

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: Ecologically sustainable lethal take of flying-foxes for crop protection

Important information for applicants

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au> and the above code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Heritage Protection is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Depending on current demand and resourcing, EHP will endeavour to complete assessment of your application within 10 business days. A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, EHP will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on **1300 130 372**.

Part A. Commercial grower

Note: The chief executive (or their delegate) may use information provided under part A to assist in determining whether they are satisfied under section 185(2)(e) of the Wildlife Management Regulation.

A1. Are you a commercial crop grower?

Note: this is defined under the Wildlife Management Regulation as follows, "*commercial crop grower*, for the land on which the flying-fox is causing, or may cause, damage, means a person carrying on a business of growing a crop for commercial gain, other than incidentally to a lawful use of the land that does not involve

growing a crop."

- ☒ Yes
- ☐ No. You are not eligible for a permit.

If you are a new applicant, and have ticked yes, ensure Part B contains your ABN/ACN.

Part B. Applicant information

Note: A permit may only be granted to an individual or to a corporation with an office in Queensland.

B1. Have you previously held a permit of this type?

- ☒ Yes – Please complete section B2 then go directly to Part C. (Do not complete B3 or B4.)
- ☐ No – Please complete ***EITHER*** section B3 (for individual applicants) ***OR*** B4 (for corporations), then continue to Part C.

B2. Repeat applicant

PREVIOUS PERMIT NUMBER/S (IF YOU HAVE PREVIOUSLY HELD A PERMIT OF THIS TYPE IN QUEENSLAND OR ANOTHER STATE)	
WIMP 16479215	
INDIVIDUAL APPLICANT'S NAME OR LEGAL ENTITY'S NAME	
s.73 irrelevant information	
TELEPHONE (BUSINESS HOURS)	EMAIL
s.73 irrelevant information	s.73 irrelevant information

B3. New applicant details (for individuals)

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)	EMAIL
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	

B4. New applicant 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)	EMAIL	
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS		
CONTACT PERSON'S FAMILY NAME		TITLE
CONTACT PERSON'S GIVEN NAME/S		
CONTACT PERSON'S TELEPHONE (BUSINESS HOURS)	CONTACT PERSON'S EMAIL	
CONTACT PERSON'S POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS REGISTERED BUSINESS ADDRESS)		POSTCODE

Part C. Potential for damage and significant economic loss

Note: The chief executive (or their delegate) may use information provided under part C to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

C1. What type/s of crop is this application for?

- ☐ Fruit type/s: *Peaches & Nectarines* ☐ Non-fruit type:

C2. Have you suffered any actual damage this season or in past seasons?

- ☒ Yes – Please go directly to Part D. (Do not complete C3 or C4.)
☐ No

C3. Has anyone in the surrounding area growing the same or a similar crop incurred damage in this season or in past seasons?

- ☐ Yes – Please go directly to Part D. (Do not complete C4.)
☐ No

C4. If you answered no at questions C2 and C3, please state why you believe you may suffer significant economic loss if not granted a permit?

Part D. Attempts to minimise damage

Note: The chief executive (or their delegate) may use information provided under part D to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

D1. Which non-lethal deterrence methods are in use?

- ☐ Exclusion or tunnel/drape netting for the entire crop (If yes, go directly to part E).

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Note: exclusion or tunnel netting is defined in the code of practice as "netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags."

OR Any two of the following methods:

- ☐ Netting ☒ Sound ☒ Light
☐ Smoke ☒ Movement ☐ Alternative method (this method will be assessed by the Department in the course of this permit application)

D2. If using netting:

WHAT TYPE OF NETTING AND WHAT AREA IS COVERED (HECTARES)?	WHAT IS THE TOTAL AREA (HECTARES) OF THE CROP?
☐ Exclusion netting Area: ☐ Tunnel/Drape netting Area:	1.1 hectares.
WHEN THE NETTING IS INSTALLED AS DETAILED IN THE CODE OF PRACTICE, WHAT IS THE MESH SIZE?	

D3. If using sound:

WHAT SOUNDS ARE BEING USED TO DETER FLYING-FOXES AND AT WHAT VOLUME?
8 PIR Sound & light sensors (att Photo)
DESCRIBE HOW SOUND IS PROTECTING ALL AREAS OF THE CROP WHERE EXCLUSION NETTING IS NOT PRESENT
These units give a pulse Shotgun sound on activation

D4. If using lights:

HOW MANY LIGHTS/LIGHT TOWERS ARE IN OPERATION AND WHAT IS THE WATTAGE PER LIGHT/LIGHT TOWER?
8 PIR units. as to question D3. 6 Grote Roto-Beacons. & Solar powered strobe light (Ref Photos)
DESCRIBE HOW LIGHT IS PROTECTING ALL AREAS OF THE CROP WHERE EXCLUSION NETTING IS NOT PRESENT
All units are placed around the whole orchard.

D5. If using smoke:

HOW MANY FOGGERS / CONTROLLED FIRES ARE IN OPERATION?
DESCRIBE HOW SMOKE IS PROTECTING ALL AREAS OF THE CROP WHERE EXCLUSION NETTING IS NOT PRESENT

D6. If using movement:

WHAT MOVEMENT-GENERATING EQUIPMENT IS BEING USED TO DETER FLYING-FOXES?
6 Grote Roto-Beacon units. Eagle kite assembly (Ref Photos)

DESCRIBE HOW MOVEMENT IS PROTECTING ALL AREAS OF THE CROP WHERE EXCLUSION NETTING IS NOT PRESENT

*Units are placed around whole orchard.***D7. If using an alternative method:**

WHAT ALTERNATIVE METHOD IS BEING USED TO DETER FLYING-FOXES?

Monitoring movement of bats & using 12g bird fright cartridges.

DESCRIBE HOW THE ALTERNATIVE METHOD IS PROTECTING ALL AREAS OF THE CROP WHERE EXCLUSION NETTING IS NOT PRESENT

*The whole orchard will be patrolled.***D8. Please attach photos to substantiate the information provided at Questions D1-D7, above.**

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons
Please select one of the following:

- ☒ Photos are attached **OR**
☐ Please refer to photos supplied last year, or the year before that.

Part E. Taking and dealing with taken flying-foxes

Note: The chief executive (or their delegate) may use information provided under part E to assist in determining whether they are satisfied under sections 185(2)(f) and 185(2)(g) of the Wildlife Management Regulation.

E1. Have you read and understood your legal obligations under the Code of Practice—Ecologically sustainable lethal take of flying-foxes for crop protection and do you agree to adhere to them?

- ☒ Yes
☐ No

E2. If a permit is granted, who will be in charge where the licensed activity is to be carried out?

NOMINATED CONTACT PERSON'S FAMILY NAME <i>s.73 irrelevant information</i>		TITLE <i>s.73 irrelevant</i>
NOMINATED CONTACT PERSON'S GIVEN NAME/S <i>s.73 irrelevant information</i>		DATE OF BIRTH <i>sch4n4(6) Pers</i>
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) <i>s.73 irrelevant information</i>		POSTCODE <i>s.73 irrelevant</i>
TELEPHONE (BUSINESS HOURS) <i>s.73 irrelevant information</i>	MOBILE <i>s.73 irrelevant information</i>	FACSIMILE
TELEPHONE (AFTER HOURS) <i>as above.</i>	EMAIL <i>s.73 irrelevant information</i>	
POSTAL ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL ADDRESS) <i>as above.</i>		POSTCODE

E3. Where will the activities be conducted? If you require more space, attach a separate sheet.

STREET ADDRESS	s.73 irrele	sch4p4(6) Personal information	Doolbi
LOT	sch4p4	PLAN	sch4p4(6) Personal information
LOCAL GOVERNMENT AREA Bandaberg Council			

E4. Wildlife details

What species of flying-fox and what numbers are requested under this application?

COMMON NAME	QUANTITY
Little red Flying Fox	90
Black Flying Fox	90
Grey-headed Flying Fox	60

Note: Maximum numbers per month are as follows: 30 little red flying-foxes, 30 black flying-foxes and 20 grey-headed flying-foxes. As a general rule permits will be issued for 3 months, and permitted numbers of flying-foxes may be taken at any time within the term of the permit, at the permit holders discretion.

E5. Please designate a location for the disposal site

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an EHP or conservation officer.

The location must be clearly delineated by GPS coordinates and an attached map.

SPECIFIC LOCATION/DESCRIPTION OF DISPOSAL SITE	Large hole in ground for burial.
GEOGRAPHICAL COORDINATES	sch4p4(6) Personal information

- ☐ A map is attached **OR**
- ☒ Please refer to map supplied last year, or the year before that.

E6. Who will operate under the permit?

FAMILY NAME	GIVEN NAME
s.73 irrelevant inform	s.73 irrelevant information
FAMILY NAME	GIVEN NAME

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

E7. If multiple shooters are proposed, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

COMMUNICATIONS

not required only myself shooting.

E8. Do you give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access your property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes?

Note: Section 145 of the Nature Conservation Act 1992 allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

- ☒ Yes
☐ No

Part F. Other considerations

Note: The chief executive (or their delegate) may use information provided under part F to assist in determining the duration of any permit issued, and in determining whether an applicant is a suitable person under section 25 of the Nature Conservation (Administration) Regulation 2006.

F1. Requested timeframe for permit

START DATE	FINISH DATE
<i>15/9/17</i>	<i>15/12/17.</i>

F2. Applicant suitability

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? If yes, provide details of the offence/s.</p> <p>☐ Yes ☒ No</p>	

(Note: does not include simple traffic offences such as parking, speeding).		
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	

F3. Privacy statement

Information you provide on this form is being collected by the Department of Environment and Heritage Protection to process and administer your application for a Damage mitigation permit (ecologically sustainable lethal take of flying-foxes for crop protection), as authorised under section 12(a) of the Nature Conservation (Administration) Regulation 2006. Information may be disclosed to the Departments of National Parks, Recreation, Sport and Racing; Agriculture, Fisheries and Forestry; or Health in order to investigate allegations of unlawful activity, biosecurity or health issues, if required. Information regarding your status as a holder of this type of permit may be provided to any party upon request. Your personal information will not be disclosed to any other parties unless authorised or required by law. More information on our commitment to privacy is available on our website: <http://www.ehp.qld.gov.au/legal/privacy.html>.

