

Landholder Kangaroo Harvester 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 51 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.

Licence and contact details

5. The licensee must carry this licence or the Landholder Kangaroo Harvester Identification Card issued in relation to this licence while in possession of any kangaroo carcass.
6. If this licence is suspended or cancelled, the licensee must within 7 days of that suspension or cancellation mail their Landholder Kangaroo Harvester Identification Card to the Department of Planning and Environment (the department) at the following address:

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

7. The licensee must notify the department of any change in their phone number, email address, residential address or postal address prior to or within 7 days of that change by either:
 - a. updating the NSW Government's Kangaroo Management Program's digital licensing system known as the Wildlife Management System (WMS)
 - b. sending an email to kangaroo.management@environment.nsw.gov.au
 - c. sending a letter to:

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

Firearms licence and accreditation

8. The licensee must, at all times during the term of this licence, hold a current:
 - a. Category B Firearms Licence issued under the NSW *Firearms Act 1996*, or if the licensee is resident of another state or territory, an equivalent firearms licence issued under the corresponding law of that state or territory
 - b. Firearms Accreditation for Kangaroo Harvesters issued to the standard of AMPG306 provided by a Registered Training Organisation that is authorised to deliver that trainingneither of which has expired, or been suspended, cancelled or revoked.
9. To avoid doubt, the licensee must not harvest kangaroos during any time that they do not hold a current firearms licence or firearms accreditation as required in condition 8 above, and during any time that their firearms licence or firearms accreditation referred to in condition 8 above is expired, suspended, cancelled or revoked.
10. The licensee must notify the department within 7 days of any suspension, cancellation or revocation or expiry of their firearms licence or firearms accreditation referred to in condition 8 above by either:
 - a. sending an email to kangaroo.management@environment.nsw.gov.au
 - b. sending a letter to:

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

Harvesting and refrigeration hours

11. For the purposes of clause 13, 'sunset' refers to the specific sunset time recorded for the date and location of harvest reported by the Australian Bureau of Meteorology.
12. For the purposes of clause 13, 'sunrise' refers to the specific sunrise time recorded for the date and location of harvest reported by the Australian Bureau of Meteorology.

13. Licensees must only harvest kangaroos during the period starting one hour before sunset and finishing one hour after sunrise. Harvesting of kangaroos is prohibited during the period starting one hour after sunrise and finishing one hour before sunset.

Harvesting of kangaroos in accordance with code of practice

14. The licensee must only harvest kangaroos in accordance with the most recent version of the *National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes* published by the Australian Government from time to time.

Movement, dressing and loading of carcasses

15. Carcasses must only be dressed on the property where the kangaroo has been harvested by the licensee.
16. Carcasses must only be loaded onto a vehicle at the property where the kangaroo has been harvested by the licensee.
17. Upon completion of harvesting, a vehicle loaded with carcasses must be driven directly to a static chiller, mobile chiller or kangaroo processing works.
18. Carcasses must only be unloaded from a vehicle at the location of a static chiller, mobile chiller or kangaroo processing works.
19. Vehicles that have transported carcasses must be washed down thoroughly after unloading and prior to leaving a static chiller, mobile chiller or kangaroo processing works.
20. In the event there are no wash down facilities at the static chiller, mobile chiller or kangaroo processing works, the unwashed vehicle must be driven directly to another private premises where washing of the vehicle can take place.

Offsiders

21. A licensee is permitted to engage an offsider to assist with activities related to harvesting.
22. A licensee must supervise any offsider in all activities relating to harvesting.
23. A licensee cannot, under any circumstances, direct or allow an offsider to:
 - a. harvest a kangaroo by shooting
 - b. be in possession of kangaroos at any time
 - c. take any responsibility for the licensee's obligations under this licence.
24. A licensee is liable for all conduct of offsiders whilst supervising them.

Carcass tags and commercial tag advices

25. The licensee must only harvest the number of kangaroos specified in the commercial tag advice issued by the department to the licensee.

26. The licensee must only harvest kangaroos, and use carcass tags issued by the department to the licensee, if:
 - a. the species of kangaroo to be harvested is the species set out in the commercial tag advice issued by the department
 - b. the harvesting is within the time period specified in the commercial tag advice issued by the department to the licensee
 - c. the kangaroo is harvested on a property:
 - i. that is within the zone for which those carcass tags have been issued as set out in the commercial tag advice issued to the licensee
 - ii. of which the licensee is the landholder
 - iii. listed in the properties table on the licence.
27. The carcass tags must be purchased from the Environment Agency Head (or delegate).
28. If the licensee is in possession of kangaroo carcasses, the licensee must carry the commercial tag advice(s) that relates to the carcass tags affixed to those carcasses.
29. The licensee must permanently affix a carcass tag to a kangaroo carcass adjacent to the rectum:
 - a. as soon as practicable after harvesting the kangaroo
 - b. before the carcass is moved from the property at which the licensee harvested it.
30. The carcass tag attached, as per condition 29, must:
 - a. be of the type and colour assigned for the species in the commercial tag advice issued by the department to the licensee
 - b. be within the carcass tag number range specified on the commercial tag advice.
31. The licensee must not possess a carcass that does not have a carcass tag affixed adjacent to the rectum.
32. The licensee must not remove a carcass tag or cause a carcass tag to be removed from any kangaroo after it is affixed.
33. Within 10 days after the expiry date on the commercial tag advice, the licensee must return to the department any carcass tag supplied to the licensee that is not affixed to a kangaroo, with the commercial tag advice .

