

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

FILE REF

PROJECT REF

COMPLETE FORM

CORRECT AA

COMPLETE FEE

ADMINISTERING DISTRICT

ENTERED BY [SIGNATURE]

DATE

Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife (**note: a separate application form is required for lethal take of flying-foxes damaging crops**). Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. A damage mitigation permit may be granted for a maximum period of twelve months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the Nature Conservation Act available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:

- ☒ **AN INDIVIDUAL** → Complete Section 1 applicant details — then complete sections 3 to 11
- ☐ **A CORPORATION** → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME	TITLE
APPLICANT'S GIVEN NAME/S	DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	POST CODE

ABN 46 640 294 485

TELEPHONE (BUSINESS HOURS)

MOBILE

FACSIMILE

Application form

Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS) \$49	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) \$49		POST CODE \$49

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME)		
TRADING NAME/S (IF APPLICABLE)		
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	FACSIMILE	
EMAIL	WEBSITE	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS		
NAME OF PRINCIPAL OF CORPORATION		
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorised to sign on their behalf)		DATE

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME		TITLE
NOMINATED CONTACT PERSON'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POSTCODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE
TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POSTCODE

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☒

No ☐

If yes, state the permit number (if known)

If yes, has the 'return of operations' been submitted?

☒ Yes

☐ No

(A return of operation is due for each 3 month period during the life of the permit)

If no, a permit may not be issued until returns are submitted.

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME		GIVEN NAME	
FAMILY NAME		GIVEN NAME	
FAMILY NAME		GIVEN NAME	
FAMILY NAME		GIVEN NAME	
FAMILY NAME		GIVEN NAME	

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS

Damage to sugar cane returns - Swamp hens
eating cane returns. Agile Wallabies.

6. Outline monetary loss experienced

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Application form

Damage mitigation permit (culling and dispersal of wildlife)

7. What previous damage mitigation method(s) have you tried (if any) and was this successful? *(You must be able to demonstrate that you have tried a combination of at least two non-lethal methods before a lethal damage mitigation permit application will be considered)*

PREVIOUS METHOD/S

Scaring with Patrols
Constant surveillance - loud noises to
scare wallabies & Swamp hens away.

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET	[REDACTED]		
LOT	[REDACTED]	PCON	[REDACTED]
LOCAL GOVERNMENT AREA	[REDACTED]		

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

SPECIFIC LOCATION/PROPERTY NAME

GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
Agile Wallaby		10
Purple Swamp hen	Porphyrio porphyrio	10

Application form

Damage mitigation permit (culling and dispersal of wildlife)

10. What are the approximate start and completion dates of the project?

START DATE 1-12-13	FINISH DATE 1-6-14
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11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE	<div style="background-color: black; width: 100%; height: 40px;"></div>	
LICENCE NUMBER		

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	<div style="background-color: black; width: 100%; height: 100px;"></div>	TITLE	<div style="background-color: black; width: 100%; height: 40px;"></div>
FAMILY NAME			
GIVEN NAME/S			

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS	DETAILS
<p>1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court?</p> <p>(Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.</p>	☐ YES ☒ NO	
<p>2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled?</p> <p>If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.</p>	☐ YES ☒ NO	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME S.49	
APPLICANT'S SIGNATURE S.49 - Signature	DATE 28.11.13
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION	

14. Applicant checklist

- ☐ Application form completed, signed and dated
- ☐ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: 1300 130 372
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

s.49

Our reference: 200560

Dea

Re: Decision made in relation to your application

Your application received on 29-NOV-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WMP13781013	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jean Horton on the telephone number listed below.

s.49 - Signature

Enquiries:

Wildlife - Cairns - Tingira
PO Box 2066
CAIRNS QLD 4870

Dept of Environment and Heritage Protection
Date 17/12/13

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.





Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006
Damage Mitigation Permit

Permit number: WIMP13781013

Valid from: 13-DEC-2013 to 01-JUN-2014

Parties to the Permit

Role	Name	Address
Principal Holder	S.49 [REDACTED]	S.49 [REDACTED]

Permitted Location Activity Details

Location (s)	Activity (s)
S.49 [REDACTED]	Culling Wildlife to prevent damage or loss
	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
All locations relating to this permit		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	10 Animal/s
purple swamphen	Porphyrio porphyrio	Live	10 Animal/s

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Conditions of Approval

General Permit Conditions

Agency Interest: General

PG1

Additional Information:

1. The species listed on this permit may only be taken by shooting.
2. Taking must be humane
3. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
4. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
5. Taking can occur only within the boundaries of the landholders property
6. Carcasses to be disposed of in an appropriate manner
7. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB1

Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

A1G1

Important notes:

A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

A1B1

Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Damage Mitigation Permit

WIMP13781013

S.49 - Signature



Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	s.49
Decision maker	Michael Joyce, the delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	16/12/2013

Introduction

On 29 November 2013 s.49 lodged an application for a damage mitigation permit.

On 16 December 2013, after consideration of the material before me, I, Michael Joyce under section 185 approved and signed a letter to s.49 confirming my decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows:

Section 182 provides that I may grant a damage mitigation permit for a least concern animal.

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential treat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied—

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is not prevented or controlled—
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006* (the **Administration Regulation**) provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the *Administration Regulation*;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the *Administration Regulation* I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992*, (The Act), the *Wildlife Management Regulation* and the *Administration Regulation 2006*
- Damage Mitigation Permit Application submitted 29 November 2013
- Damage Mitigation Permit Application Assessment/Recommendations dated 11 December 2013
- Historical information and local knowledge
- Information from previous DMP issued from 17 October 2006 to 31 January 2007 and return of operations forms - evidence of whether they have complied and upheld permit conditions

Findings of fact

I assessed the application against the requirements of the *Nature Conservation* legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the <i>Wildlife Management Regulation</i>	Agile wallaby (<i>Macropus agilis</i>) and purple swamphen (<i>Porphyrio porphyria</i>) are species of least concern by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i>

Section 185(1)(a) of the Wildlife Management Regulation	I am satisfied that the animals are causing damage. An assessment report from Ranger Adrian Hogg documented damage consistent with these species. Recommended Conditions to the Permit are the species may only be taken by shooting.
Section 185(1)(b)	I am satisfied the landholder of the land on which the animals are causing damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage. Non-lethal methods used include scaring with patrols, constant surveillance and using loud noise to scare the animals away. Recommended Conditions to the Permit are non-lethal methods to be used in conjunction with lethal methods.
Section 185(1)(c)	I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss. The inspecting ranger has documented a net loss of cane tonnage at harvest at a value of [REDACTED] Damage is occurring due to agile wallabies eating young sugar shoots and tips and destroying cane stools and swampheens are pecking and damaging young sugar cane stalks.
Section 185(1)(d)	I am satisfied the landholder of the land on which the animals are causing damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage. Non-lethal methods used include scaring with patrols, constant surveillance and using loud noise to scare the animals away. Recommended Conditions to the Permit are non-lethal methods to be used in conjunction with lethal methods.
Section 185(1)(e)	I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering because the shooting will be conducted by a licensed firearm holder who has been interviewed and has demonstrated knowledge of a clean instantaneous shot. Recommended Conditions to the Permit are macropods must be taken in accordance with the national Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, including dealing with females and their young, taking must be humane, accurate records of animals shot under this permit must be recorded in the return form provided and the return of operations form to be sent to EHP within 10 business days after each 3 month period.

Additional matters I have taken into account

I have considered matters under Section 25 (1)(a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest. For the applicant to notify neighbours, police and the relevant authorities prior to commencement of operations, taking can occur only within the boundaries of the landholder's property and carcasses to be disposed of in an appropriate manner.

I also note that there is no evidence of ^{s.49} [REDACTED] having taken any illegal actions and he has upheld the conditions of his previous permits including submitting return of operations forms.

Reasons for making the decision

I was satisfied all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP

s.49 - Signature



Michael [REDACTED]oyce,
Delegate
Department of Environment & Heritage Protection

HERRIMAN Karmen

From: Couprie Dayna
Sent: Friday, 21 February 2014 2:20 PM
To: Cosgrove Jack
Subject: Permit for s.49
Attachments: WIMP14194414.pdf

Hi Jack,

Permit, Nod and SoR for s.49 attached. Thanks very much for making the changes to the permit.

Would you mind flicking the client a copy of this please?

Thanks
Dayna

Dayna Couprie
Project Officer

Wildlife Management
Department of Environment and Heritage Protection

PO Box 375
Garbutt East LPO, QLD 4814
Phone: (07) 4796 7768
Fax: (07) 4796 7705

Email: dayna.couprie@ehp.qld.gov.au



RTI DL RELEASE - EHP

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

s.49

Our reference: 413140

Dea

Re: Decision made in relation to your application

Your application received on 19-FEB-2014 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP14194414	Granted

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Anthony Frisby on the telephone number listed below.

Yours sincerely

Michael Joyce
Department of Environment and Heritage Protection
Date 21/2/14

s.49 - Signature

Enquiries:
Wildlife - Savanna - QPW
PO Box 375
GARbutt EAST QLD 4814
Phone: (07) 4796 7775

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP14194414

Valid from: 21-FEB-2014 to 20-FEB-2015

Parties to the Permit

Role	Name	Address
Principal Holder	[REDACTED]	[REDACTED]

Permitted Location Activity Details

Location (s)	Activity (s)
[REDACTED]	Culling Wildlife to prevent damage or loss
[REDACTED]	Culling Wildlife to prevent damage or loss

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Damage Mitigation Permit

WIMP14194414

Permit Details

Species Details

Location		Activity	
s.49		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	100 Animal/s

Location		Activity	
s.49		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	100 Animal/s

Conditions of Approval

General Permit Conditions

Agency Interest: General

PG1

Additional Information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
3. Taking can occur only within the boundaries of the landholders property
4. Carcasses to be disposed of in an appropriate manner
5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB1

Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

A1G1

Important notes:

A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:

http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

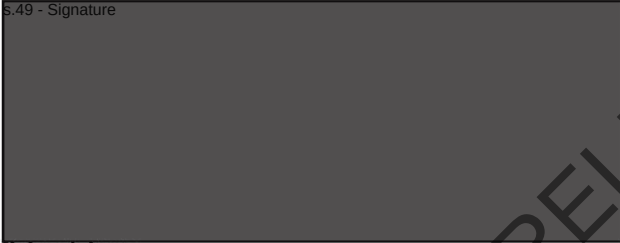
Agency Interest: Biodiversity

A1B1

Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

s.49 - Signature



Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DE RELEASE - EHP

STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	s.49
Decision maker	The delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	21.02.2014

Introduction

On 19 February 2014, s.49 lodged an application for a damage mitigation permit (culling and dispersal of wildlife) to take 150 Agile Wallabies.

On 21/02/2014, after consideration of the material before me under section 185 of the *Nature Conservation (Wildlife Management) Regulation 2006* I Michael Joyce signed a letter to s.49 confirming my decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows:

Section 182 provides that I may grant a damage mitigation permit for a least concern animal.

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential threat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied—

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is not prevented or controlled—
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006* (the **Administration Regulation**) provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the Administration Regulation;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the Administration Regulation I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992*, (The Act), the Wildlife Management Regulation and the Administration Regulation 2006
- Damage Mitigation Permit Application submitted 19 February 2014
- Damage Mitigation Permit Application Officer site Assessment completed on 21 February 2014

Findings of fact

I assessed the application against the requirements of the Nature Conservation legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the Wildlife Management Regulation	Agile Wallabies are a species of least concern by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i>
Section 185(1)(a) of the Wildlife Management Regulation	I am satisfied that the animal is causing, or may cause damage to the property as the large numbers of animals are present have decimated the grazing available for cattle. Evidence of the damage was witnessed by an officer during a site inspection on 21 February 2014.
Section 185(1)(b)	I am satisfied the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the

	damage as the numbers present are high. Landholder has used non-lethal mitigation methods to remove the animals including; fencing, scaring and chasing them through paddocks, using loud noises (car horns, etc), however these methods have not been successful.
Section 185(1)(c)	I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss as the landholder is unable to secure a lease to graze cattle on the property due to the presence of the wallabies and the associated damage to grazing pasture. The landholder estimates the loss of minimum s.49
Section 185(1)(d)	I am satisfied that action under the permit will not adversely affect the survival of the animal in the wild because numbers issued will remain low and species are abundant locally. Recommendations for DMP numbers to be taken are based on number estimated by the applicant and whilst conducting a site assessment.
Section 185(1)(e)	I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the shooting will be conducted by a licensed firearm holder. Any action to be taken will be in accordance with the national Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes especially for dealing with females and their young as conditioned on the permit. Also, accurate records of animals shot under this permit must be recorded in the return form provided and the return of operations form to be sent to EHP within 10 business days after each 3 month period.
Section 186(b)	I am satisfied that action under the permit will not detrimentally affect the survival of the animal in the wild because the local population is well established and the number of animal's issued will not impact the whole population.
Section 186(c)	I am satisfied the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal (see Section 185(1)(e))

I have considered matters under Section 25 (1) (a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest.

General Permit Conditions:

Agency Interest: General

PG 1 - Additional Information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations.
2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
3. Taking can occur only within the boundaries of the landholder's property
4. Carcasses to be disposed of in an appropriate manner
5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB 1 - Accurate records of animals shot under this permit must be recorded in the return form provided.

These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

A1G1 - Important notes:

A Return of operations form must be sent to EHP within 10 business days after each [3 month period/s], and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:

http://www.ehp.qld.gov.au/licences-permits/plantsanimals/return_of_operations.html

Agency Interest: Biodiversity

A1B1 Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Reasons for making the decision

I was satisfied of all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP.

5.49 - Signature



Michael Joyce

Delegate

Department of Environment & Heritage Protection

Department of Environment and Heritage Protection

Level 2

AR054766

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

FILE REF

PROJECT REF

COMPLETE FORM

CORRECT AA

COMPLETE FEE

ADMINISTERING DISTRICT

ENTERED BY (SIGNATURE)

DATE

RECEIVED

19 FEB 2014

PaLM

RECEIVED

19 FEB 2014

PaLM

Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife (note: a separate application form is required for lethal take of flying-foxes damaging crops). Information requested will enable your application to be processed as prescribed by the Nature Conservation Act 1992. A damage mitigation permit may be granted for a maximum period of twelve months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the Nature Conservation Act available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:

- ☒ AN INDIVIDUAL → Complete Section 1 applicant details — then complete sections 3 to 11
- ☐ A CORPORATION → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME	TITLE
APPLICANT'S GIVEN NAME(S)	DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	POST CODE

Page 1 of 8 • 131204

ABN 46 640 294 485

Application form

Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS)		
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)	POST CODE	
AS ABOVE		

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME)	
TRADING NAME/S (IF APPLICABLE)	
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX)	POST CODE
TELEPHONE (BUSINESS HOURS)	FACSIMILE
EMAIL	WEBSITE
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)	POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS	
NAME OF PRINCIPAL OF CORPORATION	
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorized to sign on their behalf)	DATE

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME		TITLE
NOMINATED CONTACT PERSON'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POSTCODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE
TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POSTCODE

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☐ No ☒ If yes, state the permit number (if known)

If yes, has the 'return of operations' been submitted?

☐ Yes ☐ No

(A return of operation is due for each 3 month period during the life of the permit)

If no, a permit may not be issued until returns are submitted.

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME	5.49	GIVEN NAME	5.49
FAMILY NAME		GIVEN NAME	
FAMILY NAME		GIVEN NAME	
FAMILY NAME		GIVEN NAME	
FAMILY NAME		GIVEN NAME	

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)**STATEMENT OF REASONS**

- DAMAGE TO PASTURES
- BRINGING TICKS INTO Paddock
- LARGE AMOUNT OF WALLABY DROPPINGS IN THE YARD OF HOUSE

6. Outline monetary loss experienced

5.49

AS THE QUANTITY OF WALLABIES ARE IN PLAGUE PROPORTION AND THE WALLABIES ARE CARRYING TICKS WHICH ATTACH TO THE CATTLE. ALSO WHEN IT GETS DRY THERE IS NO FEED FOR THE CATTLE.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

7. What previous damage mitigation method(s) have you tried (if any) and was this successful? (You must be able to demonstrate that you have tried a combination of at least two non-lethal methods before a lethal damage mitigation permit application will be considered)

PREVIOUS METHOD/S

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS	5.49
LOT	5.49
LOCAL GOVERNMENT AREA	C.C.R.C.

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

SPECIFIC LOCATION/PROPERTY NAME
GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
Pretty Face Wallabies		75.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

10. What are the approximate start and completion dates of the project?

START DATE 01-03-2014	FINISH DATE 28-2-2015
--------------------------	--------------------------

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE	
LICENCE NUMBER	

Witnessing officer (not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE
FAMILY NAME	
GIVEN NAME/S	

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS
<p>1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court?</p> <p>(Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.</p>	<p>☐ YES ☒ NO</p>
<p>2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled?</p> <p>If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.</p>	<p>☐ YES ☒ NO</p>

Application form

Damage mitigation permit (culling and dispersal of wildlife)

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME		
APPLICANT'S SIGNATURE		DATE
		18-2-2014
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION		

14. Applicant checklist

- ☒ Application form completed, signed and dated
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: 1300 130 372
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.



Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

s.49

Our reference: 413140

Dea

Re: Decision made in relation to your application

Your application received on 19-FEB-2014 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP14194414	Granted

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Anthony Frisby on the telephone number listed below.

Yours sincerely

Michael Joyce
Department of Environment and Heritage Protection
Date 20/02/14

s.49 - Signature

Enquiries:

Wildlife - Savanna - QPW
PO Box 375
GARbutt EAST QLD 4814
Phone: (07) 4796 7775

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP14194414

Valid from: 21-FEB-2014 to 20-FEB-2015

Parties to the Permit

Role	Name	Address
Principal Holder	[REDACTED]	[REDACTED]

Permitted Location Activity Details

Location (s)	Activity (s)
[REDACTED]	Culling Wildlife to prevent damage or loss
[REDACTED]	Culling Wildlife to prevent damage or loss

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit Details**Species Details**

Location		Activity	
S.49		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	100 Animal/s

Location		Activity	
S.49		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	100 Animal/s

Conditions of Approval**General Permit Conditions****Agency Interest: General**

PG1

Additional Information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
3. Taking can occur only within the boundaries of the landholders property
4. Carcasses to be disposed of in an appropriate manner
5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB1

Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

A1G1 Important notes:
A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

A1B1 Macropods
1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

S.49 - Signature



Michael Joyce
Delegate
Department of Environment and Heritage Protection

STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	s.49
Decision maker	The delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	21.02.2014

Introduction

On 19 February 2014 s.49 lodged an application for a damage mitigation permit (culling and dispersal of wildlife) to take 150 Agile Wallabies.

