



## TASMANIAN FARMERS & GRAZIER ASSOCIATION

The Secretary  
House of Assembly  
Select Committee on Firearms Legislation and Policy  
Parliament House  
HOBART TAS 7000

Via email: [todd.buttsworth@parliament.tas.gov.au](mailto:todd.buttsworth@parliament.tas.gov.au)

### **TFGA Submission – Select Committee on Firearms Legislation and Policy**

The Tasmanian Farmers and Graziers Association (TFGA) is the leading representative body for Tasmanian primary producers. TFGA members are responsible for generating approximately 80% of the value created by the Tasmanian agricultural sector.

Agriculture is one of the key pillars of the economy and, with the current level of support from government, are well positioned to further capitalise on the stature of Tasmania agriculture.

#### **OVERVIEW**

Primary producers and regional Tasmanians generally, make up a very large percentage of legitimate firearm users in the State, using firearms on a daily basis as a tool of trade.

Agricultural landscapes are often a mosaic of forest and agricultural land. Populations of browsing animals (mammals and birds – native and introduced) are high in many areas and appear to be increasing. Damage to crops, pastures and fences caused by browsing animals do have a significant impact on farm productivity and are a major risk to biodiversity when populations reach unsustainable levels, as they often do.

When the debate around the proposed firearm changes surfaced in early March this year the TFGA called for a calm and rational discussion on the topic. Sadly, in many cases our calls have fallen on deaf ears. The rhetoric from many quarters on this topic has highlighted a significant and broad lack of understanding of the processes and regulations that already provide exceptional protection to the community.

Even after more than 20 years Australia's national firearm regulations are still touted as amongst the strongest in the world. This is something we should all be proud of. Farmers, like everyone else, want their children and grandchildren to enjoy the benefits of safe communities free of any form of violence.

That said, firearms are a necessary and legitimate tool of trade for the agricultural sector and, like other professionals we need tools that are fit for purpose and are regulated in an appropriate manner.

The State Government's Alternatives to 1080 Program<sup>1</sup> showed significant financial loss to farmers by browsing animals both native and invasive. Since then numbers have increased significantly, which is affecting farmers ability to farm economically and sustainably.

The Program concluded that the most effective control strategies were firearms and fencing, and the use of poisoning in very high population problem areas. This same study also found that sound suppressors were an effective aid in controlling browsing animals and nuisance birds. The issue of sound suppressors has also evolved as it is now recognised that their use is a workplace health and safety issue and community noise reduction management tool. That fact is that in many parts of the world their use is mandatory, primarily for noise reduction and WHS.

## **IMPACTS OF BROWSING ANIMALS**

The evidence is clear that pasture and crop loss to browsing by wildlife and introduced species can be significant and does have a serious financial and environmental cost on farming enterprises and the broader environment.

There have been several studies considering the impacts of wildlife browsing on Tasmanian agriculture. The most recent research undertaken, include:

- 2010 TIAR/UTAS Nature and Implications of Native Wildlife Browsing on Tasmanian Farms final report, which demonstrated that the concerns expressed in the Tasmanian farming community about the impacts of native wildlife on pasture production and lost farm income are well-founded. It is now clear that pasture loss to wildlife browsing can be both significant and geographically-widespread in Tasmania. Pasture production that is lost to wildlife browsing can be as high as 100% for pastures located near bush-lines, and significant pasture loss can occur at least up to 800 metres from a bush-line, depending on the location, diversity and numbers of native and introduced wildlife, and season. The aggregate dollar value of pasture loss in Tasmania each year could be several tens of millions of dollars.
- 2011 DPIPWE managed Alternatives to 1080 Report confirmed that wildlife browsing impacts are very significant and shooting/hunting was identified as the most important control option by landholders. When comparing other control options to 1080 baiting as a once off knock down tool it is apparent that 1080 poison is still the most cost-effective tool available, although shooting at its best can rival it.

Additionally, four studies have been reported in scientific journals considering pasture loss in Tasmania due to wildlife, the findings found that:

- In a 3-year trial<sup>2</sup> using an electric fence designed specifically to exclude wallabies, loss of production to wallaby browsing averaged 11% inside the fenced areas, compared with 83% in an adjacent similar area with a normal stock fence.
- In another later trial<sup>3</sup>, where cages were used to exclude wallabies in farm paddocks, pasture loss in areas accessible to wallabies outside the cages varied between 17% and 100% at 9 different locations.

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<sup>1</sup> DPIPWE. (2011). Final Report – April 2011 Alternatives to 1080 Program. A Summary of Research, Extension and Demonstration Activities Funded and Undertaken under the Alternatives to 1080 Program. Tasmanian Department of Primary Industries, Water and Environment (DPIPWE).

