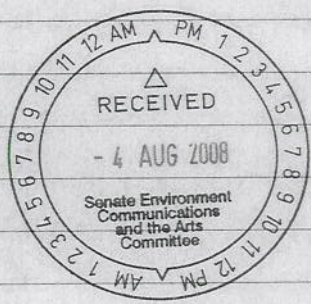


31/7/08

ENVIRONMENT, COMMUNICATIONS AND  
THE ARTS COMMITTEE  
THE SENATE  
PO BOX 6100  
CANBERRA ACT 2600



DEAR SIRS

ENVIRONMENT PROTECTION AND BIODIVERSITY  
CONSERVATION ACT 1999

IN THE CASE OF AUSTRALIA'S MOST AMAZING  
MIGRATORY BIRD, THE SHORT-TAILED SHEARWATER, PUFFINUS  
TENUIROSTRIS THE ABOVE ACT IS NOT EFFECTIVE IN ADEQUATELY  
PROTECTING IT AND ITS HABITAT ESPECIALLY IN TASMANIA.

IN TASMANIA EACH YEAR THIS MIRACLE BIRD  
IS SUBJECT TO TWO OPEN CHICK KILLING SEASONS IN MARCH/  
APRIL, A SO CALLED "RECREATIONAL" SEASON FOR 14 TO 16 DAYS  
FROM LATE MARCH. ANY PERSON OVER 16 YEARS OF AGE CAN  
PURCHASE A LICENCE FOR ABOUT \$25 TO KILL TWENTY-FIVE  
CHICKS PER DAY FOR THE DURATION OF THE SEASON AT  
DESIGNATED COLONIES. ON THE WEST COAST THE BAG LIMIT  
PER DAY IS LIMITED TO FIFTEEN CHICKS PER DAY.

THE CHICKS ARE KILLED BY HAVING THEIR NECKS  
SNAPPED, SUPPOSEDLY IN A HUMANE MANNER. EACH YEAR  
WHEN THE HUNTERS APPLY FOR THEIR LICENCE FROM SERVICE  
TASMANIA OUTLETS THEY ARE SUPPOSED TO BE ISSUED  
WITH AN INSTRUCTION SHEET, A4, ON HOW TO "HUMANELY"  
KILL THE CHICKS BY SNAPPING THEIR NECKS, NO DIAGRAMS,  
JUST TEXT. NO TRAINING IS GIVEN THE NEW HUNTER HAS  
TO WORK IT OUT BY TRIAL AND ERROR. SOMETIMES THE  
INSTRUCTION SHEET IS NOT ISSUED WITH THE LICENCE.  
TASGOV HAS ASKED ITS ANIMAL WELFARE TEAM TO REVIEW  
THE INSTRUCTION SHEET.

IN A BIZARRE TWIST THE PREMIER HAS ISSUED A  
"CONCESSIONS" BOOKLET FOR THE HOLDERS OF VARIOUS CARDS

SUCH AS PENSIONS, RETURNED VETERANS ETC (EVEN STATE (TASMANIAN) SENIOR CARD HOLDERS QUALIFY. TO GET THIS CARD APPLICANTS ONLY HAVE TO ~~BE~~ CERTAIN AGE, IT IS NOT MEANS TESTED. MULTI-BILLIONAIRES CAN OBTAIN ONE) GET A 20% DISCOUNT ON THEIR LICENCE FEE TO INCITE THEM (WITH THE CHEAPER LICENCE) TO GO AND KILL THE CHICKS.

A LOT OF CRUELTY IS INVOLVED IN KILLING THE CHICKS. EACH YEAR THE TASMANIAN ABORIGINAL CENTRE LEGAL OFFICER <sup>TRUDY MALUNGA</sup> DETAILS A CRUCITIES SHE HAS SEEN, CHICKS BEING BASHED ON THE HEAD WITH STONES, BRICKS, STOMPED ON THE HEAD BY THE HUNTERS BOOT, SOMETIMES THE CHICKS ARE HELD BY THE HUNTER AROUND THE NECK AND TWIRLED AROUND THE HUNTER'S HEAD, IN A CIRCULAR MOTION, THIS DOES NOT KILL THE CHICKS. MS MALUNGA HAS SEEN CHICKS STAFFERING AROUND. SHE HAS CALLED FOR THE "RECREATIONAL" SEASON TO BE BANNED. THE TASMANIAN GOVERNMENT WILL NOT DO THIS AS IT IS DESPERATE TO APPEASE THE REDNECKS BY KEEPING THE SEASON OPEN AND THUS BUY THEIR VOTES.