On 21/02/2014, after consideration of the material before me under section 185 of the *Nature Conservation (Wildlife Management) Regulation 2006* Michael Joyce signed a letter to s.49 confirming my decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows:

Section 182 provides that I may grant a damage mitigation permit for a least concern animal.

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential treat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied—

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is no prevented or controlled—
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006 (the Administration Regulation)* provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the Administration Regulation;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the Administration Regulation I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992, (The Act)*, the Wildlife Management Regulation and the Administration Regulation 2006
- Damage Mitigation Permit Application submitted 19 February 2014
- Damage Mitigation Permit Application Officer site Assessment completed on 21 February 2014

Findings of fact

I assessed the application against the requirements of the Nature Conservation legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the Wildlife Management Regulation	Agile Wallabies are a species of least concern by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i>
Section 185(1)(a) of the Wildlife Management Regulation	I am satisfied that the animal is causing, or may cause damage to the property as the large numbers of animals are present have decimated the grazing available for cattle. Evidence of the damage was witnessed by an officer during a site inspection on 21 February 2014.
Section 185(1)(b)	I am satisfied the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the

	damage as the numbers present are high. Landholder has used non-lethal mitigation methods to remove the animals including; fencing, scaring and chasing them through paddocks, using loud noises (car horns, etc), however these methods have not been successful.
Section 185(1)(c)	I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss as the landholder is unable to secure a lease to graze cattle on the property due to the presence of the wallabies and the associated damage to grazing pasture. The landholder estimates the loss of minimum \$49
Section 185(1)(d)	I am satisfied that action under the permit will not adversely affect the survival of the animal in the wild because numbers issued will remain low and species are abundant locally. Recommendations for DMP numbers to be taken are based on number estimated by the applicant and whilst conducting a site assessment.
Section 185(1)(e)	I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the shooting will be conducted by a licensed firearm holder. Any action to be taken will be in accordance with the national Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes especially for dealing with females and their young as conditioned on the permit. Also, accurate records of animals shot under this permit must be recorded in the return form provided and the return of operations form to be sent to EHP within 10 business days after each 3 month period.
Section 186(b)	I am satisfied that action under the permit will not detrimentally affect the survival of the animal in the wild because the local population is well established and the number of animal's issued will not impact the whole population.
Section 186(c)	I am satisfied the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal (see Section 185(1)(e))

I have considered matters under Section 25 (1) (a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest.

General Permit Conditions:

Agency Interest: General

PG 1 - Additional Information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations.
2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
3. Taking can occur only within the boundaries of the landholder's property
4. Carcasses to be disposed of in an appropriate manner
5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB 1 - Accurate records of animals shot under this permit must be recorded in the return form provided.

These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

A1G1 - Important notes:

A Return of operations form must be sent to EHP within 10 business days after each [3 month period/s], and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:

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Agency Interest: Biodiversity

A1B1 Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Reasons for making the decision

I was satisfied of all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP.

s.49 - Signature



Michael Joyce

Delegate

Department of Environment & Heritage Protection

From: Couprie Dayna [Dayna.Couprie@ehp.qld.gov.au]
Sent: Thursday, 18 July 2013 4:23 PM
To: Armbruster Christine
Subject: FW: DMP refusal for [REDACTED]
Attachments: DMP refusal letter [REDACTED] & NoD.pdf

From: Couprie Dayna
Sent: Tuesday, 9 July 2013 10:33 AM
To: Horton Jean
Subject: DMP refusal for [REDACTED]

Hi Jean,

I have attached the signed letter and NoD, both have been mailed out. Please note, at Mike's request I made some changes. He wanted only one letter, with the Notice of decision as a attachment document only (as opposed to another letter). As such, I added the a couple of sentences advising of refusal and also referral to the attached document.

I also mailed them out with the info notice as per usual.

Kind Regards,
Dayna

Dayna Couprie
Ranger - Wildlife Management
Department of Environment and Heritage Protection

PO Box 5597
Townsville, QLD 4810
Phone: (07) 4796 7768
Fax: (07) 4796 7705

Email: dayna.couprie@ehp.qld.gov.au

RTI DL RELEASE - EHP



Department of
**Environment and
Heritage Protection**

28th June 2013

s.49

To

s.49

Re: Damage Mitigation Permit (cull and disperse) assessment

Following your application for a Damage Mitigation Permit (DMP) to cull and disperse agile wallabies from the above address, I am writing to provide further advice and information.

Your application for a Damage Mitigation Permit has been refused. The reasons for your application refusal are detailed in the Notice of Decision attached to this letter.

Department officers Tom Lawton and Skeen West conducted an application assessment on the 25th June 2013 at the above address. I have been advised by Ranger Lawton that wallabies have caused damage to your lawns and gardens and that you have health and safety concerns regarding wallaby faeces around your property and potentially aggressive male wallabies.

As discussed during the application assessment the best way to deter wallabies from accessing your land is to erect a fence. I understand that you expressed to department officers that you do not wish to build a fence. Other forms of non lethal deterrents can be employed without a DMP to protect your gardens and officers discussed these with you.

The Department is aware of the wallaby population in South Mission Beach and is working towards actioning a plan to manage the animals that are around the residential area.

Should you require any further information or advice regarding this issue please contact senior wildlife ranger Tom Lawton on (07) 4057 3730.

Yours sincerely

s.49 - Signature

Michael Joyce
Operations Manager,
Wildlife Management Unit, Northern Region
Department of Environment and Heritage Protection

Queensland Australia

Queensland Australia

Telephone 07 47967777

Facsimile 07 4796 7705

Website www.ehp.qld.gov.au

ABN 46 640 294 485

Notice of Decision – Application Refusal

The application has been refused for the following reason(s):

1. I am a delegate of the Chief Executive under section 141(1) of the Nature Conservation Act 1992.
2. When considering an application, section 25 of the Nature Conservation (Administration) Regulation 2006 states "in part" that the chief executive must have regard to the impact the activities may have on public health and safety, the public interest and anything the chief executive considers appropriate to achieve the object of the Act . As the property is located in a residential area, you would need approval from the Qld Police Service (QPS) to discharge a firearm. You indicated to the assessing officer on 25 June 2013 that it was unlikely the QPS would approve this.
3. Under section 185(1)(b) of the Nature Conservation (Wildlife Management) Regulation 2006 the chief executive may grant a damage mitigation permit for damage or loss caused, or likely to be caused, by a protected animal only if satisfied the landholder has made a reasonable attempt to prevent or minimise the damage. An example of action that may be taken to prevent or minimise damage could include installing a fence or other enclosure to prevent the animal from accessing the land or property. The inspecting officer has recommended fencing as the best deterrent and consequently you do not satisfy the criteria for issuing a damage mitigation permit.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.



Department of
**Environment and
Heritage Protection**

28th June 2013

s.49

To s.49

Re: Damage Mitigation Permit (cull and disperse) assessment

Following your application for a Damage Mitigation Permit (DMP) to cull and disperse agile wallabies from the above address, I am writing to provide further advice and information.

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As discussed during the application assessment the best way to deter wallabies from accessing your land is to erect a fence. I understand that you expressed to department officers that you do not wish to build a fence. Other forms of non lethal deterrents can be employed without a DMP to protect your gardens and officers discussed these with you.

The Department is aware of the wallaby population in South Mission Beach and is working towards actioning a plan to manage the animals that are around the residential area.

Should you require any further information or advice regarding this issue please contact senior wildlife ranger Tom Lawton on (07) 4057 3730.

Yours sincerely

s.49 - Signature

Michael Joyce
Operations Manager,
Wildlife Management Unit, Northern Region
Department of Environment and Heritage Protection

Queensland Australia

Queensland Australia

Telephone 07 47967777

Facsimile 07 4796 7705

Website www.ehp.qld.gov.au

ABN 46 640 294 485

Notice of Decision – Application Refusal

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1. I am a delegate of the Chief Executive under section 141(1) of the Nature Conservation Act 1992.
2. When considering an application, section 25 of the Nature Conservation (Administration) Regulation 2006 states "in part" that the chief executive must have regard to the impact the activities may have on public health and safety, the public interest and anything the chief executive considers appropriate to achieve the object of the Act . As the property is located in a residential area, you would need approval from the Qld Police Service (QPS) to discharge a firearm. You indicated to the assessing officer on 25 June 2013 that it was unlikely the QPS would approve this.
3. Under section 185(1)(b) of the Nature Conservation (Wildlife Management) Regulation 2006 the chief executive may grant a damage mitigation permit for damage or loss caused, or likely to be caused, by a protected animal only if satisfied the landholder has made a reasonable attempt to prevent or minimise the damage. An example of action that may be taken to prevent or minimise damage could include installing a fence or other enclosure to prevent the animal from accessing the land or property. The inspecting officer has recommended fencing as the best deterrent and consequently you do not satisfy the criteria for issuing a damage mitigation permit.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

EHP-PO Box 9715
ATHERTON QLD 4883

ecoaccess

environmental licences and permits

Bring Up Details Report

402767 - Culling Wildlife to prevent damage or loss

Ref:	99592	Created Date:	31/MAY/13
Status:	Bring up Sent	Closed Date:	
Assigned To:	HORTON, Jean	Due Date:	03/JUN/13
Email Address:	Jean.Horton@ehp.qld.gov.au	Reminder Date:	
Project Director:	JOYCE, Michael		
Project Manager:			
CC:			
CC:			
Subject:	BRING UP: PR402767		

Comments: Project Ref: 402767
Permit Ref: WIMP12992713
Application No: 531666
Client: [REDACTED]
Application Date: 30/05/2013
Decision Due Date: 03/06/2013

Dear Mike,

An application has been received for a DMP (culling & dispersal of wildlife). It has been entered into ecotrack on the 30/05/2013 and the hard copy of the application will be forwarded to Cairns Region.

There is additional supporting information provided by the applicant with their application, which has been scanned and attached to this email. Please commence assessment of the application.

If you have any questions regarding this application please contact Anne Marie Lewis on 1300 130 372 or email palm@ehp.qld.gov.au (not an individual person).

Regards, Lauren Cavaliere

Department of Environment and Heritage Protection

Level 2

ARO43440

CULLING

RECEIVED

30 MAY 2013

PALM

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

30/05/2013

FILE REF

WMP12992713

PROJECT REF

402767

COMPLETE FORM

☐

CORRECT AA

☐

COMPLETE FEE

☐

ADMINISTERING DISTRICT

Coimbs

S.49 - Signature

31/03/2013

Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. A damage mitigation permit may be granted for a maximum period of six months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the *Nature Conservation Act* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:

- ☒ **AN INDIVIDUAL** → Complete Section 1 applicant details — then complete sections 3 to 11
- ☐ **A CORPORATION** → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME S.49		TITLE S.49
APPLICANT'S GIVEN NAME/S S.49		DATE OF BIRTH S.49
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) S.49		POST CODE S.49
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE



Application form

Damage mitigation permit (culling and dispersal of wildlife)

§.49		
TELEPHONE (AFTER HOURS) §.49	EMAIL §.49	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) AS ABOVE		POST CODE §.49

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME)		
TRADING NAME/S (IF APPLICABLE)		
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	FACSIMILE	
EMAIL	WEBSITE	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS		
NAME OF PRINCIPAL OF CORPORATION		
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorised to sign on their behalf)		DATE

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME §.49		TITLE §.49
NOMINATED CONTACT PERSON'S GIVEN NAME/S §.49		DATE OF BIRTH §.49
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) §.49		POSTCODE §.49
TELEPHONE (BUSINESS HOURS) §.49	MOBILE	FACSIMILE
TELEPHONE (AFTER HOURS) §.49	EMAIL §.49	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) AS ABOVE		POSTCODE

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☐ No ☒ If yes, state the permit number (if known)

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME §.49	GIVEN NAME §.49
FAMILY NAME §.49	GIVEN NAME §.49
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS

We are being overrun with wallabies since October last year. They have destroyed our lawns and gardens on our home property and our rental property. The yards are covered in "poop" It is impossible to walk anywhere without standing in it. Children in bare feet and adults alike are in danger of picking up diseases. There is a possibility of a child or an adult of being attacked. We chase them and they are back in minutes. It is not unusual to have 15 in the front yard and a further 15 in the back yard. Multiply this with the number of residences and you must agree that they are in plague proportions. We now have a further influx of young ones. After "Yasi" we spent hundreds of dollars to repair our yard only to have it destroyed by wallabies. §.49 It is not very nice for them to have to put up with droppings all over the yard. It is more than 6 months since this started and our health is suffering.. We are at our wit's end and it only a matter of time before our mental health is affected and something drastic could happen. Please treat this application with urgency.

6. Outline monetary loss experienced

The lawns and gardens on our two properties have been destroyed. We will have to replant the lawns to bring them back to what they were. We are particular with keeping our property in top order and pride ourselves in our work. Probably monetary loss to replace our yards would be in the vicinity of §.49

Application form

Damage mitigation permit (culling and dispersal of wildlife)

7. What previous damage mitigation method(s) have you tried (if any) and was this successful?

PREVIOUS METHOD/S

We have tried chasing them away. My husband has got up two and three times during the night to chase them but to no avail. After dark they seems to multiply and it is impossible to keep chasing them. We cannot keep doing this. Our health is suffering

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS S.49 [REDACTED]	
LOT S.49 [REDACTED]	PLAN
LOCAL GOVERNMENT AREA CASSOWARY COAST	

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

SPECIFIC LOCATION/PROPERTY NAME S.49 [REDACTED]
GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
WALLABIES	AGILE WALLABIES	100'S

Application form

Damage mitigation permit (culling and dispersal of wildlife)

10. What are the approximate start and completion dates of the project?

START DATE WHEN PERMIT IS ISSUED	FINISH DATE WHEN WALLABIES ARE CULLED
-------------------------------------	--

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE s.49	
LICENCE NUMBER s.49	

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE MR
FAMILY NAME s.49	
GIVEN NAME/S s.49	

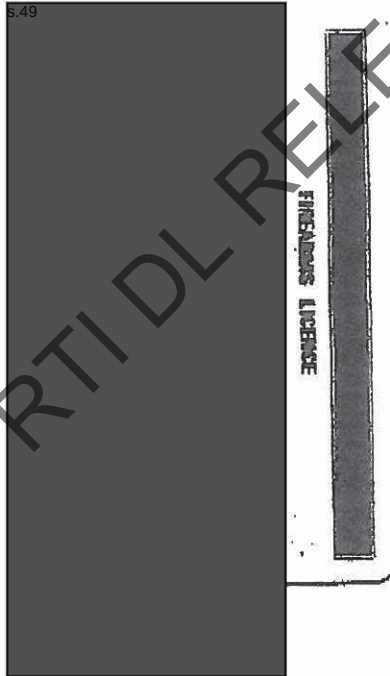
If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS	
1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court? (Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.	☐ YES ☒ NO	
2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled? If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.	☐ YES ☒ NO	

COPY OF WEAPONS LICENCE



RTI DL RELEASE - EHP

Application form

Damage mitigation permit (culling and dispersal of wildlife)

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME [Redacted]	
APPLICANT'S SIGNATURE [Redacted]	DATE 28.5.2013
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION	

14. Applicant checklist

- ☒ Application form completed, signed and dated
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372**
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.

Pages 52 through 58 redacted for the following reasons:

s.49 - Personal Information

RTI DL RELEASE - EHP

Level 2

AR040519

RECEIVED

RECEIVED

02 APR 2008

02 APR 2008

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

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FILE REF

PROJECT REF

COMPLETE FORM

☐

CORRECT AA

☐

COMPLETE FEE

☐

ADMINISTERING DISTRICT

ENTERED BY [SIGNATURE]

DATE

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Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. A damage mitigation permit may be granted for a maximum period of six months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

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Applicant information

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- ☐ **AN INDIVIDUAL** → Complete Section 1 applicant details — then complete sections 3 to 11
- ☒ **A CORPORATION** → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE



Application form

Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME) THE KENNETH BARNES FAMILY TRUST		
TRADING NAME/S (IF APPLICABLE) WE OWN A		
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 138 ALEXANDER DRIVE, MISSION BEACH		POST CODE 4852
TELEPHONE (BUSINESS HOURS) 07 40 687 687	FACSIMILE 07 40 687 246	
EMAIL §.49	WEBSITE	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) "AS ABOVE"		POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 71 837 714 618		
NAME OF PRINCIPAL OF CORPORATION §.49		
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorised to sign on their behalf) §.49 - Signature		DATE 27/03/2013

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME §.49		TITLE §.49
NOMINATED CONTACT PERSON'S GIVEN NAME/S §.49		DATE OF BIRTH §.49
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) §.49		POSTCODE §.49
TELEPHONE (BUSINESS HOURS) §.49	MOBILE §.49	FACSIMILE §.49
TELEPHONE (AFTER HOURS) §.49	EMAIL §.49	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) "AS ABOVE"		POSTCODE

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☐ No ☒ If yes, state the permit number (if known)

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME s.49	GIVEN NAME
FAMILY NAME s.49	GIVEN NAME
FAMILY NAME s.49	GIVEN NAME
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS
DAMAGE TO CROPS, DAMAGE TO IRRIGATION PIPES, THREAT TO HUMAN HEALTH, SAFTEY

6. Outline monetary loss experienced

AS A PRIMARY PRODUCER THE MONETARY LOSS IS EXTREME, OUR IRRIGATION AND SPRINKLERS ARE BEING DEMOLISHED AT RECORD RATES, FRUIT LOST DUE TO WALLABIES EATING THEM, WE HAVE BEEN THROUGH A LOT TRYING TO RECOVER FROM NATURAL DISASTERS AND THEN THE WILDLIFE IS A ISSUE, WE HAVE TRIED TO PUT OUT DIFFERNT FEEDING STATIONS TO TRY AND COACH THEM ELSE WHERE BUT THIS HAS NOT WORKED.
OUR YOUNG PLANT OF BANANA'S IS ALMOST DEMOLISHED, OUR WATERMELONS BEING EATEN AND PUMPKINS THEY ARE BREAKING OFF , NOT TO MENTION OUR CROP OF PAWPAWS.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

7. What previous damage mitigation method(s) have you tried (if any) and was this successful?

PREVIOUS METHOD/S

HAVE TRIED TO COACH THEM AWAY PUTTING RIPE FRUIT ELSE WHERE FOR THEM TO EAT , BUT TO NO AVAILABILITY.
THE MORE HOUSES WE GET IN MISSION BEACH THE MORE ISSUES WE HAVE WITH WALLABIES, WE HAVE BEEN FARMING THIS LAND SINCE 1975, IN 1964 THERE WAS 65 FARMERS AT MISSION BEACH TODAY THERE IS ONLY 4.