<sup>2</sup> Statham M (1994) Electric fencing for the control of wallaby movement. Wildlife Research 21, 697-707.

- With wallaby proof wire fences around 5 ha paddocks in the North East and South East of Tasmania over 3 years, an increase in carrying capacity of over 35% on dryland pastures was achieved when wallabies were excluded<sup>4</sup>.
- In a short term, preliminary study<sup>5</sup> of the effects of all wildlife on pasture growth at Elliot in North West Tasmania, pasture dry matter production was reduced by 21% under dryland and 34% under irrigation.

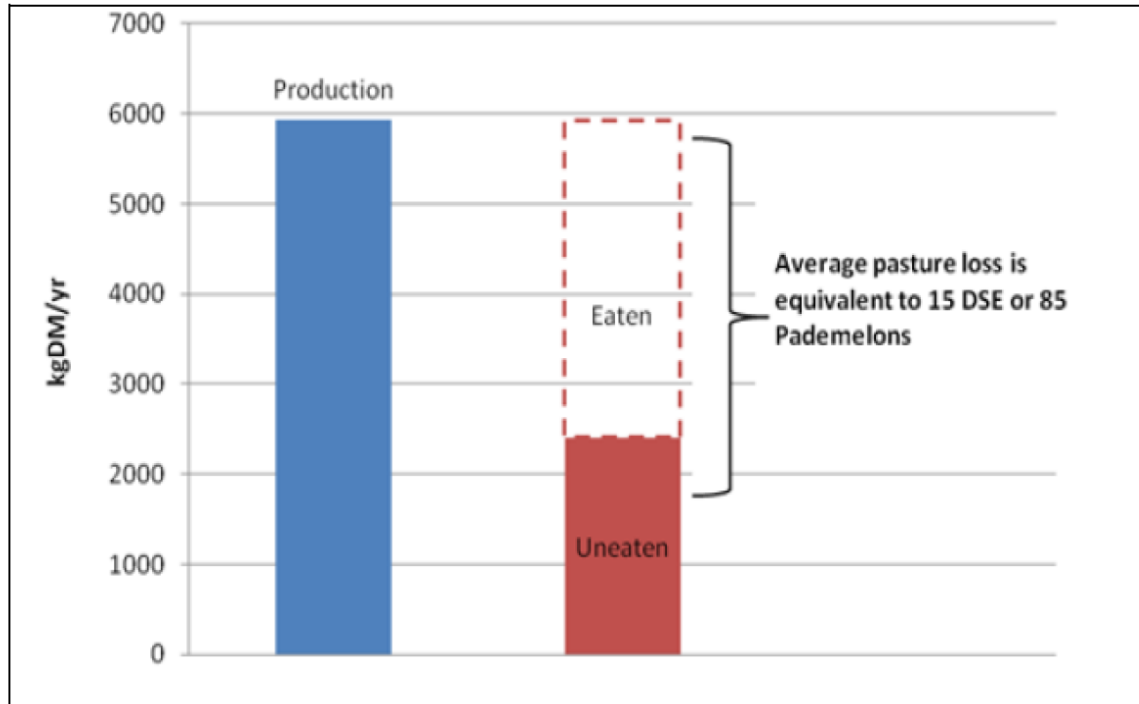


Figure 1: Average annual pasture production (blue) and pasture loss to wildlife browsing (red).

In figure 1 (TIAR/UTAS 2010) above, it was estimated, on average, 85 Tasmanian Pademelons could be maintained on this level of pasture consumption. Alternatively, if the average loss of pasture production at these sites was prevented and directed to production, it would be sufficient to support 15 DSE (dry sheep equivalent or 50kg sheep). TFGA equates these losses in to dollars per enterprise below:

- 50kg sheep: 15 at \$100/sheep = \$1500 (\$75/sheep for wool: +\$1125) = \$2,625
- 25kg lamb: 30 at \$150/lamb = \$4,500
- 400kg steer: 2 at \$1100/steer = \$2,200

The above figures calculated by TFGA correlate with our two recent member surveys, which were undertaken to gauge opinions on bird and wildlife problems our members may be experiencing. Please note that prices used in this calculation are very conservative and in reality, could very well be 250% higher based on current stock prices.

In 2016, we undertook a survey on nuisance birds, which found the following results:

- Cockatoos, crows and starlings were reportedly the most common pest bird to cause damage
- Native hens, ducks, skylarks and sparrows second most common

<sup>3</sup> Statham M and Raynor P (1995) Loss of pasture and crop to native animals in Tasmania. Proc. 10th Australian Vertebrate Pest Conference 171-176.