Part G. Declaration

Note: If you provide false, misleading, or incomplete information in this application you may be liable for prosecution under the relevant Acts or Regulations. A site visit may be undertaken to verify any statement or evidence provided in this application.

- I do solemnly and sincerely declare that the information provided on this application form, including any document provided with, or in support of, this application, 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.73 irrelevant information	
APPLICANT'S SIGNATURE	sch4p4(6) Personal information	DATE 24/8/17
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION		

Applicant checklist

- ☒ Application form completed, signed and dated.
- ☒ Supporting information attached.
- ☒ Privacy statement acknowledged

Please return 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

Information sheet – Wildlife authorities and privacy may be obtained from the EHP website

<http://www.ehp.qld.gov.au/licences-permits/plants-animals> or by contacting the EHP Referral Centre on 1300 130 372.



Grote Industries Compact Four Sealed-Beam Roto-Beacons 76203



• [Click to Enlarge Image](#)

\$149.97

[Change Currency](#)

1

Add To Cart

[+ Wish List](#) [+ Compare](#)

- Fast Shipping
- Low Price Guarantee
- Tech Advice
- Easy Returns

XFast Shipping

- We ship in-stock parts via ground shipping the same day if ordered by 10:00 pm EST. Monday through Friday. [Learn More](#)
- Low Price Guarantee
- We're confident our prices are the lowest. We'll beat any advertised price on an in-stock product. [Learn More](#)
- Tech Advice
- Best Tech Advice and Customer Support, before and after your purchase! [Learn More](#)
- Easy Returns
- You can return any new or unused item within 90 days of the date your item was shipped and we will refund the full purchase price. [Learn More](#)

[Write the First Review](#)

Warning Light, Roto-Beacon, Yellow Lens, Aluminum-Stainless Housing, 12V, 8.437 in. Diameter, Each

Estimated USA Ship Date: 9/5/2017 (if ordered today)
Estimated International Date: 9/6/2017 (if ordered today) [INTERNATIONAL Customer Options](#)

• [Check Application](#)



Grote Industries Compact Four Sealed-Beam Roto-Beacons

Part Type:[Auxiliary Lights](#)

Application:[Find out if this fits your application](#)

-
-
-
-
- [Email](#)



Get more time to pay.
Check out with PayPal and choose PayPal Credit
Subject to credit approval. [See terms.](#) US customers only.

- [Overview](#)
- [Applications](#)
- [Show All](#)

Brand:[Grote](#)

Manufacturer's Part Number:76203

Part Type:[Auxiliary Lights](#)

Product Line:[Grote Industries Compact Four Sealed-Beam Roto-Beacons](#)

Summit Racing Part Number:**GTE-76203**

UPC: 089373003597

Light Style: Warning

Lens Color: Yellow

Bulb Color: Clear

Shape: Cylindrical

Diameter (in): 8.437 in.

Length (in): 8.250 in.

Housing Color: Polished

Housing Material: Aluminum/Stainless steel

Volts: 12 V

Candlepower: 33,000

Lens Material: Acrylic

Light Cover Included: No

18-025

Relay Included: No

Wiring Harness Included: No

Replacement Bulb Number: 7400

Quantity: Sold individually.

In-Store Pickup: Choose In-store pick-up (OH, NV, GA) on our web site.

The Grote Industries compact four sealed-beam beacons flash 60-120 times per minute, making it easier for other drivers to see you approaching. Grote designed these lights with a permanently lubricated clutched, sealed gear box with a suitcase latch design for easy transport. Grote manufactures these lights from quality materials to ensure performance and durability.

Thanks for your enquiry about the **Eagle Kite** and the **Solar powered strobe light**.

The **Eagle Kite** is an actual Kite, that is a very life like replica of an Eagle with a 1.5 metre wingspan. The Eagle fly's and flaps its wings like a real bird while it fly's 360 degrees around its own telescopic pole in the breeze. The pole is just like a 7 metre high fishing rod that can be cable tied to a picket or slid into its optional mounting bracket. While we have seen these Kites survive 80 kph winds, they are not indestructible and are rated for 40 kph winds, so it is best to take them down prior to storms or high winds to avoid possible damage, a quick and easy task for one person. Commonly used against Cockatoos, Corellas, Ducks, Rosellas, Lorikeets and other birds

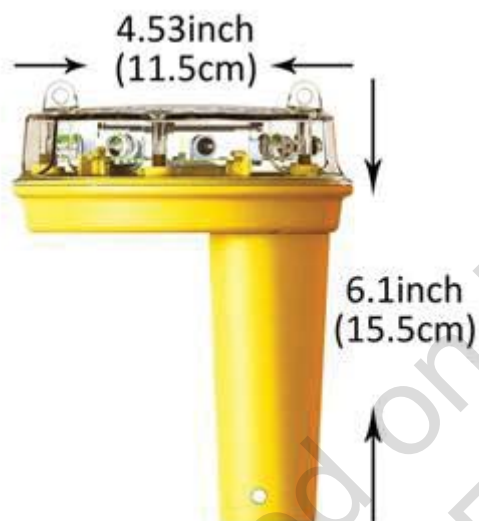
Eagle Kite with 7 metre pole retails at \$ 468.00 incl GST and freight. <http://www.birdgard.com.au/pest-control/osprey-kite-bird-repeller>

The **Solar powered strobe light** has 9 LED bulbs that emit a 360 degree emission of 3 varying light colours that can be seen up to 1 Kilometre away (so put it at the other end away from your neighbour)

The device is powered by 2 x AA rechargeable batteries, so do install in a sunny location. A USB port also allows recharging from a 240 power source

The device can be easily installed on a fence post or even hung from a tree

Solar powered strobe light retails at \$ 166.00 incl + freight of 19.95



If you have any questions or wish to order just give us a call or return this email and we will call you.

Regards

sch4b4(6) Personal inform
General Manager
Bird Gard Pty Ltd
PO Box 737

Hello sch4

s.73 irrelevant information

Solar lights and the Ek

Published on DES Disclosure Log
RTI Act 2009

Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To: s. 73 irrelevant information
s. 73 sch 4n4(6) Person
DOOLBI
QLD 4660
Australia

Our reference: APP0004289

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 24 August 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0002301	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0002301.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Michael Joyce
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 23 October 2017

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017 Part 2 Division 1.

Permit number: WA0002301

Valid from: 23 October 2017 to 22 January 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:	s.73 irrelevant information	s.7 sch4p4(6) Personal DOOLBI QLD 4660 Australia
Person In Charge:	s.73 irrelevant information	s.7 sch4p4(6) Personal DOOLBI QLD 4660
Business name:		ABN/ACN /
Activity location//licensed premises	sch4p4(6) Personal information	

Schedule

Species details	Category	Quantity	Unit
little red flying-fox, Pteropus scapulatus	Live	90	
black flying-fox, Pteropus alecto	Live	90	
grey-headed flying-fox, Pteropus poliocephalus	Live	60	

Michael Joyce
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 23 October 2017

Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only.
This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2006
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice
- Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice
- Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au

Condition

Nature Conservation

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:	30/08/2017
Assessing Officer:	Pauline Fitzgibbon
Project Ref:	AR104149 - Application No: APP0004289
Permit Ref:	

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒ Corporation ☐

Individual or
corporation name:

s.73 irrelevant information

Person in charge
(if corporation):

as above

ABN/ACN number

sch4p4(6) Personal i

Lot on Plan details

sch4p4(6) Personal inform

Property Location
(GPS etc):

sch4p4(6) Personal inform

Address:

s.73 sch4p4(6) Personal Doolbi (Bundaberg Council)

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
 - (a) a least concern animal; or
 - (b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	90
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	60
little red flying-fox	<i>Pteropus scapulatus</i>	Live	90

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe: All species are least concern under the NCA.

Section
182

Delegate
Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

- (a) The flying-fox is causing or may cause, damage to crops

Identify the crop type: ☒ Fruit ☐ Non-fruit

Assessment form

Damage mitigation permit (culling and dispersal)

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage

☐ OR

Damage to surrounding crop (within 5 km)

☒ OR

Other

☐

Describe:

The applicant has held a previous permit in the 2015-16 Season - WIMP 16479215.

The applicant grows Peaches and nectarines.

Damage occurred to the crop in the 2015-16 season.

Provide Image (insert file or cut and paste) :

Image from 2015-16



Image of damage to fruit from 2 seasons ago



Section
185 (2) (a)

Delegate
Comments:

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) *The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;*

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

The applicant has purchased and installed an Eagle Kite and solar powered strobe light. The Eagle Kite is a replica of an Eagle and flaps like a real bird. Its application has been known against Cockatoos, Corellas, ducks, Rosellas, and other birds.

The applicant has also installed a solar powered strobe light. An image has been provided.

Assessment form

Damage mitigation permit (culling and dispersal)

Assessment Comment: It is unclear of the application of the Eagle Kite to prevent damage from flying-foxes.

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Identify these suitable prescribed methods:

- ☐ Exclusion or tunnel netting for the entire crop
- ☐ Netting ☒ Sound ☒ Light
- ☐ Smoke ☒ Movement ☐ Alternative method

Comments:

The crop is 1.2 hectares.

Sound - 8 PIR Sound and light sensor (refer to attached photo) - This emits a pulse shotgun sound on activation

Lights: 8 PIR units. This includes 6 grate roto beacons and solar powered strobe light (refer to photos). All units are placed around the orchard.

