

officeofnatureconservation@act.gov.au

Conservator of Flora and Fauna

c/o Senior Director, Office of Nature Conservation

City and Environment Directorate

GPO Box 158, CANBERRA ACT 2601



This is a submission from the Animal Protectors Alliance (APA) on the Nature Conservation (Buru—Eastern Grey Kangaroo—Draft Controlled Native Species Management Plan) Public Consultation Notice 2025 - Notifiable instrument NI2025–604 - draft Kangaroo Management Plan 2025.

General comments

Like its predecessors, the draft KMP 2025 is a document full of smoke and mirrors designed to obfuscate the issues surrounding the ACT government's policy of killing healthy kangaroos, and professing evidence which does not exist. Not a single shred of evidence that kangaroos have any deleterious environmental impact is included or referenced in this draft, only citations of previous assumptions and assertions that have never been supported by evidence.

At 122 pages long, the document contains a morass of jargon, most of which is repeated many times and appears intended to blind the reader with shoddy science. This makes the document almost unreadable; presumably this is the authors' intention. The coloured graphs and tables show nothing that appears to be relevant to the question of whether (let alone how) kangaroos need to be managed in the ACT.

The brand new "Robokill" formula for estimating population growth rates is meaningless because it does not state what percentage or range of percentage annual increases in population it will assume in what circumstances. It reads like the work of someone pretending to know something about statistics but knows nothing at all. It should explain each step of how the calculation works with examples and explanations.

While the draft document has been released for public comment it provides no actual opportunity to consider all viable options or whether any options at all are necessary. The Conservator has advised that **no changes would be made to the stated "primary goals"** of the KMP, noting these goals as follows:

The goals are to maintain populations of Buru as a significant component of the ACT environment while managing and minimising **their negative environmental**, economic and social impacts. (Letter from Bren Burkevics inviting public comments),

Apparently, the Conservator's purpose in making such an outrageous decision, which in no way, shape or form reflects government policy, is to preclude any refutation of the foundation assumptions underpinning the slaughter. By working from the false assertion that kangaroos have a negative environmental impact into the primary goal of the KMP, as though it were a matter of fact, he is attempting an egregious ploy to render that assertion unassailable. But the truth will come out, and nothing will stop opponents of the slaughter from demanding that the primary goal be changed to remove this dirty trick from the goal. We would be happy with:

The goals are to maintain populations of Buru as a significant component of the ACT environment while managing the positive and any **negative economic and social impacts**.

Naturally, we will always oppose any suggestion that ‘managing’ means killing.

With a steady stream of misinformation, previous versions of the KMP have tricked the ACT government (Ministers and MLAs) into believing, and supporting a policy that mandates the killing of thousands of healthy kangaroos. Consequently, our lawmakers have been hoaxed into enshrining this horrific policy into law. This new draft KMP simply repeats the deception.

Insult to First Nation People

For the draft KMP 2025 the use of the First Nation term “Buru” to describe Eastern Grey Kangaroos is a gross hypocrisy. It is an absolute insult to the First Nations peoples who protested at the Belconnen Naval Transmission Station in 2008 and, together with other protesters, witnessed the horror of the killing of those kangaroos, with some First Nations people even being arrested.

It is also an insult to the First Nation people who have fought so hard and successfully to inform other nations of the cruelty and environmental vandalism of Australia’s kangaroo meat and skins export industry.

The Public Consultation process

The “consultation” itself lacks transparency, failing to show how stakeholder views have been considered in the drafting process. The Animal Protectors Alliance is just one of a number of interest groups closest to the kangaroo issue who have made numerous submissions in the past, all of which have then been flagrantly disregarded. This creates a burden on stakeholders as they are forced to produce large quantities of high-quality evidence on a recurring basis, only to have it arrogantly and routinely ignored.

You should note that this submission will be published on our website and the link will be shared with other animal and wildlife advocacy groups around Australia and the world. The PhD thesis recently published by Dr Kathleen Vavarro, will also be widely distributed. This thoroughly documented history and analysis of the ACT kangaroo issue, especially the actions of the ACT government, will lend considerable weight to the work of animal welfare and wildlife groups over the last several decades.

The broad-based consultation process outlined in the letter to stakeholders is not being administered according to the best practice consultation guidelines produced by the Department of Prime Minister and Cabinet’s Office of Impact Analysis (OIA). Can this “consultation” be anything but a pointless exercise?

It appears that the Conservator of Flora and Fauna, who has overseen and approved the current draft plan for the ongoing killing of kangaroos in the ACT, is also the person charged with reviewing public submissions that have been invited for comment on the draft plan. We remind the Conservator of their functions under the Nature Conservation Act 2014, Chapter 2, Part 2.1, Section 21.

This is an inexcusable conflict of interest. It guarantees, once again, that not one of the wall-to-wall errors of both science and ethics in the draft plan (and the previous plans) will have any hope of being corrected. Submissions opposing the draft KMPs have always outnumbered those supporting it, and yet no changes have ever been made to those drafts recognising anything reported in those opposing submissions. Presumably because the same person (the Conservator) who has committed himself to the Plan by approving it has a strong vested interest in not changing it, no matter how many scientific and the ethical travesties are revealed and reported in submissions.

If the Conservator wishes to save himself the public embarrassment of being outed in an undeniable conflict of interest, section 22 allows him to delegate this function. In no way does this mean to the consultant (Georgeanna Story) who has been contracted to draft the KMP 2025 be involved in reviewing the submissions. With her close ties to the ANU Fenner School she would be the last person who should undertake this work. Our preferred option is to call for nominations across the community sector to form an independent committee to review the public submissions. Such a committee should include only persons independent of the ACT government and without any vested interest in animal killing programs (for example it would not include anyone from the Fenner School or consultants who work in the 'pest' management space).

