

Animal Dealer (Kangaroo) Licence

Part 2 of the *Biodiversity Conservation Act 2016*

Conditions of licence

The following standard licence conditions are effective 1 January 2024.

Interpretation

1. Unless stated otherwise, words and expressions used in this licence have the same meaning as those set out in the *Biodiversity Conservation Act 2016* (BC Act).
2. Terms in this licence are defined at condition 61 below.
3. Headings are not conditions of this licence, they are for convenience only and do not affect the interpretation of this licence.
4. The invalidity or unenforceability of any one or more conditions of the licence shall not invalidate or render unenforceable the remaining conditions of the licence. Any invalid or unenforceable condition shall be severable and all other conditions shall remain in full force and effect.

Contact details

5. The licensee must notify the department prior to or within 7 days of any of the following:
 - a. a change in the authorised representative nominated on this licence
 - b. a change in the licensee's phone number, email address or postal address as stated on the NSW Government's Kangaroo Management Program's digital licensing system known as the Wildlife Management System (WMS)
by either:
 - i. updating the WMS
 - ii. sending an email to kangaroo.management@environment.nsw.gov.au
 - iii. sending a letter to:

Kangaroo Management Program
Reply Paid
PO Box 2111
Dubbo NSW 2830.

Carcass tags

6. The licensee must not buy, sell, import or export a kangaroo skin or carcass that does not have a carcass tag affixed.
7. The licensee must not possess a kangaroo carcass or unprocessed kangaroo skin that does not have a carcass tag affixed unless the carcass tag is removed in accordance with condition 8 below.
8. The licensee must not remove or cause to be removed a carcass tag from any kangaroo until immediately prior to processing the skin.
9. If the licensee receives a kangaroo carcass that does not have a carcass tag affixed, within 24 hours of receiving the carcass or within 24 hours of becoming aware of the carcass not yet being tagged, they must:
 - a. complete and submit an 'Untagged Carcass Report' located on the department's website, or provide such other form or information as agreed by the department with the licensee, within 24 hours
 - b. retain the kangaroo carcass until 5 pm on the next business day immediately after submission of the report, or provision of information, referred to in condition 9(a), unless the department notifies the licensee in writing that this is not required, in which case the licensee must immediately destroy the carcass
 - c. at 5 pm on the next business day:
 - i. retain the kangaroo carcass further if the department has, before that time, instructed the licensee in writing to do so
 - ii. if the department has not instructed the licensee to retain the carcass in accordance with condition 9(c)(i), immediately destroy the carcass.

Storage of kangaroo carcasses

10. The licensee must only:
 - a. store kangaroo carcasses in either:
 - i. a static chiller
 - ii. a mobile chiller
 - iii. a kangaroo processing works
 - b. store unprocessed kangaroo skins at either:
 - i. a kangaroo processing works
 - ii. a kangaroo skin processing works
 - iii. a kangaroo skin storage facility
 - c. process kangaroo carcasses and kangaroo skins at a kangaroo processing works registered to the licensee.

11. The licensee must only buy, sell, import or export kangaroo carcasses or unprocessed kangaroo skins from or to a person who is authorised by a licence issued by the department, or authorised by a corresponding interstate agency, to buy, sell, import or export kangaroo carcasses or unprocessed kangaroo skins. To avoid doubt, the Professional Kangaroo Harvester Licence and the Landholder Kangaroo Harvester Licence do not authorise:
 - a. the sale of wallaby carcasses
 - b. the sale of kangaroo carcasses other than those harvested by the licensee
 - c. the buying, exporting or importing of kangaroo carcasses.
12. When requested by an authorised officer, the licensee must remove carcasses from the static chiller, mobile chiller and/or from their vehicle and present them for inspection by the authorised officer in a manner that enables the authorised officer to inspect individual carcasses for compliance purposes without needing to physically move them.