Movement: 6 grate roto-beacon units. Eagle kite assembly These units are placed around the orchard.

Assessment comments: it is unknown of the success of the eagle kite. The applicant still has installed the PIR motion activated bird chaser (refer to image from previous permit).

Provide Image (insert file or cut and paste) :

Sealed beam beacons



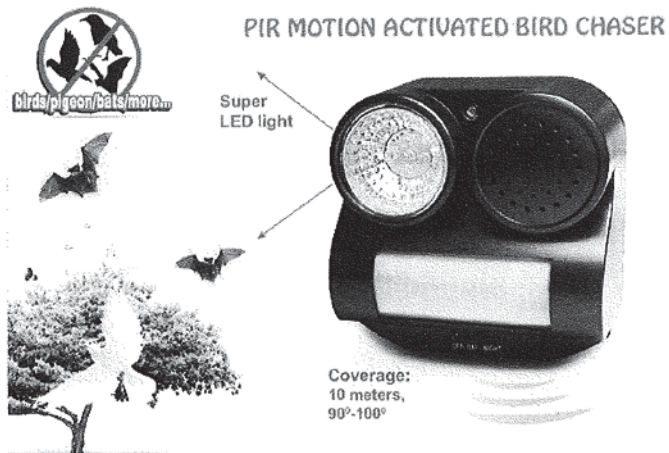
Solar strobe light



Installed PIR motion active bird chaser



Image located around the orchard (from previous permit)



Section
185 (2) (b)
Delegate

--

Comments:

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

(c) If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes

☐ No

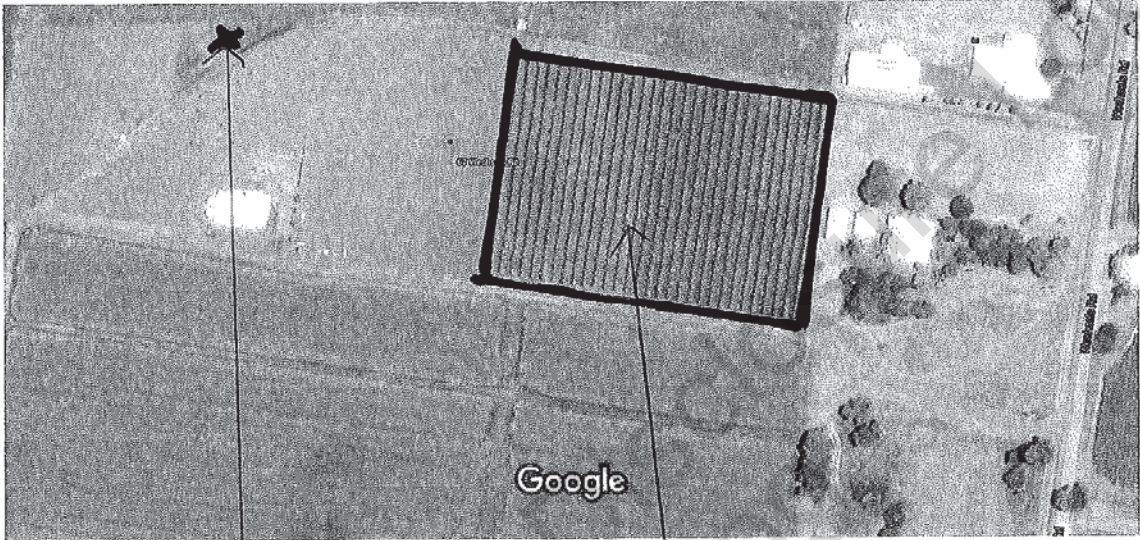
If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Provide image if appropriate (insert file or cut and paste) :

Disposal site (refer to previous permit map)

Google Maps s.73 sch4p4(6) Perso



Imagery ©2015 DigitalGlobe, Map data ©2015 Google 20 m

orchard 1Ha.
Disposal Site
of Bats.



Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments:

State quotas for the lethal take of flying-foxes in Queensland for the 2015 – 2016 season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	90	90	60	80	0.9%
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar/30 June (delete incorrect quota period)	2450	2800	896	6146	
Remaining quota for 1 Mar	2420	2770	876	6066	

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Remaining quota for year	3470	3970	1260	8700	99.1
% allocated	0.9	0.8	1.6	0.9	0.9

**Section
185 (2) (d)**

**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) The landholder is a commercial crop grower for the land;

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: Peaches and Nectarines

**Section
185 (2) (e)**

**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments:

**Section
185 (2) (f)**

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

Large hole in ground for burial : sch4p4(6) Personal information The lats and longs were
obtained from the map: sch4p4(6) Personal inform

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>The activity will not impact on the conservation of the black flying-fox, the little-red flying-fox, or the grey-headed flying-fox nor any other species</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No this permit is the 1st issued for the season, and meets quota requirement</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>The applicant will only take within Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection quota limits, and this ensure no impact upon the conservation of the least concern species of flying-foxes</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Relevant protocols are included in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> Is there a public health and safety risk from the activities in the permit that has not been addressed? <p>No</p>	☐
<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>Yes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>No recovery plan exists for the black flying-fox, nor the little-red flying-fox. The Australian Department of Environment and Energy have released a draft recovery plan for the Grey-headed Flying-Fox. Public comments on the draft closed 24th April 2017. The issuing of this permit is not in-consistent with the draft recovery plan</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☐ Yes ☒ No

If yes:

a) Are names and contact details recorded?

☐ Yes ☐ No

b) Are communication means described and satisfactory?

☐ Yes ☐ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments:

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

15/9/17 till 15/12/17

Is this application for a three month 'lethal take of flying-foxes' DMP?

☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Has permission for access been given?

☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – 'lethal take of flying-foxes' activity

☒ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☒ WI

Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☒ WI

Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐

This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported x☐ Not supported ☐

Name:

Position:

Date:

Comments:

14. Senior conservation officer endorsement: (where applicable)

Supported ☒ Not supported ☐

Name: Pauline Fitzgibbon

Position: Senior Conservation Officer

Date: 1/9/2017

Comments:

15. Manager/delegate approval:

Approved ☐ Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:

28/09/2017

Assessing Officer:

Laura Affleck

Project Ref:

APP0005433

Permit Ref:

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒ Corporation ☐

Individual or corporation name:	<div>s.73 irrelevant information</div> <div>-Applying as an individual but supplied details for organisation as well-</div> <div>s.73 irrelevant information</div>	
Person in charge (if corporation):		ABN/ACN number <div>s.73 irrelevant information</div>
Lot on Plan details	<div>s.73 irrelevant information</div> <div>Area: 19.51 ha</div>	
Property Location (GPS etc):	<div>s.73 irrelevant information</div>	
Address:	Residential: <div>s.73 irrelevant information</div> Cottonvale QLD 4375 Postal: As above Activity Location: As above LGA: Southern Downs Regional	

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) *The chief executive may grant a damage mitigation permit only for—*
 - (a) *a least concern animal; or*
 - (b) *an endangered, vulnerable or near threatened animal.*
- (2) *However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.*

Assessment form
Damage mitigation permit (culling and dispersal)

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	10
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	50
little red flying-fox	<i>Pteropus scapulatus</i>	Live	

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe:

Both species are listed as of least concern under the NCA, however I feel it should be noted that the grey-headed flying-foxes are listed as vulnerable under the EPBC and as a critical priority species under the EHP Back on Track Species Prioritisation Framework. There is no recovery or conservation plan listed for the species.

Section 182

Delegate Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

(a) The flying-fox is causing or may cause, damage to crops

Identify the crop type:

☒ Fruit ☐ Non-fruit

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage

☐ OR

Damage to surrounding crop (within 5 km)

☐ OR

Other

☐

Assessment form
Damage mitigation permit (culling and dispersal)

Describe:

Application states: Thousands of dollars worth of fruit eaten, damaged or spoiled by flying-foxes, not to mention damage to the fruit trees as well.

Provide Image (insert file or cut and paste) :



Figure 1: Image of loquat trees (as supplied for the 2016 permit application)



Figure 2: Image of loquat trees (as supplied for the 2016 permit application)

Section
185 (2) (a)

Delegate
Comments:

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Application states:

Sound:

Assessment form

Damage mitigation permit (culling and dispersal)

- Method: Electronic bird scarer with loud speakers, 5-LPG scare guns

- Effectiveness: In-effective

Light:

- Method: Revolving and flashing lights

- Effectiveness: In-effective

Movement:

- Method: Scarecrows and bird scarers

- Effectiveness: In-effective

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Identify these suitable prescribed methods:

☐ Exclusion or tunnel netting for the entire crop

☐ Netting ☒ Sound ☒ Light

☐ Smoke ☒ Movement ☐ Alternative method

Comments: Application states:

Sound:

- Method: Electronic bird scarer with loud speakers, 5-LPG scare guns

- Effectiveness: In-effective

Light:

- Method: Revolving and flashing lights

- Effectiveness: In-effective

Movement:

- Method: Scarecrows and bird scarers

- Effectiveness: In-effective

Provide Image (insert file or cut and paste) :

Assessment form

Damage mitigation permit (culling and dispersal)

Scareguns Australia
"Back Cadell"
Barham NSW 2732
1300 647 160
sales@scareguns.com.au
http://www.scareguns.com.au
ABN: 80249972173



Tax Invoice

INVOICE TO

s.73 irrelevant in
s.7sch4p4(6) P
Cottonvale QLD 4375

INVOICE NO. 1240

DATE 07/11/2016

DUE DATE 07/11/2016

TERMS Due on receipt

ACTIVITY	QTY	RATE	GST	AMOUNT
ZON EL08 Electronic LPG Scaregun	2	650.00	GST	1,300.00
Freight TNT Express road freight - 50% discount	1	35.00	GST	35.00

ANZ account Name: Scareguns Australia
BSB Number: 012 605
Account number: 190 380 461

SUBTOTAL 1,335.00
GST TOTAL 133.50
TOTAL 1,468.50
BALANCE DUE AUD 1,468.50

Your business is greatly appreciated, thank you.

nab National Australia Bank Limited
Stanthorpe - 25 Maryland Street Qld

000120
Date 07/11/2016

NEGOTIABLE

Pay **SCAREGUNS AUSTRALIA** or bearer **\$1,468.50**
the sum of **ONE THOUSAND, FOUR HUNDRED AND SIXTY EIGHT DOLLARS FIFTY CENTS ONLY.**

s.73 irrelevant info
sch4p4(6) Per

NOT

sch4p4(6) Personal inform

0002 20 084 927 73068 9460

Figure 3: Financial cost of equipment (as supplied for the 2016 permit application)



Figure 4: Bird Gard (as supplied for the 2016 permit application)



Figure 5: Bird Gard (as supplied for the 2016 permit application)



Figure 6: Lights and radios (as supplied for the 2016 permit application)



Figure 7 : Lights and radios (as supplied for the 2016 permit application)



Figure 8: Owl bird scarer (as supplied for the 2016 permit application)



Figure 9: Scare gun (as supplied for the 2016 permit application)



Figure 10: Scare gun (as supplied for the 2016 permit application)

Section
185 (2) (b)

Delegate
Comments:

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

(c) If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes

☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

The crops include loquats, mulberries and cherries.