These persons should have standing in: ecology (but not 'applied ecology'); animal advocacy (one from both the RSPCA and another from an organisation more independent of government, such as Animal Liberation, Animal Protectors Alliance, Humane World for Animals or Animals Australia); a veterinary practitioner; an expert in wildlife rescue, rehabilitation and translocation, who could be nominated by Wildlife ACT, Wildcare Queanbeyan or Save Canberra's Kangaroos; a plant scientist (eg nominated by CSIRO Plant Industries); and a statistician not employed by the ACT government.

Maintaining populations of kangaroos

It is very clear that maintaining populations of kangaroos in the ACT is not the goal of this or any previous KMP.

For example, we note the KMP authors' obstinate and perverse refusal to construct wildlife-friendly roads across Canberra. Chapter Two of the draft KMP 2025 acknowledges that kangaroos are disproportionately the victims of vehicle crashes in the ACT, and yet nothing of any significance has been done over the last 24 years to address this. Time and time again letters have urged MLAs and the Environment and Planning Directorate to build wildlife corridors and retrofit existing road infrastructure with strategic fencing, virtual fencing and vegetated over and under passes. Even cost-effective mitigation strategies such as reduced speed limits at collision hotspots, speed bumps, better lighting and speed cameras, all of which can be put in immediately, have been ignored. Another option would be to introduce a wildlife safe rebate scheme similar to the ACT government's solar rebate to help people buy and install high-frequency vehicle protection devices.

The collision hotspots around Canberra are well known. If the ACT government cared about wildlife protection and environmental conservation, then the answer has been staring it in the face for the last 24 years, that is - to build wildlife-friendly road infrastructure as recommended by the Legge Report 2024. Building vegetated overpasses to allow people and wildlife to pass safely in and around Canberra would, additionally, be a huge winner for ACT tourism.

Despite these strategies also being recommended in the Legge Review, the draft KMP Plan 2025 avoids implementing Recommendation 5.2 by requiring yet a further review. It is just another cynical tactic to make kangaroos appear to be a problem so Canberrans turn their anger towards them when the ACT government is very clearly the real culprit.

Another ACT government "anti-kangaroo" policy is the decision to continue prohibiting the care, and rehabilitation of kangaroos in the ACT. Without doubt this policy is profoundly immoral and cruel in the extreme to both kangaroos and humans. There is no possible excuse for treating kangaroos differently from any other native or domestic animal. It is pure, bloody-minded cruelty, no more and no less.

The policy is cruel to the animals who have been hurt or orphaned, usually as a direct result of human activity. However likely their recovery, if they were to receive timely veterinary care, they are deprived of any opportunity to continue their lives - lives that are, presumably, as important to them as our lives are to us. It is also viciously cruel to humans, both adults and children, who accidentally harm a kangaroo or stop to help one. Children, especially, have been permanently traumatised to learn that an animal their car has hit has been, instead of receiving help, snatched away and killed.

The draft KMP 2025 should more aptly named the ACT government's Kangaroo Extermination Plan. That is the plan's "motivation" and "mode of delivery". This is the opposite of the Plan's claimed goals of "maintaining viable Buru populations for their ecological and cultural benefits ...". The real reason for the KMP is to maintain the government's profit-sharing revenue received from urban developers and rural lessees.

A further demonstration of the KMP authors' lack of concern for maintaining kangaroos populations in the ACT is the prohibition on translocating kangaroos whose home ranges are being obliterated by development or who are trapped, for example by development, fencing, fire or floodwaters. This failure is a cruel and irresponsible dereliction of a basic moral obligation. The ACT government itself conducted a successful and harm-free translocation of kangaroos from Government House in the early 1990s. The Wildlife Foundation monitored the ones who were moved and witnessed no signs of any welfare issues.

Other highly successful translocations of very large numbers of kangaroos have been successfully conducted in other States, without harm to a single animal. We know this because we have participated in one. The government's rejection of this option is just another indication of its cruel and bloodthirsty commitment to colonial Australia's rusted-on killing culture.

As for fertility control, the equation is simple - forced chemical reproduction used on 70% of the female population together with the annual shooting of kangaroos will result in their complete extinction from Canberra's urban nature reserves.

KMP proofreaders, please note: There are editing errors on P.18 and p.94-95, p.98 and p.107 Description and Relevant Policies - last column. The paragraph refers to Buru Management Units (BMUs) then the wording in italics underneath refers to KMU. As does Table 6 p73. Also some KMUs are marked with an asterisk and no explanation at the bottom of the table.

Animal welfare issues

In Chapter 3, the draft KMP 2025 attempts to justify the cruelty of killing healthy kangaroos, decapitating their babies, bashing them to death or orphaning them to an even crueller death, by citing the "concept" *One Welfare Framework*. The objectives of the One Welfare Framework are:

1. **Promote High Welfare Standards:** The framework advocates for better understanding and implementation of high welfare standards in farming and animal care, which can lead to improved productivity and sustainability.
2. **Address Global Challenges:** It recognizes the pressing issues related to animal welfare, such as food safety, climate change, zoonoses, and biodiversity loss, and aims to mitigate these challenges through sustainable practices.

3. Support Sustainable Development Goals: By increasing education and awareness, the One Welfare Framework supports the implementation of sustainable development goals, emphasizing the importance of animal welfare in achieving broader societal objectives.

Notably, these objectives have very little to do with the actual welfare of animals. While, if they were honestly administered, they might be expected to ameliorate some of the worst human causes of animal suffering (by improving standards in farm animal care and by addressing the impacts of humans on the environment and climate), that is the meagre limit of their attention to the wellbeing of animals.

“Welfare” that does not address the wellbeing of all animals as sentient individuals is just another way of putting human greed first. After 10,000 years of human history, we know too well what happens to animal welfare when it becomes a subset of human priorities, especially economic priorities and human egos.