Minimum weights for kangaroo carcasses

13. The licensee must not buy, possess, sell, import or export:
 - a. a dressed carcass that weighs less than 14 kg
 - b. any other carcass that weighs less than 20 kgwhere the kangaroo was harvested in the state of New South Wales.

Body shot kangaroo carcasses

14. The licensee must not buy, possess, sell, import or export a kangaroo carcass or unprocessed kangaroo skin containing a bullet wound anywhere in the body other than the head.
15. If the licensee receives a kangaroo carcass containing a bullet wound anywhere in the body other than the head, the licensee must:
 - a. complete and submit a 'NSW Animal Welfare Report' located on the WMS or provide such other form or information as agreed by the department with the licensee, within 24 hours
 - b. retain the kangaroo carcass until 5 pm on the next business day immediately after submission of the report, or provision of information, referred to in condition 15(a), unless the department notifies the licensee in writing that this is not required, in which case the licensee must immediately destroy the carcass
 - c. at 5 pm on the next business day:
 - i. retain the kangaroo carcass further if the department has, before that time, instructed the licensee in writing to do so
 - ii. if the department has not instructed the licensee to retain the carcass in accordance with condition 15(c)(i), immediately destroy the carcass.
16. If the department instructs the licensee to retain the kangaroo carcass in accordance with condition 15(c)(i), the licensee must destroy the kangaroo carcass within any time period specified by the department in that instruction.

Record-keeping and reporting

17. The licensee must complete and submit a true and accurate animal dealer's return on the WMS within 10 days of the end of each calendar month.
18. To avoid doubt, where no kangaroo carcasses or unprocessed kangaroo skins are bought, sold or processed in the relevant calendar month, the licensee is still required to comply with condition 17 and a 'nil' return must be provided.
19. To avoid doubt, the licensee must record any kangaroo that is received, but destroyed in accordance with condition 9 and/or conditions 15 and 16 above, in the animal dealer's return mentioned at condition 17 above.

Registration as person dealing in protected animals

20. When an Animal Dealer (Kangaroo) Licence is granted, the licensee is also registered by the Environment Agency Head (or delegate) as a person who deals in protected animals in accordance with clause 2.35 of the Biodiversity Conservation Regulation 2017 (BC Regulation).
21. A fee of \$5,271.00 for registration before 1 July 2024 or \$2,485.50 for registration on or after 1 July 2024 must be paid for the registration referred to in condition 20 above. That registration will expire when this licence expires.
22. The registration as a person dealing in protected animals may be cancelled or suspended if the licensee contravenes the BC Act, the BC Regulation, this Animal Dealer (Kangaroo) Licence, or another statutory instrument made under the BC Act.

Registration and use of a static chiller

23. If the licensee proposes to operate a static chiller that is not at the property where a kangaroo processing works is registered to the licensee, the licensee must register the static chiller with the Environment Agency Head (or delegate) as a premises used by a person for the purpose of dealing in protected animals before storing any carcasses there in accordance with clause 2.35 of the BC Regulation.
24. A fee of \$390 for a registration prior to 1 July 2024 or \$195 for registration on or after 1 July 2024 must be paid for the registration referred to in condition 23 above. The registration will expire when this licence expires.
25. The static chiller registration may be cancelled or suspended if the licensee contravenes the BC Act, the BC Regulation, this Animal Dealer (Kangaroo) Licence, or another statutory instrument made under the BC Act.
26. If the licensee registers a static chiller in accordance with condition 23 above the following conditions apply (conditions 27 to 31).

Static chiller security

27. The licensee must ensure the registered static chiller is safely accessible for inspection by an authorised officer of the department at all times.
28. The static chiller must remain at the property upon which it is registered as specified in the certificate of registration issued to the licensee by the department.

Static chiller signage

29. The licensee must display in a prominent position on the registered static chiller:
- a. the sticker containing the static chiller's current registration number
 - b. the current laminated certificate of registration issued to the licensee by the department.

