer for human consumption will adversely affect their business and support the current system;

26. Some commercial deer farmers are not opposed to wild fallow deer harvesting for pet food consumption;

27. Deer farmers are currently unable to import deer stock including artificial insemination products for the purpose of improving the genetic pool of the farmed fallow deer in Tasmania. Mr Nigel Downward from Majestic Fallow Deer Farm explained the current restrictions in further detail.

I am not allowed to bring another deer into Tasmania. Even though I am a fallow deer farmer, and everyone else can bring in sheep or cattle, I am not allowed to bring one deer in. The reason is that they are vermin. If you come to my deer farm I can walk past them, just the same as any other cattle, sheep or whatever.[1]

Recreational

28. The current management of wild fallow deer in Tasmania and the legislation underpinning that structure is primarily focused on supporting recreational hunting activities rather than the impact on commercial activities and the environment.

29. Traditionally, recreational hunting activities have been given greater weight over the interests of landowners and other stakeholders in the decision making process. Deer hunting is a recognised cultural activity in Tasmania;

30. Hunting clubs and associations provide assistance to many property owners through access arrangements, including pest eradication, the

[1] Mr Nigel Downward, Hansard Transcript, 22 November 2016, p. 54

construction and maintenance of infrastructure and monitoring possible poaching activities;

31. Landowners are concerned that a change to the regulatory arrangements would impact their ability to manage their properties;

32. Not all landowners utilise recreational shooters for deer;

33. Some hunters indicated there are more recreational shooters than available properties in Tasmania.

34. Some hunting clubs are in favour of extending the recreational hunting season;

35. Hunting clubs believe their members can make a positive contribution to the eradication of deer from world heritage and conservation areas;

36. Hunting clubs play a positive role in policing poaching activities on private land. There is concern that any change in current arrangements may significantly increase poaching activity;

37. Poaching penalties do not appear sufficient to deter poaching activity.

RECOMMENDATIONS

The Committee make the following recommendations:

1. The Tasmanian Government commission an independent investigation(s) to examine the management of wild fallow deer populations in Tasmania with particular reference to the following –

    a. An assessment of the current numbers of deer and future population projections;

    b. The extent of any population spread into non-traditional ranges (including reserves and the World Heritage Area).

    c. Whether the legislation associated with the management of wild fallow deer is appropriate in response to the increasing population and the needs and expectations of landowners;

    d. A suitable body or committee to advise the Minister on wild fallow deer with appropriate and balanced representation from all stakeholders within the deer industry, including representatives from various sectors such as commercial landowners, land conservancy groups; deer farmers, recreational hunters and meat processors;

    e. Whether the current deer management system (quality deer management) adequately reflects the increasing wild fallow deer population and its impact on the various stakeholders;

    f. Whether the current resources allocated to the Wildlife Management Branch within the Department of Primary Industries, Parks and Water is appropriate to manage wild fallow deer into the future.

    g. The Department establish a secure registration database system that could potentially enable better access for recreational shooters to properties.

h. An increase of the bag limit for fallow deer and the length of the open season for recreational hunting to obtain the limit.

2. The current fawning season arrangements should be maintained.

3. Eradicate deer populations in World Heritage and other areas classified as conservation land and consideration given to recreational hunters as a resource;

4. The Department develop a process to facilitate consultative engagement with communities to raise concerns about wild fallow deer in order to determine whether the population should be removed.

5. Consideration be given to a 'demarcation arrangement' to ensure deer populations are confined to their traditional ranges;

6. A registration system be established by the Department to enable private land which has been assessed to have important conservation values be granted permission to undertake ongoing eradication programs of wild fallow deer, except for the identified fawning season. The registration system would require the reporting of eradicated deer numbers to ensure that accurate records are available;

7. The 1-year crop protection permit system be extended to 5 years;

8. Taking into account appropriate health regulations and standards, crop protection permits be amended to enable wild fallow deer to be commercially harvested for human consumption;

9. Crop protection permits be amended to enable wild fallow deer to be commercially harvested for pet food consumption;

10. An appropriately resourced education and information program is put in place to advise on any changes to the current system;

11. A 5 year evaluation of wild fallow deer be completed to determine the effectiveness of strategies introduced as a result of this report;

12. A regular 5 yearly review of the wild fallow deer population and distribution be completed for the purpose of effectively managing the population;

13. Review the current poaching penalties with a view to substantially increasing them.

WILD FALLOW DEER

1. Fallow deer belong to the European subfamily of deer, Cervidae.[2] They are of the dama genus, and species *dama dama*.[3] The common fallow is reddish brown in appearance, with white spots, but the black fallow and the white fallow, are also common in Tasmania. Adult males stand at around 95 cm and reach 170 cm in length, while adult females are slightly smaller.[4]

2. Fallow deer form herds, and apart from the rut, do not exhibit territorial behaviour.[5] The rut, which is the period of heightened sexual activity when females are fertile, occurs in April in Tasmania, and during this season male fallows will establish and defend small territories.[6] Fallow are an extremely wary species, and where disturbance is frequent deer will often only emerge at night.[7]

3. Fallow deer are distributed across Europe, Asia, America, Africa and Australasia, and where the species does not occur naturally, it has generally been imported for sporting and aesthetic purposes.[8] They are an adaptable species that can survive in a range of habitats, although forest I generally favoured as it provides shelter.[9] Fallow deer are well suited to the Tasmanian climate, and Dama dama fallow is the only species found in Tasmania. On mainland Australia, fallow, red, rusa, sambar, hog and chital deer can be found.[10]

4. Fallow and other species of deer, were brought to Australia in order to establish the species as game. Acclimatisation societies, whose purpose was to acclimatise British and foreign game, played a large role in the

[2] D Chapman and N Chapman. *Fallow Deer: Their History, Distribution, and Biology,* Suffolk, Terrance Dalton Limited, 1975, p. 21.
[3] K Jensz and L Finlay, *Species Profile for Fallow Deer,* Hobart, Latitude 42 Environmental Consultants Pty Ltd, 2013, p. 3.
[4] Jensz and Finlay, *Species Profile for Fallow Deer,* p. 4.
[5] Chapman and Chapman, *Fallow Deer,* p. 157.
[6] Jensz and Finlay, *Species Profile for Fallow Deer,* p. 5.
[7] Chapman and Chapman, *Fallow Deer,* p. 166
[8] Ibid, p. 51.
[9] Jensz and Finlay, *Species Profile for Fallow Deer,* p. 6.
[10] Ibid, p. 4.

introduction of the species. Deer were first brought to Tasmania in 1829.[11] These were probably axis or chital, and they failed to become established in the state. Fallow were first brought to the state in 1836, and more were imported in 1850 for hunting purposes.[12] A number escaped, and others were liberated intentionally, and by 1863 an estimated 600-800 wild fallow deer were established in the state.[13]

5. Many populations of fallow deer on mainland Australia were imported from Tasmanian stock.[14] The earliest evidence of deer in Australia is of axis or chital deer that were introduced in New South Wales from India, no later than 1803.[15] A number of deer were introduced in Victoria by private individuals, and by 1861 small populations of fallow, red and axis deer were established in the State.[16] The Victorian Acclimatisation Society then played a role in further introductions, importing fallow, axis, sambar and hog, among other species that failed to become established.[17]

6. In South Australia, both fallow and red deer are known to have been established by 1895.[18] Deer were also introduced in Western Australia by the Western Australia Acclimatisation Society, but did not survive in proportionate numbers.[19]

7. Private individuals and acclimatisation societies liberated fallow deer for sport and meat in New Zealand between 1860 and 1910.[20] Some fallow were imported from Tasmania in 1869 to create a deer park, and from there the herd expanded and dispersed into the surrounding area.[21]

11 Bentley, *Deer of Australia,* p. 123.
12 Ibid, p. 123-4.
13 Ibid, p. 124.
14 Ibid, p. 124.
15 Ibid, p. 113.
16 Ibid, p. 22.
17 Ibid, pp. 25, 29.
18 Ibid, p. 151.
19 Ibid, p. 148.
20 M.M Davison and G Nugent, 'Fallow Deer,' In C.M King, *The Handbook of New Zealand Mammals,* Auckland, Oxford University Press, 1990, pp. 490-506, p. 494.
21 Ibid, p. 498.