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS

BOYETT ROAD MISSION BEACH, ALEXANDER DRIVE MISSION BEACH

LOT

L9 , L 2-3

PLAN

RP886381 , SP125421

LOCAL GOVERNMENT AREA

CASSOWARY COAST REGIONAL COUNCIL

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

SPECIFIC LOCATION/PROPERTY NAME

GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
WALLABIES		400

Application form

Damage mitigation permit (culling and dispersal of wildlife)

10. What are the approximate start and completion dates of the project?

START DATE ALL YEAR ROUND	FINISH DATE ALL YEAR ROUND
------------------------------	-------------------------------

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE <div style="background-color: black; width: 100%; height: 1.2em; margin-top: 5px;"></div>	
LICENCE NUMBER <div style="background-color: black; width: 100%; height: 1.2em; margin-top: 5px;"></div>	

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE
FAMILY NAME	
GIVEN NAME/S	

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS
1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court? (Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.	<div style="display: flex; flex-direction: column; align-items: flex-start;"> <div>☐ YES</div> <div>☒ NO</div> </div>
2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled? If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.	<div style="display: flex; flex-direction: column; align-items: flex-start;"> <div>☐ YES</div> <div>☒ NO</div> </div>

Application form

Damage mitigation permit (culling and dispersal of wildlife)

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME S.49	
APPLICANT'S SIGNATURE S.49 - Signature	DATE 27/03/2013
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION DIRECTOR	

14. Applicant checklist

- ☒ Application form completed, signed and dated
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372**
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.



FIREARMS LICENCE

s.49



RTI DL RELEASE - EHP

STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	s.49
Decision maker	I, Michael Joyce, the delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	19 April 2013

Introduction

On 2 April 2013, s.49 lodged an application for a Damage Mitigation Permit to cull 50 agile wallabies.

On 19 April 2013, after consideration of the material before me, and under section 185 of the *Nature Conservation (Wildlife Management) Regulation 2006*, I, Michael Joyce signed a letter to s.49 confirming my decision.

On 8 May 2013, s.49 requested a statement of reasons for the decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows:

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential threat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied—

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is not prevented or controlled—
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006* (**the Administration Regulation**) provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the Administration Regulation;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the Administration Regulation I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992*, (The Act), the Wildlife Management Regulation and the Administration Regulation 2006
- Damage Mitigation Permit Application dated 2 April 2013
- Damage Mitigation Permit Assessment dated 17 April 2013 including a property inspection
- Communication from Wildlife Ranger, Skeen West to Delegate Michael Joyce, Team Leader regarding West's survey of the area on 23 April 2013 and on previous occasions, including photographs from the area (37)
- Historical and local knowledge

Findings of fact

I assessed the application against the requirements of the Nature Conservation legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the Wildlife Management Regulation	Agile wallaby (<i>macropus agilis</i>) is a species of least concern by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i>
Section 185(1)(a) of the Wildlife Management Regulation	I am satisfied that the animal is causing, or may cause damage because loss and extensive damage to crops, and equipment because of previous financial losses of approximately \$5.49 per week during dry months.
Section 185(1)(b)	I am satisfied the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage because other non-lethal mitigation methods have been employed to deter wallabies without success. A condition of the permit is for Bird Frite and/or other non-lethal deterrent methods to be used in conjunction with this permit.
Section 185(1)(c)	I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss to the tune of approximately \$5.49 per week during the dry months.
Section 185(1)(d)	<p>I am satisfied that action under the permit will not adversely affect the survival of the animal in the wild because only 50 animals are permitted to be taken. The on-site assessment showed there is a large density of animals in the area. Large local population of approximately 1,000 agile wallabies are unlikely to be of significant long-term conservation concern.</p> <p>Permit conditions that support this are:</p> <ul style="list-style-type: none"> • Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit. • The taking can occur only within the boundaries of the landholders property. • Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.
Section 185(1)(e)	I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the culling of the animals would be carried out by a licensed shooter in accordance with the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-Commercial

	Purposes.
Section 186(a)	I am not satisfied that there is, or may be, a threat to a person's health and wellbeing resulting from harm caused by the animal to the person.
Section 186(b)	<p>I am satisfied that action under the permit will not detrimentally affect the survival of the animal in the wild because only 50 animals are permitted to be taken. The onsite assessment showed there was a large density of animals in the area. Large local population of approximately 1,000 agile wallabies are unlikely to be of significant long-term conservation concern.</p> <p>Permit conditions that support this are:</p> <ul style="list-style-type: none"> • Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit. • The taking can occur only within the boundaries of the landholders property. • Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.
Section 186(c)	I am satisfied the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the actions will be carried out by a licensed shooter in accordance with the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-Commercial Purposes. A specific condition of the permit is for lethally taken female macropods to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified by the Code.

Additional matters I have taken into account

I considered matters under Section 25 (1)(a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest.

- For the applicant to notify neighbours, police and the relevant local authority prior to commencement of operations.
- Taking can occur only within the boundaries of the landholders property
- Carcasses to be disposed of in an appropriate manner.
- That the actions will be taken by a person with a firearm license as a suitable person to hold this authority.

Reasons for making the decision

I was satisfied of all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP.

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

s.49

Our reference: 400482

Dea

Re: Decision made in relation to your application

Your application received on 02-APR-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP12725013	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

Michael Joyce
Department of Environment and Heritage Protection
Date

Enquiries:

Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP12725013

Valid from: 19-APR-2013 to 18-OCT-2013

Parties to the Permit

Role	Name	Address
Principal Holder	5.49	

Permitted Location Activity Details

Location (s)	Activity (s)
Alexander Drive, MISSION BEACH QLD 4852 3 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss
Boyett Road, MISSION BEACH QLD 4852 9 RP886381, 2 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
All locations relating to this permit		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	50 Animal/s

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Conditions of Approval

General Permit Conditions

Agency Interest: General

- PG1 Additional Information:
1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
 2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
 3. Taking can occur only within the boundaries of the landholders property
 4. Carcasses to be disposed of in an appropriate manner
 5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

- PB1 Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

- A1G1 Important notes:
A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

- A1B1 Macropods
1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Signed

Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

From: Horton Jean [Jean.Horton@ehp.qld.gov.au]
Sent: Thursday, 18 April 2013 2:57 PM
To: Joyce Mike
CC: Spragg James
Subject: dmp [REDACTED]
Attachments: [REDACTED] Mission_Beach170413.doc.[1].doc; application.pdf; 963401.pdf; 963439.pdf

Follow Up Flag: Follow up
Due By: Thursday, 18 April 2013 12:00 AM
Flag Status: Completed

Hi Mike
Attached is a Dmp and NoD for [REDACTED] to lethally take agile wallabies in the Mission Beach area. Also attached are the application and Ranger Jack Cosgrove's inspection assessment recommending a dmp be approved for the lethal take of up to 50 x agiles. For your approval and signature please.

Thanks! Jean

Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 Facsimile: 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

-----Original Message-----

From: Cosgrove Jack
Sent: Wednesday, 17 April 2013 11:45 AM
To: Horton Jean
Subject: [REDACTED] DMP and Gun Licence [REDACTED]

Hi Jean,

Just sending through another DMP assessment from last week. I have also attached 2 extra firearms licences to operate under the permit

Regards.
Jack

Jack Cosgrove
Wildlife Ranger

Wildlife Management Unit, Northern Region
Department of Environment and Heritage Protection
www.ehp.qld.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Thursday, 11 April 2013 9:37 PM
To: Cosgrove Jack
Subject: Gun Licence [REDACTED]

Hi Jack,

Just sending you gun licences from our discussion we had today.

Thank 

RTI DL RELEASE - EHP

Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP12725013

Valid from: 19-APR-2013 to 18-OCT-2013

Parties to the Permit

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Location		Activity	
All locations relating to this permit		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
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Agency Interest: Biodiversity

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Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

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Agency Interest: Biodiversity

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Signed

Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

s.49

Our reference: 400482

Dear s.49

Re: Decision made in relation to your application

Your application received on 02-APR-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP12725013	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

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If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

Michael Joyce
Department of Environment and Heritage Protection
Date

Enquiries:

Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Department of Environment and Heritage Protection

Level 2

AR040519

RECEIVED

02 APR 2006

RECEIVED

03 APR 2006

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

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FILE REF

PROJECT REF

COMPLETE FORM

☐

CORRECT AA

☐

COMPLETE FEE

☐

ADMINISTERING DISTRICT

ENTERED BY [SIGNATURE]

DATE

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Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. A damage mitigation permit may be granted for a maximum period of six months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the *Nature Conservation Act* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:

- ☐ AN INDIVIDUAL → Complete Section 1 applicant details — then complete sections 3 to 11
- ☒ A CORPORATION → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE



Application form

Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME) THE KENNETH BARNES FAMILY TRUST		
TRADING NAME/S (IF APPLICABLE) WE OWN A		
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 138 ALEXANDER DRIVE, MISSION BEACH		POST CODE 4852
TELEPHONE (BUSINESS HOURS) 07 40 687 687	FACSIMILE 07 40 687 246	
EMAIL [REDACTED]	WEBSITE	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) "AS ABOVE"		POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 71 837 714 618		
NAME OF PRINCIPAL OF CORPORATION [REDACTED]		
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorised to sign on their behalf) [REDACTED] - Signature		DATE 27/03/2013

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME [REDACTED]		TITLE [REDACTED]
NOMINATED CONTACT PERSON'S GIVEN NAME/S [REDACTED]		DATE OF BIRTH [REDACTED]
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) [REDACTED]		POSTCODE [REDACTED]
TELEPHONE (BUSINESS HOURS) [REDACTED]	MOBILE [REDACTED]	FACSIMILE [REDACTED]
TELEPHONE (AFTER HOURS) [REDACTED]	EMAIL [REDACTED]	
POSTAL ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL ADDRESS) " AS ABOVE"		POSTCODE

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☐ No ☒ If yes, state the permit number (if known)

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME S.49	GIVEN NAME
FAMILY NAME S.49	GIVEN NAME
FAMILY NAME S.49	GIVEN NAME
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS
DAMAGE TO CROPS, DAMAGE TO IRRIGATION PIPES, THREAT TO HUMAN HEALTH, SAFTEY

6. Outline monetary loss experienced

AS A PRIMARY PRODUCER THE MONETARY LOSS IS EXTREME, OUR IRRIGATION AND SPRINKLERS ARE BEING DEMOLISHED AT RECORD RATES, FRUIT LOST DUE TO WALLABIES EATING THEM, WE HAVE BEEN THROUGH A LOT TRYING TO RECOVER FROM NATURAL DISASTERS AND THEN THE WILDLIFE IS A ISSUE, WE HAVE TRIED TO PUT OUT DIFFERNT FEEDING STATIONS TO TRY AND COACH THEM ELSE WHERE BUT THIS HAS NOT WORKED. OUR YOUNG PLANT OF BANANA'S IS ALMOST DEMOLISHED, OUR WATERMELONS BEING EATEN AND PUMPKINS THEY ARE BREAKING OFF , NOT TO MENTION OUR CROP OF PAWPAWS.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

7. What previous damage mitigation method(s) have you tried (if any) and was this successful?

PREVIOUS METHOD/S

HAVE TRIED TO COACH THEM AWAY PUTTING RIPE FRUIT ELSE WHERE FOR THEM TO EAT , BUT TO NO AVAILABILITY.
THE MORE HOUSES WE GET IN MISSION BEACH THE MORE ISSUES WE HAVE WITH WALLABIES, WE HAVE BEEN FARMING THIS LAND SINCE 1975, IN 1964 THERE WAS 65 FARMERS AT MISSION BEACH TODAY THERE IS ONLY 4.

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS

BOYETT ROAD MISSION BEACH, ALEXANDER DRIVE MISSION BEACH

LOT

L9 , L 2-3

PLAN

RP886381 , SP125421

LOCAL GOVERNMENT AREA

CASSOWARY COAST REGIONAL COUNCIL

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

SPECIFIC LOCATION/PROPERTY NAME

GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
WALLABIES		400

Application form

Damage mitigation permit (culling and dispersal of wildlife)

10. What are the approximate start and completion dates of the project?

START DATE ALL YEAR ROUND	FINISH DATE ALL YEAR ROUND
------------------------------	-------------------------------

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE s.49	
LICENCE NUMBER s.49	

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE
FAMILY NAME	
GIVEN NAME/S	

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS
<p>1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court?</p> <p>(Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.</p>	<p>☐ YES ☒ NO</p>
<p>2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled?</p> <p>If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.</p>	<p>☐ YES ☒ NO</p>

Application form

Damage mitigation permit (culling and dispersal of wildlife)

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME [REDACTED]	
APPLICANT'S SIGNATURE [REDACTED]	DATE 27/03/2013
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION DIRECTOR	

14. Applicant checklist

- ☒ Application form completed, signed and dated
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372**
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.



FIREARMS LICENCE

s.49



RTI DL RELEASE - EHP



Queensland Government

Queensland Parks and Wildlife Service

DAMAGE MITIGATION PERMIT ASSESSMENT

DATE: 17/04/2013		LOCATION: 138 Alexander Drive	
TOWN/CITY: Mission Beach			
APPLICANT/S:			
PHONE: (07) 40 687 687		FAX NO: (07) 40 687 246	
COMPANY NAME (If applicable): The Kenneth Barnes Family Trust			
PROPERTY INSPECTED: Lot 9, Lot 2, Lot 3			
SHIRE: CCRC		PARISH:	
Background on DMP Assessment Request: New Permit			
1.What damage is being experienced?: Loss of produce (Bananas) - The wallabies are eating the lower bananas on the bunch hence running the entire bunch. They are at times trampling new plants. When they eat the banana bunches they are also ruining the bags. Maintenance costs experienced through replacing sprinkler systems that are damaged.			
2.Is the damage extensive and throughout the crop?: Yes. The whole property experiences damage although it is only a significant issue during the dry months of the year.			

3.What is the monetary loss suffered by the landholder last season?:
The landholder has indicated he can potentially incur costs of approximately \$49 per week when the wallabies are in their highest numbers. This occurs during periods of sustained dry weather.
4. How is this loss determined?: Estimated by landholder: The loss has been determined through loss of produce (bananas), potentially 100 boxes per week at its worst, at approximately \$49 a box. Fixing sprinkler systems that are damaged. Up to 200 sprinkler heads per week at \$49 each, plus labour. Replacing banana bags that are damaged. Potentially 50 bags a week at \$49 per bag.
5.What methods have been used to deter the wildlife from the crops?:
Chasing on quad bikes. Horns and lights. Chasing early morning and night.
6.If only lethal methods have been employed explain why no other methods have been used?:
N/A
7. What species of wildlife causes damage to the crop?:
Agile Wallabies.
8. Has the landholder sought information on non-lethal methods of control?:
Yes he has tried other methods as mentioned in section 5 but they are unsuccessful as a long term solution. The land holder will also explore alternative non lethal options such as the use of bird-frite and gas guns.
9. Does the landholder intend to utilise non-lethal controls in the future?:
Yes. The landholder reports that he does not enjoying killing wallabies and he will continue to use the other methods. The lethal take is a short term measure when the problem is at its worst to reinforce current non-lethal practices that are in place.

10. Do the landholder's current management practices influence the wildlife visiting their crops ie allowing fruit to ripen on the tree etc?:
N/A
11. Will the landholder advise EHP daily of the numbers of each wildlife being taken?:
No, he will submit a return of operations quarterly.
12. Is this permit being sought in anticipation of potential damage?:
Yes. The damage is minor during the wet season but the permit is being applied for as a result of financial costs incurred over the previous dry seasons
13. Does the landholder consider destruction of wildlife an effective means of control as opposed to deterring or exclusion? :
No, he would prefer to use other methods

OFFICE USE ONLY: To be completed by assessing officer

Would the number of wildlife requested by the landholder on the DMP application cause some conservation concern in terms of that species ability to survive?:
I do not believe that granting a permit to take 50 Agile Wallabies would cause any long-term conservation concerns to the local populations, which are considered least concern. The number requested is unlikely to affect the species ability to survive.
How has this decision been arrived at ? (references, communications):
Species involved are considered least concern under NCA 1992 and its subordinate legislation. Knowledge/experience, species are abundant locally Numbers issued will remain low
Does the method used to take the wildlife inhumane or likely to cause suffering to the animal?
Suffering to animal is unlikely to occur. Shooting to be carried out by licensed shooters. Shot that causes instantaneous death or unconsciousness without recovery prior to death will prevent suffering
Is there evidence that wildlife has been taken prior to this inspection and outside the period of a permit?:
No evidence of illegal wildlife take was observed on inspection of farm.

How was this substantiated?:	
On site inspection and tour of the farm carried out by Rangers.	
INSPECTION OFFICER: Jack Cosgrove.	
LOCATION: Innisfail	PHONE: 40483715
DATE INSPECTED: 12/047/2013	
APPROVAL RECOMMENDED: After completion of a site visit, I recommend that a 6 month Damage Mitigation Permit be issued to [REDACTED] commencing immediately, to take the following species: <ul style="list-style-type: none"> • 50 Agile Wallabies 	
SIGNATURE OF INSPECTING OFFICER:	

RTI DL RELEASE EHP

From: Horton Jean [Jean.Horton@ehp.qld.gov.au]
Sent: Thursday, 2 May 2013 10:06 AM
To: Spragg James
Subject: FW: dmp [REDACTED]
Attachments: [REDACTED] Mission_Beach170413.doc.[1].doc; application.pdf; 963401.pdf; 963439.pdf

Follow Up Flag: Follow up
Due By: Thursday, 2 May 2013 12:00 AM
Flag Status: Completed

Hi James

Do you know what is happening with this application? It is likely that it hasn't been approved because of the furore around wallabies in Mission Beach. Anyway, if you could let me know what the thinking is on this one that would be great.

