

S00098 – Stephen Hurt

4.2 Consultation questions (Kangaroo mitigation - the 121Y licence)

Should all nominated shooters be listed on the landholder's licence to harm, rather than

issuing nominated shooters a separate licence to harm, to reduce administrative effort?

No. The authority licence issued to the shooter constitutes written permission (in conjunction with the written letter of permission from the property owner) in the context of the Fire Arms Act and Regulation. This clarifies any doubt for police officers without having to disturb property owners in the middle of the night.

- Can you suggest any improvements to standard conditions of a landholder's licence to harm?

Yes, the following condition should be dropped.

if shooting occurs within one kilometre of an adjacent property, at least 24 hours' prior

notice must be given to local police and NPWS offices and adjacent neighbours

This implies that permission (or further permission) is required from these sources when it is not.

OEH have already provided such authority in the licence. Granting it again by phone or indeed any other means is superfluous and difficult to substantiate.

Police are usually taken aback when informed of such upcoming events and often ask why they are being advised at all. At least, this has been my experience.

Neighbours that are antagonistic may be lead to believe they have the right of veto - really? Veto pest animal management on a neighbouring property? Perhaps with the right of veto, such neighbours or any agency stakeholders might also be encumbered with compensation liabilities for damage.

For any other form of pest management (declared pests) destruction is a legal obligation - neighbours have no legal capacity to veto these activities. Why for 121Y provisions?

The idea of a 1 km boundary is counterproductive. Safety zones should be subject to individual risk assessment. Obligatory zones contradict this responsibility. If an incident occurs more than 1 km from a boundary, is the shooter absolved of liability? Of course not. Normal OH&S rules should apply. Not arbitrary, and often meaningless "safety zones".

Written (documented) risk assessments are a better solution.