8. Historically, chital deer are well established in Northern Queensland, red deer are established in southeast Queensland and the Grampians in Victoria, rusa are found in New South Wales in the Sydney region, sambar are found in Victoria and New South Wales, and hog are established in southern Victoria.[22]

9. As of 2004, an estimated 218 wild fallow deer herds were established in Australia, with an estimated total of 200,000 individual deer.[23] Fallow deer are the most widely distributed species in the country, making up around 39% of known wild fallow deer herds.[24] Red deer make up 30% of herds, followed by chital (13%), rusa (11%) hog (4%) and sambar (3%).[25]

10. Fallow deer distribution in Tasmania covers around 2.1 million ha,[26] across the central highlands and eastern regions of the state.[27] The range of fallow deer in Tasmania has expanded significantly since 1970.[28] The expansion of wild fallow deer herds in Australia can primarily be attributed to deliberate translocations, and escapes from deer farms also play a significant role.[29] In the 1990s there was a decline in deer farming in Tasmania, resulting in a number of farmed animals being released and establishing new herds in the wild.[30]

22 P Jesser, *Deer in Queensland,* Brisbane, The State of Queensland (Department of Natural Resources and Mines), 2005, p. 14.
23 A Moriarty, 'The Liberation, Distribution, Abundance and Management of Wild fallow deer in Australia,' *Wildlife Research,* vol. 31, no. 3, pp. 291-299, p. 293-4.
24 Ibid*,* p. 293.
25 Ibid*,* p. 293.
26 S Locke, *The Distribution and Abundance of Fallow Deer in the Central Plateau Conservation Area and Adjacent Areas in Tasmania,* Hobart, Nature Conservation Report 07/02, Department of Primary Industries, Water and the Environment, 2007, p. 8.
27 Wildlife Management Branch, *Current Management Practices,* p. 3.
28 Ibid*,* p. 3.
29 Moriarty, *Wildlife Research,* p. 293.
30 Wildlife Management Branch, *Current Management Practices,* p. 2.

LEGISLATIVE CLASSIFICATION

11. Fallow deer in Australia are legally classed either as wildlife that is protected as a hunting resource, or a pest species that is invasive. It should be noted that in states with more than one species of wild fallow deer, the classification of fallow deer may differ slightly to other species.

12. This section only examines the classification of fallow deer, as the other species are not present in Tasmania. The nature of the classification of fallow deer will have implications for the regulation of hunting, deer farming, control, and management generally.

TASMANIA

Legislation and regulations:

- *Nature Conservation Act 2002*
- *Wildlife (General) Regulation 2010*

13. In Tasmania, wild Dama dama fallow deer are classified as partly protected wildlife under schedule 2, part 4 of the *Wildlife (General) Regulation 2010,* which operates under the *Nature Conservation Act 2002.* Fallow deer are afforded this status in Tasmania to allow for the regulation of the species as a game animal.

VICTORIA

Legislation and regulations:

- *Wildlife Act 1975*

14. Like Tasmania, fallow deer in Victoria are protected for hunting purposes. The *Wildlife Act 1975* defines 'wildlife' as including 'all kinds of deer,' and all wildlife is subsequently protected wildlife, other than wildlife declared to be unprotected, or a pest.

NEW SOUTH WALES

Legislation and regulations:

- *Biosecurity Act 2015*
- *Game and Feral Animal Control Act 2002*
- *Non-Indigenous Animals Act 1987*
- *Non-Indigenous Animals Regulation 2012*
- *Threatened Species Conservation Act 1995*

15. All deer in New South Wales are declared to be 'game' under the *Game and Feral Animal Control Act 2002.* This is an acknowledgement of the value of deer as a resource for hunters.

16. Fallow deer also fall under the *Non-Indigenous Animals Act 1987.* The species is listed as a category 4 and 5 non-indigenous animal under the *Non-Indigenous Animals Regulation 2012.* Fallow deer are classed as category 4 where they are domestic, and as such are considered unlikely to pose a threat to the environment or to worsen an existing threat. Wild fallow deer are classed as category 5, which is defined as an animal that is already considered to be a widespread pest, with animals escaping into the wild considered unlikely to worsen the threat.

17. The *Non-Indigenous Animals Act 1987* and its regulations have been repealed by the *Biosecurity Act 2015.* Under schedule 5, the *Biosecurity Act* provides regulation-making powers for the classification of non-indigenous animals. It has not yet been decided how fallow deer will be regulated under the biosecurity framework.

18. Fallow deer in New South Wales have also been classified under a conservation framework; as the herbivory and environmental degradation caused by feral deer has been listed as a 'key threatening process' under the *Threatened Species Conservation Act 1995.* A key threatening process is something that either is having an adverse effect on a threatened species, or has the potential to cause a non-threatened

species to become threatened. This classification applies to deer generally, and is not specific to fallow deer.

QUEENSLAND

Legislation and regulations:

- *Biosecurity Act 2014*
- *Land Protection (Pest and Stock Route Management) Act 2002*
- *Land Protection (Pest and Stock Route Management) Regulation 2003*

19. Fallow deer are currently afforded pest status under Queensland legislation. The framework for declaring a pest animal in Queensland exists under chapter 2 of the *Land Protection (Pest and Stock Route Management) Act 2002.* Section 36 allows for the declaration of pests by regulation. The *Land Protection (Pest and Stock Route Management) Regulation 2003* was created under this section, and declared fallow deer to be a class 3 pest animal. A class 3 pest animal is defined as an animal that is established in the state, and causing, or with the potential to cause an adverse economic, environmental, or social impact.[31]

20. The current framework in Queensland is set to change on 1 July 2016 with the commencement of the *Biosecurity Act 2014,* which will repeal chapter 2 of the *Land Protection Act.* Under the new legislation, feral fallow deer will be classified as an invasive animal that is restricted matter.[32] Section 22 of the *Biosecurity Act 2014* provides the matter will be restricted where it is currently present in Queensland and there are grounds to believe that it would have an adverse biosecurity consideration where restrictions are not imposed to reduce, control or contain it.

31 *Land Protection (Pest and Stock Route Management) Act 2002*(Qld) s38(b).
32 *Biosecurity Act 2014* (Qld) schedule 2, part 2.

SOUTH AUSTRALIA

Legislation and regulations:

- *Natural Resources Management Act 2003*

21. Fallow deer in South Australia are classified as a category 3 pest animal under the *Natural Resources Management Act 2003.* Chapter 8 of the Act provides for the control of plants and animals, allowing for the declaration of pest animals according to category and class. The category and class of an animal will determine which provisions of the chapter apply to it.

NEW ZEALAND

Legislation and regulations:

- *Wild Animal Control Act 1977*

22. Deer in New Zealand are defined as a 'wild animal' under the *Wild Animal Control Act 1977,* which provides for the control of harmful species of introduced wild animals. The act is administered by the New Zealand Department of Conservation, which has acknowledged wild fallow deer as a pest species.[33]

33 New Zealand Department of Conservation, *Policy Statement.*

HUNTING OF FALLOW DEER

JURISDICTION	LICENSE	SEASON	BAG LIMIT	LEGISLATION
TASMANIA	REQUIRED	Adult male: 6 weeks from 1 March Antlerless: 8 weeks from second Sat in May	1 adult male and 2 antlerless, or 3 antlerless	Nature Conservation Act 2002 Nature Conservation (Open Seasons) Order 2004 Wildlife (General) Regulations 2010
VICTORIA	REQUIRED	NONE	NONE	Wildlife Act 1975 Wildlife (Game) Regulations 2012
NEW SOUTH WALES	REQUIRED	1 March to 31 October	N/A	Game and Feral Animal Control Act 2002 Game and Feral Animal Control Regulation 2012
QUEENSLAND	NONE	NONE	NONE	Animal Care and Protection Act 2001
SOUTH AUSTRALIA	BASIC PERMIT	NONE	NONE	National Parks and Wildlife Act 1975
NEW ZEALAND	REQUIRED ON PUBLIC LAND	NONE	NONE	Wild Animal Control Act 1977

EVIDENCE

TERM OF REFERENCE 1

Environmental impacts on public and private land.

23. Although the majority of evidence received in relation to the impact on land focused on agricultural land, which is dealt with separately in this report, the Committee received consistent evidence that wild fallow deer were impacting upon the natural environment.

24. Some of the evidence highlighted that biodiversity values in Tasmania were being significantly affected by wild fallow deer. The concerns that were raised covered the adverse impact on private and public conservation areas.

25. In its written submission, the Tasmanian Government (Department of Primary Industries, Parks, Water and Environment - DPIPWE) provided a 2011 map detailing the distribution of fallow deer in Tasmania.[34]

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[34] Department of Primary Industries, Parks, Water and Environment, Written Submission, June 2016, p.4

26. The map indicated a population spread from the traditional range, predominantly within the north east region of Tasmania. Populations were not recorded within the world heritage areas.

27. The Department later provided additional information to the Committee that confirmed a change in management arrangements to enable deer to be taken from within defined areas. In addition, the Department was able to confirm that deer had been taken from certain conservation areas.