A LOT OF ANIMAL WELFARE AND CONSERVATION ORGANISATIONS SUCH AS RSPCA TASMANIA; RSPCA AUSTRALIA; TASMANIAN CONSERVATION TRUST; AACT (AGAINST ANIMAL CRUELTY TASMANIA); ANIMALS AUSTRALIA (A PEAK BODY); WILDLIFE TASMANIA ECT.

THE REPLIES FROM THE TASMANIAN AND FEDERAL GOVERNMENTS HAS BEEN EXTREMELY NEGATIVE, THERE ARE MILLIONS OF BIRDS, NUMBER TAKEN WILL NOT IMPACT, TRADITIONAL (TRADITIONAL AND CULTURAL PRACTICES CAN NEVER BE A VALID EXCUSE FOR CRUELTY AND KILL FOR THRILLS ACTIVITES) ACTIVITY OF MANY TASMANIANS ECT. A REPLY I RECEIVED FROM MINISTER SARRATT WAS PARTICULARLY PATHETIC, "SHEARWATERS HAVE BEEN EATEN FOR FOOD FOR A HUNDRED YEARS." SO WHAT?! GETTING AWAY WITH SOMETHING ACCEPTABLE FOR YEARS DOES NOT VALIDATE IT!

THE SECOND KILLING SEASON IS THE COMMERCIAL ON WHICH OCCURS ON CERTAIN ISLANDS IN BASS STRAIT, ACCORDING TO THE TASMANIAN GOVERNMENT BY THE DECENDENTS OF THE TASMANIAN ABORIGINIES. THE SEASON LASTS FOR THE WHOLE OF APRIL, I WAS TOLD BY TASGOV THERE IS NO DAILY BAG LIMIT, THE HUNTER CAN KILL UNTIL HE IS EXHAUSTED EACH DAY,

UNDER FOI (TAS) I WAS INFORMED MORE THAN 156,000 CHICKS WERE KILLED IN TOTAL DURING THE "RECREATIONAL" AND COMMERCIAL SEASONS. HARDLY SUSTAINABLE ONE WOULD THINK GIVEN RAPACIOUS OVERFISHING OF THE OCEANS; STRONGER S-W WINDS WHEN THE BIRDS ARE RETURNING TO BREED IN AUGUST INCREASES THE MORTALITY RATE; GLOBAL WARMING OF BOTH POLES WILL AFFECT THE BIRDS AS THEY TRAVEL 40,000 KM FROM WHEN THEY LEAVE MID APRIL AND RETURN TO BREED IN SEPTEMBER; KRILL HARVESTING IN THE SOUTHERN OCEANS HAS REACHED MASSIVE PROPORTIONS.

I TRUST YOUR INQUIRY INTO THE ACT WILL MAKE RECOMMENDATIONS BEEFING UP THIS SPECIES TWICE LISTED (AS MIGRATORY; AS MARINE SPECIES) STATUS UNDER EPBCA AND PROTECTED UNDER THE JAPAN AUSTRALIA MIGRATORY BIRDS TREATY.

IN PARTICULAR THE "RECREATIONAL" SEASON MUST BE BANNED AND PROVISION BE MADE UNDER THE ACT FOR POACHERS TO BE SENTENCED TO JAIL TERMS AND MASSIVE FINES AS A DETERRENT. IT SEEMS IN TASMANIA THE \$5,000 FINE IS NEVER IMPOSED, IT IS LIKELY TO BE FROM WHAT I HAVE SEEN MORE LIKE \$600 WHICH IS A TOTAL JOKE. NO SPECIAL MANDATORY FINES PER CHICK KILLED EXIST UNDER SECTION 32, WILDLIFE REGULATIONS 1999.

THANK YOU FOR LOOKING INTO THIS MOST VITAL ACT,  
YOURS SINCERELY



(BARRY HEBBARD)