The draft KMP 2025’s cavalier attitude to actual animal welfare is a quintessential example of how easily this Framework can be perverted. It is a sick joke to say the draft KMP 2025 ensures kangaroo welfare when killing them, often horrifically, is the legislated, routine and culturally rusted-on method for management.

International principles of ethical wildlife control

The draft KMP 2025 also commits to supporting the seven international principles of ethical wildlife control:

1. Modify human practices to address the root causes of human-wildlife conflict.
2. Justify action with evidence that substantial harm is being caused to people, ecosystems, or other animals.
3. Set clear and achievable outcome-based objectives that are continuously monitored and adaptive.
4. Prioritize animal welfare by choosing methods that cause the least amount of harm to the least number of animals.
5. Evaluate social acceptability of practices through an open process of community engagement, informed by relevant science.
6. Include long-term systematic planning to ensure sustainable solutions and avoid senseless killing.
7. Base decision-making on the specifics of the situation, not on negative labels applied to certain species.

The draft KMP blatantly defies all these principles:

1. The ACT has done absolutely nothing to **address the root causes of human-wildlife conflict**. The government has continued to swiftly and steadily steal the remaining kangaroo habitat in the ACT for rampant development which harms humans as well as wildlife. The only winners are greedy developers and government coffers (via more rates revenue and of course, its profit sharing arrangement with developers). Additionally, the current draft KMP 2025 completely omits Dr Legge’s welcome recommendations for addressing the ‘conflict’ with motor vehicles.
2. In seventeen years and three KMPs the government has done nothing truthful to **justify its action** of killing kangaroos. It has produced **no evidence whatsoever that any harm is being caused to**

people, ecosystems, or other animals. In fact the reverse is true. Overwhelming evidence has emerged that the government's kangaroo killing action is actively harming people, ecosystems and other animals (notably the Earless Dragon).

3. The government has never implemented any program to **monitor or adapt** its killing program in the light of any evidence of benefits (or deleterious impacts) on people, ecosystems and other animals. In fact, all we have seen is an uncompromising focus on shooting healthy kangaroos to reduce their populations. No initial or ongoing monitoring has even been attempted to measure changes in biodiversity since the 'culling' started. Instead, all the government seems to be capable of measuring is grass height and structure, as if that could be remotely relevant to anything.

In terms of other species, we know assertions that kangaroo grazing might impact on any listed threatened species is just "PR" because Don Fletcher, the ACT government's expert witness, told us so at ACAT 2013. We would know it anyway, because no evidence has been produced to suggest that kangaroo grazing has somehow added to the extensive threats already threatening listed species. In fact, in one case, the status of one threatened species (Earless Dragons) that is known to be highly dependent on the varied vegetation maintained by kangaroo grazing has been raised from endangered to critically endangered since the killing started.

4. The ACT government has **chosen methods that cause the greatest amount of harm to the largest number of animals.** For one thing, it chooses to kill female kangaroos with both pouch and at-foot joeys, and mandates the bludgeoning or decapitation of those babies. The draft KMP 2025 claims that the shooting is conducted at a time of year which minimises the number of young to be killed. This is not only a lie; it's a blatant lie! Kangaroo joeys take 18 months to become independent of their mothers, and shooting is conducted every year. Is the government unaware that 12 months is shorter than 18 months, or does it think the public cannot count?

Furthermore, the time of year the KMP mandates for shooting not only fails to protect a single joey. It is the time of year when injured and orphaned animals will suffer most from the killing, due to hypothermia. It is also the time of year when the chances of clean shots that kill animals instantly are undermined because of the impacts of cold, rain, wind and fog on shooting accuracy.

We note that in an email to APA, the Conservator has admitted, in writing, that the killing continues in all weather conditions, despite the Code of Practice prohibiting shooting in conditions where a clean shot is uncertain.

We are well aware that farmers like to kill kangaroos in winter because it leaves more grass for ewes who will be feeding lambs in the spring. While this may be the reason why greedy farmers are permitted to kill run winter. It is no excuse for killing kangaroos in winter on nature reserves where sheep do not graze.

5. The government's attempts to survey **social acceptability** of the slaughter is statistically invalid. Biased surveys such as Micromex have been deliberately designed to confirm what the ACT government wants to hear and therefore do not, in any way reflect, the majority of Canberrans' views. The people surveyed are always too small, and often the respondents seem to be selected from community groups which (for whatever bizarre reason) are well-known to support killing kangaroos.

The survey results are also skewed by leading questions. For example (not necessarily these exact words): "Do you support the killing of kangaroos to protect the environment?" The question implies

that the slaughter of kangaroos is in some way about protecting the environment. Yet (see International principle 2, above) there neither is nor has ever been any scientific evidence supporting this assertion.

The draft KMP 2025's "social concerns" also conveniently overlook other sources of community feedback such as letters to Ministers, letters to the government, letters to newspapers. **The ACT government may try to convince the public that it is generally on side with killing healthy kangaroos. However, substantial opposition from informed groups and individuals has been unremitting: including that from long standing animal rights and welfare groups, legal bodies, political representatives, scientists (including ecologists specialising in kangaroo ecology), and the general public, both within Canberra and internationally. Petitions started last year garnered more than 90,000 signatures in less than 12 months, and in previous years have attracted more than 100,000 signatures in opposition.**

6. The ACT government has not undertaken any **systematic planning**, but has undertaken a great deal of **senseless killing**. To have systematic planning, you have to have some evidence that some kind of plan is needed, and some kind of measurable objective other than the number of animals you have managed to senselessly kill. If you honestly believed that kangaroos pose a threat to other native animals and plants, you would monitor the impacts of killing them on all those other species, taking into full account all the other factors/impacts that might skew trends in those populations in misleading directions (eg habitat loss resulting from development, road widening resulting in increasing road deaths, and longer, more frequent and more severe droughts due to climate change).
7. From the start the ACT government has **negatively labelled** kangaroos as a problem despite the absence of any evidence to suggest they are or have ever been a problem, other than for a few greedy farmers who have stolen their land, then degraded that land with inappropriate livestock grazing, and now want someone to blame.