Provide image if appropriate (insert file or cut and paste) :



sch4p4(6) Personal information

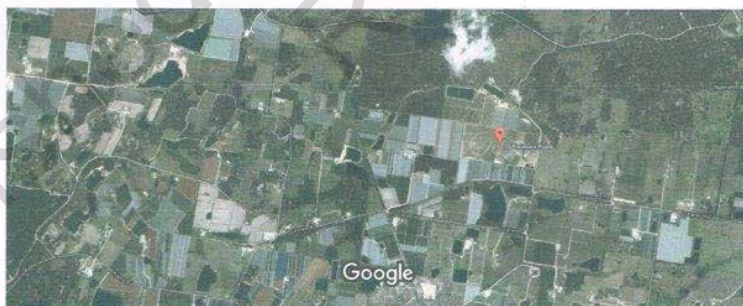


Figure 11: Map of the area around the property (as supplied for the 2016 permit application)

Google Maps

Page 1 of 1

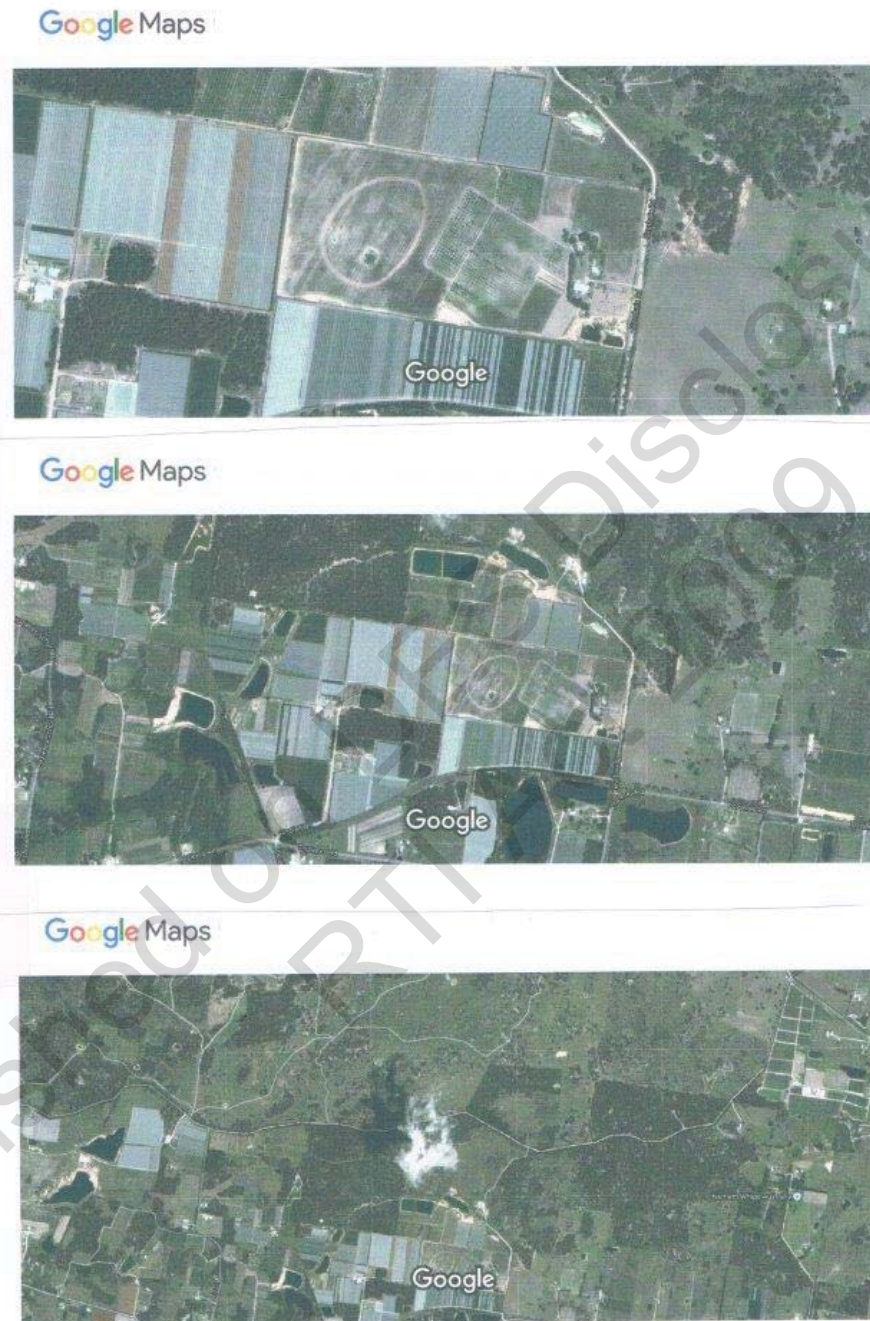


Figure 12: Location of the incinerator that will be used on the property for disposal (as supplied for the 2016 permit application)



Figure 13: Incinerator that will be used for the disposal of the animals (as supplied for the 2016 permit application)



Figure 14: Incinerator that will be used for the disposal of the animals (as supplied for the 2016 permit application)

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments: Both quantities requested are below the maximum number permitted per permit.

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	40	30	70	140	1.59%
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar/30 June (delete incorrect quota period)	2450	2800	896	6146	
Remaining quota for 1 Mar/30 June (delete	2410	2770	826	6006	

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

incorrect quota period)					
Remaining quota for year	3460	3970	1210	8640	98.40
% allocated	0.9	0.8	1.6	0.9	0

**Section
185 (2) (d)**

**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) *The landholder is a commercial crop grower for the land;*

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: Loquats, mulberries and cherries. Figures 1 and 2 attached prove viability.

**Section
185 (2) (e)**

**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) *The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code*

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments:

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (f)**

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

Incineration in a fire pit at the coordinates [sch4n4\(6\) Personal information](#)

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>No</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>No</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Yes</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the permit that has not been addressed?</i> <p>No</p>	☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>Yes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>Yes</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☒ Yes ☐ No

If yes:

a) Are names and contact details recorded?

☒ Yes ☐ No

b) Are communication means described and satisfactory?

☒ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments:

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

01/10/2017 - 31/12/2017

Is this application for a three month 'lethal take of flying-foxes' DMP?

☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Has permission for access been given?

☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – ‘lethal take of flying-foxes’ activity

☒ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☐ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☐ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported x☒ Not supported ☐

Name:

Position:

Date:

Comments:

Laura Affleck, Conservation Officer, 26/09/2017

There is documented history of damage and loss over a number of years and sufficient non-lethal mitigation methods that are currently being employed. Application supported as the number requested is within the state quota.

It should just be noted that although both species are listed as of least concern under the NCA, I feel it should be noted that the grey-headed flying-foxes are listed as vulnerable under the EPBC and as a critical priority species under the EHP Back on Track Species Prioritisation Framework. There is no recovery/conservation plan listed for the species.

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Name:

Position:

Date:

Comments:

15. Manager/delegate approval:

Approved ☐

Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Application form

Section 12(a) — Nature Conservation (Administration) Regulation 2017

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

1 Important information for applicants

Applications can be made using the Department's digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit www.ehp.qld.gov.au/connect for more information.

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>, and the code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Heritage Protection is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, EHP will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on **1300 130 372 option 4**.

2 Terms and Conditions

Permits, licences and authorities Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native birds, reptiles, mammals and amphibians are protected, along with some invertebrates (certain butterflies, spiders and scorpions), freshwater fish and the grey nurse shark. Other aquatic species are protected by the Department of Agriculture and Fisheries, the Great Barrier Reef Marine Park Authority and the Australian Government. A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using or moving of wildlife for commercial, recreational or other purposes we contribute to the maintenance of viable wild populations of plants and animals. The type of approval(s) you will need depends upon a number of things, including:

- The nature and purpose of your proposed activity
- The tenure of the area in which you intend to undertake your activity and
- The species of wildlife concerned

To apply for permits:

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

- within the protected area estate (except nature refuges and special wildlife reserve) as defined in the Nature Conservation Act 1992 (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or
- within a marine park under the Marine Parks Act 2004; or
- within State forest estate under the Forestry Act 1959 (e.g. state forests and timber reserves)

Please contact the Department of National Parks, Sport and Racing

Note: Corporations must have an office in Queensland to be eligible to apply for a wildlife authority.

The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on-line on the Office of Queensland Parliamentary Counsel website.

Privacy statement for wildlife permits

Information you provide assists the Department of Environment and Heritage Protection (EHP) to administer wildlife licences, permits and authorities granted under the Nature Conservation (Wildlife Management) Regulation 2006.