1. The number of deer tags taken from World Heritage Areas per annum over the last 10 years.

To date, no deer have been taken within the Tasmanian Wilderness World Heritage Area as it was not permitted under the previous Management Plan.

Under the recently developed Tasmanian Wilderness World Heritage Area Management Plan, deer may be taken in defined hunting zones within the Tasmanian Wilderness World Heritage Area. This is the first year that deer may be allowed to be taken within these zones.

However, since 2008, deer hunting has been permitted in three Conservation Areas on the Central Plateau, but all are outside of the Tasmanian Wilderness World Heritage Area. The deer harvest within these three Conservation Areas is provided in the following table:

Year	Permits issued	No. of returns provided	Total take reported per year
2008	80	76	3
2009	80	37	2
2010	80	31	2
2011	80	47	1
2012	80	52	3
2013	82	34	7
2014	94	34	0
2015	106	36	0
2016	143	66	11

35

28. The Government acknowledged in its submission that some landowners had identified problems with wild fallow deer and that they were regarded as a threat to biodiversity values.

29. It was acknowledged that further investigatory work in relation to the population and its spread was required and that funding was being sought for the University of Tasmania to undertake the research. [36]

30. Professor Christopher Johnson from the School of Biological Science at the University of Tasmania noted the University study completed in 2015 and the deer population projections that were estimated.

> *In a study published last year we tried to model the magnitude of that potential increase and came up with some numbers that were a little bit startling. Deer could occupy close to two-thirds of the state, and their abundance could increase to the extent that we might have a total population of something like one million. It is not a surprising number, I do not believe, if you compare the population density that implies with the density of deer in other parts of the world. It is quite typical. Many of Tasmania's environments are very suitable for deer, even though deer have not existed in our environments until recently.*[37]

[35] Department of Primary Industries, Parks, Water and Environment – Letter to Committee Chair, 21 March 2017
[36] Ibid, p.4
[37] Hansard Transcript, Professor Christopher Johnson, 29 November 2016 , p.60,

31. The Committee was concerned by the lack of up to date data on wild fallow deer populations that was available. This limited the Committee's capacity to fully understand the extent of any population spread and the potential impacts on sensitive environments. The Department noted in relation to data covering world heritage areas

> *I can only recall one project, which might have been referred to in our submission - the Locke Report. It was done about 10 years ago and was intended to establish a baseline level for the deer population within the World Heritage Area. We have information from that time as to numbers and distribution that could be referred back to.*[38]

32. The Committee noted that the Department was very uncertain about wild fallow deer numbers and conceded during the inquiry that the population was significantly greater than had been estimated and publicly stated over a number of years.

33. As part of its written submission at the commencement of the Inquiry, the Department provided an estimation of deer populations.

> *The fallow deer population has increased steadily since its introduction in the early 19th Century. In the early 1970s, a conservative estimate was made of 8 000 deer. A limited survey in 1990 indicated a population of 16 000 to 20 000. By the mid-2000s it was estimated that the population had reached 30 000, although it is likely that the herd declined to around 20 000 in the late 2000s as a consequence of prolonged and severe drought, and culling.*[39]

34. At a subsequent hearing, the Department's estimation of deer populations had significantly increased.

> *From that we estimate different types of habitat within those areas we surveyed, certain densities of deer. They vary, say, two per square kilometre up to about 10 or 11 in the most optimum habitat. Based on that we have come up with figures at the lower end of, say, 40 000 - 50 000, up to 80 000. If you apply the highest density estimate it can be over 100 000, currently. They are very rough estimates but they support the statement. We have to concede deer numbers are considerably above what we, the department, have been saying for some years now - about 30 000. That is not reasonable, it is considerably more than that.*[40]

[38] Hansard Transcript, Mr Greg Hocking, 6 February 2017, p.2
[39] Op.Cit. p. 17
[40] Op.Cit, p.14

35. In his written submission, Wildlife Management Scientist Dr Graham Hall, commented on the importance of making a sound determination of the real impact of wild fallow deer populations. He explained that this was due to the resources and general cost involved, in most instances where the rationale was economic, but that if there was a potential risk to conservation areas, the approach should be proactive rather than reactive to an event.

> *There are also some scenarios where deer control is justified, irrespective of the economic cost. For example, the protection of areas of high conservation value……are all valid reasons for deer management that are not dependent on strict economic considerations.*[41]

36. Dr Hall also noted that '*There are no credible scientific publications to provide evidence-based decisions of the environmental impact of wild fallow deer in Tasmania*'.[42]

37. Mr John Toohey commented in his submission that deer hunters on private land provided a broader environmental benefit.

> *Hunters are the only control on feral cats in the rural environment. On properties that I have hunted we have humanely shot dozens of feral cats. Through this action I have seen black ducks return to breed on farm dams and an increase in the quoll population where I currently hunt. Most hunters will go well out of their way to despatch feral cats.*[43]

38. Ornithologist and Naturalist Ms Sarah Lloyd argued that wild fallow deer had a significant impact on native vegetation.

> *Feral deer are large introduced herbivorous animals with no natural predators in Tasmania. Their impact on native vegetation is much greater than that of native herbivores such as pademelon and red-necked (bennets) wallaby. This is because, unlike pademelons and wallaby that browse on a range of grasses, herbaceous and wood plants, feral deer usually target woody shrubs and seedling trees which they damage either by eating the foliage or bark or by breaking the plants when they climb and lean on their branches.*
>
> *The ability of feral deer to jump standard fences often leads to the failure of revegetation projects undertaken to improve biodiversity on*

[41] Dr Graham Hall, written submission, 27 May 2016, p. 5
[42] Ibid
[43] Mr John Toohey, written submission, 29 May 2016, p.7

private and public land. Erecting deer-proof fencing around native vegetation adds considerably to the cost of revegetation projects.[44]

39. Comments made on behalf of landowner Mr Raymond Davis supported this proposition.

> *…these animals destroy native vegetation which places small foraging native animals in a position of competition and ultimately stress, particularly when there are drought conditions.*[45]

40. Similar observations were also made by Mr Roderic O'Connor of Connorville Station, who noted the following points -

- *Extensive damage to native vegetation and tree regrowth by especially Stags.*
- *Deer are the most destructive animal to tree regrowth and or plantations.*
- *To prevent large scale destruction to new regeneration or restoration projects, it requires 100% deer proof fencing to guarantee success. The cost of this fencing is prohibitive to most landowners.*
- *Single tree plantings require caging but they are also costly in time and money.*[46]

41. A general proposition amongst some of the witnesses was that wild fallow deer populations were spreading into new and sensitive areas of the State.

42. Dr Bob Brown asserted that populations were spreading west along the Great Western Tiers and across and south of the Central Plateau components of the Tasmanian World Heritage Area.[47]Dr Brown outlined his vision to deal with the population spread during his appearance before the Committee.

> *My proposal coming out of the submission on behalf of my foundation is that the deer be controlled and confined within the current area, or east of an area demarcated. I have brought along a map of the Lyell, Marlborough and Lake Highways. This is to put some definition into a line that may be used to ask, 'Should we allow deer to extend beyond a very clear, easy demarcation zone?'. Some deer are marginally to the west of that line on the central plateau, but that could be controlled now, whereas in 30 or 40 years time if the deer have extended through Cradle*

[44] Ms Sarah Lloyd, written submission, 1 June 2016.
[45] Mr Raymond Davis, written submission (lodged by Darrell Grey LLB on his behalf), 1 June 2016
[46] Mr Roderic O'Connor, written submission, 11 June 2016
[47] Mr Bob Brown (Bob Brown Foundation), written submission, 16 June 2016

Mountain into the Tarkine and south into other areas of the World Heritage Area, there will be no eradication. It will be a very expensive job of culling and confining numbers, as has been found in New Zealand.

The deer are in the newer parts of the World Heritage Area which have been added since 1989 on the Great Western Tiers and in the eastern central plateau. Part of those areas adjacent to the World Heritage Area have been deer hunting areas for some time. I think this is a case where the culling of deer, whether for recreational or business purposes, and the extreme importance of the World Heritage Area to Tasmania's economy, coincide. Keeping a line such as this as a defined line beyond which deer should not be able to expand would be a very wise piece of future safekeeping for Tasmania.