<sup>4</sup> Statham M (2000) Demonstration of the economic benefits to grazing from effective wallaby control. Report to the National Feral Animal Control Program, Bureau of Rural Sciences.

<sup>5</sup> Donaghy DJ and Tegg R (2001) Report on effects of wildlife on pasture growth at Elliot Research & Demonstration Station, 2000-2001. (Industry report: TIAR).

- Common examples of type of damage done by pest birds include ruining seedlings, contributing to poor pasture germinations, destroying fruit, crows killing lambs.
- Most common method for reducing pest birds is shooting.
- 30% of respondents cited damage costs vary between \$5,000-\$10,000
- It should be noted that a number of these species are invasive and pose a significant environmental risk to native bird species as well as being potential vectors for disease.

Wildlife survey completed in 2018 found these results:

- Wallabies and possums the most common wildlife to cause damage
- Forester kangaroos, nuisance birds (as above) and fallow deer second most common
- Types of damage occurring by wildlife include pasture and crop losses
- Most common method for reducing wildlife is shooting, then fencing, and in some instances 1080 use
- Average damage costs to individual farmers is \$4,500 with some incurring costs over \$10,000 annually, on a State-wide basis this indicates that losses of more than \$30m are likely.

## **GOVERNMENT'S PROPOSED FIREARMS POLICY**

### ***Establish the Tasmanian Firearms Owners Council***

As the State's peak farming organisation, we are asked to take part in several consultation committees, on everything from land tax and planning, through to firearms and forestry.

The previous Firearms Consultation Group was made up on 11 diverse organisations that were there to represent the interests of their members. We all understood that the recommendations that came from this group would follow due process before parliament and the people.

The TFGA is supportive of the establishment of the Tasmanian Firearms Owners Council on the basis that TFGA has three representatives around the table.

### ***Improve the Interaction between Firearms Services and Firearm Owners***

Firearms Services (FAS) has an important role to undertake in issuing firearm licences and the registration of firearms. There are improvements that can be instigated by FAS to assist firearm owners, but also assist FAS efficiencies and improve security of information and data.

A good example that will assist FAS and firearms owners is to change the way firearm owners apply to renew their licences prior to their expiry. Currently, firearm owners must reapply for their licence instead of renewing. By instigating a renewal process for licences, instead of having to do a new application, there would be a clear improvement to the current administrative burden.

The TFGA request that a renewal system is implemented whereby if there are no changes the licence holder undertakes a renewal. A similar example is when people renew their vehicle licences.

### ***Establishing a New Tasmanian Competition Shooting Range***

The TFGA supports the Government assisting existing gun clubs with meeting any new requirements relating to standards or compliance issues to maintain competition shooting ranges across the State.

Before establishing a new Tasmanian, competition shooting range the Government should be supporting regional gun clubs.

### ***Broader Firearms Training***

TFGA supports the Government policy to end the exclusive, single provider model, and recommends that there is a minimum of three providers available that our members can consider for firearms training.

The TFGA request the State Government endorses the position to have a minimum of three firearms training providers.

### ***Extend Periods of Licences***

The Government proposed policy to extend period of firearms licences to up to 10 years has been a very contentious issue portrayed in the media. There have been comments that this proposed policy would breach the National Firearms Agreement (NFA). Under section 34(d) it does state a licence be issued for a period of no more than 5 years. Queensland and the Northern Territory both offer licence options of up to 10 years, the suggestion and media comments that the NFA is strictly adhered to by all participants is demonstrably false.

Notwithstanding this, the TFGA supports the current legislation whereby primary producers can apply for licencing of firearms up to five years, based on the licence being a renewal system, not a reapplication. We also support the proposal to increase the category C licences for employees engaged in primary production to two years.

### ***Infringement Notices for Minor Storage Offences***

In December 2017, there were a raft of changes introduced to strengthen the firearm storage requirements, as detailed under the *Tasmanian Firearms Regulations 2016*. These included:

- The thickness of the stored receptacle eg. safe
- How the receptacle is fixed to a wall and floor
- Storage of ammunition
- Requirements for Category H Firearms or where 10 or more firearms are stored

This means Tasmania has some of the strongest firearm storage laws in Australia. The proposed changes are not about weakening firearm laws but being practical and equitable when applying the law to potential breaches of the legislation. TFGA doesn't believe it is reasonable for a primary producer, who has a firearm licence, to forfeit their licence and firearm if a stray bullet is found in their vehicle. Penalties should be relevant to the breach.

The TFGA believes there is an opportunity for the Government, and the proposed Tasmanian Firearms Owners Council, to examine a better approach to deal with storage laws in order for penalties to better reflect the extent of the breach.