Storage and sale of kangaroo carcasses

34. The licensee must not possess or sell any live kangaroo under this licence.
35. The licensee must only store kangaroo carcasses at either a:
 - a. static chiller
 - b. mobile chiller
 - c. kangaroo processing works.
36. The licensee must not sell any kangaroo carcass except to a person who holds a licence granted by the Environment Agency Head (or delegate) that authorises the holder of the licence to buy kangaroo carcasses from the licensee. To avoid doubt,

the Professional Kangaroo Harvester Licence and the Landholder Kangaroo Harvester Licence do not authorise the buying of kangaroo carcasses.

37. The licensee must deliver all kangaroo carcasses that are to be sold to a static chiller, mobile chiller or kangaroo processing works. No other person may possess or deliver the carcasses. Another person may place the kangaroo carcasses harvested by the licensee into the chiller if they are doing so at the direction of, and in the physical presence of, the licensee.
38. When requested by an authorised officer, the licensee must remove carcasses from the chiller and 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

39. The licensee must not possess or sell:
 - a. a dressed carcass that weighs less than 14 kg
 - b. any other carcass that weighs less than 20 kg.
40. To avoid doubt, if a kangaroo is shot that is less than the minimum weights defined in condition 39 above, it must be tagged in accordance with conditions 29 and 30 above and must not be moved from where it was shot.

Body shot kangaroo carcasses

41. The licensee must not possess or sell any kangaroo carcass containing a bullet wound anywhere in the body other than the head.
42. To avoid doubt, if a kangaroo is shot anywhere in the body other than the head, the carcass must be tagged in accordance with conditions 29 and 30 above and must not be moved from where it was shot.

Harvester record-keeping and reporting

43. Subject to condition 44 below, the licensee is to complete and submit for each commercial tag advice a true and accurate harvester's return form on the WMS.
44. If the licensee is registered for submission of paper harvester's returns with the department, as an alternative to condition 43 above, they may complete and submit to the department a true and accurate harvester's return for each commercial tag advice in the form supplied by the department. The completed form is to be submitted in the manner set out by the department in that form.
45. To avoid doubt, if no kangaroos are shot in the relevant calendar month, the licensee is still required to comply with conditions 43 or 44 (as relevant) and a 'nil' return must be provided.
46. Harvester's returns, including 'nil' returns, must be completed and submitted within 10 days of the end of each calendar month for which the commercial tag advice is current.
47. To avoid doubt, the licensee must record any kangaroo that is shot but left in the field as per conditions 40 or 42 in their monthly harvester's return.

Registration as person who possesses and sells protected animals

48. When the Landholder Kangaroo Harvester Licence is granted, the licensee is also registered by the Environment Agency Head (or delegate) as a person who deals in (specifically possesses and sells) protected animals in accordance with clause 2.35 of the Biodiversity Conservation Regulation 2017 (BC Regulation).
49. A fee of \$73.00 must be paid for the registration referred to in condition 48 above. The registration will expire when this licence expires.
50. A registration as a person who possesses and sells protected animals may be cancelled or suspended if the licensee contravenes the BC Act, the BC Regulation, this Landholder Kangaroo Harvester Licence, or another statutory instrument made under the BC Act.

Definitions

51. 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) 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
 - d. **'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
 - e. **'BC Act'** means the NSW *Biodiversity Conservation Act 2016*
 - f. **'BC Regulation'** means the Biodiversity Conservation Regulation 2017
 - g. **'carcass'** means the physical structure of the kangaroo, including the bones, flesh, and organs, whether or not any body parts or organs are removed
 - h. **'carcass tag'** means a tag issued to the licensee by the department for affixing to a kangaroo carcass
 - i. **'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

- j. **‘commercial tag advice’** means a notice in writing issued by the department to the licensee when carcass tags are issued to the licensee by the department
- k. **‘dealing in’** has the same meaning as ‘deal in’ in section 2.5 of the BC Act
- l. **‘department’** means the NSW Department of Planning and Environment
- m. **‘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
- n. **‘harm’** has the same meaning as in section 1.6 of the BC Act
- o. **‘harvest’** means to harm a kangaroo by shooting in accordance with the most recent version of the *National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes* published by the Australian Government from time to time
- p. **‘kangaroo’** means both kangaroos and wallaroos in the singular and plural
- q. **‘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
- r. **‘Landholder Kangaroo Harvester Licence’** means a licence issued under section 2.11 of the BC Act
- s. **‘licensee’** means the person named in this licence
- t. **‘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
- u. **‘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
- v. **‘offsider’** means any individual that is not a licensee who is present during any harvesting activity
- w. **‘possess’** has the same meaning as in section 2.5 of the BC Act
- x. **‘processing works’** means a structure or facility that has equipment to process kangaroo carcasses and/or skins
- y. **‘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 (specifically possessing) 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
- z. **‘Professional Kangaroo Harvester Licence’** means a licence issued under section 2.11 of the BC Act

- aa. **‘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 (specifically possessing) 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
- bb. **‘Registered Training Organisation’** has the same meaning as in the *National Vocational Education and Training Regulator Act 2011* (Cth)
- cc. **‘sell’** has the same meaning as in section 2.5 of the BC Act
- dd. **‘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
- ee. **‘viscera’** means the large organs including the stomach and intestines but excluding the heart, lungs and liver
- ff. **‘WMS’** means the NSW Government’s Kangaroo Management Program’s digital licensing system known as the Wildlife Management System on the department’s website
- gg. **‘zone’** means a commercial kangaroo management zone as set out in in the map ‘NSW Kangaroo Management Zones 2020’ on the *Kangaroo management zones* webpage on the department’s website.

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ISBN 978-1-923132-37-5; EHG 2023/0370; December 2023.