If the ACT KMP had actually employed a single one of these ethical principles it could well have improved the outcomes for other species as well as saving the lives of forty thousand plus kangaroos.

Code of Practice

The National *Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes 2014* was legislated as a disallowable instrument (which a lazy and ignorant ACT Assembly tragically failed to disallow). It is now listed as the ACT's own Code of Practice under the ACT Animal Welfare Act.

The government touts adherence to this Code as demonstrating the government/s killing program is 'humane'. This is an outright lie on two counts.

Firstly, while a Code of Practice might set a few minimal standards for the treatment of animals by those operating in an industry or trade that exploits animals, the purpose of an animal welfare Code of Practice is NOT to ensure humane management. It is to exempt the humans whose work is covered by the Code from prosecution for acts of cruelty to animals for which any other citizen would be prosecuted.

Among many other examples, some of the cruelties permitted under these Codes include: keeping layer hens in battery cages: bashing pouch joeys of 'culled' macropods to death: and poisoning so-called 'pest' animals in excruciating agony with 1080. Another example of the ACT government's morally

reprehensible 'lawful' cruelty to kangaroos is to shoot healthy kangaroos who are trapped behind fences and have no way out, in particular, areas such as the Mulligan's Flat research facility. Shooting a trapped animal that has no hope of escape is an unforgivable cruelty. It is akin to "canned hunting".

Secondly, to make matters worse, the shooting under the KMP does not even comply with this minimalist Code of Practice. As noted above APA has an email from the Conservator for Flora and Fauna that explicitly admits that "undertaking the 'conservation cull' during all weathers and conditions is normal" in direct defiance of one of the few "must not" clauses in the Code which states:

*'Where **the conditions** are such as to raise doubts about achieving a sudden and humane death, shooting **must not** be attempted.'*

Wind pushes bullets off course. Highly skilled shooters can adjust, to some extent, to steady high winds, but not to unpredictable gusts of blustery wind. Cold air increases air density which slows the velocity of bullets. Unpredictable gusts of cooler air cause moment to moment changes in air density. Again this makes it difficult for shooters to compensate because they do not know how dense the air is going to be or which way it is going to be blowing from one moment to the next. Wind also hinders visibility in bushland areas where trees that are between the shooters and their targets are in motion. Rain and fog make guns slippery and hinder visibility. Cold increases air pressure, reduces tactile sensitivity, affects the combustion characteristics of propellants, and causes shifts in the viscosity of lubricants.

The email from the Conservator admitting that the kangaroo killing blatantly breaches the Code followed a complaint from APA that deep blood puddles were found across nature reserves on days after shooting occurred during gusty winds. Photographic evidence was attached. The quantity of blood in one puddle left no doubt that the animal's heart had continued beating for a considerable time after it was shot. The Conservator responded to this point by informing us that blood stains and blood trails are also "normal" - but our complaint and photographs were not about blood stains or blood trails. They were about deep blood puddles. The Conservator failed to comment on this matter altogether.

As well as causing terrible suffering towards animals, this government policy of turning a blind eye to reckless shooting is going to kill or seriously wound a human, sooner or later. Numerous reports to the ACT government during previous year's 'culls' show how dangerously unsafe shooting has taken place close to public roads such as Mugga Way, and to private homes., especially in Red Hill.

Information from the NSW government states that: "Shooters should aim to practice at least once or twice a month to maintain their skills. Regular testing and practice are essential for all shooters, whether beginners or experienced, to ensure they remain skilled and safe."

Far from redressing the incompetence of the government's hired guns, we learn on p.103 of the draft KMP 2025 that the ACT government is trying to sneak in retesting every two-three years. Definitely a recipe for manslaughter as well as cruel deaths for hundreds of animals. If a shooter fails the shooting test in the first place, then they should be disallowed from retesting full stop!

Potentially adding to the ACT government's cruelty to kangaroos is the introduction of the "penetrating captive bolt device". A report by the Australian zoologist entitled *Animal welfare and the killing of wildlife by captive bolt in Australia* states "there remains a paucity of peer-reviewed literature about animal welfare and the use of captive bolt devices to kill wildlife in Australia." The report recommends further investigation is needed prior to using any captive bolt device on Australian wildlife. One question

noted is whether thresholds and reporting systems have been established. The development of protocols does not appear to have been considered.

This reveals a stark double standard. On the one hand, the government is introducing another potentially horrific method of killing kangaroos, while at the same time deciding to institute a review before implementing Dr Legge's recommendation for cost-effective road death mitigation strategies. Yet these strategies need no further testing because they are tried and true. What is more, reduced speed limits at collision hotspots, speed bumps, better lighting and speed cameras, which are well proven to save kangaroos and other wildlife, not to mention motor vehicles, could be installed immediately.

Proposal to downgrade the Code to a non-statutory 'standard operating procedure'

Would downgrading the Code of Practice to a non-statutory 'standard operating procedure' reduce the chance of officials facing judicial punishments if they recklessly inflict suffering on kangaroos? Under the Code they would be protected from legal action only if the cruelty inflicted adhered to the Code.

Presumably without the legislated Code, the treatment of kangaroos would revert to the coverage of the broad clauses of the Animal Welfare Act which clearly prohibits acts of cruelty such as bludgeoning and decapitating baby animals. We would have to get clear legal advice on this issue before offering an opinion.