Some information may be provided to the Departments of National Parks, Sport and Racing; Agriculture and Fisheries; Science, Information Technology and Innovation; Health; Queensland Police Service or the Australian Defence Force in order investigate biosecurity or health issues or allegations of unlawful activity, if required.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Information regarding your status as a holder of a permit may be provided to any party upon request. Your personal information will not be disclosed to any other parties without your consent unless authorised or required by law.

More information on our commitment to privacy is available on our website. Should you have a general question on the Department and its obligations under the Information Privacy Act 2009 please email privacy@ehp.qld.gov.au or for specific questions concerning privacy information and wildlife activities please email: wildlife.management@ehp.qld.gov.au

1. You may only lodge this application if you have accepted the above terms and conditions

3 ☒ I accept the above terms and conditions.

2. All questions must be answered and the applicable fees included (if required) for the application to be processed. If you do not complete all questions and sign and date the application form, your application will be returned to you as an invalid application.

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

3. 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 4 applicant details in full — then go to section 6**
- ☐ **AN ORGANISATION** → **Complete Section 5 applicant details — then go to section 6**

4. Applicant details for an individual

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH
☒ Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Doctor ☐ Prof	s.73 irrelevant	s.73 irrelevant i	s.73 irrelevant	sch4p4(6) Pers

5. Applicant details for an organisation

Organisation type –

- ☒ Company ☐ Australian registered (foreign) body ☐ Incorporated association
☐ Co-operation ☐ Government ☐ Non for profit organisation

*AUSTRALIAN BUSINESS NUMBER	* BUSINESS NAME
sch4p4(6) Person	sch4p4(6) Personal inform
CEO	ABN

6. Applicant registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 sch4p4(6) Personal inform	COTTONVALE	QLD	4375

(WRITE 'AS ABOVE' IF SAME AS REGISTERED/RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE
AS ABOVE			

7. Applicant contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER (NOTE: 10 DIGITS INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		s.73 irrelevant info	

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

8. Permit activity

☒ Culling to prevent damage or loss

☒ Lethal take of flying-fox. Use this application type if you are a commercial fruit grower and intend to use lethal control to kill flying foxes for the purposes of fruit crop protection only where non-harmful measures have been attempted and failed.

9. Code of Practice

I can comply with the Code of Practice

☒ Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

10. Location of the activity

Please provide exact location of where this activity will occur by either Lot on Plan or physical street address, if required attach additional documentation.

* PHYSICAL STREET ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL /REGISTERED ADDRESS)	* SUBURB	* STATE	* POST CODE
s.74 sch4p4(6) Personal inform	COTTONVALE	QLD*	4375

OR

* LOT# AS	* PLAN#
sch	sch4p4(6) Pe PAR MARSH. SOUTHERN DOWNS REG.

OR

GPS LOCATION
sch4p4(6) Personal information

11. Wildlife details

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

COMMON NAME	SCIENTIFIC NAME	NUMBER
GREY-HEADED FLYING FOX	PTEROPUS POLIOCEPHALUS	50
BLACK FLYING FOX	PTEROPUS ALECTO	

12. Start and completion dates

Please enter the proposed start and completion dates for the project

START DATE 01/10/2017	FINISH DATE 31/12/2017
--------------------------	---------------------------

13. Potential for damage or significant economic loss

Permits are exclusively granted to commercial crop growers. Please identify the crop at risk and the cause for concern.

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

- ☒ Fruit type/s crop
☐ Non-fruit type/s crop

PROVIDE DETAILS OF THE TYPE OF CROP LOQUATS, MULBERRIES AND CHERRIES. PERMIT NO:- WIMP17848116 issued for 2016 Season.
--

Please identify the cause for concern.

- ☒ I have suffered actual damage this season or in the past season.
☒ Someone in the surrounding area growing the same or similar crop incurred damage this season or in the past season.
☐ Neither myself or anyone in the surrounding area have incurred damage this season or in past season.

Why do you believe you may suffer significant economic loss if not granted a permit?

THOUSANDS OF DOLLARS WORTH OF FRUIT EATEN, DAMAGED AND SPOILED BY FLYING FOXES, NOT TO MENTION DAMAGE TO THE FRUIT TREES AS WELL.

14. Previous non-lethal damage mitigation

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Which non-lethal deterrence methods are in use?

Note: exclusion or tunnel netting is defined in the code of practice as "netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags."

If exclusion netting IS NOT used, a minimum of two other non-lethal mitigation methods must have been attempted.

- ☐ Exclusion or tunnel/drape netting for entire crop

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

☐ Netting

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	
When the netting is installed as detailed in the code of practice, what is the mesh size?	

☒ Sound

Detail the type and volume of the sounds being used to deter the flying foxes.	ELECTRONIC BIRD SCARER WITH LOUD SPEAKERS, 5 - LPG SCARE GUNS
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	IN-EFFECTIVE

☒ Light

How many lights/light towers are in operation and what is the wattage per light/light tower?	REVOLVING AND FLASHING LIGHTS
Describe how light is protecting all areas of the crop where exclusion netting is not present.	IN-EFFECTIVE

☐ Smoke

How many foggers / controlled fires are in operation?	
Describe how smoke is protecting all areas of the crop where exclusion netting is not present.	

☒ Movement

What movement-generating equipment is being used to deter flying-foxes?	SCARECROWS AND BIRD SCARERS.
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	IN-EFFECTIVE

☐ Alternative method

What alternative method is being used to deter flying-foxes?	
Describe how the alternative method is protecting all areas of the crop where exclusion netting is not present.	

15. Provide photos to substantiate the information provided in the non-lethal mitigation questions.

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons.

- ☐ Attached are photos to substantiate the information provided in the non-lethal mitigation questions
- ☒ Please refer to photos supplied last year, or the year before that.

16. Designate a location for the disposal site:

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an EHP or conservation officer.

Specific location/description of disposal site.	INCINERATED
Geographical coordinates.	s. 73sch4n4(6) Personal info COTTONVALE QLD 4375.

The location must be clearly delineated by GPS coordinates and an attached map.

- ☐ Map attached
- ☒ Please refer to the map supplied last year, or the year before that.

17. Permission for Queensland Government Officers and communication between multiple shooters

Note: Section 145 of the *Nature Conservation Act 1992* allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

- ☒ I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.
- ☒ Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

VERBAL COMMUNICATION BETWEEN MYSELF AND s. 73sch4n4(6) Personal info (ONLY 2 SHOOTERS).

18. Provide the name(s) of the person(s) operating under this permit

Complete this section if person(s) other than the applicant will be operating under this permit. Use an attachment if insufficient space.

FAMILY NAME s.73 irrelev	GIVEN NAME s.73 irrelevant information
FAMILY NAME s.73 irrelev	GIVEN NAME s.73 irrelevant in
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

19. Application questions

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 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

20. Effective Date

Select an effective date Decision Date ☐ or Nominated Date 01/10/2017 TO 31/12/2017

21. Person in Charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

Nominate Person in Charge*

☒ Same as applicant ☐ Alternate person in charge

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Person in Charge Identity Details

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH
MR	s.73 irrelevant information			sch4p4(6) Pers

Person in Charge Registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 sch4p4(6) Personal informa	COTTONVALE	QLD	4375

(WRITE 'AS ABOVE' IF SAME AS REGISTERED RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE
AS ABOVE			

Person in Charge contact details – email or phone contact is mandatory.

EMAIL ADDRESS			
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE ☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		AREA CODE	PHONE NUMBER: NOTE: 10 DIGITS (INCLUDING AREA CODE) s.73 irrelevant info

22. Application Contact Details

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

☒ Same as applicant ☐ Alternate contact details

*NAME OR POSITION	*PRIMARY PHONE. NOTE: 10 DIGITS (INCLUDING AREA CODE)	EMAIL ADDRESS	SECONDARY PHONE
		s.73 irrelevant information	

23. Applicant's signature

APPLICANT'S NAME	
s.73 irrelevant information	
APPLICANT'S SIGNATURE	DATE 20/09/2017

24. Applicant checklist

- ☒ All questions on application form completed, signed and dated.
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

QUEENSLAND WEAPONS ACT 1990

FIREARMS LICENCE

DATE OF BIRTH [redacted] s.73 irrelevant information

LICENCE NO. [redacted] sch4p4(6) Personal information

CATEGORY **B A**

CONDITIONS **RE1 SC1**

EXPIRY **28/02/24**

[redacted] sch4p4(6) Personal information

1. Full particulars of conditions on Licence Form 2a.
2. Weapons List on Licence Form 2b.
3. The Licensee is to comply with the safe storage requirements as stipulated in the Weapons Regulation 1996.
4. For any change of address or licence particular, advise Local Police within 14 days.
5. This card remains the property of the Queensland Police Service.
6. If found please return to the nearest Police Station.

FORM 2 VER. 2 10/13

LICENCE NO. [redacted] sch4p4(6) Personal information

CATEGORY **B A**

EXPIRY DATE **28-02-2024**

23. Applicant's signature

APPLICANT'S NAME		
s.73 irrelevant information		
APPLICANT'S SIGNATURE		DATE 20/09/2017

24. Applicant checklist

- ☒ All questions on application form completed, signed and dated.
- ☒ Supporting information and accreditation attached (if applicable)

sch4p4(6) Personal information

Please return your completed application kit to:

Customer Service Team
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

FLYING FOXES

QUEENSLAND WEAPONS ACT 1990

FIREARMS LICENCE

QUEENSLAND GOVERNMENT

DATE OF BIRTH [redacted] sch4p4(6) Per

LICENCE NO. [redacted] sch4p4(6) Personal infor

CATEGORY **A B C**

CONDITIONS **999 OC4 RE1 SC1**

EXPIRY **17/06/18**

[redacted] sch4p4(6) Personal information

1. Full particulars of conditions on Licence Form 2a.
2. Weapons List on Licence Form 2b.
3. The Licensee is to comply with the safe storage requirements as stipulated in the Weapons Regulation 1996.
4. For any change of address or licence particular, advise Local Police within 14 days.
5. This card remains the property of the Queensland Police Service.
6. If found please return to the nearest Police Station.