Static chiller record-keeping and reporting

30. In relation to record-keeping, the licensee must:
- a. record the date of receipt for each kangaroo carcass immediately upon receipt of the kangaroo carcass
 - b. make these records available for inspection by an authorised officer of the department within 24 hours upon request
 - c. complete and submit a true and accurate chiller return form on the WMS each week (for the period Sunday to Saturday). Each form must be completed and submitted no later than the Friday following the end of each weekly period. To avoid doubt, if no kangaroo carcasses are received or dispatched within any week, a 'nil' return must be submitted.
31. The licensee must notify the department in writing within 7 days of any of the following:
- a. a change in the manager nominated on the certificate of registration
 - b. a change in the phone number, email address, residential address or postal address of the manager as stated on the WMS
- by updating the WMS or by sending an email to kangaroo.management@environment.nsw.gov.au.

Registration and use of kangaroo processing works

32. If the licensee proposes to operate a kangaroo processing works, the licensee must register the kangaroo processing works with the Environment Agency Head (or delegate) as a premises used by a person for the purpose of dealing in protected animals before storing or processing any kangaroo carcasses or unprocessed kangaroo skins there in accordance with clause 2.35 of the BC Regulation.
33. A fee of \$390 for registration prior to 1 July 2024 or \$195 for registration on or after 1 July 2024 must be paid for the registration in condition 32 above. The registration/s will expire when this licence expires.
34. The kangaroo processing works registration may be cancelled or suspended if the licensee contravenes the BC Act, the BC Regulation, this Animal Dealer (Kangaroo) Licence, or another statutory instrument made under the BC Act.
35. If the licensee registers a kangaroo processing works in accordance with condition 32 above, the following conditions apply (conditions 36 to 39).

Processing works access

36. The licensee must ensure the kangaroo processing works is safely accessible for inspection by an authorised officer of the department immediately upon request.

Processing works signage

37. The licensee must display at the entrance to the kangaroo processing works, or another prominent position at the kangaroo processing works the:
- sticker containing the kangaroo processing works' current registration number
 - current laminated certificate of registration issued to the licensee by the department.

Processing works record-keeping and reporting

38. In relation to record-keeping, for carcasses received that have not previously been received into a mobile chiller, static chiller, or a kangaroo processing works, the licensee must:
- record the date of receipt for each kangaroo carcass immediately upon receipt of the kangaroo carcass
 - make these records available for inspection by an authorised officer of the department within 24 hours upon request
 - complete and submit a true and accurate chiller return form on the WMS each week (for the period Sunday to Saturday). Each form must be completed and submitted no later than the Friday following the end of each weekly period. To avoid doubt, if no kangaroo carcasses are received or dispatched within any week, a 'nil' return must be submitted.
39. The licensee must notify the department in writing prior to or within 7 days of any of the following:
- a change in the manager nominated on the certificate of registration
 - a change in the phone number, email address, residential address or postal address of the manager as stated on the WMS
- by updating the WMS or by sending an email to kangaroo.management@environment.nsw.gov.au.

Registration and use of a mobile chiller

40. If the licensee proposes to operate a mobile chiller, the licensee must register the mobile chiller with the Environment Agency Head (or delegate) as a premises used for the purpose of dealing in protected animals before storing any carcasses there in accordance with clause 2.35 of the BC Regulation.
41. A fee of \$390 for registration prior to 1 July 2024 or \$195 for registration on or after 1 July 2024 must be paid for the registration referred to in condition 40 above. The registration will expire when this licence expires.
42. A mobile chiller registration may be cancelled or suspended if the licensee contravenes the BC Act, the BC Regulation, this Animal Dealer (Kangaroo) Licence, or another statutory instrument made under the BC Act.
43. If the licensee registers a chiller as a mobile chiller in accordance with condition 40 above, then the following conditions apply (conditions 44 to 60).

Mobile chiller road registration

44. The mobile chiller must at all times during the term of this licence be registered under the *NSW Road Transport Act 2013* or a corresponding law of any other state or territory.

Mobile chiller security

45. When in New South Wales, the licensee must ensure the registered mobile chiller is safely accessible for inspection by an authorised officer of the department at all times.