The government's alleged reasons for killing kangaroos

Without any evidence whatsoever, the draft KMP 2025 asserts that kangaroos need to be "managed" because they can reach population levels where grazing can negatively impact grassy ecosystems. This is utter nonsense. The government has never produced a shred of evidence to suggest that the occasional relatively high populations of kangaroos (which occur only in years when food and other resources for all species are plentiful), correlate to negative impacts on grassy ecosystems.

The government did not have even a skerrick of baseline data on kangaroo numbers, let alone the condition of other plant or animal species who shared the kangaroos' habitat, before it began its annual killing spree. We know, from FOI material released after the Googong slaughter in 2004, that the motivation behind the government's slaughter was an email from one farmer complaining about kangaroos eating grass he wanted for his sheep, during a drought.

Nor has the ACT government made the slightest effort to assess the condition of biodiversity on any Canberra reserve. Grass height and grass structure tell us nothing about biodiversity. Biomass tells us nothing about biodiversity. The only way of measuring biodiversity is to count the number of each species living in the grass (and broader habitat) and the number of each individual within each species (richness). This study found that some kangaroos were always better for biodiversity than none, that there was no difference in quality of biodiversity between three kangaroos per hectare and one per hectare and that there were no more than three kangaroos per hectare on any of the reserves studied. It is not even referenced in the 2017 KMP, presumably because it blows the government's narrative of kangaroos being overabundant or having any negative impact on ecosystems clean out of the water.

Like all other wild animals, kangaroo populations are controlled by availability of resources. When resources are plentiful for kangaroos, they are plentiful for all the other species sharing their habitat. Kangaroos, along with all other species, thrive in years of plenty. In lean years, all species populations

are likely to decline. This is how nature works! The ACT government seems to have a deluded notion that kangaroos somehow operate outside all these natural processes.

On p.74 the draft KMP 2025 uses these misnamed kangaroo “boom and bust” population patterns as another excuse for slaughtering kangaroos *en masse*. According to the *Kangaroos at Risk* website run by a well recognised independent ecologist and Certified Environmental Practitioner correctly states “While populations may ‘boom’ and ‘bust’, they generally do so smoothly, and for large mammals with a low reproductive rate, slowly (generally over a period of years, in response to prolonged good conditions). ‘Busts’ can be dramatic (for example, when a catastrophic event has a widespread impact on a species or population, such as we are likely to experience with climate change, and a burgeoning human population).”

It seems the authors of the KMP are unaware that because kangaroos are “large mammals with a low reproductive rate”, bearing only one young a year, taking several years to reach sexual maturity, with the ability to engage in natural fertility control (suspension of conception and gestation) when food is scarce.

In extremely lean years, when a population of a species that is already heading for extinction due to multiple adverse human activities, it might make sense to relocate that population to sanctuary conditions, where feed, water and shelter are artificially supplied. Similarly, for an occasional individual of any species who is too far gone to recover from starvation, euthanasia of that individual would be a humane option.

As the APA has reminded the government in our numerous submissions, letters and emails, kangaroos maintain a landscape that naturally supports all the other plants and animals that live in it, and has done so for millions of years. Killing kangaroos, as the ACT government does, results in too much high grass which is not good for any species in the long run, and deadly for some in the short run. Even species that depend on high grass also depend on other species which depend on low grass. This is how ecosystems work. As a keystone species, kangaroos have evolved to provide the perfect mix of vegetation and therefore the perfect mix and variability of habitat for other species.

To openly acknowledge that the total number of kangaroos found within the ACT is not known (p.75) then to state that culling programs target an allegedly “small” percentage of the overall population is nonsensical. You cannot have a percentage, large or small, without a total! Again the KMP authors are trying to bamboozle readers using rubbery figures to make it appear as though the ACT government knows what it is talking about.

The government’s criteria for deciding how many kangaroos to kill

As we have already stated many times, the indicators the ACT government are using to kill healthy kangaroos are misconceived and invalid, as follows.

1. **Kangaroo Density** – As mentioned above, the density of any wild animal species varies with the food supply. Under no circumstances does a higher than usual density of one species suggest “overabundance”. High densities of all the wild animal species in a landscape generally indicate a healthy, productive ecosystem. A low number indicates a less healthy ecosystem.

In a landscape where, under natural conditions, all species have always thrived together, a rising density of one species, accompanied by a falling density of another species, is most likely attributable to some other pressure to which the declining species is more vulnerable than the high

density species, most likely an impact of habitat loss, road deaths, pollution, climate change etc; nothing that has anything to do with the species whose density has increased.

As the ACT government would be aware, the CSIRO study (2014) “could not identify any upper limit of kangaroo density beyond which vegetation richness, diversity and overall condition declines. However few sites had kangaroo densities that exceeded 3 per ha”. A population density of up to 6.98 kangaroos per hectare as stated on p.74 might be possible in a very good year when every other species is thriving; but, unless you have counted the other species, it is meaningless. It is much more likely that this figure was a product of the government’s highly flawed and erring method of estimating kangaroo populations.

2. **Biomass** -The government is using grass heights and structure (essentially still biomass) to measure species biodiversity. Mass is mass, diversity is diversity. They are not the same thing. Grass, at any height and/or structure, is not an indicator of biodiversity. Variety in grass height and structure might indicate the potential for high biodiversity, whereas homogenous grass height and structure might indicate less potential for biodiversity but, without counting species and individuals within those species, either will always be a wild guess. As mentioned above, counting the number of species and the number of individuals within each species is the only way of measuring biodiversity; and biodiversity is the only actual indicator of ecological condition. If the government does not have the resources to actually measure biodiversity then engaging an organisation such as the CSIRO plant industries as it did in 2014 would be needed rather than pretend to know what you are talking about.

There is a strange and twisted logic behind the draft KMP 2025 in that the ACT government is more interested in grass height than the welfare of sentient beings, namely kangaroos and other native animals - but also other plant species and ecosystems. For example, while it is concentrating on killing healthy kangaroos, the draft KMP 2025 admits 95% of Lowland Natural Temperate Grassland and Yellow Box-Red Gum Grassy Woodlands, both of which are listed as endangered ecological communities have already been lost across the ACT due to agriculture and urbanisation (p.69).