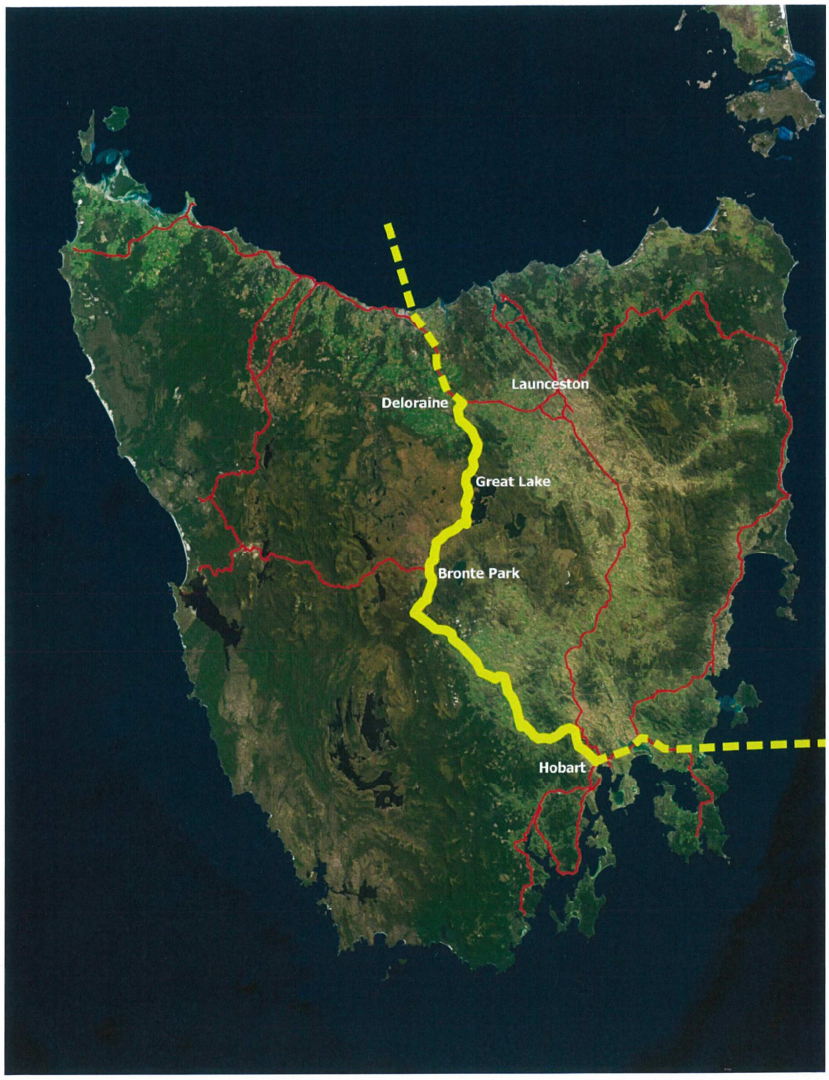
I might add that this would require that deer farms be confined within in the deer area as well. We have not seen deer farms in Tasmania from which escapes did not happen or were not possible. Indeed we know with some deer farms, people have got sick of it or got into financial troubles and have simply opened the gate. That creates a huge problem for the future. Whether it is in north-west Tasmania or far south Tasmania or in the Snug Tiers or wherever, it is simply reasonable that if there are going to be future fallow deer farms they should be within the deer area and not where they can escape.[48]

43. Dr Brown provided the Committee with the following table that included a demarcation line.

[48] Hansard Transcript of Evidence, 29 November 2016, Dr Bob Brown, p. 65-66

Tabled - 29/11/16 (19)

Proposed Tasmanian Deer Line 2016



[49]

44. There was support among a number of the witnesses for increasing access arrangements to eradicate deer from the world heritage and classified conservation areas. The Department noted in correspondence to the Committee of 21 March 2017 that it had been permissible for hunters to take deer with the appropriate permits from within three conservation areas since 2008 and recently from within defined hunting zones within the world heritage area.[50]

45. The hunting clubs believed there was a role for their organisations in helping to eradicate any wild fallow deer populations from within the

[49] Tabled Document – Dr Bob Brown – proposed Tasmanian deer line
[50] Correspondence from DPIPW, 21 March 2017

world heritage or classified conservation areas. Mr Andrew Windwood noted the Charlton Hunters Club's willingness to assist

> *We talk about deer moving into the World Heritage Area and what that means for Tasmania. Most hunters agree that if deer are moving into areas where they are not meant to be, we are the solution. We are not a roadblock to stopping that from happening. I do not believe bringing in overseas hunters with helicopters is the answer. We only have to look at history and what happened in New South Wales that should never be repeated. I do not know if anybody is aware of what happened when we brought New Zealand hunters in with helicopters to cull the brumbies in the New South Wales national parks, but what the government allowed to happen in New South Wales national parks was an absolute disgrace and I hope Tasmania would never get that publicity. They were finding that with these so-called professional shooters who came in with helicopters and promised Parks and Wildlife humane culls of the deer in those national parks, 10 days after the cull had finished they were ferrying in wounded mares and horses that had wounds to their bodies and were never going to survive and were going to die a slow death. These were professional shooters who were flown from in New Zealand at government expense.*[51]

46. A variety of land conservancy and land care groups provided their perspectives on the environmental impact of wild fallow deer populations across tracts of land they were actively managing. The Tasmanian Land Conservancy (TLC), which manages large parcels of private conservation land in Tasmania stated that -

> *Deer browsing strongly alters vegetation structure by reducing canopy cover and shrub layer foliage density. High density deer populations have altered the understory of forests so that the recovering vegetation is less biodiverse and dominated by browse resistant or unpalatable species. These changes in forest structure can have a cascade effect on other plant and animal species.*[52]

47. The Committee also noted the TLC's assessment of deer populations on its land areas, which is reflected in the following chart.[53]

[51] Hansard Transcript, Mr Andrew Windwood, 22 November 2016, p.2
[52] Tasmanian Conservation Trust, Written Submission, 29 June 2016, p. 2
[53] Ibid

Table 1 TLC owned land on which wild fallow deer populations occur

TLC reserves with fallow deer (nearest town)	Reserve Size ha	Estimate of Deer Density	Deer Control, Rec. Hunters RH / Crop Protection CP
Lutregala Marsh (Bruny Island)	42	Low	No – Peri-urban
Flat Rock Reserve (Bagdad)	455	Low	No - Peri -urban
Sheene (Bagdad)	170	Low	No - Peri-urban
Vale of Belvoir Reserve (Cradle M'tn)	474	Low	No
Bluemans Run (Swansea)	1,537	Med	No
Green Tier Creek (Swansea)	860	Med	No
Lilla Villa (Bicheno)	97	Med	No
London Marshes (Bronte)	556	High	No
Hollow Tree (Bothwell)	300	Med	No – Peri-urban
Skullbone Plains Reserve (Bronte)	1,618	Med	No
Five Rivers Reserve (Bronte)	9,280	High	RH / CP
The Big Punchbowl Reserve (Coles Bay)	242	Low	No – Peri-urban
Epping Forest (Cressy)	680	High	RH / CP
Silver Plains (Interlaken)	6,000	High	RH / CP
Soldiers Marsh (Bothwell)	491	High	RH / CP
Jinks Tier (Bothwell)	1,350	High	RH
Towns (Nunamarra)	698	Med	No
Ben Nevis North (Blessington)	121	Low-Med	No - remote
Sea Elephant (King Island)	375	Low	No
TOTAL 19 conservation properties	**25,346 ha**		

48. Greening Australia noted similar challenges in that it had planted approximately 300,000 trees and shrubs across areas of land throughout the midlands and Derwent Valley, and that between 14% and 45% of the trees had been damaged by deer, with between 1% and 5% destroyed.[54] It provided the following photos in support of its position.

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[54] Greening Australia, Written Submission, 30 June 2016

Images showing deer damage to a range of species planted in restoration genetics and mixed species trials at Dungrove and Connorville (images by Tanya Bailey).

49. Bush Heritage Australia outlined its assessment of the environmental impacts of wild fallow deer populations from its survey work associated with properties it manages in Tasmania over the last 20 years.

Based on extensive surveys across private land in the midlands and on Bush Heritage properties, eucalypts, wattles and native cherry are all

affected but the damage from deer is not restricted to these species. While the signs are more obvious on slow-growing, tall species such as these, smaller shrubs are also affected though they tend to die and disappear more quickly. Further, the recovery of forests and woodlands in the Midlands from other stresses such as drought is greatly hampered as a result of the indiscriminate and widespread damage caused by fallow deer.[55]

50. Bush Heritage Australia also provided the following photos as examples of damage caused by wild fallow deer populations.

56

Figure 2a Eucalypt sapling rubbed and stripped of its lower branches by a male deer during rutting season.

Figure 2b Detail of the level of damage caused by deer. This plant may survive if it sprouts from the base.

[55] Bush Heritage Australia, Written Submission 30 June 2016,
[56] Ibid

TERM OF REFERENCE 2

Any impact on commercial activities on private land.