Thanks! Jean

Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 Facsimile: 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

-----Original Message-----

From: Horton Jean
Sent: Thursday, 18 April 2013 2:58 PM
To: Joyce Mike
Cc: Spragg James
Subject: dmp [REDACTED]

Hi Mike
Attached is a Dmp and NoD for [REDACTED] to lethally take agile wallabies in the Mission Beach area. Also attached are the application and Ranger Jack Cosgrove's inspection assessment recommending a dmp be approved for the lethal take of up to 50 x agiles. For your approval and signature please.

Thanks! Jean

Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

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Sent: Wednesday, 17 April 2013 11:45 AM
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Subject: [REDACTED] DMP and Gun Licence- [REDACTED]

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Just sending through another DMP assessment from last week, I have also attached 2 extra firearms licences to operate under the permit

Regards.

Jack

Jack Cosgrove
Wildlife Ranger

Wildlife Management Unit, Northern Region
Department of Environment and Heritage Protection
www.ehp.qld.gov.au

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Hi Jack.

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Thanks [REDACTED]

RTI DL RELEASE - EHP

Permit¹

This permit is issued under the following legislation:
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Damage Mitigation Permit

Permit number: WIMP12725013

Valid from: 19-APR-2013 to 18-OCT-2013

Parties to the Permit

Role	Name	Address
Principal Holder	[REDACTED]	[REDACTED]

Permitted Location Activity Details

Location (s)	Activity (s)
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Permit Details

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Location		Activity	
All locations relating to this permit		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
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Conditions of Approval

General Permit Conditions

Agency Interest: General

- PG1 Additional Information:
1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
 2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
 3. Taking can occur only within the boundaries of the landholders property
 4. Carcasses to be disposed of in an appropriate manner
 5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

- PB1 Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

- A1G1 Important notes:
A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

- A1B1 Macropods
1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Damage Mitigation Permit

WIMP12725013

Signed

Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

s.49

Our reference: 400482

Dear s.49

Re: Decision made in relation to your application

Your application received on 02-APR-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP12725013	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

Michael Joyce
Department of Environment and Heritage Protection
Date

Enquiries:

Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

AR040519

RECEIVED

RECEIVED

02 APR 2008

02 APR 2008

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

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FILE REF

PROJECT REF

COMPLETE FORM

CORRECT AA

☐
☐

COMPLETE FEE

☐

ADMINISTERING DISTRICT

ENTERED BY [SIGNATURE]

DATE

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Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. A damage mitigation permit may be granted for a maximum period of six months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the *Nature Conservation Act* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:

- ☐ AN INDIVIDUAL → Complete Section 1 applicant details — then complete sections 3 to 11
- ☒ A CORPORATION → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE

Application form

Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME) THE KENNETH BARNES FAMILY TRUST		
TRADING NAME/S (IF APPLICABLE) WE OWN A		
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 138 ALEXANDER DRIVE, MISSION BEACH		POST CODE 4852
TELEPHONE (BUSINESS HOURS) 07 40 687 687	FACSIMILE 07 40 687 246	
EMAIL §.49	WEBSITE	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) "AS ABOVE"		POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 71 837 714 618		
NAME OF PRINCIPAL OF CORPORATION §.49		
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorised to sign on their behalf) §.49 - Signature		DATE 27/03/2013

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME §.49		TITLE §.49
NOMINATED CONTACT PERSON'S GIVEN NAME/S §.49		DATE OF BIRTH §.49
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) §.49		POSTCODE §.49
TELEPHONE (BUSINESS HOURS) §.49	MOBILE	FACSIMILE
TELEPHONE (AFTER HOURS) §.49	EMAIL	
POSTAL ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL ADDRESS) " AS ABOVE"		POSTCODE

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☐ No ☒ If yes, state the permit number (if known)

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME S.49	GIVEN NAME
FAMILY NAME S.49	GIVEN NAME
FAMILY NAME S.49	GIVEN NAME
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS

DAMAGE TO CROPS, DAMAGE TO IRRIGATION PIPES, THREAT TO HUMAN HEALTH, SAFTEY

6. Outline monetary loss experienced

AS A PRIMARY PRODUCER THE MONETARY LOSS IS EXTREME, OUR IRRIGATION AND SPRINKLERS ARE BEING DEMOLISHED AT RECORD RATES, FRUIT LOST DUE TO WALLABIES EATING THEM, WE HAVE BEEN THROUGH A LOT TRYING TO RECOVER FROM NATURAL DISASTERS AND THEN THE WILDLIFE IS A ISSUE, WE HAVE TRIED TO PUT OUT DIFFERNT FEEDING STATIONS TO TRY AND COACH THEM ELSE WHERE BUT THIS HAS NOT WORKED. OUR YOUNG PLANT OF BANANA'S IS ALMOST DEMOLISHED, OUR WATERMELONS BEING EATEN AND PUMPKINS THEY ARE BREAKING OFF , NOT TO MENTION OUR CROP OF PAWPAWS.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

7. What previous damage mitigation method(s) have you tried (if any) and was this successful?

PREVIOUS METHOD/S

HAVE TRIED TO COACH THEM AWAY PUTTING RIPE FRUIT ELSE WHERE FOR THEM TO EAT , BUT TO NO AVAILABILITY.
THE MORE HOUSES WE GET IN MISSION BEACH THE MORE ISSUES WE HAVE WITH WALLABIES, WE HAVE BEEN FARMING THIS LAND SINCE 1975, IN 1964 THERE WAS 65 FARMERS AT MISSION BEACH TODAY THERE IS ONLY 4.

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS

BOYETT ROAD MISSION BEACH, ALEXANDER DRIVE MISSION BEACH

LOT

L9 , L 2-3

PLAN

RP886381 , SP125421

LOCAL GOVERNMENT AREA

CASSOWARY COAST REGIONAL COUNCIL

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

SPECIFIC LOCATION/PROPERTY NAME

GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
WALLABIES		400

Application form

Damage mitigation permit (culling and dispersal of wildlife)

10. What are the approximate start and completion dates of the project?

START DATE ALL YEAR ROUND	FINISH DATE ALL YEAR ROUND
------------------------------	-------------------------------

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE <div style="background-color: black; width: 150px; height: 1.2em; margin-top: 2px;"></div>
LICENCE NUMBER <div style="background-color: black; width: 100px; height: 1.2em; margin-top: 2px;"></div>

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE
FAMILY NAME	
GIVEN NAME/S	

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS
1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court? (Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.	☐ YES ☒ NO
2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled? If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.	☐ YES ☒ NO

Application form

Damage mitigation permit (culling and dispersal of wildlife)

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME S.49	
APPLICANT'S SIGNATURE S.49 - Signature	DATE 27/03/2013
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION DIRECTOR	

14. Applicant checklist

- ☒ Application form completed, signed and dated
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372**
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.



FIREARMS LICENCE

s.49



RTI DL RELEASE - EHP

DAMAGE MITIGATION PERMIT ASSESSMENT

DATE: 17/04/2013	LOCATION: 138 Alexander Drive
TOWN/CITY: Mission Beach	
APPLICANT/S: [REDACTED]	
PHONE: (07) 40 687 687	FAX NO: (07) 40 687 246
COMPANY NAME (If applicable): The Kenneth Barnes Family Trust	
PROPERTY INSPECTED: Lot 9, Lot 2, Lot 3	
SHIRE: CCRC	PARISH:
Background on DMP Assessment Request: New Permit	
<p>1.What damage is being experienced?: Loss of produce (Bananas) - The wallabies are eating the lower bananas on the bunch hence running the entire bunch. They are at times trampling new plants. When they eat the banana bunches they are also ruining the bags. Maintenance costs experienced through replacing sprinkler systems that are damaged.</p>	
<p>2.Is the damage extensive and throughout the crop?: Yes. The whole property experiences damage although it is only a significant issue during the dry months of the year.</p>	

3.What is the monetary loss suffered by the landholder last season?:
The landholder has indicated he can potentially incur costs of approximately \$49 per week when the wallabies are in their highest numbers. This occurs during periods of sustained dry weather.
4. How is this loss determined?: Estimated by landholder: The loss has been determined through loss of produce (bananas), potentially 100 boxes per week at its worst, at approximately \$49 a box. Fixing sprinkler systems that are damaged. Up to 200 sprinkler heads per week at \$49 each, plus labour. Replacing banana bags that are damaged. Potentially 50 bags a week at \$49 per bag.
5.What methods have been used to deter the wildlife from the crops?:
Chasing on quad bikes. Horns and lights. Chasing early morning and night.
6.If only lethal methods have been employed explain why no other methods have been used?:
N/A
7. What species of wildlife causes damage to the crop?:
Agile Wallabies.
8. Has the landholder sought information on non-lethal methods of control?:
Yes he has tried other methods as mentioned in section 5 but they are unsuccessful as a long term solution. The land holder will also explore alternative non lethal options such as the use of bird-frite and gas guns.
9. Does the landholder intend to utilise non-lethal controls in the future?:
Yes. The landholder reports that he does not enjoying killing wallabies and he will continue to use the other methods. The lethal take is a short term measure when the problem is at its worst to reinforce current non-lethal practices that are in place.

10. Do the landholder's current management practices influence the wildlife visiting their crops ie allowing fruit to ripen on the tree etc?:
N/A
11. Will the landholder advise EHP daily of the numbers of each wildlife being taken?:
No, he will submit a return of operations quarterly.
12. Is this permit being sought in anticipation of potential damage?:
Yes. The damage is minor during the wet season but the permit is being applied for as a result of financial costs incurred over the previous dry seasons
13. Does the landholder consider destruction of wildlife an effective means of control as opposed to deterring or exclusion? :
No, he would prefer to use other methods

OFFICE USE ONLY: To be completed by assessing officer

Would the number of wildlife requested by the landholder on the DMP application cause some conservation concern in terms of that species ability to survive?:
I do not believe that granting a permit to take 50 Agile Wallabies would cause any long-term conservation concerns to the local populations, which are considered least concern. The number requested is unlikely to affect the species ability to survive.
How has this decision been arrived at ? (references, communications):
Species involved are considered least concern under NCA 1992 and its subordinate legislation. Knowledge/experience, species are abundant locally Numbers issued will remain low
Does the method used to take the wildlife inhumane or likely to cause suffering to the animal?
Suffering to animal is unlikely to occur. Shooting to be carried out by licensed shooters. Shot that causes instantaneous death or unconsciousness without recovery prior to death will prevent suffering
Is there evidence that wildlife has been taken prior to this inspection and outside the period of a permit?:
No evidence of illegal wildlife take was observed on inspection of farm.

How was this substantiated?:	
On site inspection and tour of the farm carried out by Rangers.	
INSPECTION OFFICER: Jack Cosgrove.	
LOCATION: Innisfail	PHONE: 40483715
DATE INSPECTED: 12/047/2013	
APPROVAL RECOMMENDED: After completion of a site visit, I recommend that a 6 month Damage Mitigation Permit be issued to [REDACTED] commencing immediately, to take the following species: <ul style="list-style-type: none"> • 50 Agile Wallabies 	
SIGNATURE OF INSPECTING OFFICER:	

RTI DL RELEASE EHP

From: Horton Jean [Jean.Horton@ehp.qld.gov.au]
Sent: Thursday, 2 May 2013 10:24 AM
To: Spragg James
Subject: RE: dmp [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

Thanks James! Much appreciated!

Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 Facsimile: 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

-----Original Message-----

From: Spragg James
Sent: Thursday, 2 May 2013 10:13 AM
To: Horton Jean
Subject: RE: dmp [REDACTED]

Hi Jean,

I provided Mike with this permit for his considerations, however I am aware that Rebecca Williams has directed Mike to not sign this permit at this stage due to the political angst in Mission Beach.

I will follow up with Mike on this as I am aware that the department has recommended that the council apply for a DMP, and has been requested by the Council to provide information on the responsibilities of, and management tools land holders have with regards to the management of protected wildlife, in particular agile wallabies.

Regards,
James

James Spragg
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: (07) 4796 7791
Fax: (07) 4796 7705
Email: james.spragg@ehp.qld.gov.au

-----Original Message-----

From: Horton Jean
Sent: Thursday, 2 May 2013 10:06 AM

To: Spragg James
Subject: FW: dmp [REDACTED]

Hi James

Do you know what is happening with this application? It is likely that it hasn't been approved because of the furore around wallabies in Mission Beach. Anyway, if you could let me know what the thinking is on this one that would be great.

Thanks! Jean

Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 Facsimile: 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

-----Original Message-----

From: Horton Jean
Sent: Thursday, 18 April 2013 2:58 PM
To: Joyce Mike
Cc: Spragg James
Subject: dmp [REDACTED]

Hi Mike
Attached is a Dmp and NoD for [REDACTED] to lethally take agile wallabies in the Mission Beach area. Also attached are the application and Ranger Jack Cosgrove's inspection assessment recommending a dmp be approved for the lethal take of up to 50 x agiles. For your approval and signature please.

Thanks! Jean

Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 Facsimile: 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

-----Original Message-----

From: Cosgrove Jack
Sent: Wednesday, 17 April 2013 11:45 AM
To: Horton Jean
Subject: [REDACTED] DMP and Gun Licence [REDACTED]

Hi Jean,

Just sending through another DMP assessment from last week. I have also attached 2 extra firearms licences to operate under the permit

Regards,
Jack

Jack Cosgrove

Wildlife Ranger

Wildlife Management Unit, Northern Region Department of Environment and Heritage Protection www.ehp.qld.gov.au

-----Original Message-----

From: [REDACTED] s.49

Sent: Thursday, 11 April 2013 9:37 PM

To: Cosgrove Jack

Subject: Gun Licence [REDACTED] s.49

Hi Jack,

Just sending you gun licences from our discussion we had today.

Thanks [REDACTED] s.49

RTI DL RELEASE - EHP

From: Horton Jean [Jean.Horton@ehp.qld.gov.au]
Sent: Tuesday, 7 May 2013 12:31 PM
To: Spragg James
Subject: FW: [REDACTED] DMP_signed
Attachments: [REDACTED] VIMP12725013 190413 - 181013.pdf

Follow Up Flag: Follow up
Due By: Tuesday, 7 May 2013 12:00 AM
Flag Status: Completed

Hi James
Page 2 of the dmp seems to be missing. Can you please resend the whole signed permit and nod, including page 2?
Thanks! Jean
Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 **Facsimile:** 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

From: Spragg James
Sent: Monday, 6 May 2013 4:10 PM
To: Horton Jean
Subject: [REDACTED] DMP_signed

Hi Jean,

Attached is a signed copy of the DMP permit for [REDACTED] for the lethal take of Agile Wallabies in the Mission Beach area.

Regards,
James

James Spragg
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: (07) 4796 7791
Fax: (07) 4796 7705
Email: james.spragg@ehp.qld.gov.au

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

s.49

Our reference: 400482

Dea

Re: Decision made in relation to your application

Your application received on 02-APR-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP12725013	Granted - level 2

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Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

s.49 - Signature

Michael Love
Department of Environment and Heritage Protection
Date

Enquiries:

Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006
Damage Mitigation Permit

Permit number: WIMP12725013

Valid from: 19-APR-2013 to 18-OCT-2013

Parties to the Permit

Role	Name	Address
Principal Holder	[REDACTED]	[REDACTED]

Permitted Location Activity Details

Location (s)	Activity (s)
Alexander Drive, MISSION BEACH QLD 4852 3 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss
Boyett Road, MISSION BEACH QLD 4852 9 RP886381, 2 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
All locations relating to this permit		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	50 Animal/s

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



S.49 - Signature

S

Michael
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

From: Spragg James [James.Spragg@ehp.qld.gov.au]
Sent: Tuesday, 7 May 2013 1:33 PM
To: Horton Jean
Subject: RE: [REDACTED] DMP_signed
Attachments: [REDACTED] VIMP12725013 190413 - 181013_signed.pdf

Hi Jean,

I apologise for the last permit missing page 2, I accidentally left my scanner set to single page.

Regards,
James

James Spragg
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: (07) 4796 7791
Fax: (07) 4796 7705
Email: james.spragg@ehp.qld.gov.au

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Subject: FW: [REDACTED] DMP_signed

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Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 Facsimile: 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

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Subject: [REDACTED] DMP_signed

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Regards,
James

James Spragg
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: (07) 4796 7791
Fax: (07) 4796 7705
Email: james.spragg@ehp.qld.gov.au

RTI DL RELEASE - EHP

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If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

s.49 - Signature

Michael Joyce
Department of Environment and Heritage Protection
Date

Enquiries:

Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

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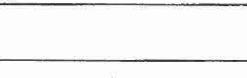
Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006
Damage Mitigation Permit

Permit number: WIMP12725013

Valid from: 19-APR-2013 to 18-OCT-2013

Parties to the Permit

Role	Name	Address
Principal Holder		

Permitted Location Activity Details

Location (s)	Activity (s)
Alexander Drive, MISSION BEACH QLD 4852 3 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss
Boyett Road, MISSION BEACH QLD 4852 9 RP886381, 2 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
All locations relating to this permit		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	50 Animal/s

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Conditions of Approval

General Permit Conditions

Agency Interest: General

PG1

Additional Information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
3. Taking can occur only within the boundaries of the landholders property
4. Carcasses to be disposed of in an appropriate manner
5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB1

Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

A1G1

Important notes:

A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

A1B1

Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

s.49 - Signature



Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

From: Horton Jean [Jean.Horton@ehp.qld.gov.au]
Sent: Tuesday, 7 May 2013 1:51 PM
To: Spragg James
Subject: RE: [REDACTED] DMP_signed

Follow Up Flag: Follow up
Flag Status: Completed

No worries and thanks heaps!
Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 **Facsimile:** 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

From: Spragg James
Sent: Tuesday, 7 May 2013 1:34 PM
To: Horton Jean
Subject: RE: [REDACTED] DMP_signed

Hi Jean,

I apologise for the last permit missing page 2, I accidentally left my scanner set to single pay.