Far from addressing this endangerment by curbing urbanisation or making Canberra more nature friendly, the government is hellbent on grabbing every scrap of land it can find, including Lowland Natural Temperate Grassland and Yellow Box-Red Gum Grassy Woodlands, for urban development, and blaming the kangaroos for the loss of these ecosystems. It is a blatant case of “Don’t look at us, look over there!”. It is the tried and true art of scapegoating the innocent for the failures of the State, the art that sent six million humans to their deaths in gas chambers between 1933 and 1945.

3. **Threatened Species** - Killing one species just because another species is failing to thrive due to multiple human impacts is irresponsible and reprehensible. ACT ecosystems comprise hundreds of species, and they are all under pressure from dozens of threats. As noted above, any number of combinations of factors could suppress some species while favouring others. Changes in population of a single species can shed light on the condition of only that species. If a population of a species is threatened with extinction and conditions such as encroaching development or drought are exacerbating the population’s endangerment, then the answer is to translocate the remnants to a sanctuary to live out their lives. Or, in the unlikely event that they are in some way threatened by some other native species sharing their habitat, such as quolls or kangaroos, put an exclusion fence around the threatened species’ habitat so that the other species cannot get in.

The Legge Review

It is unsurprising, though disappointing that Dr Sarah Legge's review simply endorsed every aspect of the government's junk science kangaroo killing policy, without any new evidence or arguments to support it. We note that Legge has published reports on other animals that have been used to direct attention away from profitable but ecologically damaging practices associated with agriculture and habitat destruction.

In private email interrogations by members of Save Canberra's Kangaroos, Dr Legge was able to identify only one scenario in which kangaroo grazing *might potentially* pose any threat to any other native species. She argued that, in a drought, a small, isolated remnant population of a species already recognised as endangered (e.g. by loss of habitat), might have a marginally better chance of surviving if it was not sharing the remnant habitat and food supply with the kangaroos. It would be only a marginally better chance because all the pressures that have caused the species to become threatened in the first place (mainly habitat loss) would remain.

As noted above, surely, if this were ever the case (the government has not cited any evidence that it ever has been the case) the only sane and humane solution would be to translocate the at-risk populations to sanctuary conditions or simply to fence off the threatened species' habitat so that kangaroos cannot graze there. This extreme scenario cannot in any way justify killing thousands of healthy kangaroos, most of whom have every chance of surviving the drought, thanks to their mobility and natural fertility control (suspension of conception and gestation).

The draft KMP 2025 claims that all Legge's recommendations have been accepted. Clearly they have not. Far from accepting Legge's recommendations re addressing the kangaroo/motor vehicle issue, the ACT government is side-stepping the issue and wasting even more public money by engaging yet another consultant to review Professor Legge's recommendation (5.2 regarding motor vehicle collisions with kangaroos). Just do it!

Actual reasons for biodiversity loss and extinctions

At the global scale, most terrestrial biodiversity loss since the beginning of the Neolithic Revolution has been the result of land clearing for human agriculture. Similarly, most of Australia's historical biodiversity loss since white settlement has been the result of land (wildlife habitat) clearing for agriculture, mainly livestock grazing. This was no less true in what later became the ACT than anywhere else in Australia. However, most of the biodiversity loss since Canberra was built has been due to urban development, although agriculture such as livestock grazing still takes a toll.

While the draft KMP 2025 correctly identifies urbanisation, weed invasion and inappropriate grazing or fire disturbance regimes, it then puts forward an obviously wrong conclusion that kangaroos are somehow responsible for damaging the ACT lowland grassy ecosystems. As noted above, scapegoating is a well-recognised tactic governments use to redirect blame in order to avoid taking responsibility for their own mismanagement. A Groucho Marx quote aptly describes the ACT government's predicament "the art of looking for trouble, finding it everywhere, diagnosing it incorrectly and applying the wrong remedies".

Urban sprawl has resulted in a fragmented habitat not only for kangaroos but other wildlife such as possums, wombats, wallabies and endangered reptiles. Managing Canberra's nature reserves does not require the killing of a single kangaroo. It just requires the government to understand and amend its own policies. It is absolutely outrageous to assert that kangaroos must be killed because urban sprawl has caused their restricted movement (e.g. roads and wildlife fencing). Canberra was built across kangaroo

and other wildlife habitat, therefore, the ACT government has an absolute moral obligation to protect our precious kangaroos (and other wildlife) and to conserve the environment. Instead, it seems to be hell-bent on killing wildlife to make way for ever more sprawl and infill in order to maximise revenue from its profit sharing arrangements with developers and rural lessees. (Reference

More idiocy from the KMP

The draft KMP 2025 gets ever more ridiculous as it goes on, even mentioning the use of livestock to reduce high grass biomass. Unlike kangaroos, sheep and cattle, not being a natural species to Australia, really do contribute to environmental damage through overgrazing. Their heavy bodies and hard hooves trample over sensitive grassy ecosystems. Kangaroos' large soft hind feet bounce across the landscape doing no harm.

It is indisputable that the grazing behaviour of cattle who rip plants up by the roots and sheep who gnaw plants down to the rootstock. The ACT government either appears to be wilfully ignorant of. Kangaroos just bite the tops off the plants they like, maintaining a lawn-like meadow, while leaving plants they do not like to provide habitat for species that prefer taller vegetation.

Even the NSW government has acknowledged that kangaroos drink about 1.5 litres a day compared to a sheep's 12 litres. With regard to the impact of kangaroos on climate change, the ACT government has also ignored one of its own consultants who confirmed that "kangaroos produce 12 times less methane than beef cattle" (Vendl C, et al, 2015, quoted by Professor George Wilson, from the ANU Fenner School of Environment and Society).