FORM 2 VER. 2 06/12

LICENCE NO. [redacted] sch4p4(6) Personal infor

CATEGORY **A B C**

EXPIRY DATE **17-06-2018**

AFFLECK Laura

From: [s.73 irrelevant information]
Sent: Wednesday, 27 September 2017 3:51 PM
To: AFFLECK Laura
Subject: RE: Request for more information on your damage mitigation permit application
Attachments: 03 JAN 2017.doc



From: AFFLECK Laura [mailto:Laura.Affleck@ehp.qld.gov.au]
Sent: Wednesday, 27 September 2017 1:25 PM
To: [s.73 irrelevant information]
Subject: RE: Request for more information on your damage mitigation permit application

Hi [s.73 irrelev

Thank you so much for getting back to me so quickly yesterday. I have now updated everything on my permit assessment except for the Return of Operations. The file you seem to have attached yesterday to your email is your signed permit. Do you also still have your copy of your Return of Operations? I have attached an image of what the form should look like to this email.

Once I have this I will be able to send off my assessment.

As always, any questions please do not hesitate to ask.

Kind regards,

Laura Affleck
Conservation Officer
Wildlife Assessment, Strategic Compliance and Southern Operations
Conservation & Biodiversity Operations
Department of Environment and Heritage Protection

P (07) 3330 5121 ext. 25121
400 George Street, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001

From: [s.73 irrelevant information]
Sent: Tuesday, 26 September 2017 3:39 PM
To: AFFLECK Laura <Laura.Affleck@ehp.qld.gov.au>
Subject: RE: Request for more information on your damage mitigation permit application

Here they are,

Regards,

[s.73 irrelevant inform

From: AFFLECK Laura [mailto:Laura.Affleck@ehp.qld.gov.au]
Sent: Tuesday, 26 September 2017 3:33 PM
To: [s.73 irrelevant information]
Subject: Request for more information on your damage mitigation permit application



Hello,

I am the Conservation Officer who is currently processing your request for a Damage Mitigation Permit (lethal take of flying-foxes) (Application reference: APP0005433). I just have a few things I need to touch base with you about before I can process it further.

1. I have attached your original application permit to this email. I just need you to print it, sign the box down the bottom, scan it and send it back to this email address please. If you are unable to print it at this time just let me know and I can mail a hard copy of the application and an envelope to you to sign and return to me.
2. I just want to clarify the number of black flying-foxes you are requesting on the permit? The box on the paper application is blank but on the Connect application summary it lists 10 individuals. I think this is probably correct going by what you requested on your 2016 permit application but I figured it was worth just checking with you.
3. You noted in your application that you have held this type of permit before. We are in the process of moving to a new online permit processing system so I am struggling to find your Return of Operations from your last permit I'm afraid. Is it possible to resend it to me on this email address so that I can process your application quicker? It is a necessary part of the permit application assessment process to have seen the returns of a previous permit, so I do need this paperwork in order to proceed.

Once I fix up these few things with you I'll be able to quickly finalise my recommendation on the permit application.

Should you have any questions please do not hesitate to ask.

Kind regards,

Laura Affleck

Conservation Officer

Wildlife Assessment, Strategic Compliance and Southern Operations

Conservation & Biodiversity Operations

Department of Environment and Heritage Protection

P (07) 3330 5121 ext. 25121

400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To: s.73 irrelevant information
s.71 sch4p4(6) Personal
COTTONVALE
QLD 4375

Our reference: APP0005433

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 21 September 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0001837	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0001837.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Dayna Couprie
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 29 September 2017

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017 Part 2 Division 1.

Permit number: WA0001837

Valid from: 29 September 2017 to 28 December 2017

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:	s.73 irrelevant information	s.71sch4p4(6) Personal COTTONVALE QLD 4375
Person In Charge:	s.73 irrelevant information	s.71sch4p4(6) Personal COTTONVALE QLD 4375
Business name:		ABN/ACN /
Activity location//licensed premises	sch4p4(6) Personal	

Schedule

Species details	Category	Quantity	Unit
grey-headed flying-fox, Pteropus poliocephalus	Live	50	
black flying-fox, Pteropus alecto	Live	10	

Dayna Couprie
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 29 September 2017

Legislative Requirements and Conditions of Wildlife Authority

Legislative Requirements

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only.
This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2006
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au

Condition

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.

Published on DES Disclosure Log
RTI Act 2009



Application form

Section 12(a) — Nature Conservation (Administration) Regulation 2017

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

1 Important information for applicants

Applications can be made using the Department's digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit www.ehp.qld.gov.au/connect for more information.

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>, and the code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Heritage Protection is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, EHP will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on **1300 130 372 option 4**.

2 Terms and Conditions

Permits, licences and authorities Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native birds, reptiles, mammals and amphibians are protected, along with some invertebrates (certain butterflies, spiders and scorpions), freshwater fish and the grey nurse shark. Other aquatic species are protected by the Department of Agriculture and Fisheries, the Great Barrier Reef Marine Park Authority and the Australian Government. A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using or moving of wildlife for commercial, recreational or other purposes we contribute to the maintenance of viable wild populations of plants and animals. The type of approval(s) you will need depends upon a number of things, including:

- The nature and purpose of your proposed activity
- The tenure of the area in which you intend to undertake your activity and
- The species of wildlife concerned

To apply for permits:

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

- within the protected area estate (except nature refuges and special wildlife reserve) as defined in the Nature Conservation Act 1992 (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or
- within a marine park under the Marine Parks Act 2004; or
- within State forest estate under the Forestry Act 1959 (e.g. state forests and timber reserves)

Please contact the Department of National Parks, Sport and Racing

Note: Corporations must have an office in Queensland to be eligible to apply for a wildlife authority.

The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on-line on the Office of Queensland Parliamentary Counsel website.

Privacy statement for wildlife permits

Information you provide assists the Department of Environment and Heritage Protection (EHP) to administer wildlife licences, permits and authorities granted under the Nature Conservation (Wildlife Management) Regulation 2006.

Some information may be provided to the Departments of National Parks, Sport and Racing; Agriculture and Fisheries; Science, Information Technology and Innovation; Health; Queensland Police Service or the Australian Defence Force in order investigate biosecurity or health issues or allegations of unlawful activity, if required.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Information regarding your status as a holder of a permit may be provided to any party upon request. Your personal information will not be disclosed to any other parties without your consent unless authorised or required by law.

More information on our commitment to privacy is available on our website. Should you have a general question on the Department and its obligations under the Information Privacy Act 2009 please email privacy@ehp.qld.gov.au or for specific questions concerning privacy information and wildlife activities please email: wildlife.management@ehp.qld.gov.au

1. You may only lodge this application if you have accepted the above terms and conditions

3 ☒ I accept the above terms and conditions.

2. All questions must be answered and the applicable fees included (if required) for the application to be processed. If you do not complete all questions and sign and date the application form, your application will be returned to you as an invalid application.

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

3. 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 4 applicant details in full — then go to section 6
- ☐ **AN ORGANISATION** → Complete Section 5 applicant details — then go to section 6

4. Applicant details for an individual

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	*DATE OF BIRTH
☒ Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Doctor ☐ Prof	s.73 irrelevant information			sch4p4(6) Pers

5. Applicant details for an organisation

Organisation type –

- ☐ Company ☐ Australian registered (foreign) body ☐ Incorporated association
- ☐ Co-operation ☐ Government ☐ Non for profit organisation

*AUSTRALIAN BUSINESS NUMBER	*BUSINESS NAME
CEO	ABN

6. Applicant registered / residential address

*RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	*SUBURB	*STATE	*POST CODE
s.73 sch4p4(6) Person	Bundaberg	QLD	4670

(WRITE 'AS ABOVE' IF SAME AS REGISTERED/RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE
s.73 irrelevant inform	Bundaberg	QLD	4670

7. Applicant contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER (NOTE: 10 DIGITS INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		s.73 irrelevant inform	

Application form **Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection**

8. Permit activity

☒ Culling to prevent damage or loss

☒ Lethal take of flying-fox. Use this application type if you are a commercial fruit grower and intend to use lethal control to kill flying foxes for the purposes of fruit crop protection only where non-harmful measures have been attempted and failed.

9. Code of Practice

I can comply with the Code of Practice

☒ Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

10. Location of the activity

Please provide exact location of where this activity will occur by either Lot on Plan or physical street address, if required attach additional documentation.

* PHYSICAL STREET ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL /REGISTERED ADDRESS)	* SUBURB	* STATE	* POST CODE
as above		*	

OR

* LOT# AS	* PLAN#

OR

GPS LOCATION

11. Wildlife details

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

COMMON NAME	SCIENTIFIC NAME	NUMBER
Black flying fox	Pteropus alecto	90
Grey-headed flying fox	Pteropus poliocephalus	60
Little red flying fox	Pteropus scapulatus	90

12. Start and completion dates

Please enter the proposed start and completion dates for the project

START DATE 01/12/2017	FINISH DATE 28/02/2018
--------------------------	---------------------------

13. Potential for damage or significant economic loss

Permits are exclusively granted to commercial crop growers. Please identify the crop at risk and the cause for concern.

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

- ☒ Fruit type/s crop
- ☐ Non-fruit type/s crop

PROVIDE DETAILS OF THE TYPE OF CROP

lychee

Please identify the cause for concern.

- ☒ I have suffered actual damage this season or in the past season.
- ☐ Someone in the surrounding area growing the same or similar crop incurred damage this season or in the past season.
- ☐ Neither myself or anyone in the surrounding area have incurred damage this season or in past season.

Why do you believe you may suffer significant economic loss if not granted a permit?