### ***Finalise an MOU between the Government, Tasmania Police and the TFGA***

In 2006, there was a Partnership Agreement between Tasmanian Police and TFGA. The desired outcomes of the agreement were to identify new opportunities to promote safer communities and prevent crime. Particularly a focus on improving communications between Tas Police and TFGA and the its members; and improve communication and increased awareness of the Bush Watch and Crime Stoppers programs. This agreement has now lapsed.

There has not been any meeting or discussion to instigate such an agreement other than an indication that such a proposal may have some worth moving forward. The focus on this issue has no substance

other than perhaps there may be merit in pursuing it further, once again the assumptions and ill-informed comments within the media have distracted from the core issues that need to be addressed.

The TFGA would hope that there isn't a need for a formal agreement to recognise that firearms are tools-of-trade and need to be available, and carried, in the best form and function for primary producers to discharge their responsibilities as safe, efficient and humane practitioners in their industry. However, if a formal agreement clarifies the reasons why primary producers have firearms to Government, Tasmania Police and the community, we will strongly consider such an agreement.

To the specific points in the Governments proposed policy concerning the MOU:

#### **In use -**

The TFGA agree that changes need to occur to the 'in use' provisions of the Firearms Act.

TFGA receive considerable concerns from members in relation to the definition of a firearm "in use" and its practicality in the daily operations of primary producers. The Act does not have a term to allow for the general practical use of the firearm for the conditions it has been licensed. There are many occasions when it is impractical and unsafe to have hold of the firearm whilst conducting the business of primary production.

The series of interpretations as they currently stand do not have enough scope and do not permit a licence holder to do anything but physically hold or fire a firearm. The inclusion of a definition for "in use" will allow a primary producer to use and/or convey a firearm as required for farming operations, outside of storage conditions, including the cleaning, demonstrating and maintaining of firearms.

#### **Users of Category C –**

The TFGA believe primary producers should be able to access Category C firearms that suit their requirements.

The TFGA support the inclusion of contractors and agents of primary producers to be able to hold Category C licences for standard crop protection and pest control purposes.

This is providing those contractors or agents a tool that is fit for purpose. In this instance it is to control wildlife on farms.

To assist with verifying who can hold a Category C licence, it should be stated on the firearm licence card that this licence allows the user to control pest animals.

#### **Sound suppressors –**

The TFGA agree with the Government's proposed policy to allow primary producers to own and use sound suppressors.

A report<sup>6</sup> prepared by Edith Cowan University investigating the use of sound moderators on firearms found that the advantages outweigh the potential disadvantages, especially when considering the distinction between two similar societies; that being Australia and New Zealand. New Zealand does not control sound moderation devices of firearms in any way, however in all Australian States (New South Wales now allows sound suppressors under permit) their use and possession is not permitted.

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<sup>6</sup> MacCarthy, M., O'Neill, M., & Cripps, H. (2011). An investigation into the use of sound moderators on firearms for game and feral management in New South Wales. NSW, Australia: Game Council for NSW.

The lack of extensive criminal misuse of moderators in New Zealand is highlighted as one of a number of valid reasons why Australian regulatory entities should re-consider whether the very low level of possible detriment, outweighs the benefits of sound moderation in firearms.

The advantages presented in this report found that the use of sound suppressors provided prevention of hearing loss and tinnitus; increased accuracy (in many instances); reduced perceived recoil; reduced livestock disturbance; facilitation of more efficient animal husbandry and animal welfare outcomes.

The Alternatives to 1080 Program also found that a firearm suppressor can increase the effectiveness of shooting in achieving crop protection against wildlife.

### **Clarifying Requirements for Responsible Firearms Owners**

The TFGA supports the Government's approach to clarify certain requirements for responsible firearms owners, specifically those relating to primary producers, being:

- Re-define the term "manufacture".
- Review and develop a useful and safe protocol for the carriage of firearms in public places in vehicles to deal with all practical circumstances.
- Full review of "military appearance firearms. TFGA believes when granting a person, a licence or a permit to acquire a firearm it should be based on the action of that firearm not its appearance.

The TFGA believes it is critical that government focus on changes to improve firearm legislation that is cognisant of the need for primary producers to continue to access effective pest management and animal welfare tools and focus on addressing the heart of the problem, that being criminal misuse of firearms, rather than those who consistently abide by the law. The TFGA has not and does not support breaches of the NFA where there is consistency across the country, however there are recognized areas where the NFA can and should be improved.

Please contact the TFGA if you require any further information.

Yours sincerely,



**Nick Steel**

Acting Chief Executive Officer

26 October 2018