How could livestock grazing do anything but further harm to native grassy ecosystems?

(Note to KMP proofreaders: On P.79, Section 6.3.3.2. please insert the word "less" in the sentence "kangaroos have between 40% to 60% less of the food requirements of sheep".)

(Note to KMP proofreaders: Page 67 - should read These impacts are summarised in Table 5 rather than Table 4.)

Recommendations

In summary, the APA recommends the draft KMP 2025 be amended as follows:

- 1) Repeal of all legislated versions of the ACT Kangaroo Management Plan and Kangaroo Kill Calculator.
- 2) Amend the Nature Conservation Act 2014 to remove all reference to legal instruments that permit the harming of native animals (other than in cases of immediate incurable suffering where euthanasia is appropriate), and removal of the status of kangaroos as a *controlled native species*.
- 3) Repeal of the National/ACT Code of Practice for the killing of kangaroos and development of a new Code of Practice for the humane treatment of all wild animals in the ACT, prohibiting acts that cause pain or distress to any wild animal thereby committing to the seven International Principles of Wildlife Control.
- 4) End the ACT government's policy of "lethal management" including shooting, poisoning, captive bolt, lethal injection, decapitation, bludgeoning, and forced chemical fertility control of healthy native animals including kangaroos, wombats and dingoes.

- 5) Immediately abandon the killing of kangaroos living in Canberra's Nature Park system, given that there is no plausible scientific argument or evidence that this species does or has ever needed to be managed.
- 6) Establish an ethics committee made up of independent members of the ACT community to oversee all government interventions and interactions that impact on native and naturalised animals, and to ensure that:
 - officials at all levels of government are answerable for misconduct such as providing misinformation to MLAs, the government or the public; endangering human life; and acts of cruelty to animals (eg poisoning, orphaning, bludgeoning, aerial shooting or leaving wounded animals to die); and
 - impacts of government actions are monitored and reported on regularly; and
 - actions are adaptively managed.
- 7) A call for nominations across the community sector to form an independent committee to review the public submissions on any policy or program proposal that impacts on animals (including the current draft KMP).
- 8) Implement without delay cost-effective mitigation strategies such as reduced speed limits at collision hotspots, speed bumps, better lighting and speed cameras. Introduce a wildlife safe rebate scheme to help people buy and install high-frequency vehicle protection devices.
- 9) Build a series of wildlife corridors and retrofit existing road infrastructure with strategic fencing, virtual fencing and vegetated over and under passes (Recommendation 5.2 of the Legge Report).
- 10) An urgent independent recount of kangaroos (with imagery) to be undertaken, and an independent investigation into population trends of all native animals living in the Canberra Nature Park.
- 11) Remove all barbed wire from all wildlife habitat in the ACT.

What is most urgently needed, and the APA has proposed this many times, is for an immediate moratorium on the killing of all kangaroos living in Canberra's Nature Park system, an urgent, independent and actual count (with imagery) of kangaroos to be undertaken, and an independent investigation into corresponding population trends of all native species sharing their habitat.

A dressed up lie is never a remedy. When is the ACT government prepared to admit they have been in error, using junk science to hook-wink Canberrans into believing kangaroos are causing a problem when in fact they have been the victims of an unspeakable cruelty and made to look like the enemy. Instead kangaroos' role in nature needs to be affirmed as a non-human participant in helping to protect what environment is left.

Robokill Calculator

Without a doubt, the most elaborate and immoral ploy of the draft KMP 2025 is the proposal to once again legislate a "formula" as the basis for calculating the number of healthy kangaroos to be killed. Like most of the KMP, it runs on junk science creating the usual garbage in garbage out (GIGO) cycle. If only this amount of effort was put into protecting native animals rather than killing them.

There is, of course, absolutely no need for a kill calculator because there is absolutely no need for any killing. In the course of three KMPs and numerous auxiliary papers, the ACT government has failed to provide any actual scientific argument or evidence to support its view that kangaroo populations do or

have even needed to be managed. However we will briefly critique the alleged science in your *Robokill* program, point by point.

There is nothing in the calculator that appears to take into account interactions between kangaroos and other native animals, especially those who depend on kangaroo grazing regimes for keystone services. In fact nothing in the draft KMP 2025 suggests ecological and biodiversity indices to assess broader environmental impacts.

6.8.1. Conservation Culling Calculator

The purpose of conservation culling in protected areas in the ACT is to maintain densities of Buru at levels that retain conservation values of grassy ecosystems. In particular the aim is to moderate kangaroo grazing effects to achieve a grazing regime favourable for the conservation of plants and small animals that frequent the ground-layer vegetation.

The absurdity of this paragraph is that we know already the government has absolutely no idea what density of kangaroos will retain conservation values under any seasonal or climatic conditions. We know that the “about one per hectare” suggested by Don Fletcher is a “wrong guess” because he told us so at ACAT 2013. He said it was just a natural starting point for working out something more vaguely accurate, “one” being as good a place as any to start any totally wild speculation.

In KMP 2017, this same figure appears to have been elevated to “current knowledge”, in spite of a total absence of any research, evidence or bibliographic citations to suggest there is any knowledge at all on this issue, current or otherwise.

What we do have is CSIRO’s field study conclusion that up to three kangaroos per hectare is just as healthy for the environment as one, and on the reserves examined there were no more than three per hectare. CSIRO could not determine any desirable upper limit of kangaroos per hectare where they might begin to have any deleterious impacts on biodiversity.

The culling calculator takes into account that the heterogeneous pasture structure desired for biodiversity conservation does not develop at either extreme of high or low grazing and is designed to achieve the ‘safe operating environment’ of grassland structure and biomass for each reserve (see Section 4.2.2 of the plan).