51. The inquiry received a strong response from a range of private landowners in relation to the impact of wild fallow deer on commercial activities on private land. The evidence consistently supported the view that wild fallow deer adversely impacted commercial farming activities and that the problem appeared to be increasing. The impacts in general related to crops and to property infrastructure that was damaged by wild fallow deer.

52. There was however a notable difference in the mitigation or eradication strategies that were adopted by property owners. Some landowners perceived there were unreasonable restrictions in place for the management of wild fallow deer for crop protection purposes,.

53. Wide tracts of primary agricultural land through the midlands and into the north east of the State have traditionally supported wild fallow deer populations. The Committee heard from a number of land owners of significant holdings, that the population appeared to be increasing, along with the associated costs to agricultural enterprises.

54. Northern Midlands grazier Mr George Gatenby provided his observations of the increasing wild fallow deer populations on his property and the impacts they were having.

> *We shot 100 deer in the last year on our property. This year it is 250. The reason for that is we have seen the numbers increase exponentially in the last three years, for whatever reason, and as a result we have asked our registered hunters to increase their kills and get more permits to control that. It is not just deer; we have also increased our takes of wallaby, et cetera. What that means to me as a landowner is the equivalent of $50 000 to $70 000 per year in lost income for grazing stock. To me, that means a $1 million to a $1.5 million interest payment on a loan, so it is a sizeable amount of money.*[57]

55. Mr Gatenby also noted the impact that wild fallow deer had on his property infrastructure.

> *It is not just the grazing impact that we have on our properties or the crop damage that we see. It is the fence damage. Last year we had a big*

[57] Hansard Transcript, 22 November 2016, Mr George Gatenby, p.12

drought and we saw significant pasture damage, as in it looked like a mob of 200 to 400 sheep running around in circles as they were going through the rut, et cetera. There is significant damage on a dollar basis. The thing is we can't put a dollar value on it, it is all anecdotal, guestimation and explicit cost and we look at it that way.[58]

56. Northern Midlands grazier Mr Simon Cameron gave evidence and the Committee later accepted an offer to tour his property, which contains rare Tasmania grass and plant species. He indicated he had estimated the cost to his business per annum of the wild fallow deer populations -

I set out the cost to my farming enterprise in excess of $35 000 a year, crippling for a small business like mine. I pose the question, why should farmers have to bear any cost at all? I wonder what the committee thinks is a fair thing.[59]

57. Mr Simon Cook presented the Committee with evidence of the impact of wild fallow deer populations on Forico's tree estates that are predominantly located in Northern Tasmania. Mr Cook indicated that of the 180,000 hectares under management, there was a mix of plantation and native estates. The main issue he identified with the wild fallow deer populations related to the establishment of new plantings.

…..at the Blessington Valley we had a 165-hectare plantation which we had to completely re-establish 12 months after it had been planted due to complete devastation from fallow deer. The cost of the reestablishment was $135 000 and we have lost a year's potential growth which in current value would probably be about $80 000 worth of revenue for Forico investors. I guess it is not specifically about Forico. We have investors, we have neighbours and the broader community to manage. There are other impacts. It is not just that establishment but in targeted areas the growth potential might be varied and compromised as a consequence of the initial impact, so we might not get the quality and quantity of product at the end of the rotation when we harvest. There are a number of flow-on effects that could potentially impact the revenue stream for Forico[60].

58. Mr Raymond Davis summarised his landowner concerns when he observed wild fallow deer -

1. Damage fences, often requiring replacement;

2. Eat and knock down crops causing substantial damage to crops;

[58] Op.Cit. p.13
[59] Hansard Transcript 22 November 2016, Mr Simon Cameron, p.29
[60] Hansard Transcript 30 November 2016, Mr Simon Cook, p.36

3. Eat pasture and, accordingly, compete with the domestic livestock, namely cattle and sheep. [61]

59. Mr Roderic O'Connor, one of the larger pastoralists in Tasmania, addressed the impact of wild fallow deer on his commercial activities. The impacts included -

    1. Pasture loss equivalent to 2000 dry sheep a year, Gross Income of $60,000;

    2. Yield loss in crops (poppies and cereals – up to $10,000);

    3. Administration of Game Management unit and hunt club administration - $10,000

    4. Patrolling and poaching control - $50,000

    5. Damage to fencing - $5,000[62]

60. The Department confirmed the membership of the Tasmania Deer Advisory Committee by correspondence of 21 March 2017 as follows -

    1. Charlton Hunters Club Inc

    2. Central Highlands Hunting Association

    3. Connorville Den Hunters Inc

    4. Dog Head Hunters

    5. Lake Echo Hunters

    6. Australian Deer Association, Northern Branch

    7. Australian Deer Association, North West

    8. Penstock Plains/Penstock Wildlife Tryst

    9. Australian Deer Association, Southern Branch

    10. Tasmanian Deer Stalkers Association Inc

    11. Steppes Wildlife Trust

    12. Sporting Shooters Association of Australia

    13. Uplands Hunting Group

    14. Field Hunting and Conservation Tasmania

[61] Written submission Mr Raymond David, 1 June 2016
[62] Written Submission, Mr Roderick O'Connor, 11 June 2016, p.3

15. Windfalls Plains Game Management Inc

64. The correspondence also indicated that representatives from the DPIPWE and the Tasmanian Farmers and Graziers Association attended the meetings.[63]

[63] Op.Cit.

TERM OF REFERENCE 3

The partly protected status of fallow deer under the Wildlife (General) Regulations 2010.

65. Wild Fallow Deer currently hold a partly protected status under the *Wildlife (General) Regulations 2010* (the Regulations). The species that is protected is the Dama dama.

66. It is important to note that commercial deer farms are managed under separate Regulations – *Wild (Deer Farming) Regulations 2010*.

67. Deer is the only introduced mammal that currently holds a partly protected status in Tasmania.

68. The consequence of the partially protected status under the Regulations is that there are controls on the number of wild fallow deer in Tasmania that may be killed and when this may occur. There is a limited exception to this for crop protection purposes, although this still requires a permit to be issued in accordance with the Regulations and is reliant on the Department agreeing to the number of tags being sought.

69. The question of the partly protected status of wild fallow deer was one of the more contentious issues considered by the Committee. Evidence received by the Committee ranged from the current arrangements working well to the partly protected status needing to be removed.

70. The Department summarised the terms of the partially protected status in its submission and advocated that the current arrangements were working reasonably well and should not be changed.

> *The Wildlife (General) Regulations (2010) schedule wild fallow deer as Partly Protected Wildlife. As such they may be subject to an open season during which they may be taken by shooting by licensed hunters.*
>
> *The Regulations include a series of prescriptions covering methods that may be used to take deer, limits on deer that may be taken and the use of tags. The purpose of these prescriptions is to protect the welfare of the animals being taken, maintain the sustainability of the harvest, and enable proper enforcement of the Regulations.*
>
> *The Regulations prescribe open season hunting (bag) limits for deer that are enforced by the use of numbered tags. A limit on*

the total number of deer to be taken by a hunter during the open season is applied so that the herd can be managed sustainably for trophy potential and quality of hunting experience.

The Regulations also provide for the taking of fallow deer under permit on specified land for crop protection purposes.[64]

71. The Department advised in its submission that the bag limit had recently been increased during the open season from two to three deer, comprising one adult male and two antlerless deer or three antlerless deer and that the opening and closing of the season is determined by the Minister in accordance with section 30 of the *Nature Conservation Act 2002*. The determination is made by means of an Order.[65]

72. The *Nature Conservation (Open Seasons) Order 2004* (the current Order) provides for a five week season for male adult deer from March to April and two antlerless deer seasons during March-April and May-July.[66]

73. In addition to the open season, the Department confirmed that landowners may apply for crop protection permits to eradicate deer that are causing damage. Permits may either be made out to an individual or unnamed to accommodate hunters of the landowners choice.[67]

74. The permits specify the number and category of deer taken and the quota system is enforced through the use of a tag system. The Department noted that the permit and tag numbers have increased in recent years in response.[68]

75. The Department was of the general view that the current system worked reasonably well and had enough flexibility to change overtime to accommodate landowner requests or general population increases that needed to be managed.

76. Some of the witnesses supported the Department's position that the current system was generally working. Mr John Toohey indicated his belief that the Minister had flexibility under the current Regulations to adjust the seasons and tag limits in response to population challenges and that the 2016 season had seen such an increase. He also believed that landowners had sufficient flexibility to manage populations as they wished.[69]

[64] Op.Cit. DPIPWE written submission, p.12
[65] Ibid, p.12
[66] Ibid, p.12
[67] Ibid, p. 13
[68] Ibid, p. 13
[69] Op.Cit. Mr John Toohey, p.9-10

77. The Tasmanian Farmers and Graziers Association (TFGA) was largely supportive of the current system remaining in place and that the current tag system was an important enforcement tool to limit poaching. It indicated a desire to see changes to the crop protection permit arrangements to enable 5 year permits for deer, which would be consistent with the issuing of wallaby and possum licenses. It believed this would provide landowners with a more flexible system. [70]

78. A number of submissions and witnesses associated with the recreational hunting sector were supportive of the current system remaining in place. The Sporting Shooters Association of Australia (Tas) encapsulated the views of many within the sector when it stated the partly protected status of deer help to support the long standing traditions of hunting in Tasmania and that the current system provided sufficient flexibility for landowners to reduce deer populations as required.[71]

79. However, a number of witnesses that had a contrary position that were supportive of the removal of the partly protected status.