46. The licensee must inform the department of the intention to transport a mobile chiller outside New South Wales 1 business day prior to departing or returning to New South Wales and must provide the date of departure from and return to New South Wales.

Mobile chiller signage

47. The licensee must display in a prominent position on the mobile chiller the:

- a. sticker containing the mobile chiller's current registration number
- b. current laminated certificate of registration

issued to the licensee by the department when the mobile chiller is registered in accordance with condition 40 above.

48. If the department issues a new certificate of registration for a mobile chiller, the licensee must remove the laminated certificate of registration mentioned at condition 47(b) above from the chiller and replace it (in a prominent position) with the new certificate of registration.

Landholder consent to operate mobile chiller

49. The mobile chiller must not be situated on private property unless the:

- a. licensee has the written permission of the current landholder of the property for:
 - i. the licensee to enter and operate the mobile chiller on that property
 - ii. authorised officers of the department to enter the property to inspect the mobile chiller at any time when the mobile chiller is on that propertyprior to the mobile chiller being on that property, and the landholder permission to operate on the property has not been revoked by the current landholder
- b. property is listed in the mobile chiller properties table in the most recent certificate of registration issued by the department to the licensee in respect of the mobile chiller.

Operation of mobile chiller on public land

50. The licensee must ensure that kangaroo carcasses are not placed into the mobile chiller in a public place unless:

- a. they are being transferred from a harvester vehicle into the mobile chiller
- b. it is in a discreet location, away from public view and where members of the public would not ordinarily be present.

51. The licensee must ensure that kangaroo carcasses are not taken out of the mobile chiller in a public place unless:
- they are being transferred from the mobile chiller to an animal dealer transport vehicle
 - it is in a discreet location away from public view and where members of the public would not ordinarily be present.

52. The licensee must not wash the interior of the mobile chiller in a public place.

Mobile chiller tracking device

53. The licensee must install, use and maintain on the mobile chiller a tracking device supplied by the department. The tracking device remains the property of the department and must not be deliberately damaged, destroyed, sold or otherwise disposed of. If the tracking device is no longer required on the mobile chiller then it must be returned to the department by posting to the address at condition 5(b)(iii).

54. The licensee must have the tracking device inspected and verified by the department as operating correctly before the mobile chiller can be used to store kangaroo carcasses.

55. The licensee is responsible for the cost of the supply, fitting and monthly operation of the tracking device, as invoiced by the department. Failure to pay these costs on time, according to the invoice due date, could result in suspension of the mobile chiller.

56. When in New South Wales, the licensee must ensure the tracking device remains operational while the mobile chiller is registered and provide the department with continual, uninterrupted access to the tracking data from the tracking device. The licensee must check the tracking device is operating either:

- on a weekly basis when the mobile chiller is not being used
- daily when the mobile chiller is being used to store carcasses.

57. If the tracking device is not working, the licensee must:

- notify the department immediately by calling 1300 173 376, or by sending an email to kangaroo.management@environment.nsw.gov.au and provide information on the current location and contents of the mobile chiller
- follow any instructions issued by the department
- not move the mobile chiller, unless authorised to do so by the department.

58. If the department does not issue any instructions in accordance with condition 57(b), the licensee must:

- not put any further carcasses into the mobile chiller
- empty the mobile chiller of all carcasses as soon as practical after the tracking device is identified to be not working.

Mobile chiller record-keeping and reporting

59. In relation to record-keeping, the licensee must:

- a. record the date of receipt for each kangaroo carcass, and location of the mobile chiller (property name and GPS coordinates) at time of receipt of each kangaroo carcass, immediately upon receipt of the kangaroo carcass
 - b. make these records available for inspection by an authorised officer of the department within 24 hours upon request
 - c. complete and submit a true and accurate chiller return form on the WMS each week (for the period Sunday to Saturday). Each form must be completed and submitted no later than the Friday following the end of each weekly period. To avoid doubt, if no kangaroo carcasses are received or dispatched within any week, a 'nil' return must be submitted.
60. The licensee must notify the department in writing prior to or within 7 days of any of the following:
- a. a change in the manager nominated on the certificate of registration
 - b. a change in the phone number, email address, residential address or postal address of the manager as stated on the WMS
- by updating the WMS or by sending an email to kangaroo.management@environment.nsw.gov.au.