Regards,
James

James Spragg
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: (07) 4796 7791
Fax: (07) 4796 7705
Email: james.spragg@ehp.qld.gov.au

From: Horton Jean
Sent: Tuesday, 7 May 2013 12:31 PM
To: Spragg James
Subject: FW: [REDACTED] DMP_signed

Hi James
Page 2 of the dmp seems to be missing. Can you please resend the whole signed permit and nod, including page 2?
Thanks! Jean
Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 Facsimile: 07 4091 8150

Email: jean.horton@ehp.qld.gov.au

From: Spragg James

Sent: Monday, 6 May 2013 4:10 PM

To: Horton Jean

Subject: ^{s.49} [REDACTED] DMP_signed

Hi Jean,

Attached is a signed copy of the DMP permit for ^{s.49} [REDACTED] for the lethal take of Agile Wallabies in the Mission Beach area.

Regards,

James

James Spragg

Ranger - Wildlife

Department of Environment and Heritage protection

PO Box 5597

Townsville, QLD 4810

Phone: (07) 4796 7791

Fax: (07) 4796 7705

Email: james.spragg@ehp.qld.gov.au

RTI DL RELEASE - EHP

HERRIMAN Karmen

From: Couprie Dayna
Sent: Thursday, 20 February 2014 12:29 PM
To: Cosgrove Jack
Subject: Permit for [REDACTED]
Attachments: WIMP13964814.pdf

Hi Jack,

Please find attached the permit for [REDACTED] I will mail out the originals this week – can you please ensure he gets a copy so he can commence?

Kind regards
Dayna

Dayna Couprie
Project Officer

Wildlife Management
Department of Environment and Heritage Protection

PO Box 375
Garbutt East LPO, QLD 4814
Phone: (07) 4796 7768
Fax: (07) 4796 7705

Email: dayna.couprie@ehp.qld.gov.au



RTI DL RELEASE - EHP

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

We Own A Pty Ltd
138 Alexander Drive
MISSION BEACH QLD 4852

Our reference: 400482

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 08-JAN-2014 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13964814	Granted

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jack Cosgrove on the telephone number listed below.

Yours sincerely,

s.49 - Signature

Department of Environment and Heritage Protection

Date

20/2/14

Enquiries:

Wildlife - Cairns - Tingira
PO Box 2066
CAIRNS QLD 4870
Phone: (07) 4057 3721

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13964814

Valid from: 06-FEB-2014 to 05-FEB-2015

Parties to the Permit

Role	Name	Address
Principal Holder	The Kenneth Barnes Family Trust (t/a We Own A Pty Ltd) 71837714618	138 Alexander Drive MISSION BEACH QLD 4852
Person In Charge	[REDACTED]	

Permitted Location Activity Details

Location (s)	Activity (s)
Alexander Drive, MISSION BEACH QLD 4852 3 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss
Boyet Road, MISSION BEACH QLD 4852 9 RP886381, 2 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit Details

Species Details

Location		Activity	
All locations relating to this permit		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	100 Animal/s

Conditions of Approval

General Permit Conditions

Agency Interest: General

- PG1 Additional Information:
1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
 2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
 3. Taking can occur only within the boundaries of the landholders property
 4. Carcasses to be disposed of in an appropriate manner
 5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

- PB1 Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

- A1G1 Important notes:
A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

A1B1

Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

s.49 - Signature



Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	s.49
Decision maker	The delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	30.01.2014

Introduction

On 09 January 2014, s.49 lodged a renewal application for a damage mitigation permit (culling and dispersal of wildlife) to take 100 Agile Wallabies.

On 30/01/2014, after consideration of the material before me under section 185 of the *Nature Conservation (Wildlife Management) Regulation 2006* I signed a letter to s.49 confirming my decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows:

Section 182 provides that I may grant a damage mitigation permit for a least concern animal.

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential threat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied—

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is not prevented or controlled—
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006* (the **Administration Regulation**) provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the Administration Regulation;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the Administration Regulation I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992*, (The Act), the Wildlife Management Regulation and the Administration Regulation 2006
- Damage Mitigation Permit Application submitted 09 January 2014
- Damage Mitigation Permit Application Officer Assessment dated 17 April 2013

Findings of fact

I assessed the application against the requirements of the Nature Conservation legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the Wildlife Management Regulation	Agile Wallabies are a species of least concern by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i>
Section 185(1)(a) of the Wildlife Management Regulation	I am satisfied that the animal is causing, or may cause damage as it feeds on the lower banana bunches. Recommended Conditions to the Permit are [Mitigation strategies of the applicant] [non-lethal methods to be used in conjunction with lethal methods]
Section 185(1)(b)	I am satisfied the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the

	<p>damage because the animals are habituating to previous attempts. Previous attempts include chasing the animals at various times of day/night and using horns and lights.</p> <p>Recommended Conditions to the Permit are that various non-lethal methods (to be decided by the owner) are to be used in conjunction with this permit.</p>
Section 185(1)(c)	<p>I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss. The landholder has indicated he can potentially incur costs of approximately \$45 per week when the wallabies are in their highest numbers. This occurs during periods of sustained dry weather. Plus operational costs.</p>
Section 185(1)(d)	<p>I am satisfied that action under the permit will not adversely affect the survival of the animal in the wild because numbers issued will remain low and species are abundant locally. Recommendations for DMP numbers to be taken are based on number estimated by the applicant.</p>
Section 185(1)(e)	<p>I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the shooting will be conducted by a licensed firearm holder. Any action to be taken will be in accordance with the national Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes especially for dealing with females and their young as conditioned on the permit. Also, accurate records of animals shot under this permit must be recorded in the return form provided and the return of operations form to be sent to EHP within 10 business days after each 3 month period.</p>
Section 186(b)	<p>I am satisfied that action under the permit will not detrimentally affect the survival of the animal in the wild because the local population is well established and the number of animal's issued will not impact the whole population.</p>
Section 186(c)	<p>I am satisfied the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal (see Section 185(1)(e))</p>

I have considered matters under Section 25 (1) (a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest.

General Permit Conditions:

Agency Interest: General

PG 1 - Additional Information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations.

2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
3. Taking can occur only within the boundaries of the landholder's property
4. Carcasses to be disposed of in an appropriate manner
5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB 1 - Accurate records of animals shot under this permit must be recorded in the return form provided.
These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

A1G1 - Important notes:

A Return of operations form must be sent to EHP within 10 business days after each [3 month period/s], and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plantsanimals/return_of_operations.html

Agency Interest: Biodiversity

A1B1 Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Reasons for making the decision

I was satisfied of all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP.

s.49 - Signature

Delegate
Department of Environment & Heritage Protection

Department of Environment and Heritage Protection

RECEIVED

AR053002
Level 2

08 JAN 2014

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

8 | 1 | 14
9 | 1 | 14 - VALID

FILE REF

WIMP13964814

PROJECT REF

400482

COMPLETE FORM



CORRECT AA



COMPLETE FEE



ADMINISTERING DISTRICT

Wildlife - Cairns - Tingira

ENTERED BY (SIGNATURE)

S.49 - Signature

(G. DUNBAR)

DATE

10 | 1 | 14

Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife (note: a separate application form is required for lethal take of flying-foxes damaging crops). Information requested will enable your application to be processed as prescribed by the Nature Conservation Act 1992. A damage mitigation permit may be granted for a maximum period of twelve months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the Nature Conservation Act available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:



AN INDIVIDUAL →

Complete Section 1 applicant details — then complete sections 3 to 11



A CORPORATION →

Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME S.49	TITLE S.49
APPLICANT'S GIVEN NAME/S S.49	DATE OF BIRTH S.49
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) S.49	POST CODE S.49

Page 1 of 6 • 13/204

ABN 46 640 294 485

RECEIVED

09 JAN 2014

Application form
Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS)	EMAIL
[REDACTED]	[REDACTED]
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)	POST CODE
'AS ABOVE'	[REDACTED]

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME)	
THE KENNETH BARNES FAMILY TRUST T/A	
TRADING NAME/S (IF APPLICABLE)	
WE OWN A DIL	
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX)	
138 ALEXANDER DRIVE, MISSION BEACH	
POST CODE 4852	
TELEPHONE (BUSINESS HOURS)	FACSIMILE
0740 687 687	07 40 687 246
WEBSITE	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)	POST CODE
'AS ABOVE'	4852
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS	
71 837 714 618	
NAME OF PRINCIPAL OF CORPORATION	
[REDACTED]	
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorised to sign on their behalf)	
[REDACTED]	
DATE	
07.01.2014	

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME		TITLE	
[REDACTED]		[REDACTED]	
NOMINATED CONTACT PERSON'S GIVEN NAME/S		DATE OF BIRTH	
[REDACTED]		[REDACTED]	
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE	
'AS ABOVE'		[REDACTED]	
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE	
'AS ABOVE'	'AS ABOVE'	'AS ABOVE'	
TELEPHONE (AFTER HOURS)	EMAIL		
'AS ABOVE'	'AS ABOVE'		
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE	
'AS ABOVE'		[REDACTED]	

Application form
Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☒No ☐

If yes, state the permit number (if known)

If yes, has the 'return of operations' been submitted?

(A return of operation is due for each 3 month period during the life of the permit)

☒ Yes☐ No

If no, a permit may not be issued until returns are submitted.

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME S.49	GIVEN NAME
[REDACTED]	
FAMILY NAME S.49	GIVEN NAME
[REDACTED]	
FAMILY NAME S.49	GIVEN NAME
[REDACTED]	
FAMILY NAME S.49	GIVEN NAME
[REDACTED]	
FAMILY NAME	GIVEN NAME

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS

DAMAGE TO CROPS / THREAT TO HUMAN
HEALTH / DAMAGE TO IRRIGATION
SYSTEMS.

6. Outline monetary loss experienced

AS A PRIMARY PRODUCER, OUR CROPS
ARE BEING KNOCKED OVER, + EATEN.
OUR IRRIGATION IS BEING CUT DUE
TO WALLABY.

RECEIVED

09 JAN 2014

Application form

Damage mitigation permit (culling and dispersal of wildlife)

7. What previous damage mitigation method(s) have you tried (if any) and was this successful? (You must be able to demonstrate that you have tried a combination of at least two non-lethal methods before a lethal damage mitigation permit application will be considered)

PREVIOUS METHOD/S

RE: PERMIT # WIMP12725013.

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS		ALEXANDER DRIVE MISSION BEACH	
		BOYETT ROAD, MISSION BEACH.	
LOT	3 SP125421	PLAN	2 SP125421.
9 RP886381			
LOCAL GOVERNMENT AREA			
CASSOWARY COAST REGIONAL.			

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

SPECIFIC LOCATION/PROPERTY NAME	
GEOGRAPHICAL COORDINATES	

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
AGILE WALLABY	MACRORUS AGILIS.	500

10. What are the approximate start and completion dates of the project?

START DATE 2014	FINISH DATE → NEVER.
--------------------	-------------------------

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE 5.49	
LICENCE NUMBER 5.49	

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE
FAMILY NAME	
GIVEN NAME/S	

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS		DETAILS
1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court? (Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.	☐ YES ☒ NO	
2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled? If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.	☐ YES ☒ NO	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME S.49	
APPLICANT'S SIGNATURE S.49 - Signature	DATE 07.01.2014
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION DIRECTOR	

14. Applicant checklist

- ☒ Application form completed, signed and dated
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372**
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.

RECEIVED

06 JAN 2014

PM

s.49

RECEIVED

RTI DL RELEASE - EHP



'quality not quantity'

THE KENNETH BARNES FAMILY TRUST T/A

WE - OWN - A PTY LTD.,

ABN: 71 837 714 618

138 ALEXANDER DRIVE,

MISSION BEACH, QLD, 4852.

PH: 40 687 687 BH

PH: 40 682 900 AH

FAX: 40 687 246

MOBILE: 5.49

EMAIL: [REDACTED]

FAX COVER SHEET 1 of 3

8 JANUARY 2014

RE REFERENCE# AR 053002

KIND REGARDS,

5.49 - Signature

DIRECTOR OF WE-OWN-A PTY LTD

Supplied pages 2 + 4 which
were missing from original application

5.49 - Signature

8/1/14

emailed

17/07/2013

Return of operations

Section 188 – Nature Conservation (Wildlife Management) Regulation 2006

Damage mitigation permit (culling and dispersal)

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

A return must be submitted every three months from the permit start date, no later than 10 business days after each three month period.

A return must also be submitted within 10 business days after the permit expiry date.

A separate return must be submitted for each return period.

A nil return must be submitted even if there has not been any wildlife taken during the period.

You must keep a copy of the completed return at the premises stated in the permit.

Permit holder's residential address:

DAN KENNETH BARNES

WIMP 12725013

19-APRIL-2013

18-OCT-2013

Name of person in charge (if applicable):

Return period (tick one return period for this return) ☒ First 3 month period ☐ Second 3 month period ☐ following expiry of authority

Common or scientific name (as listed in the Nature Conservation (Wildlife Management) Regulation 2006)	Date of take	Location from where wildlife are taken	No. taken	Time of take		Type of crop protected	Other comments
				Start	Finish		
AGILE WALLABY	20/04	MISSION BEACH	5	6:00pm	6:45pm	Banana / Mango	N/A
AGILE WALLABY	25/04	✓	8	6:00pm	6:30pm	✓	✓
AGILE WALLABY	10/05	✓	7	8pm	8:30pm	✓	✓
AGILE WALLABY	15/05	✓	2	6am	6:30pm	✓	✓

[illegible]

Date _____

18-7-2013

... Signature or permit no
(If mailing return only)

Please return to:
Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
palms@ehp.qld.gov.au

Or email to

Department of Environment and Heritage Protection

Return of operations

Section 188 – Nature Conservation (Wildlife Management) Regulation 2006

Damage mitigation permit (culling and dispersal)

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

A return must be submitted every three months from the permit start date, no later than 10 business days after each three month period.

A return must also be submitted within 10 business days after the permit expiry date.

A separate return must be submitted for each return period.

A nil return must be submitted even if there has not been any wildlife taken during the period.

You must keep a copy of the completed return at the premises stated in the permit.

Permit holder's name:	[REDACTED] Permit holder's residential		
Permit number:	WIMP 12725013		
Date permit issued:	19 - APRIL - 2013		
Expiry date of permit:	18 - OCT - 2013		
Name of person in charge (if applicable):	[REDACTED]		

Return period (tick one return period for this return) ☐ First 3 month period ☒ second 3 month period ☐ following expiry of authority

Common or scientific name (as listed in the Nature Conservation (Wildlife Management) Regulation 2006)	Date of take	Location from where wildlife are taken	No. taken	Time of take		Type of crop protected	Other comments
				Start	Finish		
AGILE WALLABY	MAY	MISSION BEACH	5	6 AM	7 PM	BANANA / MELONS	N/A
"	JUNE	✓	4	6 AM	7 PM	✓	✓
"	JULY	✓	3	6 AM	7 PM	✓	✓
"	AUG.	✓	6	5 AM	7 PM	✓	✓

[illegible]

s.49 -
Signature

Signature of permit holder:
(If mailing return only)

Date 21.10.2013

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
palin@ehp.qld.gov.au

Please return to:

Or email to

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

We Own A Pty Ltd
138 Alexander Drive
MISSION BEACH QLD 4852

Our reference: 400482

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 08-JAN-2014 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13964814	Granted

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jack Cosgrove on the telephone number listed below.

Enquiries:

Wildlife - Cairns - Tingira
PO Box 2066
CAIRNS QLD 4870
Phone: (07) 4057 3721

Department of Environment and Heritage Protection
Date

20/2/14

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13964814

Valid from: 06-FEB-2014 to 05-FEB-2015

Parties to the Permit

Role	Name	Address
Principal Holder	The Kenneth Barnes Family Trust (t/a We Own A Pty Ltd) 71837714618	188 Alexander Drive MISSION BEACH QLD 4852
Person In Charge	[REDACTED]	

Permitted Location Activity Details

Location (s)	Activity (s)
Alexander Drive, MISSION BEACH QLD 4852 3 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss
Boyett Road, MISSION BEACH QLD 4852 9 RP886381, 2 SP125421 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit Details**Species Details**

Location		Activity	
All locations relating to this permit		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	100 Animal/s

Conditions of Approval**General Permit Conditions****Agency Interest: General**

PG1

Additional Information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
3. Taking can occur only within the boundaries of the landholders property
4. Carcasses to be disposed of in an appropriate manner
5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB1

Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss**Agency Interest: General**

A1G1

Important notes:

A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

A1B1

Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

s.49 - Signature

Signed

Delegate

Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	s.49
Decision maker	The delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	30.01.2014

Introduction

On 09 January 2014 s.49 lodged a renewal application for a damage mitigation permit (culling and dispersal of wildlife) to take 100 Agile Wallabies.

On 30/01/2014, after consideration of the material before me under section 185 of the *Nature Conservation (Wildlife Management) Regulation 2006* I signed a letter to s.49 confirming my decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows:

Section 182 provides that I may grant a damage mitigation permit for a least concern animal.

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential treat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied—

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is no prevented or controlled-
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006* (the **Administration Regulation**) provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the Administration Regulation;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the Administration Regulation I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992*, (The Act), the Wildlife Management Regulation and the Administration Regulation 2006
- Damage Mitigation Permit Application submitted 09 January 2014
- Damage Mitigation Permit Application Officer Assessment dated 17 April 2013

Findings of fact

I assessed the application against the requirements of the Nature Conservation legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the Wildlife Management Regulation	Agile Wallabies are a species of least concern by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i>
Section 185(1)(a) of the Wildlife Management Regulation	I am satisfied that the animal is causing, or may cause damage as it feeds on the lower banana bunches. Recommended Conditions to the Permit are [Mitigation strategies of the applicant] [non-lethal methods to be used in conjunction with lethal methods]
Section 185(1)(b)	I am satisfied the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the

	<p>damage because the animals are habituating to previous attempts. Previous attempts include chasing the animals at various times of day/night and using horns and lights.</p> <p>Recommended Conditions to the Permit are that various non-lethal methods (to be decided by the owner) are to be used in conjunction with this permit.</p>
Section 185(1)(c)	<p>I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss. The landholder has indicated he can potentially incur costs of approximately [REDACTED] per week when the wallabies are in their highest numbers. This occurs during periods of sustained dry weather. Plus operational costs.</p>
Section 185(1)(d)	<p>I am satisfied that action under the permit will not adversely affect the survival of the animal in the wild because numbers issued will remain low and species are abundant locally. Recommendations for DMP numbers to be taken are based on number estimated by the applicant.</p>
Section 185(1)(e)	<p>I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the shooting will be conducted by a licensed firearm holder. Any action to be taken will be in accordance with the national Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes especially for dealing with females and their young as conditioned on the permit. Also, accurate records of animals shot under this permit must be recorded in the return form provided and the return of operations form to be sent to EHP within 10 business days after each 3 month period.</p>
Section 186(b)	<p>I am satisfied that action under the permit will not detrimentally affect the survival of the animal in the wild because the local population is well established and the number of animal's issued will not impact the whole population.</p>
Section 186(c)	<p>I am satisfied the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal (see Section 185(1)(e))</p>

I have considered matters under Section 25 (1) (a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest.