80. Mr Simon Cameron contended that there was no clear documentation outlining the parameters of crop protection permits and that as such, there had been inconsistencies in the granting of permits at times, particularly when it was seen to impact on the hunting season. He also noted that crop protection permits had often been restrictive in the number of deer it had allowed him to cull from his property.[72]

81. Mr Nick Mooney argued there were a number of potential benefits to the deregulation of wild fallow deer including –

    1. Remove tensions (including deer age and sex demographics) and landowners being obliged to have hunters on their properties;

    2. Save Departmental resources with policing a range of issues associated with the partially protected status of deer;

    3. Enable timely responses to population incursions;

    4. The reduction of a feral species; and

    5. Better enable commercial harvesting.[73]

[70] Op.Cit. TFGA Submission, p 5
[71] Sporters and Shooters Association Aust (Tas), written submission 28 June 2016, p.3
[72] Op.Cit. Simon Cameron, p. 22-35
[73] Op.Cit, Mr Nick Mooney, p.4

82. The Tasmanian Conservation Trust indicated that the current system did not include all relevant stakeholders in the decision making process and had favoured the current regulatory arrangements remaining in place. As a result, this had disadvantaged the organisation in the management of wild fallow deer populations on the properties that it manages.[74]

83. Professors Johnson, Lefroy and Bowman from the University of Tasmania indicated that the current regulatory arrangements did not appear to be working and that alternate options should be considered, including landowners managing wild fallow deer populations as they see fit or management targets being introduced by the Government.[75]

84. Ashton Pty Ltd and Salmon Pastoral attributed the increase in wild fallow deer populations to the legislative environment, which had limited deer take numbers over time (particularly during the 1980's and 1990's). As a result, they suggested an open season until the population is brought under control or eradicated completely.[76]

85. Mr John Kelly from Lenah Game Meats commented that a modest change to the regulatory arrangements through the placing of a licence condition on crop protection permits would enable a similar commercial harvest of wild fallow deer as occurs with wallaby.

[74] Op.Cit. Tasmanian Land Conservancy, p. 7
[75] Written Submission, Professors Christopher Johnson, Ted Lefroy and David Bowman, University of Tasmania, 30 June 2016
[76] Written Submission, Ashton Pty Ltd and Salmon Pastoral, 20 June 2016

TERM OF REFERENCE 4

Commercial opportunities for the use of wild population stocks.

86. There were primarily two different positions expressed on this issue in the evidence –

    1. The current arrangements remain in place (predominantly due to the potential impact on deer farming operations);

    2. The current arrangements be changed to enable wild fallow deer to be harvested for human consumption and/or pet food.

The Current Arrangements remain in Place

87. The Committee received evidence from commercial deer farmers that consistently raised concerns with any change in arrangements that would enable the commercial harvesting of wild fallow deer.

88. The Tasmanian Deer Advisory Committee noted in its submission that deer farms were established in Tasmania during the 1970's and increased substantially during the 1980's. In the 1990's the industry was unable to sustain itself which resulted in the industry contracting to approximately five commercial deer farming operations. The remainder are small holding etc.[77]

89. The TFGA noted the following in relation to any possible production of wild fallow deer meat in Tasmania.

> *The TFGA is having discussions around the use of field shot game and landowners being able to sell the meat to the public.*
>
> *We are cognisant that there are a number of commercial deer farms that will be affected by such a move. As such, there needs to be further investigation into the permissible use of being able to sell field shot game and the effects of having this meat competing with commercially farmed venison.*
>
> *The TFGA is supportive of utilising such a valuable resource that will benefit the landowner, but not if this will dramatically affect those who are already commercial deer farmers.*[78]

[77] Written Submission, Tasmanian Deer Advisory Committee Inc, 29 June 2016
[78] Written Submission, TFGA, June 2016, p5-6

90. Nigel and Belinda Downward from Majestic Fallow Deer confirmed they had a deer farm that included meat production, antler and hide sales as well as escorted hunting tours and that –

> *We have genuine concerns that there will be a decrease in the market value and quality assurance, as well as the meat hygiene standards.*[79]

91. Mr and Mrs Downward confirmed their belief that any changes allowing for the sale of wild fallow deer meat for human consumption would create an unfair playing field in relation to the regulatory compliance in that the requirements for commercial deer farming would be higher.

92. Mr Michael Frydrych from Springfield Deer Farm at Mole Creek confirmed they had their own abattoir and that assertions about the inferior quality of farmed meat from deer farms due to stress during slaughter were incorrect. Mr Frydrych advised the Committee that his Company supplied a consistently high quality product to certain restaurants.

> *Some of the things written say that management inside the shed is really stressful. It is completely the opposite. The sheds on the deer farm are dark, and deer in the dark are quiet. That is why you put them in a shed pre-death. To say that you shunt them in a shed and they go wild, like any animal that does not want to be somewhere, they will go backwards. Once they are in the shed, and if you leave them there for a while, you can happily walk amongst them. They quieten down. That is the whole process.*
>
> *The authorities inspect our farm. We have to slaughter in front of them. They take swabs. The usual, like any other process. To say that there is no deer - the gentleman who said it, and I think that is what upset me the most - in four years we have been approached once, only to have the order cancelled the night before. The guy said, 'I am not dealing with that, we focus on hotels', and that sort of thing. What do most restaurants basically need? They need continuity of a good product week after week. They have got it on the menu and it has to be the same quality and quantity.*[80]

93. Mr Kelly from Lenah Game Meats noted the challenges associated with farmed deer in comparison with wild harvested deer.

> *…….it is hard to make people understand how difficult it is to produce quality fallow venison from farmed animals. It's really a specialised game - just the handling, the sheds you need. The quality of*

[79] Op.Cit. Mr and Mrs Downward, p.52
[80] Hansard Transcript, Mr Michael Frydrych, 30 November 2016, p 30

stockmanship you need to handle those animals in those sheds without killing them from stress is not the sort of thing most farmers want to get involved in.[81]

94. The Committee conducted a site visit and sampled a range of products produced by Springfield Deer Farm. Mr Frydrych confirmed that the farm slaughters up to eight deer per week.[82]

95. Mr Anthony Archer, a long established deer farmer from the Bothwell area, confirmed he had approximately 3 500-4 000 head on his property and that he does not have an abattoir on site but transports the deer to Doo Town Meats for processing.[83]

96. There did not appear to be any strong objections among the deer farming sector to a pet food industry being established to process wild harvested deer, given that it would not be competing with their enterprises.

A Wild fallow deer Harvest

97. Although there may be other parties who might consider options for processing wild fallow deer if the current arrangements were to change, the person advocating strongly for change to allow this to occur was Mr John Kelly from Lenah Game Meats. The Committee received a written submission, verbal evidence and also toured the Lenah Game processing facility at Rocherlea.

98. Mr Kelly confirmed he was a Meat Scientist whose company produces and markets a range of game meat products for the human and pet food industries.

99. Mr Kelly indicated he currently imports wild venison from New Zealand or interstate. He doesn't actively pursue markets for the product because he is unable to currently process the product himself.

100. Mr Kelly indicated that his current supply arrangements did not provide consistent quality as would be the case if the product could be sourced locally. He also confirmed that he had previously sourced product from Tasmanian farms as an alternative to a wild sourced product. He indicated the reason for not sourcing local product currently was due to the exit of the majority of deer farms from the market in recent years.[84]

[81] Op.Cit. p. 17
[82] Op.Cit. p.33
[83] Op.Cit. Mr Anthony Archer, p45
[84] Op.Cit. Mr John Kelly, p. 11

101. Mr Kelly advocated strongly that Tasmania should follow other States and allow the processing of wild fallow deer for human consumption. He advised the Committee that the only change that would be required for this to occur was in relation to the terms of the current crop protection permits.