It is blindingly obvious that heterogenous grassland structure is best maintained when nature is left undisturbed, i.e. by allowing kangaroos to graze at their natural, unmanaged densities, as they have for millions of years. As always, availability of feed, water and space will ensure that “too many of them” is a biological impossibility because kangaroos have the option of moving to new and empty pastures, very far and fast. If they cannot find feed, they become hunger-stressed, stop breeding and natural attrition restores their population to equilibrium with their feed options.

Any human intervention in this process is guaranteed to be ignorant, clumsy and absurd. We have seen these ongoing counterproductive outcomes over the last seventeen years, as kangaroo killing has resulted in weed and grass infestations that have precluded the survival of many other plants and animals, including Earless Dragons, who thrive in the heterogenous grassland structures that kangaroos naturally maintain.

The (A) target number of Buru to remain after culling is subtracted from (B) the current population, making allowance for (C) population growth in the interim to the next cull. The three components of this formula are explained in the following points (A to C).

A: The target number of Buru to remain after culling

All the material related to this target number ‘to remain after culling’ is irrelevant. Anticipated off-take of grass by kangaroos is meaningless because kangaroos naturally maintain grass heterogeneity at precisely the desirable heights and structure to maximise biodiversity. They bite the plants that they like to eat down to the level (usually around 5-10cm which is the “safe operating environment” for grass height specified by the draft K MP 2025) and enjoyed by creatures that thrive in low grass, while leaving alone plants they dislike to provide habitat for creatures that prefer longer grass. Natural erosion by rain takes care of creatures who like some bare soil.

Unless they are trapped by exclusion fences, extensive water barriers, burning land, or impenetrable suburbs, kangaroos are incapable of overgrazing. When they have eaten all the feed in their preferred dining area, they naturally move on to another. In spite of the old farm fencing and deadly roads surrounding Canberra’s reserves, kangaroos have no trouble ranging as far as they need to go in search of a new dining room. No wild animal just stands there and starves! The entire kangaroo population in the ACT can and will readily spread out to occupy all the remaining grassland in the ACT, and well beyond all the ACT borders into NSW. Meanwhile, if they are suffering hunger stress they will stop their already slow breeding cycles, by suspending conception and/or gestation until the food supply recovers. Natural attrition will quickly reduce their numbers, and no harm will have befallen any component of the ACT’s biodiversity, at least not as a result of kangaroos doing what they have evolved to do.

As we keep repeating, if there was any evidence that kangaroos grazing has ever had any negative impact on biodiversity, why has the government never managed to cite any such evidence?

B: The current population

We already know that the government kangaroo population estimates are both theoretically flawed and demonstrably inaccurate. The kangaroos are not counted; an estimate is based on a sample of those seen along one line of sight. These counts are extrapolated into population estimates on no logical or reasonable basis, given the daily wide-ranging movements of kangaroos.

Furthermore the area surveyed is minimal: limited sites are surveyed and exclude rural land. Given how far and fast kangaroos move around their home range in mere seconds, this estimate guarantees double, triple and quadruple counting. Independent counts routinely contradict the government’s figures.

Consistently lower than intended kills across all Canberra Nature Reserves seem to be recorded by the government. Low kill numbers indicate that actual kangaroo populations are significantly smaller than official estimates suggest.

You do not have to be a statistician to realise that there are glaring flaws in methodology and statistical modelling in the population estimates underpinning the ACT government’s annual kangaroo killing program. Inflated figures and limited survey coverage create a facade of statistical viability that masks overexploitation.

C: Population growth in the interim to the next cull

The formula provided is incomprehensible to laypeople (such as the members of the ACT Assembly who will get the job of allowing or disallowing it). It needs to be explained in terms of the resulting possible range of percentage increase (or decrease in some conditions) in the kangaroo population.

In the current *Robokill* formula, the suggested population growth rate of up to 30% per year is biologically impossible, as anyone with any knowledge of kangaroos recognises. Actual counts and rational estimates suggest 10-11%. For all we know, this new formula might represent a more plausible population growth rate, or an even more outrageous one. How would we know since the “Robokill” document does not tell us? It should explain each step of how the calculation works with examples and explanations.

Blinding people with a poorly constructed statistical formulae in the hope of making their eyes glaze over may be a clever political distraction for fooling ACT Assembly members, but it is an unethical one. What we need is the actual percentage increase or range of percentage increase this formula will suggest in different scenarios on the basis of science, not junk statistics.

Of course, we have seen very little in this draft KMP 2025 or earlier KMPs that could be described as remotely ethical.

Other problems with the Robokill calculator

- The “Robokill” calculator is patently wrong, over-inflating the numbers of kangaroos to be shot, even if shooting, or any form of kangaroo population reduction, were in any way remotely desirable
- It does not capture area size. Area size is simple to calculate for discrete populations on islands but difficult for species that move continuously across a large landscape and are moving all the time.
- It ignores gender. Male and female kangaroos have different home ranges. Females have smaller home ranges than male kangaroos. Killing more of one gender than the other will result in dramatic errors in estimating future population size.
- It ignores the community ecology of all the plants and other animals who share the kangaroos’ habitat and their food supply.
- It overlooks the risks and impacts of climate change: increased drought, fire and flood frequency, combined with unpredictable weather, could push kill levels catastrophically.

The kill calculator is a sledgehammer devised to crack a gumnut, and a totally inoffensive gumnut at that. We feel the built-in incompetence so obvious in this tool aligns completely with the ACT government’s intention to exterminate all the kangaroos in Canberra. The purpose, we assume, is to enable the government to finish grabbing every inch of green space for urban development for profit sharing revenue while the short-memored public forget anything like kangaroos ever lived here.

Frankie Seymour
Co-founder
Animal Protectors Alliance

Robyn Soxsmith
Co-founder
Animal Protectors Alliance

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