Previous experience

14. Previous non-lethal damage mitigation

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Which non-lethal deterrence methods are in use?

Note: exclusion or tunnel netting is defined in the code of practice as "netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags."

If exclusion netting IS NOT used, a minimum of two other non-lethal mitigation methods must have been attempted.

- ☐ Exclusion or tunnel/drape netting for entire crop
- ☒ Netting

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	2 hectares cover
When the netting is installed as detailed in the code of practice, what is the mesh size?	17.5 mm

☐ Sound

Detail the type and volume of the sounds being used to deter the flying foxes.	
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	

☒ Light

How many lights/light towers are in operation and what is the wattage per light/light tower?	27 light towers/2000 watts
Describe how light is protecting all areas of the crop where exclusion netting is not present.	they do not fly in daylight

☐ Smoke

How many foggers / controlled fires are in operation?	
Describe how smoke is protecting all areas of the crop where exclusion netting is not present.	

☐ Movement

What movement-generating equipment is being used to deter flying-foxes?	
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	

☐ Alternative method

What alternative method is being used to deter flying-foxes?	
Describe how the alternative method is protecting all areas of the crop where exclusion netting is not present.	

15. Provide photos to substantiate the information provided in the non-lethal mitigation questions.

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons.

- ☐ Attached are photos to substantiate the information provided in the non-lethal mitigation questions
- ☒ Please refer to photos supplied last year, or the year before that.

16. Designate a location for the disposal site:

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an EHP or conservation officer.

Specific location/description of disposal site.	refer to attached
Geographical coordinates. <i>Latitude -</i> <input type="text" value="sch4p4(6) Personal inform"/>	<i>Longitude</i> <input type="text" value="sch4p4(6) Personal information"/>

The location must be clearly delineated by GPS coordinates and an attached map.

- ☐ Map attached
- ☒ Please refer to the map supplied last year, or the year before that.

17. Permission for Queensland Government Officers and communication between multiple shooters

Note: Section 145 of the *Nature Conservation Act 1992* allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

☒ I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.

☒ Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

only one person in the orchard at any one time

Mobile phone communication

18. Provide the name(s) of the person(s) operating under this permit

Complete this section if person(s) other than the applicant will be operating under this permit. Use an attachment if insufficient space.

FAMILY NAME s.73 irrelevant	GIVEN NAME s.73 irrelevant
FAMILY NAME s.73 irrelevant	GIVEN NAME s.73 irr
FAMILY NAME s.73 irrelevant informa	GIVEN NAME s.73 irrelevant
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

19. Application questions

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 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

20. Effective Date

Select an effective date Decision Date ☐ or Nominated Date 01/12/2017

21. Person in Charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

Nominate Person in Charge*

☒ Same as applicant ☐ Alternate person in charge

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Person in Charge Identity Details

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH
MR	s.73 irrelevant information			sch4p4(6) Pers

Person in Charge Registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 sch4p4(6) Personal	BUNDABERG	QLD	4670

(WRITE 'AS ABOVE' IF SAME AS REGISTERED RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE
s.73 irrelevant inform	BUNDABERG	QLD	4670

Person in Charge contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE ☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile	AREA CODE	PHONE NUMBER: NOTE: 10 DIGITS (INCLUDING AREA CODE) s.73 irrelevant inform	

22. Application Contact Details

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

☒ Same as applicant ☐ Alternate contact details

*NAME OR POSITION	*PRIMARY PHONE. NOTE: 10 DIGITS (INCLUDING AREA CODE)	EMAIL ADDRESS	SECONDARY PHONE

23. Applicant's signature

APPLICANT'S NAME s.73 irrelevant information	
APPLICANT'S SIGNATURE sch4p4(6) Personal information	DATE 03/10/2017

24. Applicant checklist

- ☒ All questions on application form completed, signed and dated.
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**

Facsimile: (07) 3330 5875

Email: palm@ehp.qld.gov.au

Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:	02/11/2017
Assessing Officer:	Kerry Walsh
Project Ref:	APP0006005
Permit Ref:	TBA

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒

Corporation ☐

Individual or corporation name:

s.73 irrelevant in

Person in charge (if corporation):

s.73 irrelevant information

ABN/ACN number

sch4p4(6) Personal in

Lot on Plan details

sch4p4(6) Personal i

Property Location (GPS etc):

sch4p4(6) Personal information

Address:

s.73 sch4p4(6) Perso Welcome Creek, Bundaberg Regiona

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
(a) a least concern animal; or
(b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☐			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	90
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	60
little red flying-fox	<i>Pteropus scapulatus</i>	Live	90

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe:

N/A

Section
182

Delegate
Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

- (a) The flying-fox is causing or may cause, damage to crops

Identify the crop type:

☒ Fruit ☐ Non-fruit

Assessment form

Damage mitigation permit (culling and dispersal)

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage

☒ OR

Damage to surrounding crop (within 5 km)

☐ OR

Other

☐

Describe:

The applicant has indicated that crop quantity is down for this year and therefore the pressure to protect the crop has increased.

Provide Image (insert file or cut and paste) :

**Section
185 (2) (a)**

**Delegate
Comments:**

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Information on file indicates tht the applicant has consistently being using tunnel/drape netting and light. It has been confirmed (via a phone interview) that there are no changes to the current methods being used.

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Assessment form
Damage mitigation permit (culling and dispersal)

Identify these suitable prescribed methods:

- ☐ Exclusion or tunnel netting for the entire crop
- ☒ Netting ☐ Sound ☒ Light
- ☐ Smoke ☐ Movement ☐ Alternative method

Comments: Two methods have been identified in accordance with the Code of Practice.

Netting: The drape netting covers 4 hectares, with a total crop area of 10 hectares. Mesh size is 17.5mm

Light: 27 lights are used of 2000 wattage per light (Rexcell JET 2000 W).

Provide Image (insert file or cut and paste) :
Lights (provided in 2013)



Assessment form
Damage mitigation permit (culling and dispersal)

Crop photos and netting – images taken from property inspection 2015





Section
185 (2) (b)
Delegate
Comments:

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

(c) *If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;*

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage

Assessment form **Damage mitigation permit (culling and dispersal)**

to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes

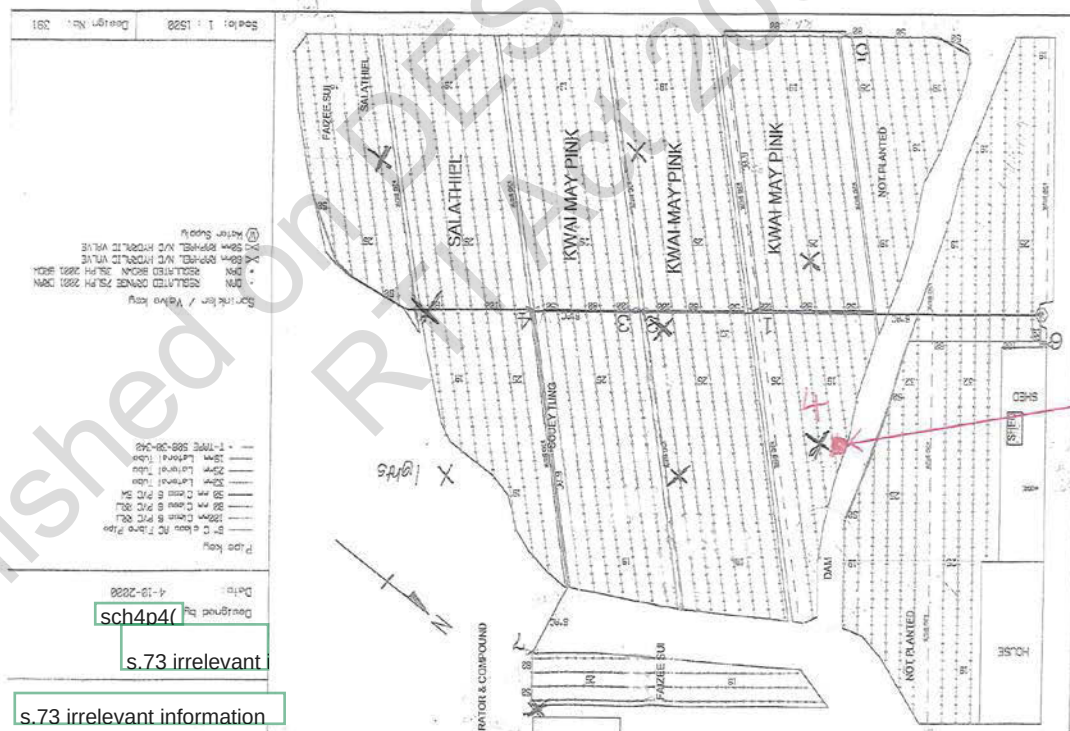
☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Provide image if appropriate (insert file or cut and paste) :

Disposal Plan - Geographical co- ordinates: sch4p4(6) Personal information



Assessment form

Section
185 (2) (c)

Delegate
Comments:

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments:

State quotas for the lethal take of flying-foxes in Queensland for the 2015 – 2016 season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)					
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar					
Remaining quota for 1					

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Mar					
Remaining quota for year					
% allocated					

Section 185 (2) (d)

Delegate Comments:

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) The landholder is a commercial crop grower for the land;

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: The crops are lychees

Section 185 (2) (e)

Delegate Comments:

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments:

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (f)**

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe: Disposal site same as previous permits. Refer to Disposal Plan map (above).

sch4n4(6) Personal information

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>The activity will not impact on the conservation of the black flying-fox, grey-headed flying-fox little-red flying-fox nor any other species.</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No, this is the second permit for the season</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>The applicant will only take within Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection quota limits, and this ensure no impact upon the conservation of the least concern species of flying-fox</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or nay relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Relevant protocols are included in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protectio</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>no</p>	☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> Is there a public health and safety risk from the activities in the permit that has not been addressed? <p>no</p>	☐
<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>The permit is consistent with the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection. Under the current framework it is considered in the public interest to be able to take flying-fox for damage mitigation purposes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>no</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>No recovery plan exists for the black flying-fox, grey-headed or the little-red flying-fox</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☒ Yes ☐ No

If yes:

a) Are names and contact details recorded?