> *Regardless, that is exactly what government regulations are there for. This is the Australian Standard for the hygienic production of game meat for human consumption. Appendix G is inspection procedures for wild fallow deer. That lays out the production standards required to process wild fallow deer to make it suitable for human consumption. It is done in South Australia, New South Wales and Queensland commercially. There is no reason we can't do it here. In fact, the only legislative, regulatory requirement to enable us to do it here - we are already licensed to do it here, we operate under this standard - is a change on the licence condition on the crop protection permits to enable the product to be sold commercially. That's all that has to be done regulatory to enable us or any other game meat operator who operates under this standard to process feral deer for human consumption.*[85]

102. Mr Kelly also refuted the suggestion that a change in current arrangements would adversely affect the recreational shooting industry in Tasmania.

> *Recreational shooters are willing to pay significant sums for access to properties to shoot their deer. They currently do. These sums are considerably more than commercial shooters can ever afford to pay. It is actually the recreational shooter who currently outbids commercial shooters for property access, not the other way around. That happens on a lot of properties. A lot of properties my guys just can't get onto because the recreational shooters have them tied up with the fees they pay for deer. My guys just don't get a look-in. That is the current reality.*[86]

103. Mr Kelly also suggested that one of the reasons there was a growing population of wild fallow deer was because of the lack of incentive to cull.

> *The reason the current system isn't working comes back to the issue of incentive. There has to be an incentive to apply sufficient cull pressure on the population to keep it under control and I don't believe recreational shooting outside of properties works very well. On some properties where it is very highly organised it works and works very well*

[85] Op.Cit. p. 12
[86] Op.Cit. p. 13

but a lot of other properties aren't large enough and don't have the time to manage that sort of system so it doesn't deliver sufficient incentive. A commercial harvest will add incentive.[87]

[87] Op.Cit. p. 18-19

TERM OF REFERENCE 5

Any matters incidental thereto.

104. The Committee received a significant response from the recreational hunting community that supported the current system remaining in place. Some of this evidence has been referred to earlier in the report.

105. Generally speaking, the recreational hunting community acknowledged that the population had increased and expanded its footprint over time and that it could play a productive role in supporting a reduction in the wild fallow deer population over time, including in non-traditional areas of the State. In part, this might include recreational hunters being permitted to hunt more broadly within State reserves and World Heritage areas.

106. The long standing history of recreational hunting in Tasmania was also consistently highlighted in submissions and the positive role that hunting groups played in supporting landowners was emphasised.

107. The role of hunting groups was encapsulated by the Charlton Hunters Club Inc. when it noted the collaborative arrangement of the Club, involving the property owner and hunters, to manage browsing wildlife populations on the property and that the Club paid fees for exclusive hunting access to the property.[88] The work of hunt clubs was later confirmed during the hearings by the Club President, Mr Andrew Windwood.

> ***Mrs HISCUTT*** *- I have heard things like you need to do a bit of fencing from time to time. Does that happen? Do you do that sort of maintenance?*
>
> ***Mr WINWOOD*** *- Not so much on our property but I know other hunting groups that do exchange fencing for hunting access. We do a lot of roadworks on our property. We have had working bees to cut firewood for the shacks and homesteads on the property.*
>
> ***Mrs HISCUTT*** *- They are the tasks you do for the farmer to entitle you to hunt there?*
>
> ***Mr WINWOOD*** *- Yes. We have also renovated a house that belongs to the farm for our hunters and their families to use. It was a run-down, derelict house and we have a lot of builders, painters and plasterers in*

[88] Written Submission, Charlton Hunters Club Inc, 24 May 2016

our club that come along to working bees. We also built a coolroom facilities and a wash down facility. When the guys harvest their animals we can cool down the temperature so the game meat they harvest doesn't perish.[89]

108. Mr Gerard Brereton outlined similar services in his written submission that his hunting club provides to landowners including fencing, free labour, security patrolling and general property maintenance.[90]

109. The role of hunt clubs in monitoring poaching of deer was also noted as another role that licensed hunters and hunt clubs have played over a long period of time. Mr Gerard Brereton explained his club's role in relation to monitoring.

***Mr BRERETON** - Poaching is an issue. I like to differentiate poaching and hunting, because poaching is criminal. They are not recreational hunters at all. Sometimes poaching is done from roadsides, sometimes from people accessing the area from other properties. Unfortunately, the game management unit and Parks and Wildlife are stretched to their limit. They do not have enough men on the ground to stop it from happening.*

***Ms RATTRAY** - To patrol.*

***Mr BRERETON** - Yes. That is why hunters on the properties have to do the patrolling themselves. If we see any illegal activity we report it to the wildlife management branch and let them deal with it from there.*

We also have security cameras set up, trail cameras mounted on a tree. We put those in areas where we think we might be getting poaching. The reason we are prepared to do that is because it is huge commitment for hunters to look after the deer they have by letting the smaller, immature animals go until they get to the size where they can be harvested as a trophy. A poacher can come onto the property and undo all that hard work in a couple of minutes. That is why they are prepared to go to the level they do to ensure they are protected.[91]

110. Hunting clubs were also asked about the possibility of extending the recreational season. Mr Gerard Brereton made the following comments.

***Ms RATTRAY** - What is your view on extending the season and also additional tags? What would be your best outcome if the committee thought that might be a recommendation?*

[89] Op.Cit. Mr Andrew Windwood, p. 6
[90] Mr Gerard Brereton, Written Submission, 28 June 2016
[91] Op.Cit, Mr Gerard Brereton, p. 2

Mr BRERETON *- Our property is represented on the Tasmanian Deer Advisory Committee so we were pivotal in the recent changes. We made a recommendation at the TDAC that we were looking to extending the deer season and increasing the take limit. I think it needed to be done. The gap was widening between the deer harvested on crop protection permits and the recreational take and we want to bring the recreational take back to that level. It would have been nice to have extended the antler season a little bit more. From my understanding, the TFGA were happy to leave it at the status quo, as it remained. I don't know the reason for that. That's up to them.*

Ms RATTRAY *- We'll ask them a bit later.*

Mr BRERETON *- Yes. To increase the tags - I think it's a huge reward for recreational hunters to know they can take three animals instead of two. For a lot of them we haven't got the data back yet to see what the take was. This year is probably not going to be the best example because it was such a very dry year in March 2016 and the deer were very dispersed and hard to find. There was not a lot of trophy potential because of the drought. Obviously that is going to change a lot now with all the rain we've had.*

I would like to see the buck season remain where it stands at the moment, which is around late February to early April, which gives the person who wants to take a buck really good-quality meat. For somebody who wants to take a trophy animal that is the perfect time to be doing it. Then we wait until after the breeding season has finished and start the season again in May for the antlerless deer and continue that right through to October to when the crop protection permits are finished. That gives recreational hunters plenty of time to go and take the animals. That also might mean that rather than going to their usual place in the highlands, if they know they have four or five months to take an antler-less deer, they might go to these fringe areas in the Huon and other spots and say to landowners, 'I hear you've got a problem with some deer. You might only have a small population and it's going to be hard to get but I've got the time to do it so I'd like to help you try and sort this problem out.'

At the moment when the season is only short they don't have a lot of time to muck about. You've got to get your animals because once the season is finished you've got to wait until next year, but by extending that, I know myself I'd be more inclined to hunt these areas that are a little more difficult but you know there is deer there.

Ms RATTRAY *- What about an increase of two bucks - from one to two?*

Mr BRERETON *- The way quality deer management works now is that it's property-based. Some properties are going to be able to harvest quite a few bucks and the opportunity for them if they need to do that, if they've got an overabundance of male deer, they can get their permits to*

do it. It is property-based, whereas our property does not have a high enough population of male deer. We don't shoot any male deer that are antlerless, like the buck borns. Even though you are allowed to harvest them before they grow their spike we don't because we've got too many females and not enough males. We're concentrating on harvesting our females but I think that has to be property-based. The game management unit offers that service so that if you've got too male deer you can get your permits. You're not going to get something that works for everyone across the board, which is why there has to be options like that.[92]

111. Another issue that was briefly referred to in the evidence was the importing of new deer stock to Tasmania in order to improve or broaden the genetics of the farmed stock. Deer farmer Mr Anthony Archer was queried about this issue and acknowledged there were currently restrictions in place.