General Permit Conditions:

Agency Interest: General

PG 1 - Additional Information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations.

2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
3. Taking can occur only within the boundaries of the landholder's property
4. Carcasses to be disposed of in an appropriate manner
5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Agency Interest: Biodiversity

PB 1 - Accurate records of animals shot under this permit must be recorded in the return form provided.

These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

A1G1 - Important notes:

A Return of operations form must be sent to EHP within 10 business days after each [3 month period/s], and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:

http://www.ehp.qld.gov.au/licences-permits/plantsanimals/return_of_operations.html

Agency Interest: Biodiversity

A1B1 Macropods

1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Reasons for making the decision

I was satisfied that all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP.

s.49 - Signature



Delegate
Department of Environment & Heritage Protection

Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP12674713

Valid from: 11-APR-2013 to 10-OCT-2013

Parties to the Permit

Role	Name	Address
Principal Holder	Wahroonga Holdings Pty Ltd 010 120 493	17 Webb Road SUNSHINE BEACH QLD 4567
Person In Charge	[REDACTED]	

Permitted Location Activity Details

Location (s)	Activity (s)
Lugger Bay, Explorers Drive, SOUTH MISSION BEACH QLD 4852 2 SP158022 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
Lugger Bay, Explorers Drive, SOUTH MISSION BEACH QLD 4852		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	250 Animal/s

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Conditions of Approval

General Permit Conditions

Agency Interest: General

- PG1 Additional Information:
1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
 2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
 3. Taking can occur only within the boundaries of the landholders property
 4. Carcasses to be disposed of in an appropriate manner
 5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council

Agency Interest: Biodiversity

- PB1 Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

- A1G1 Important notes:
A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

- A1B1 Macropods
1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Damage Mitigation Permit

WIMP12674713

Signed

Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Wahroonga Holdings Pty Ltd
17 Webb Road
SUNSHINE BEACH QLD 4567

Our reference: 203219

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 25-MAR-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP12674713	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

Michael Joyce
Department of Environment and Heritage Protection
Date

Enquiries:

Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Wahroonga Holdings Pty Ltd
17 Webb Road
SUNSHINE BEACH QLD 4567

Our reference: 203219

Dear [REDACTED]

Re: Decision made in relation to your application

Your application received on 25-MAR-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP12674713	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

Michael Joyce
Department of Environment and Heritage Protection
Date

Enquiries:

Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Bring Up Details Report

203219 - Culling Wildlife To Protect Crops/pasture/Tam O'Shanter Station Rockingham Parish
Cardwell Shire

Ref:	96533	Created Date:	26/MAR/13
Status:	Bring up Sent	Closed Date:	
Assigned To:	SPRAGG, James	Due Date:	28/MAR/13
Email Address:	James.Spragg@derm.qld.gov.au	Reminder Date:	
Project Director:	JOYCE, Michael		
Project Manager:			
CC:			
CC:			
Subject:	Wahoonga Holdings Pty Ltd - Lethal DMP Renewal		

Comments:

Project Ref: 203219
Permit Ref: WIMP12674713
Application No: 516818
Client: Wahoonga Holdings Pty Ltd
Application Date: 25/3/2013
Decision Due Date: 24/4/2013

Dear James

An application has been received for a DMP Culling. It has been entered into ecotrack on the 25/3/2013 and the hard copy of the application will be forwarded to Savannah Region.

There is additional supporting information provided by the applicant with their application, which has been scanned and attached to this email. Please commence assessment of the application.

If you have any questions regarding this application please contact Annemarie Lewis on 1300 130 372 option 4 then option 2, or email palm@ehp.qld.gov.au (not an individual person).

Regards,
Katrina

Department of Environment and Heritage Protection

Level 2
AR040247

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

25 | 3 | 13

FILE REF

516818

PROJECT REF

203219

COMPLETE FORM

CORRECT AA

COMPLETE FEE

ADMINISTERING DISTRICT

Toowoomba
ENTERED BY (SIGNATURE)K. Thelemann
DATE

26 | 3 | 13

WIMP12674713

Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. A damage mitigation permit may be granted for a maximum period of six months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the *Nature Conservation Act* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:

- ☐ AN INDIVIDUAL → Complete Section 1 applicant details — then complete sections 3 to 11
- ☒ A CORPORATION → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE

Application form
Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME) Wahoonga Holdings Pty Ltd	
TRADING NAME/S (IF APPLICABLE)	
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 17 Webb Rd, Sunshine Beach, Qld	POST CODE 4567
TELEPHONE (BUSINESS HOURS) 07 5447 3765	FACSIMILE 07 5474 9139
EMAIL S.49	WEBSITE
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) As above	POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 25 548 196 301	
NAME OF PRINCIPAL OF CORPORATION S.49	
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorised to sign on their behalf) S.49	DATE 24-3-13

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME S.49	TITLE S.49	
NOMINATED CONTACT PERSON'S GIVEN NAME/S S.49	DATE OF BIRTH S.49	
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) S.49	POST CODE S.49	
TELEPHONE (BUSINESS HOURS) S.49	MOBILE S.49	FACSIMILE 4088 6354
TELEPHONE (AFTER HOURS) S.49	EMAIL S.49	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) S.49	POST CODE	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☒ No ☐ If yes, state the permit number (if known) WIMP08118610

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME [REDACTED]	GIVEN NAME Paul gavin
FAMILY NAME [REDACTED]	GIVEN NAME [REDACTED]
FAMILY NAME [REDACTED]	GIVEN NAME [REDACTED]
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS

Approximately two and a half thousand Agile Wallabies are residing on an adjoining abandoned neighbouring property and National Park. These animals are entering the maintained subject property to forage. They represent a significant environmental concern, not only for the subject property and neighbouring National Park, but also for the adjoining rural township of South Mission Beach. Please refer to attached photos to see erosion and weed spread caused by these Agile Wallabies.

The concentrated number of Agile Wallabies are causing sections of established pasture to be eaten away to dirt exposing soil and allowing excessive weed growth. Weed seed spread is being exacerbated by the sheer number of animals moving within the property boundary and into adjoining property, and the Hull River National Park.

Parasites such as ticks are being moved by these wallabies resulting in additional control measures for tick control for the stock on the property.

Water quality and creek bank erosion increasing during the upcoming wet season due to the high concentration of Agile Wallabies within creek bank areas will cause further erosion and water being contaminated with feces.

Revegetation efforts such as tree planting and fencing are being destroyed.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

--

6. Outline monetary loss experienced

Weed control expenses	5.49
Cattle Tick control costs	5.49
Pasture regeneration costs	5.49
Maintaining boundary fences	5.49
Revegetation tree planting	5.49

7. What previous damage mitigation method(s) have you tried (if any) and was this successful?

PREVIOUS METHOD/S	
Successful control measures applied upon issue of DMP in 2006	
Successful control measures applied upon issue of DMP in 2009	
Successful control measures applied upon issue of DMP in 2010/2011	
Control measures applied upon issue of DMP WIMP11791012 in 2012	

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS	
Explorer Drive, South Mission Beach, Qld, 4852	
LOT	PLAN
Lot 2	SP 158022
LOCAL GOVERNMENT AREA	
Cassowary Coast Regional Council	

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

SPECIFIC LOCATION/PROPERTY NAME Lugger Bay, Explorer Drive, South Mission Beach.
GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
Agile Wallabies	Macropus Agilis	250

10. What are the approximate start and completion dates of the project?

START DATE 05-4-13	FINISH DATE 04-10-13
-----------------------	-------------------------

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE 5.49
LICENCE NUMBER 5.49

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE
FAMILY NAME	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

GIVEN NAME/S

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS
<p>1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court?</p> <p>(Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.</p>	<p>☐ YES ☒ NO</p>
<p>2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled?</p> <p>If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.</p>	<p>☐ YES ☒ NO</p>

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME 5.49	
5.49 - Signature	DATE 24 - 3 - 13
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION DIRECTOR	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

14. Applicant checklist

- ☐ Application form completed, signed and dated
- ☐ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372**
Facsimile: (07) 3898 3342
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.

RTI DL RELEASE - EHP

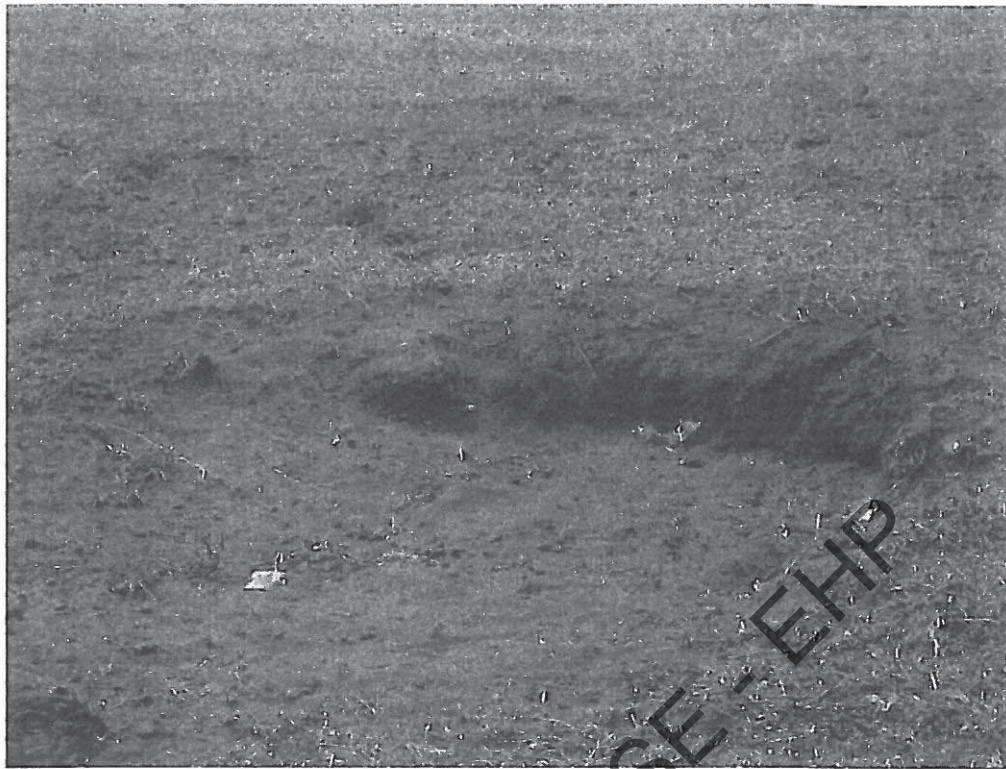
Supporting Agile Wallaby DMP Photos Wahrenonga Holdings



Senna obtusifolia (Sickle Pod) spread by Agile Wallabies



Juvenile *Senna obtusifolia* growing amongst pasture



Erosion and pasture destruction caused by Agile Wallabies



Senna obtusifolia on abandoned adjoining property



Senna obtusifolia seeds stuck to Agile Wallaby fur

[REDACTED]

FIREARMS LICENCE

s.49

[REDACTED]

QUEENSLAND WEAPONS ACT 1990

FIREARMS LICENCE

s.49

[REDACTED]

QUEENSLAND WEAPONS ACT 1990

FIREARMS LICENCE

s.49

[REDACTED]

Lewis Annemarie

From: [REDACTED]
Sent: Monday, 25 March 2013 2:34 PM
To: PALM
Subject: DMP Application Wahoonga Holdings P/L
Attachments: April 2013 DMP.pdf; Supporting Photos Wahoonga Holdings.docx; Firearms Lic, PGS, DLC, DC .pdf

Please find attached DMP application for above company. Please note that [REDACTED] weapons licence has expired. The licence is still valid. I am waiting for his new licence to be re-issued.

Regards

[REDACTED]
Director
NQ Feral Pig Management Solutions P/L
Telephone [REDACTED]
Fax: 07 4068 7770



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RTI DL RELEASE - EHP



DAMAGE MITIGATION PERMIT ASSESSMENT

DATE: 03/04/2013		LOCATION: Luggar Bay South Mission Beach	
TOWN/CITY: Mission Beach			
APPLICANT/S: Wahoonga Holdings Pty Ltd			
PHONE: 5.49 [REDACTED]		FAX NO: 40886354	
COMPANY NAME (If applicable): Wahoonga Holdings Pty Ltd			
PROPERTY INSPECTED: Lot Two SP158022			
SHIRE: CCRC		PARISH:	
Background on DMP Assessment Request: Renewal			
1. What damage is being experienced?: Loss of pasture. Weed infestation. Creek bank erosion. Tick infestation.			
2. Is the damage extensive and throughout the crop?: Yes it covers the whole property.			
3. What is the monetary loss suffered by the landholder last season?: 50,000 Dollars			

4. How is this loss determined?:	Weed control.Cattle tick control.Pasture regeneration.Fence maintenance.Revegetation of trees.
5.What methods have been used to deter the wildlife from the crops?:	High fences with dog mesh have been installed but animals still jump over or dig under the fence
6.If only lethal methods have been employed explain why no other methods have been used?:	
7. What species of wildlife causes damage to the crop?:	Agile Wallaby.
8. Has the landholder sought information on non-lethal methods of control?:	Yes
9. Does the landholder intend to utilise non-lethal controls in the future?:	Yes the fence is working to an extent but some still get in.
10. Do the landholder's current management practices influence the wildlife visiting their crops ie allowing fruit to ripen on the tree etc?:	N/A
11. Will the landholder advise QPWS daily of the numbers of each wildlife being taken?:	Yes.
12.Is this permit being sought in anticipation of potential damage?:	No .The damage is widespread and throughout the paddocks.

13. Does the landholder consider destruction of wildlife an effective means of control as opposed to deterring or exclusion?:
No.

OFFICE USE ONLY: To be completed by assessing officer

Would the number of wildlife requested by the landholder on the DMP application cause some conservation concern in terms of that species ability to survive?:	
The number requested is unlikely to affect the species ability to survive.	
How has this decision been arrived at ? (references, communications):	
Species involved are considered least concern under NCA 1992 and its subordinate legislation. Knowledge/experience, species are abundant locally Numbers issued will remain low	
Does the method used to take the wildlife inhumane or likely to cause suffering to the animal?	
Suffering to animal is unlikely to occur. Shooting to be carried out by licensed shooter. Shot that causes instantaneous death or unconsciousness without recovery prior to death will prevent suffering	
Is there evidence that wildlife has been taken prior to this inspection and outside the period of a permit?:	
No	
How was this substantiated?:	
On site inspection carried out by conservation officer.	
INSPECTION OFFICER: Ted Pearce	
LOCATION: Innisfail	PHONE: 40483715
DATE INSPECTED: 03/04/13	

APPROVAL RECOMMENDED: Yes.250 animals .
SIGNATURE OF INSPECTING OFFICER:

RTI DL RELEASE - EHP

From: Horton Jean [Jean.Horton@ehp.qld.gov.au]
Sent: Tuesday, 9 April 2013 2:35 PM
To: Joyce Mike
CC: Spragg James
Subject: FW: DMP for Wahoonga Holdings.
Attachments: Wahoonga Holdings DMP030413.doc; application.pdf; 960216.pdf; 960218.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi Mike
A Dmp, NoD, application form and inspection assessment for Wahoonga Holdings P/L are attached. Ranger Ted Pearce inspected the property and recommends approval for the lethal take of up to 250 x agile wallabies. The applicant has been issued 300x agiles on the last 3 x dmps. However, he has requested 250 on this application. For your approval and signature please.
Thanks! Jean

Jean Horton
Ranger, Wildlife Management

Department of Environment and Heritage Protection (EHP)

PO Box 975, Atherton Q 4883

Telephone: 07 4091 8121 **Facsimile:** 07 4091 8150
Email: jean.horton@ehp.qld.gov.au

From: Pearce Ted
Sent: Thursday, 4 April 2013 4:14 PM
To: Horton Jean
Subject: DMP for Wahoonga Holdings.

Jean.
I did the inspection yesterday for this client on his property at South Mission and agree that 250 would be all right. Please call if you need any more info. Cheers.

Ted Pearce

Ranger
Wildlife Branch
Dept Of Environment & Heritage Protection
Ph 4048 3715 Mobile [REDACTED]
Fax 4061 9853

Bring Up Details Report

203219 - Culling Wildlife To Protect Crops/pasture/Tam O'Shanter Station Rockingham Parish
Cardwell Shire

Ref:	96533	Created Date:	26/MAR/13
Status:	Bring up Sent	Closed Date:	
Assigned To:	SPRAGG, James	Due Date:	28/MAR/13
Email Address:	James.Spragg@derm.qld.gov.au	Reminder Date:	
Project Director:	JOYCE, Michael		
Project Manager:			
CC:			
CC:			
Subject:	Wahoonga Holdings Pty Ltd - Lethal DMP Renewal		

Comments:

Project Ref: 203219
Permit Ref: WIMP12674713
Application No: 516818
Client: Wahoonga Holdings Pty Ltd
Application Date: 25/3/2013
Decision Due Date: 24/4/2013

Dear James

An application has been received for a DMP Culling. It has been entered into ecotrack on the 25/3/2013 and the hard copy of the application will be forwarded to Savannah Region.

There is additional supporting information provided by the applicant with their application, which has been scanned and attached to this email. Please commence assessment of the application.

If you have any questions regarding this application please contact Annemarie Lewis on 1300 130 372 option 4 then option 2, or email palm@ehp.qld.gov.au (not an individual person).