Definitions

61. In this licence:
- a. **'Animal Dealer (Kangaroo) Chiller'** means a static chiller used by the holder of a current Animal Dealer (Kangaroo) Licence for the purpose of dealing in protected animals in accordance with the conditions of that licence and registered by the Environment Agency Head (or delegate) to the Animal Dealer (Kangaroo) licensee as a premises used pursuant to clause 2.35 of the BC Regulation
 - b. **'Animal Dealer (Kangaroo) Licence'** means a licence issued under section 2.11 of BC Act
 - c. **'Animal Dealer (Kangaroo Skin) Licence'** means a licence issued under section 2.11 of the BC Act
 - d. **'Animal Dealer (Kangaroo) Mobile Chiller'** means a mobile chiller used by the holder of a current Animal Dealer (Kangaroo) Licence for the purpose of dealing in protected animals in accordance with the conditions of that licence and registered by the Environment Agency Head (or delegate) to the Animal Dealer (Kangaroo) licensee as a premises used pursuant to clause 2.35 of the BC Regulation
 - e. **'Animal Dealer (Kangaroo) Processing Works'** means a processing works used by the holder of a current Animal Dealer (Kangaroo) Licence for the purpose of dealing in protected animals in accordance with the conditions of that licence and registered by the Environment Agency Head (or delegate) to the Animal Dealer (Kangaroo) licensee as a premises used pursuant to clause 2.35 of the BC Regulation

- f. **‘Animal Dealer (Kangaroo Skin) Processing Works’** means a processing works used by the holder of a current Animal Dealer (Kangaroo Skin) Licence for the purpose of dealing in protected animals in accordance with the conditions of that licence and registered by the Environment Agency Head (or delegate) to the Animal Dealer (Kangaroo Skin) licensee as a premises used pursuant to clause 2.35 of the BC Regulation
- g. **‘Animal Dealer (Kangaroo Skin) Storage Facility’** means a storage facility used by the holder of a current Animal Dealer (Kangaroo Skin) Licence for the purpose of dealing in protected animals in accordance with the conditions of that licence and registered by the Environment Agency Head (or delegate) to the Animal Dealer (Kangaroo Skin) licensee as a premises used pursuant to clause 2.35 of the BC Regulation
- h. **‘BC Act’** means the NSW *Biodiversity Conservation Act 2016*
- i. **‘BC Regulation’** means the Biodiversity Conservation Regulation 2017
- j. **‘business day’** means a calendar day that is not a Saturday, Sunday or a NSW public holiday
- k. **‘buy’** has the same meaning as in section 2.5 of the BC Act
- l. **‘carcass’** means the physical structure of the kangaroo, including the bones, flesh, and organs, whether or not any body parts or organs are removed
- m. **‘carcass tag’** means a tag issued by the department or a corresponding interstate agency to a licensed harvester for affixing to a kangaroo carcass
- n. **‘chiller’** means a cooling room, or a number of cooling rooms sitting directly next to one another, used for the temporary storage of kangaroo carcasses
- o. **‘dealing in’** has the same meaning as ‘deal in’ in section 2.5 of the BC Act
- p. **‘department’** means the NSW Department of Planning and Environment
- q. **‘device’** means a GPS tracking device that has been supplied by the department
- r. **‘dressed carcass’** means the entire body (including the skin) of the kangaroo excluding the head and viscera, whether or not any other body parts or organs are removed
- s. **‘export’** has the same meaning as in section 2.5 of the BC Act
- t. **‘import’** has the same meaning as in section 2.5 of the BC Act
- u. **‘kangaroo’** means kangaroos, wallabies and wallaroos in the singular and plural
- v. **‘kangaroo processing works’** means a processing works currently registered as an Animal Dealer (Kangaroo) Processing Works by the Environment Agency Head (or delegate) as a premises used by a person for the purpose of dealing in protected animals pursuant to clause 2.35 of the BC Regulation
- w. **‘kangaroo skin processing works’** means a processing works currently registered as an Animal Dealer (Kangaroo Skin) Processing Works by the Environment Agency Head (or delegate) as a premises used by a person for the purpose of dealing in protected animals pursuant to clause 2.35 of the BC Regulation