Mr GAFFNEY *- Surely for genetic sourcing it would make sense to be able to improve the breed, or at least introduce a different line into what is in Tasmania?*

Mr ARCHER *- Absolutely. I deliberately bought these zoo animals because they were the only introduction that was definitely distinctly different. They came from a farm in South Australia. It was a park, called Lindsay Park. I bought these animals in my 20s because they were different. That has given me, I think, more diversity than some of the other herds in the state. Are they that much better? I have not done a trial to know. My view is they are in some areas. They are early maturing, they have a different carcass shape but there are certainly other European genetics we would like to access in Victoria. If nothing else, it would be good to trial them to see if they are better than what we have.*[93]

112. The Department was queried about the import restrictions and explained the reason why it was in place.

Mr HOCKING *- As I understand it, it is because of the potential risk of extending the,*

Ms RATTRAY *- I know this is not your issue, Greg, but if they are already here and we just want to make them better quality, particularly for commercial operations, what would be the impediment? What would be the issue?*

[92] Op.Cit. p. 6-7
[93] Op.Cit. Mr Anthony Archer, p. 44

Mr HOCKING *- Only if they are seen to pose a greater risk than the existing genetics of fallow deer in Tasmania.*

Ms RATTRAY *- But if they are the same breed, or are we saying they might be interbred over there? Is that what we are saying?*

Mr HOCKING *- Genetics are seen to be slightly different.*

Ms RATTRAY *- They jump higher maybe?*

Mr HOCKING *- As I understand it they might have broader environmental tolerances that allow the species to spread to a wider range of habitat...*[94]

113. Another issue raised in the evidence related to the current restrictions in place that prohibit the importing of live deer. The current restrictions are provided for under section 32 of the *Nature Conservation Act 2002* in that only live deer may only be imported with prior written agreement from the Secretary of the Department of Primary Industries, Parks, Water and Environment.

114. Landowner Mr Simon Cameron commented on the restrictions

Given that in wild fallow deer we can (sic) have an extreme pest risk, is there any need to go beyond this when determining how the species should be dealt with? Yes, there is. It is very hard to get this message across in Tasmania. We have a lot of ground to make up. Fallow deer as a species and an extreme threat and given an extreme pest risk rating are not allowed to be imported into Tasmania, yet those here are given partly-protected status and allowed to spread wherever they want to in the state - even to places such as Bruny Island.[95]

[94] Op.Cit. Mr Greg Hocking, p.8
[95] Op.Cit. p. 28

DISSENTING REPORT

Whilst I am very pleased to support the Legislative Council Government Administration Committee A ***Report on Wild Fallow Deer*** I do not agree with

Recommendation 8

Taking into account appropriate health regulations and standards, crop protection permits be amended to enable wild fallow deer to be commercially harvest for human consumption.

I have three main concerns with this recommendation and broadly those concerns can be categorised under the following headings

- Health Regulations
- Recreational Hunters
- Impact on Deer Farms

Signed

The Hon Mike Gaffney (MLC)

Member for Mersey

22/06/2017

APPENDIX A: SUBMISSIONS

Ref No.	*Name*	Submission Received
1	Mrs Ruth Cooper	26/04/2016
2	Mr David Gatenby	26/04/2016
3	Springfield Deer Farm	26/05/2016
4	Lenah Game Meats	13/05/2016
5	Wild Cave Tours	25/05/2016
6	Charlton Hunters Club	25/05/2016
7	Mr Richard Phair	25/05/2016
8	Mr Shan Raynor	25/05/2016
9	Leigh and Peter Roberts	30/05/2016
10	Zoology, University of New England	30/05/2016
11	Mr Paul Whitmore	30/05/2016
12	Mr John Toohey	30/05/2016
13	Ms Sarah Lloyd	01/06/2016
14	Mr Raymond Charles Davis	02/06/2016
15	Mr Chris Bell	06/06/2016
16	Mr George Gatenby	09/06/2016
17	Connorville Station Pty Ltd	15/06/2016
18	Robert Holderness-Roddam (UTAS)	15/06/2016
19	Bob Brown Foundation	23/06/2016
20	Mr Nick Mooney	23/06/2016
21	Shooters and Fishers Tasmania	23/06/2016
22	Dr John Hughes	23/06/2016
23	Mr Harry Stacpoole	23/06/2016
24	Forico	27/06/2016
25	Mr John Clark	27/06/2016
26	Mr Daniel Bowden	27/06/2016
27	Connorville Den Game Management Group	28/06/2016
28	Belinda and Nigel Downwards	28/06/2016
29	Australian Bowhunters Association	28/06/2016
30	Mr Peter Downie	28/06/2016
31	Mr Gerard Brereton	28/06/2016
32	Mr Peter Clarke	29/06/2016
33	Mr Michael Bennett	29/06/2016
34	Mr Russell Smith	29/06/2016
35	Mr Peter Harris	29/06/2016
36	Invasive Animals Cooperative Research Unit	29/06/2016
37	Tasmanian Deer Advisory Committee	29/06/2016
38	Lyndel Poole	29/06/2016
39	Tasmanian Land Conservancy	30/06/2016
40	TFGA	30/06/2016
41	Sporting Shooters Association of Australia (Tas)	30/06/2016
42	Australian Deer Association (Tas) Inc	30/06/2016
43	Mr Adrie Konyn	30/06/2016
44	Mr Shane Broadby	30/06/2016
45	Professors Johnson, Lefroy and Bowman	30/06/2016
46	Mr Bruce Chesson	30/06/2016
47	Mr Simon Cameron	30/06/2016

48	Ashton Pty Ltd and Salmon Pastoral	30/06/2016
49	Greening Australia, Tasmania	30/06/2016
50	Mr Thomas Ralph	30/06/2016
51	Bush Heritage Australia	30/06/2016
52	Tasmanian Deer Farmers Council	01/07/2016
53	Mr John Bignell	01/07/2016
54	Mr Anthony Archer	01/07/2016
55	Sporting Shooters Association of Australia	19/06/2016
56	DPIPWE	22/07/2016
57	Tasmanian Conservation Trust (accepted as late submission)	17/10/2016

APPENDIX B: PUBLIC HEARINGS

DATE	LOCATION	WITNESSES
22 November 2016	Campbell Town	The Charlton Hunters Club
		George Gatenby
		Connorville Station Pty Ltd
		Simon Cameron
		Australian Deer Association
		Lyndel Poole
		Belinda & Nigel Downward
29 November 2016	Hobart	Department of Primary Industries, Parks, Wildlife and Environment
		John Toohey
		Sporting Shooters Association of Australia (Tas)
		Tasmanian Deer Advisory Committee
		Tasmanian Land Conservancy
		School of Biological Sciences, UTAS
		Bob Brown Foundation
		Greening Australia
30 November 2016	Hobart	Gerard Brereton
		Lenah Game Meats
		Tasmanian Farmers and Graziers Association
		Michal Frydrych
		Forico
		Anthony Archer
6 February 2017	Hobart	Department of Primary Industries, Parks, Wildlife and Environment

APPENDIX C: MEETING ATTENDANCE RECORD

DATE	ARMSTRONG	FARRELL	GAFFNEY	HISCUTT	MULDER	RATTRAY
4 April 2016 (Hobart)	✓	✓	✓	✓	✓	✓
10 August 2016 (Hobart)	✓	✓	✓	✓	✓	✓
16 August 2016 (Hobart)	✓	✓	✓	✓	**x**	✓
17 August 2016 (Hobart)	✓	✓	✓	✓	**x**	✓
22 November 2016 (Campbell Town)	✓	✓	✓	✓	✓ (left meeting at 12.32 pm)	✓
29 November 2016 (Hobart)	✓	✓	✓	**x**	✓	✓
30 November 2016 (Hobart)	✓	✓	✓	✓ (entered the meeting at 12.43 pm)	✓	✓
6 February 2017 (Hobart)	✓	✓	✓	✓	✓	✓
14 March 2017 (Hobart)	✓	**x**	✓	✓	✓	✓
18 May 2017 (Hobart)	✓	✓	✓	✓		✓
19 May 2017 (Hobart)	✓	✓	✓	✓		✓
29 June 2017 (Hobart)	✓	✓	✓	✓		

Note: Mr Mulder ceased to be a Member of the Committee as of 5 May 2017.

APPENDIX D: SITE VISITS 2017

Date	Name	Location	Attendance
Wednesday 1 March 2017 **11 am – 1 pm**	**Simon Cameron** **(Sub 47)**	**Kingston** **799 Kingston Road** **CONARA 7211** **Ph: 0411 125 622**	**Robert Armstrong** **Craig Farrell** **Mike Gaffney** **Leonie Hiscutt** **Tania Rattray**
Wednesday 1 March 2017 **3.00 pm**	**John Kelly** **(Sub 4)**	**Lenah Game Meats** **315 George Town Road** **Rocherlea** **Ph: 6326 1777**	**Robert Armstrong** **Craig Farrell** **Mike Gaffney** **Leonie Hiscutt** **Tania Rattray**
OVERNIGHT			
Thursday 2 March 2017 **11 am** **(BBQ lunch to follow tour)**	**Michal Frydrych** **(Sub 3)**	**Springfield Deer Farm** **Mole Creek** **Ph: 0439 088 408**	**Robert Armstrong** **Craig Farrell** **Mike Gaffney** **Leonie Hiscutt** **Tania Rattray**