Regards,
Katrina

Department of Environment and Heritage Protection

Level 2
AR040247

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

25 | 3 | 13

FILE REF

516818

PROJECT REF

203219

COMPLETE FORM

CORRECT AA

COMPLETE FEE

ADMINISTERING DISTRICT

Townsville

ENTERED BY (SIGNATURE)

K. Thelemann

DATE

26 | 3 | 13

WIMP12674713

Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. A damage mitigation permit may be granted for a maximum period of six months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the *Nature Conservation Act* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:

- ☐ AN INDIVIDUAL → Complete Section 1 applicant details — then complete sections 3 to 11
- ☒ A CORPORATION → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE



Application form
Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME) Wahoonga Holdings Pty Ltd	
TRADING NAME/S (IF APPLICABLE)	
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 17 Webb Rd, Sunshine Beach, Qld	POST CODE 4567
TELEPHONE (BUSINESS HOURS) 07 5447 3765	FACSIMILE 07 5474 9130
EMAIL [REDACTED]	WEBSITE
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) As above	POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 25 548 196 301	
NAME OF PRINCIPAL OF CORPORATION [REDACTED]	
[REDACTED] to sign on their behalf	DATE 24-3-13

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME [REDACTED]	TITLE [REDACTED]	
NOMINATED CONTACT PERSON'S GIVEN NAME/S [REDACTED]	DATE OF BIRTH [REDACTED]	
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) [REDACTED]	POSTCODE [REDACTED]	
TELEPHONE (BUSINESS HOURS) [REDACTED]	MOBILE [REDACTED]	FACSIMILE [REDACTED]
TELEPHONE (AFTER HOURS) [REDACTED]	EMAIL [REDACTED]	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) [REDACTED]	POSTCODE [REDACTED]	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☒ No ☐ If yes, state the permit number (if known) WIMP08118610**4. Provide the name(s) of the persons(s) operating under this permit**

FAMILY NAME S.49	GIVEN NAME S.49
FAMILY NAME S.49	GIVEN NAME S.49
FAMILY NAME S.49	GIVEN NAME S.49
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS

Approximately two and a half thousand Agile Wallabies are residing on an adjoining abandoned neighbouring property and National Park. These animals are entering the maintained subject property to forage. They represent a significant environmental concern, not only for the subject property and neighbouring National Park, but also for the adjoining rural township of South Mission Beach. Please refer to attached photos to see erosion and weed spread caused by these Agile Wallabies.

The concentrated number of Agile Wallabies are causing sections of established pasture to be eaten away to dirt exposing soil and allowing excessive weed growth. Weed seed spread is being exacerbated by the sheer number of animals moving within the property boundary and into adjoining property, and the Hull River National Park.

Parasites such as ticks are being moved by these wallabies resulting in additional control measures for tick control for the stock on the property.

Water quality and creek bank erosion increasing during the upcoming wet season due to the high concentration of Agile Wallabies within creek bank areas will cause further erosion and water being contaminated with feces.

Revegetation efforts such as tree planting and fencing are being destroyed.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

6. Outline monetary loss experienced

Weed control expenses	5.49
Cattle Tick control costs	5.49
Pasture regeneration costs	5.49
Maintaining boundary fences	5.49
Revegetation tree planting	5.49

7. What previous damage mitigation method(s) have you tried (if any) and was this successful?

PREVIOUS METHOD/S

Successful control measures applied upon issue of DMP in 2006

Successful control measures applied upon issue of DMP in 2009

Successful control measures applied upon issue of DMP in 2010/2011

Control measures applied upon issue of DMP WIMP11791012 in 2012

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS	
Explorer Drive, South Mission Beach, Qld, 4852	
LOT	PLAN
Lot 2	SP 158022
LOCAL GOVERNMENT AREA	
Cassowary Coast Regional Council	

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

SPECIFIC LOCATION/PROPERTY NAME Lugger Bay, Explorer Drive, South Mission Beach
GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
Agile Wallabies	Macropus Agilis	250

10. What are the approximate start and completion dates of the project?

START DATE 05-4-13	FINISH DATE 04-10-13
-----------------------	-------------------------

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE
LICENCE NUMBER

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE
FAMILY NAME	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

GIVEN NAME/S

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS
<p>1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court?</p> <p>(Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.</p>	<p>☐ YES ☒ NO</p>
<p>2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled?</p> <p>If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.</p>	<p>☐ YES ☒ NO</p>

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME	
[REDACTED]	
APPLICANT'S SIGNATURE	DATE
[REDACTED]	24 - 3 - 13
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION	
DIRECTOR	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

14. Applicant checklist

- ☐ Application form completed, signed and dated
- ☐ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: 1300 130 372
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.

RTI DL RELEASE - EHP

Supporting Agile Wallaby DMP Photos Wahroonga Holdings



Senna obtusifolia (Sickle Pod) spread by Agile Wallabies



Juvenile *Senna obtusifolia* growing amongst pasture



Erosion and pasture destruction caused by Agile Wallabies



Senna obtusifolia on abandoned adjoining property



Senna obtusifolia seeds stuck to Agile Wallaby fur



FIREARMS LICENCE



FIREARMS LICENCE



FIREARMS LICENCE



Lewis Annemarie

From: [REDACTED]
Sent: Monday, 25 March 2013 2:34 PM
To: PALM
Subject: DMP Application Wahoonga Holdings P/L
Attachments: April 2013 DMP.pdf; Supporting Photos Wahoonga Holdings.docx; Firearms Lic, PGS, DLC, DC .pdf

Please find attached DMP application for above company. Please note that [REDACTED] weapons licence has expired. The licence is still valid. I am waiting for his new licence to be re-issued.

Regards

Paul Smith
Director
NQ Feral Pig Management Solutions P/L
Telephone [REDACTED]
Fax: 07 4066 7770



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RTI DL RELEASE - EHP

STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	Wahroonga Holdings Pty Ltd
Decision maker	Michael Joyce, the delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	11 April 2013

Introduction

On 25 March 2013, Wahroonga Holdings Pty Ltd lodged an application for a Damage Mitigation Permit for the take of 250 agile wallabies.

On 11 April 2013, after consideration of the material before me, and under section 185 of the *Nature Conservation (Wildlife Management) Regulation 2006*, I Michael Joyce signed a letter to ^{s.49} [REDACTED] confirming my decision.

On 8 May 2013 ^{s.49} [REDACTED] requested a statement of reasons for the decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows:

Section 182 provides that I may grant a damage mitigation permit for a least concern animal

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential threat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied—

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is not prevented or controlled—
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006 (the Administration Regulation)* provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the Administration Regulation;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the Administration Regulation I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992*, (The Act), the Wildlife Management Regulation and the Administration Regulation 2006
- Damage Mitigation Permit Application submitted 25 March 2013
- Damage Mitigation Permit Application Assessment dated 3 April 2013
- Communication from Wildlife Ranger, Skeen West to delegate Michael Joyce, Team Leader Northern, documenting previous site assessments and surveys in the area on 20 September 2012 (including 37 photographs)
- Historical information from previous DMP applications from 2009, 2010, 2011, 2012 (WIMP 11791012, WIMP081188610, WIMP05810009, WIMP04011806, and return of operations forms
- Historical and local knowledge

Findings of fact

I assessed the application against the requirements of the Nature Conservation legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the Wildlife Management Regulation	Agile wallaby (<i>macropus agilis</i>) is a species of least concern by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i>
Section 185(1)(a) of the	I am satisfied that the animal is causing, damage

Wildlife Management Regulation	because the previous permit has not ceased damage being sustained this is evident from recommendations that were the outcome of a site inspection on 20 September 2012 (during daylight hours) by Wildlife Rangers.
Section 185(1)(b)	I am satisfied the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage because non-lethal mitigation methods ie high fences with dog mesh and using birdfright have been employed to deter wallabies with limited success as the animals still jump over and dig under the fence. Culling of wallabies would reduce the risk of negative impacts for damage on the property as well as on human health and wellbeing.
Section 185(1)(c)	I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss because the landholder estimates financial losses to be around [REDACTED] annually, with an estimated loss of [REDACTED] for the previous year. This loss is determined by estimates for pasture regeneration, weed control, cattle tick control, fence maintenance and revegetation of trees.
Section 185(1)(d)	I am satisfied that action under the permit will not adversely affect the survival of the animal in the wild because only 250 animals have been approved to be taken when onsite assessment showed there were a high density of animals present on the property. There is approximately 1,000 wallabies in the vicinity. This was evident at the site inspection on 20 September 2012 when photographic evidence of this was taken. Wildlife ranger assessment dated 3 April 2013 states that the requested number for the DMP quota is unlikely to affect the species ability to survive. Another condition of the permit is that Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit.
Section 185(1)(e)	I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the shooting will be undertaken by licensed shooters, in line with the Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes especially for dealing with females and their young as conditioned on the permit. Also that accurate records of animals shot under this permit must be recorded in the return form provided and the return of operations form to be sent to EHP within 10 business days after each 3 month period.
Section 186(b)	I am satisfied that action under the permit will not detrimentally affect the survival of the animal in the wild because only 250 animals have been approved to be taken. Wildlife ranger assessment dated 3 April 2013 states that the requested number for the DMP quota is unlikely to affect the species ability to survive.

Section 186(c)	I am satisfied the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the shooting will be undertaken by licensed shooters, in line with the Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes especially for dealing with female wallabies and their young. Also that accurate records of animals shot under this permit must be recorded in the return form provided and the return of operations form to be sent to EHP within 10 business days after each 3 month period.
----------------	--

Additional matters I have taken into account

I considered matters under Section 25 (1)(a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest.

- For the applicant to notify neighbours, police and the relevant authorities prior to commencement of operations.
- Taking can occur only within the boundaries of the landholders property
- Carcasses to be disposed of in an appropriate manner.

I also note that there is no evidence of Wahroonga Pty Ltd having taken any illegal actions, they have upheld the conditions of their previous permits including return of operations forms.

Reasons for making the decision

I was satisfied of all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP.

Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Wahroonga Holdings Pty Ltd
17 Webb Road
SUNSHINE BEACH QLD 4567

Our reference: 203219

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 25-MAR-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP12674713	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

5.49 - Signature

Michael Joyce
Department of Environment and Heritage Protection
Date

Enquiries:
Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Wahroonga Holdings Pty Ltd
17 Webb Road
SUNSHINE BEACH QLD 4567

Our reference: 203219

Dear [REDACTED]

Re: Decision made in relation to your application

Your application received on 25-MAR-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP12674713	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact Jean Horton on the telephone number listed below.

Yours sincerely

Michael Joyce
Department of Environment and Heritage Protection
Date

Enquiries:
Wildlife - Atherton
PO Box 975
ATHERTON QLD 4883
Phone: (07) 4091 1844
Fax: (07) 4091 3281

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006
Damage Mitigation Permit

Permit number: WIMP12674713

Valid from: 11-APR-2013 to 10-OCT-2013

Parties to the Permit

Role	Name	Address
Principal Holder	Wahroonga Holdings Pty Ltd 010 120 493	17 Webb Road SUNSHINE BEACH QLD 4567
Person In Charge		

Permitted Location Activity Details

Location (s)	Activity (s)
Lugger Bay, Explorers Drive, SOUTH MISSION BEACH QLD 4852 2 SP158022 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
Lugger Bay, Explorers Drive, SOUTH MISSION BEACH QLD 4852		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	250 Animal/s

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Conditions of Approval

General Permit Conditions

Agency Interest: General

- PG1 Additional Information:
1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
 2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
 3. Taking can occur only within the boundaries of the landholders property
 4. Carcasses to be disposed of in an appropriate manner
 5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council

Agency Interest: Biodiversity

- PB1 Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: General

- A1G1 Important notes:
A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Agency Interest: Biodiversity

- A1B1 Macropods
1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Damage Mitigation Permit

WIMP12674713

s.49 - Signature



Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

HERRIMAN Karmen

From: Couprie Dayna
Sent: Thursday, 24 October 2013 3:41 PM
To: [REDACTED]
Subject: Damage Mitigation Permit
Attachments: WIMP13463513.pdf

Dear Wahroonga Holdings Pty Ltd,

That you for your application for a Damage Mitigation permit received 26 September 2013. I am pleased to advise your application for wildlife authority has been granted by the Chief Executive for a period of one year. Please find attached a signed copy of your Wildlife Authority, Notice of Decision and Statement of Reason, a copy of the departmental appeals information notice has also been attached for your information.

Return of operation forms must be completed and submitted to the department of Environment and Heritage Protection (EHP) no later than 10 business days after each 3 month period, an approved return of operation form can be downloaded from the EHP website: www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

If you have any further questions or queries please contact your local EHP office.

Kind regards
Dayna Couprie

Dayna Couprie
Wildlife Ranger

Wildlife Management
Department of Environment and Heritage Protection

PO Box 375
Garbutt East LPO, QLD 4814
Phone: (07) 4796 7768
Fax: (07) 4796 7705

Email: dayna.couprie@ehp.qld.gov.au



Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Wahroonga Holdings Pty Ltd
17 Webb Road
SUNSHINE BEACH QLD 4567

Our reference: 203219

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 26-SEP-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13463513	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact James Spragg on the telephone number listed below.

5.49 - Signature

Department of Environment and Heritage Protection

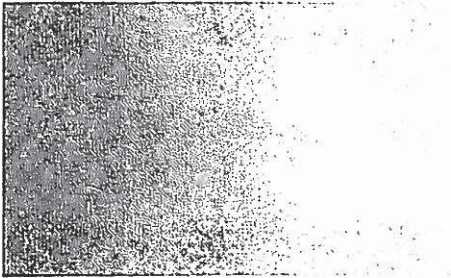
Enquiries:

Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.





Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006
Damage Mitigation Permit

Permit number: WIMP13463513

Valid from: 17-OCT-2013 to 16-OCT-2014

Parties to the Permit

Role	Name	Address
Principal Holder	Wahroonga Holdings Pty Ltd 010 120 493	17 Webb Road SUNSHINE BEACH QLD 4567

Permitted Location Activity Details

Location (s)	Activity (s)
Lugger Bay, Explorers Drive, SOUTH MISSION BEACH QLD 4852 2 SP158022 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
Lugger Bay, Explorers Drive, SOUTH MISSION BEACH QLD 4852		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	500 Animal/s

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.



Conditions of Approval

General Permit Conditions

Agency Interest: General

- PG1 Additional Information:
1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
 2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
 3. Taking can occur only within the boundaries of the landholders property
 4. Carcasses to be disposed of in an appropriate manner
 5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council
- PG2 Important notes:
A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html
- PG3 Any authorised persons operating under this permit must have a copy of this permit endorsed by the Permit Holder available for inspection while carrying out the activities. The endorsement must include the authorised person's name, date of birth and residential address, and be endorsed with the Permit Holders signature.

Agency Interest: Biodiversity

- PB1 Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: Biodiversity

- A1B1 Macropods
1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

s.49 - Signature

Damage Mitigation Permit

WIMP13463513



Michael Joyce
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	Wahroonga Holdings Pty Ltd - ^{s.49} [REDACTED]
Decision maker	Michael Joyce, the delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	14 th October 2013

Introduction

On 26th September 2013 Wahroonga Holdings Pty Ltd - ^{s.49} [REDACTED] lodged an application for Damage Mitigation Permit – culling of wildlife.

On 14th October after consideration of the material before me, I, Michael Joyce under section 185 I granted and signed a letter to Wahroonga Holdings Pty Ltd confirming my decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows.

Section 182 provides that I may grant a damage mitigation permit for a least concern animal.

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential treat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied–

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is no prevented or controlled-
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006 (the*

Administration Regulation) provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the Administration Regulation;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the Administration Regulation I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992 and the Wildlife Management Regulation and the Administration Regulation 2006*
- Damage Mitigation Permit Application submitted 15 August 2013
- Information from site visit conducted on 28/08/2013: assessment form, photographs.

Findings of fact

I assessed the application against the requirements of the Nature Conservation legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the Wildlife Management Regulation	Agile Wallaby <i>Macropus agilis</i> is classed as least concern species by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i> .
Section 185(1)(a) of the Wildlife Management Regulation	I am satisfied that the animal is causing, or may cause damage because the applicant has provided monetary loss statement on the DMP application form. Photographic evidence demonstrating the number animals and extent of damage experienced have been provided.
Section 185(1)(b)	I am satisfied the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevent or minimised the damage because they have described in their

	application various non-lethal damage mitigation methods they have used. For example; chasing them away on foot, quad bikes and in vehicles, gas gun, noise.
Section 185(1)(c)	I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss because of the damage described in question 5 and 6 of the DMP application submitted and also demonstrated through attached photographic evidence.
Section 185(1)(d)	I am satisfied that action under the permit will not adversely affect the survival of the animal in the wild because the macropods to be taken under this permit are classified as Least Concern under the <i>Nature Conservation (Wildlife) Regulation 2006</i> .
Section 185(1)(e)	I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the shooting will be conducted by a licensed firearm holder. I have conditioned this permit that macropods must be taken in a humane way as specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial purposes, approved by the Natural Resource Management Ministerial Council.

I have considered matters under Section 25 (1)(a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest:

Macropods:

Macropods must be taken in a humane way as specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Additional information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations.
2. Non-lethal deterrent methods are to be used in conjunction with this permit.
3. Taking can occur only within the boundaries of the landholder's property.
4. Carcasses to be disposed of in an appropriate manner.

Any Authorised persons operating under this permit must have a copy of this permit endorsed by the Permit Holder available for inspection while carrying out the activities. The endorsement must include the authorised person's name, date of birth and residential address and be endorsed with the Permit Holders signature

Important notes:

A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of

operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Reasons for making the decision

I was satisfied of all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP. I decided to grant a DMP because:

- Severe economic loss due to macropod damage
- Take will not effect conservation of the species
- The take of the animal is humane
- A reasonable attempt has been made to move the macropods on by non-lethal methods. This process will continue to occur with lethal take as the last

s.49 - Signature

Michael J.
Delegate
Department of Environment & Heritage Protection

RTI DL RELEASE - EHP

Bring Up Details Report

203219 - Culling Wildlife To Protect Crops/pasture/Tam O'Shanter Station Rockingham Parish
Cardwell Shire

Ref:	96533	Created Date:	26/MAR/13
Status:	Bring up Sent	Closed Date:	
Assigned To:	SPRAGG, James	Due Date:	28/MAR/13
Email Address:	James.Spragg@derm.qld.gov.au	Reminder Date:	
Project Director:	JOYCE, Michael		
Project Manager:			
CC:			
CC:			
Subject:	Wahoonga Holdings Pty Ltd - Lethal DMP Renewal		

Comments:

Project Ref: 203219
 Permit Ref: WIMP12674713
 Application No: 516818
 Client: Wahoonga Holdings Pty Ltd
 Application Date: 25/3/2013
 Decision Due Date: 24/4/2013

Dear James

An application has been received for a DMP Culling. It has been entered into ecotrack on the 25/3/2013 and the hard copy of the application will be forwarded to Savannah Region.