- x. **'kangaroo skin storage facility'** means a storage facility currently registered as an Animal Dealer (Kangaroo Skin) Storage Facility by the Environment Agency Head (or delegate) as a premises used by a person for the purpose of dealing in protected animals pursuant to clause 2.35 of the BC Regulation
- y. **'licensee'** means the person/s or company named in this licence
- z. **'mobile chiller'** means a mobile chiller vehicle currently registered as an Animal Dealer (Kangaroo) Mobile Chiller or Professional Kangaroo Harvester Mobile Chiller by the Environment Agency Head (or delegate) as a premises used by a person for the purpose of dealing in protected animals pursuant to clause 2.35 of the BC Regulation
- aa. **'mobile chiller vehicle'** means a motor vehicle or trailer registered in the NSW registrable vehicles register under the *Roads Transport Act 2013* or registered in another jurisdiction (as defined in section 7 of the *Roads Transport Act*) that contains a chiller, or has a chiller attached
- bb. **'possess'** has the same meaning as in section 2.5 of the BC Act
- cc. **'process'**:
 - i. in relation to carcasses means skinning, deboning and separating kangaroo carcasses for the purpose of wholesale meat production, or mincing and rendering the carcass to produce meat meal
 - ii. in relation to skins means tanning a skin to produce leather
- dd. **'processing works'** means a structure or facility that has equipment to process kangaroo carcasses and/or skins
- ee. **'Professional Kangaroo Harvester Chiller'** means a static chiller used by the holder of a current Professional Kangaroo Harvester Licence for the purpose of dealing in protected animals in accordance with the conditions of that licence and registered by the Environment Agency Head (or delegate) to the licensee as a premises used pursuant to clause 2.35 of the BC Regulation
- ff. **'Professional Kangaroo Harvester Licence'** means a licence issued under section 2.11 of the BC Act
- gg. **'Professional Kangaroo Harvester Mobile Chiller'** means a mobile chiller used by the holder of a current Professional Kangaroo Harvester Licence for the purpose of dealing in protected animals in accordance with the conditions of that licence and registered by the Environment Agency Head (or delegate) to the Professional Kangaroo Harvester licensee as a premises used pursuant to clause 2.35 of the BC Regulation
- hh. **'sell'** has the same meaning as in section 2.5 of the BC Act
- ii. **'skin'** means the whole skin of a kangaroo but does not include any manufactured article made from kangaroo skin
- jj. **'static chiller'** means a chiller currently registered as an Animal Dealer (Kangaroo) Chiller or Professional Kangaroo Harvester Chiller by the Environment Agency Head (or delegate) as a premises used by a person for the

purpose of dealing in protected animals pursuant to clause 2.35 of the BC Regulation, that is not a mobile chiller

- kk. **'storage facility'** means a structure used for the temporary storage of unprocessed kangaroo skins
- ll. **'tracking device'** is a device issued by the department to track the location of a mobile chiller using GPS coordinates. Licensees must install, use and maintain it
- mm. **'unprocessed kangaroo skin'** means a kangaroo skin that has not commenced the tanning process
- nn. **'viscera'** means the large organs including the stomach and intestines but excluding the heart, lungs and liver
- oo. **'WMS'** means the NSW Government's Kangaroo Management Program's digital licensing system known as the Wildlife Management System located on the department's website.

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