There is additional supporting information provided by the applicant with their application, which has been scanned and attached to this email. Please commence assessment of the application.

If you have any questions regarding this application please contact Annemarie Lewis on 1300 130 372 option 4 then option 2, or email palm@ehp.qld.gov.au (not an individual person).

Regards,
 Katrina

Department of Environment and Heritage Protection

Level 2
AR040247

Application form

Section 12(a) – Nature Conservation (Administration) Regulation 2006

OFFICIAL USE ONLY

DATE RECEIVED

25 | 3 | 13

FILE REF

516818

PROJECT REF

203219

COMPLETE FORM

CORRECT AA

☐
☐

COMPLETE FEE

ADMINISTERING DISTRICT

Toowoomba
ENTERED BY (SIGNATURE)

K. Thelemann

DATE

26 | 3 | 13

WIMP12674713

Damage mitigation permit (culling and dispersal of wildlife)

Important information for applicants

This form is to be used to apply for a damage mitigation permit for the purpose of culling and dispersal of wildlife. Information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992*. A damage mitigation permit may be granted for a maximum period of six months, unless you operate under an approved property management plan (PMP), when it may be granted for a maximum period of three years. If you wish to submit a PMP for approval and receive a damage mitigation permit for up to three years please contact Permit and Licence Management on 1300 130 372 for the appropriate PMP template form to accompany this application. Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process.

Before completing your application please read the information materials included with your application kit. Before lodging this application you should be familiar with the requirements of the *Nature Conservation Act* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>. If you have queries about how to complete this form correctly or need guidance contact the Permit and Licence Management on 1300 130 372.

Applicant information

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Please tick the appropriate box:

- ☐ AN INDIVIDUAL → Complete Section 1 applicant details — then complete sections 3 to 11
- ☒ A CORPORATION → Complete Section 2 applicant details — then complete sections 3 to 11.

1. Applicant details for an individual

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE

Application form
Damage mitigation permit (culling and dispersal of wildlife)

TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS)		POST CODE

2. Application details for corporations

REGISTERED LEGAL ENTITY NAME (NOT A BUSINESS TRADING NAME) Wahoonga Holdings Pty Ltd	
TRADING NAME/S (IF APPLICABLE)	
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 17 Webb Rd, Sunshine Beach, Qld	POST CODE 4567
TELEPHONE (BUSINESS HOURS) 07 5447 3765	FACSIMILE 07 5474 9139
EMAIL [REDACTED]	WEBSITE
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) As above	POST CODE
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 25 548 196 301	
NAME OF PRINCIPAL OF CORPORATION [REDACTED]	
SIGNATURE OF PRINCIPAL OF CORPORATION (or person authorised to sign on their behalf) [REDACTED]	DATE 24-3-13

Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME [REDACTED]	TITLE [REDACTED]	
NOMINATED CONTACT PERSON'S GIVEN NAME/S [REDACTED]	DATE OF BIRTH [REDACTED]	
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) [REDACTED]	POSTCODE [REDACTED]	
TELEPHONE (BUSINESS HOURS) [REDACTED]	MOBILE [REDACTED]	FACSIMILE [REDACTED]
TELEPHONE (AFTER HOURS) [REDACTED]	EMAIL [REDACTED]	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) [REDACTED]	POSTCODE [REDACTED]	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

3. Have you previously held this type of permit?

This may include permits in other States.

Yes ☒

No ☐

If yes, state the permit number (if known) WIMP08118610

4. Provide the name(s) of the persons(s) operating under this permit

FAMILY NAME 5.49	GIVEN NAME 5.49
FAMILY NAME 5.49	GIVEN NAME 5.49
FAMILY NAME 5.49	GIVEN NAME 5.49
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

5. What is your reason for applying for this permit? (e.g. damage to pastures, grains, crops, threat to human health and well-being etc.)

STATEMENT OF REASONS

Approximately two and a half thousand Agile Wallabies are residing on an adjoining abandoned neighbouring property and National Park. These animals are entering the maintained subject property to forage. They represent a significant environmental concern, not only for the subject property and neighbouring National Park, but also for the adjoining rural township of South Mission Beach. Please refer to attached photos to see erosion and weed spread caused by these Agile Wallabies.

The concentrated number of Agile Wallabies are causing sections of established pasture to be eaten away to dirt exposing soil and allowing excessive weed growth. Weed seed spread is being exacerbated by the sheer number of animals moving within the property boundary and into adjoining property, and the Hull River National Park.

Parasites such as ticks are being moved by these wallabies resulting in additional control measures for tick control for the stock on the property.

Water quality and creek bank erosion increasing during the upcoming wet season due to the high concentration of Agile Wallabies within creek bank areas will cause further erosion and water being contaminated with feces.

Revegetation efforts such as tree planting and fencing are being destroyed.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

6. Outline monetary loss experienced

Weed control expenses	\$49
Cattle Tick control costs	\$49
Pasture regeneration costs	\$49
Maintaining boundary fences	\$49
Revegetation tree planting	\$49

7. What previous damage mitigation method(s) have you tried (if any) and was this successful?

PREVIOUS METHODS
Successful control measures applied upon issue of DMP in 2006
Successful control measures applied upon issue of DMP in 2009
Successful control measures applied upon issue of DMP in 2010/2011
Control measures applied upon issue of DMP WIMP11791012 in 2012

8. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS	
Explorer Drive, South Mission Beach, Qld, 4852	
LOT	PLAN
Lot 2	SP 158022
LOCAL GOVERNMENT AREA	
Cassowary Coast Regional Council	

If possible provide a specific location, a property name or an attached map with the location clearly delineated. Also include the map name/details.

Application form

Damage mitigation permit (culling and dispersal of wildlife)

SPECIFIC LOCATION/PROPERTY NAME Lugger Bay, Explorer Drive, South Mission Beach
GEOGRAPHICAL COORDINATES

9. Wildlife details

What wildlife does the application refer to?

(If you require more space, attach a separate sheet of wildlife details)

COMMON NAME	SCIENTIFIC NAME	QUANTITY
Agile Wallabies	Macropus Agilis	250

10. What are the approximate start and completion dates of the project?

START DATE 05-4-13	FINISH DATE 04-10-13
-----------------------	-------------------------

11. Weapons Act licence number

If you intend to use a firearm to take wildlife please give your Weapons Act licence number and attach a photocopy of your licence or have your licence sighted and your application witnessed by a Queensland Parks and Wildlife Service officer, a Queensland Police Officer or a Commissioner for Declarations/Justice of the Peace.

Licence details

NAME ON LICENCE 5.49
LICENCE NUMBER 5.49

Witnessing officer (Not required if a copy of your Weapons Act licence is attached)

SIGNATURE	TITLE
FAMILY NAME	

Application form

Damage mitigation permit (culling and dispersal of wildlife)

GIVEN NAME/S

If you require additional space, attach a separate sheet of Weapons Act licence details.

12. Applicant suitability

The permit may be granted if the applicant is an appropriate person to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

QUESTIONS	DETAILS
<p>1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court?</p> <p>(Note: does not include simple traffic offences such as parking, speeding). If yes, provide details of the offence/s.</p>	<p>☐ YES ☒ NO</p>
<p>2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled?</p> <p>If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.</p>	<p>☐ YES ☒ NO</p>

13. Declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME

5.49

APPLICANT'S SIGNATURE

5.49

DATE

24-3-13

IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION

DIRECTOR

Application form

Damage mitigation permit (culling and dispersal of wildlife)

14. Applicant checklist

- ☐ Application form completed, signed and dated
- ☐ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: 1300 130 372
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Code of Practice or guidelines may be obtained from the EHP website <http://www.ehp.qld.gov.au> or by contacting the EHP Referral Centre on 1300 130 372.

RTI DL RELEASE - EHP

Supporting Agile Wallaby DMP Photos Wahroonga Holdings



Senna obtusifolia (Sickle Pod) spread by Agile Wallabies



Juvenile *Senna obtusifolia* growing amongst pasture



Erosion and pasture destruction caused by Agile Wallabies

12



Senna obtusifolia on abandoned adjoining property



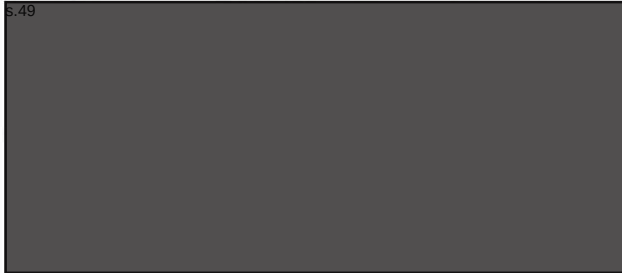
Senna obtusifolia seeds stuck to Agile Wallaby fur





FIREARMS LICENCE

s.49



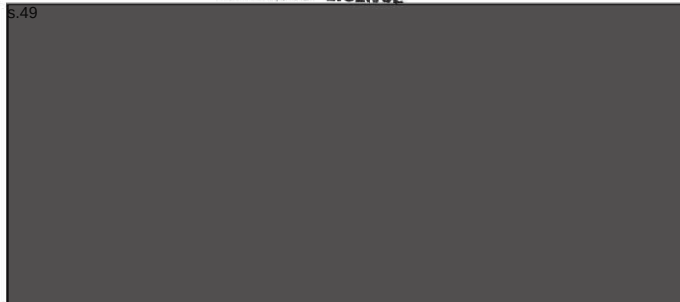
FIREARMS LICENCE

s.49



FIREARMS LICENCE

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RTI DL RELEASE EHP

Lewis Annemarie

From: [REDACTED]
Sent: Monday, 25 March 2013 2:34 PM
To: PALM
Subject: DMP Application Wahoonga Holdings P/L
Attachments: April 2013 DMP.pdf; Supporting Photos Wahoonga Holdings.docx; Firearms Lic, PGS, DLC, DC .pdf

Please find attached DMP application for above company. Please note that [REDACTED] weapons licence has expired. The licence is still valid. I am waiting for his new licence to be re-issued.

Regards

[REDACTED]
Director
NQ Feral Pig Management Solutions P/L
Telephone [REDACTED]
Fax: 07 4068 7770



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Notice of decision - permit¹ application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Wahroonga Holdings Pty Ltd
17 Webb Road
SUNSHINE BEACH QLD 4567

Our reference: 203219

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 26-SEP-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13463513	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact James Spragg on the telephone number listed below.

S.49 - Signature

Michael Joyce
Department of Environment and Heritage Protection

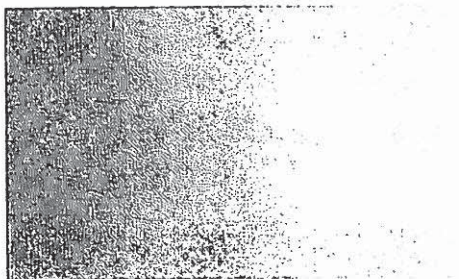
Enquiries:

Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment - Permit/Statement of Reasons

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.





Permit¹

This permit is issued under the following legislation:
S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13463513

Valid from: 17-OCT-2013 to 16-OCT-2014

Parties to the Permit

Role	Name	Address
Principal Holder	Wahroonga Holdings Pty Ltd 010 120 493	17 Webb Road SUNSHINE BEACH QLD 4567

Permitted Location Activity Details

Location (s)	Activity (s)
Lugger Bay, Explorers Drive, SOUTH MISSION BEACH QLD 4852 2 SP158022 CASSOWARY COAST REGIONAL	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
Lugger Bay, Explorers Drive, SOUTH MISSION BEACH QLD 4852		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
agile wallaby	Macropus agilis	Live	500 Animal/s

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Conditions of Approval

General Permit Conditions

Agency Interest: General

- PG1 Additional Information:
1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations
 2. Bird Frite and/or other non-lethal deterrent methods are to be used in conjunction with this permit
 3. Taking can occur only within the boundaries of the landholders property
 4. Carcasses to be disposed of in an appropriate manner
 5. Lethally taken female macropods are to be checked for pouch young. Pouch young and young at foot macropods are to be dealt with in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council
- PG2 Important notes:
- A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html
- PG3 Any authorised persons operating under this permit must have a copy of this permit endorsed by the Permit Holder available for inspection while carrying out the activities. The endorsement must include the authorised person's name, date of birth and residential address, and be endorsed with the Permit Holders signature.

Agency Interest: Biodiversity

- PB1 Accurate records of animals shot under this permit must be recorded in the return form provided. These must be made at the end of each day/night that the animals are taken.

Conditions for: Culling Wildlife to prevent damage or loss

Agency Interest: Biodiversity

- A1B1 Macropods
1. Macropods must be taken by centrefire rifle in a way specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

S.49 - Signature



Michael Joyce
Delegate
Department of Environment and Heritage Protection

Damage Mitigation Permit

WIMP13463513

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STATEMENT OF REASONS

Statement of reasons provided pursuant to section 33 of the Judicial Review Act 1991.

Applicant's name	Wahroonga Holdings Pty Ltd - [REDACTED]
Decision maker	Michael Joyce, the delegate of the chief executive in accordance with the delegation given under section 141 of the <i>Nature Conservation Act 1992 (the Act)</i>
Decision	Granted
Date of decision	14 th October 2013

Introduction

On 26th September 2013 Wahroonga Holdings Pty Ltd - [REDACTED] lodged an application for Damage Mitigation Permit – culling of wildlife.

On 14th October after consideration of the material before me, I, Michael Joyce under section 185 I granted and signed a letter to Wahroonga Holdings Pty Ltd confirming my decision.

Relevant legislation

The *Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation)* chapter 3, part 4, division 2 governs the grant of damage mitigation permits (DMP) for animals as follows:

Section 182 provides that I may grant a damage mitigation permit for a least concern animal.

Section 184 provides that I may grant a DMP only for one or both of the following purposes:

- (a) to prevent damage or loss caused, or likely to be caused, by a protected animal;
- (b) to prevent or minimise a threat, or potential threat, to human health and wellbeing caused by a protected animal.

Section 185 provides that a DMP may be granted for damage or loss caused by a protected animal only if I am satisfied–

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is not prevented or controlled–
 - (i) individuals may suffer significant economic loss; or
 - (ii) the ecological sustainability of nature is likely to be harmed; and
- (d) action under the permit will not adversely affect the survival of the animal in the wild; and
- (e) the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal.

Section 25 of the *Nature Conservation (Administration) Regulation 2006 (the*

Administration Regulation) provides that in considering an application I must have regard to each of the following-

- (a) The impact the activities that may be carried out under the DMP may have on the conservation of the cultural or natural resources of a protected area or native wildlife;
- (b) The effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;
- (c) Any contribution the applicant proposes to make to the conservation of nature;
- (d) Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- (e) The precautionary principle;
- (f) Public health and safety
- (g) The public interest
- (h) Whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2 of the Administration Regulation;
- (i) Any recovery plan for wildlife to which the authority applies.

Pursuant to section 25(2) of the Administration Regulation I may have regard to anything else I consider appropriate to achieve the object of the Act.

Material on which the findings of fact were made

In arriving at my decision I had before me the following material for consideration:

- *Nature Conservation Act 1992 and the Wildlife Management Regulation and the Administration Regulation 2006*
- Damage Mitigation Permit Application submitted 15 August 2013
- Information from site visit conducted on 28/08/2013: assessment form, photographs.

Findings of fact

I assessed the application against the requirements of the Nature Conservation legislation and made the following findings of fact: Conditions are included in the findings of fact.

Legislative requirement	Finding
Section 182 of the Wildlife Management Regulation	Agile Wallaby <i>Macropus agilis</i> is classed as least concern species by virtue of Schedule 6 of the <i>Nature Conservation (Wildlife) Regulation 2006</i> .
Section 185(1)(a) of the Wildlife Management Regulation	I am satisfied that the animal is causing, or may cause damage because the applicant has provided monetary loss statement on the DMP application form. Photographic evidence demonstrating the number animals and extent of damage experienced have been provided.
Section 185(1)(b)	I am satisfied the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevent or minimised the damage because they have described in their

	application various non-lethal damage mitigation methods they have used. For example; chasing them away on foot, quad bikes and in vehicles, gas gun, noise.
Section 185(1)(c)	I am satisfied that if the damage is not prevented or controlled individuals may suffer significant economic loss because of the damage described in question 5 and 6 of the DMP application submitted and also demonstrated through attached photographic evidence.
Section 185(1)(d)	I am satisfied that action under the permit will not adversely affect the survival of the animal in the wild because the macropods to be taken under this permit are classified as Least Concern under the <i>Nature Conservation (Wildlife) Regulation 2006</i> .
Section 185(1)(e)	I am satisfied that the proposed way of taking the animal is humane and not likely to cause unnecessary suffering to the animal because the shooting will be conducted by a licensed firearm holder. I have conditioned this permit that macropods must be taken in a humane way as specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial purposes, approved by the Natural Resource Management Ministerial Council.

I have considered matters under Section 25 (1)(a-h) and (2) of the Administration Regulation.

As a result I have made the following conditions applicable to this permit in regard to public health, safety and interest:

Macropods:

Macropods must be taken in a humane way as specified in the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes, approved by the Natural Resource Management Ministerial Council.

Additional information:

1. Neighbours, Police and the relevant Local Authority should be notified prior to commencement of operations.
2. Non-lethal deterrent methods are to be used in conjunction with this permit.
3. Taking can occur only within the boundaries of the landholder's property.
4. Carcasses to be disposed of in an appropriate manner.

Any Authorised persons operating under this permit must have a copy of this permit endorsed by the Permit Holder available for inspection while carrying out the activities. The endorsement must include the authorised person's name, date of birth and residential address and be endorsed with the Permit Holders signature

Important notes:

A Return of operations form must be sent to EHP within 10 business days after each 3 month period, and you must keep a copy for your records. If the Return of

operations on the approved form is not submitted a penalty may be given. The approved form should be downloaded via the following EHP website link:
http://www.ehp.qld.gov.au/licences-permits/plants-animals/return_of_operations.html

Reasons for making the decision

I was satisfied of all the matters set out in section 185 of the Wildlife Management Regulation have been met and accordingly I was able to grant a DMP. I decided to grant a DMP because:

- Severe economic loss due to macropod damage
- Take will not effect conservation of the species
- The take of the animal is humane
- A reasonable attempt has been made to move the macropods on by non-lethal methods. This process will continue to occur with lethal take as the last

s.49 - Signature

Michael
Delegated
Department of Environment & Heritage Protection

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