☒ Yes ☐ No

b) Are communication means described and satisfactory?

☒ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments: Use of mobile phone and visual.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

It is my understanding that a property inspection was last conducted in January 2015

Has the applicant specified start and completion dates? ☒ Yes ☐ No

Comments:

1/12/2017 to 28/02/2018

Is this application for a three month 'lethal take of flying-foxes' DMP? ☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Has permission for access been given? ☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – 'lethal take of flying-foxes' activity

☒ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☒ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☒ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions – permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported ☒ Not supported ☐

Name:

Position:

Date:

Comments:

Name: Kerry Walsh Position: Wildlife Officer Date: 2/11/2017

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Name: Simon Booth

Position: Senior Wildlife Officer

Date: 11/17

Comments:

15. Manager/delegate approval:

Approved ☐

Not approved ☐

Name: Michael Joyce

Position: Director, Wildlife Management

Date: 11/17

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

File Note

File Reference: APP0006005

Print and file when complete.

Date: 01/11/2017

File Name: APP0006005

Subject (Detail): DMP Application - Phone Conversation

On Wednesday 1st November 2017 at 4.25pm WOIC Kerry WALSH contacted [s.73 irrelevant info] to discuss her DMP application for lethal take of flying fox. Below is a summary of the conversation:

- Confirmed that [s.73 ir] had held this type of permit previously and the issue of flying foxes predating his commercial crop of lychee was ongoing;
- [s.73 ir] asked if the election 'care-taker' mode would affect the application; I indicated that it was business as usual with respect to permit applications
- I asked [s.73 ir] if he had made any changes to the non-lethal strategies and he maintained that he had not and this was primarily due to the crop quantity being 'down this year'. Lights and Netting as per previous years were the methods to be used.
- [s.73 ir] indicated with the crop quantity down the probability of economic lose increased (ie. pressure to protect an already reduced crop)
- [s.73 ir] is well aware of the obligation to provide returns and follow the relevant code (flying-fox numbers listed on the application aligned with the quota) and indicated that the location of the burial pit had not change and the only reason for a change would be heavy flooding of the area. The have been heavy rains recently and while it did result in damage on the farm there was no concern regarding the pit.
- [s.73 irrel] property is surrounded by other farms and the neighbours crops are mostly macadamia; there is a vegetated creek [sch4p4(6) Personal information] and [s.73 ir] maintains there are no roosts within the creek-line vegetation.
- I indicated to [s.73 ir] that I would be finalise the assessment in the next few days and send the assessment for endorsement; we also discussed the setting up of the state-wide assessment unit.

Date:

Author: Kerry Walsh

Position: OO6 Wildlife Officer

Unit/Office: Cairns

Phone: 42225112

Page 1 of 1 • 140327 • EM357 • Version 1.1

ABN 46 640 294 485

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To:

s.73 irrelevant information

BUNDABERG
QLD 4670
Australia

Our reference: APP0006005

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 05 October 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0002728	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0002728.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Michael Joyce
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 13 November 2017

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017 Part 2 Division 1.

Permit number: WA0002728

Valid from: 13 November 2017 to 12 February 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:	s.73 irrelevant information	s.73 sch4p4(6) Pe WELCOME CREEK QLD 4670 Australia
Person In Charge:	s.73 irrelevant information	s.73 sch4p4(6) Pe WELCOME CREEK QLD 4670
Business name:		ABN/ACN /
Activity location//licensed premises	s.73 sch4p4(6) Pe WELCOME CREEK QLD 4670	

Schedule

Species details	Category	Quantity	Unit
black flying-fox, Pteropus alecto	Live	90	
grey-headed flying-fox, Pteropus poliocephalus	Live	60	
little red flying-fox, Pteropus scapulatus	Live	90	

Michael Joyce
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 13 November 2017

Legislative Requirements and Conditions of Wildlife Authority

Condition

Nature Conservation

- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.
- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only.
This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2006

Application form

Section 12(a) — Nature Conservation (Administration) Regulation 2017

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

1 Important information for applicants

Applications can be made using the Department's digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit www.ehp.qld.gov.au/connect for more information.

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>, and the code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Heritage Protection is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, EHP will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on 1300 130 372 option 4.

2 Terms and Conditions

Permits, licences and authorities Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native birds, reptiles, mammals and amphibians are protected, along with some invertebrates (certain butterflies, spiders and scorpions), freshwater fish and the grey nurse shark. Other aquatic species are protected by the Department of Agriculture and Fisheries, the Great Barrier Reef Marine Park Authority and the Australian Government. A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using or moving of wildlife for commercial, recreational or other purposes we contribute to the maintenance of viable wild populations of plants and animals. The type of approval(s) you will need depends upon a number of things, including:

- The nature and purpose of your proposed activity
- The tenure of the area in which you intend to undertake your activity and
- The species of wildlife concerned

To apply for permits:

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

- within the protected area estate (except nature refuges and special wildlife reserve) as defined in the Nature Conservation Act 1992 (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or
- within a marine park under the Marine Parks Act 2004; or
- within State forest estate under the Forestry Act 1959 (e.g. state forests and timber reserves)

Please contact the Department of National Parks, Sport and Racing

Note: Corporations must have an office in Queensland to be eligible to apply for a wildlife authority.

The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on-line on the Office of Queensland Parliamentary Counsel website.

Privacy statement for wildlife permits

Information you provide assists the Department of Environment and Heritage Protection (EHP) to administer wildlife licences, permits and authorities granted under the Nature Conservation (Wildlife Management) Regulation 2006.

Some information may be provided to the Departments of National Parks, Sport and Racing; Agriculture and Fisheries; Science, Information Technology and Innovation; Health; Queensland Police Service or the Australian Defence Force in order to investigate biosecurity or health issues or allegations of unlawful activity, if required.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Information regarding your status as a holder of a permit may be provided to any party upon request. Your personal information will not be disclosed to any other parties without your consent unless authorised or required by law.

More information on our commitment to privacy is available on our website. Should you have a general question on the Department and its obligations under the Information Privacy Act 2009 please email privacy@ehp.qld.gov.au or for specific questions concerning privacy information and wildlife activities please email: wildlife.management@ehp.qld.gov.au

1. You may only lodge this application if you have accepted the above terms and conditions

3 ☒ I accept the above terms and conditions.

2. All questions must be answered and the applicable fees included (if required) for the application to be processed. If you do not complete all questions and sign and date the application form, your application will be returned to you as an invalid application.

3. 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 4 applicant details in full — then go to section 6
- ☐ **AN ORGANISATION** → Complete Section 5 applicant details — then go to section 6

4. Applicant details for an individual

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	*DATE OF BIRTH
☒ Mr	s.73 irrelevant information			sch4p4(6) F
☐ Mrs				
☐ Ms				
☐ Miss				
☐ Doctor				
☐ Prof				

5. Applicant details for an organisation

Organisation type –

- ☐ Company ☐ Australian registered (foreign) body ☐ Incorporated association
- ☐ Co-operation ☐ Government ☐ Non for profit organisation

*AUSTRALIAN BUSINESS NUMBER	*BUSINESS NAME		
CEO			ABN

6. Applicant registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 ir sch4p4(6) Pei	Bondoola	Qld	4703
(WRITE "AS ABOVE" IF SAME AS REGISTERED/RESIDENTIAL ADDRESS)			
POSTAL ADDRESS	SUBURB	STATE	POST CODE
s.73 irrelevant inf	Yeppoon	Qld	4703

7. Applicant contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER (NOTE: 10 DIGITS INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone		s.73 irrelevant inf	
☒ Mobile phone ☐ Facsimile			

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

8. Permit activity

☐ Culling to prevent damage or loss

☒ Lethal take of flying-fox. Use this application type if you are a commercial fruit grower and intend to use lethal control to kill flying foxes for the purposes of fruit crop protection only where non-harmful measures have been attempted and failed.

9. Code of Practice

I can comply with the Code of Practice

☒ Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

10. Location of the activity

Please provide exact location of where this activity will occur by either Lot on Plan or physical street address, if required attach additional documentation.

* PHYSICAL STREET ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL /REGISTERED ADDRESS)	* SUBURB	* STATE	* POST CODE
s.73 sch4p4(6) Per	Bondoola	Qld *	4703

OR

* LOT# AS	* PLAN#

OR

GPS LOCATION

11. Wildlife details

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

COMMON NAME	SCIENTIFIC NAME	NUMBER
Little red flying foxes	Pteropus scapulatus	90
Black flying foxes	Pteropus alecto	90
Grey headed flying foxes	Pteropus Poliocephalus	60

12. Start and completion dates

Please enter the proposed start and completion dates for the project

START DATE 1/11/17	FINISH DATE 31/1/18
-----------------------	------------------------

13. Potential for damage or significant economic loss

Permits are exclusively granted to commercial crop growers. Please identify the crop at risk and the cause for concern.

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

- ☒ Fruit type/s crop
- ☐ Non-fruit type/s crop

PROVIDE DETAILS OF THE TYPE OF CROP

Lychee fruit trees

Please identify the cause for concern.

- ☒ I have suffered actual damage this season or in the past season.
- ☐ Someone in the surrounding area growing the same or similar crop incurred damage this season or in the past season.
- ☐ Neither myself or anyone in the surrounding area have incurred damage this season or in past season.

Why do you believe you may suffer significant economic loss if not granted a permit?

We are located near Fig Tree Creek, Yeppoon where a huge number of flying foxes live. They come to our property every year to feast on our lychees. Even though we have tunnel netting, the flying foxes lay against the nets and eat the lychees through the nets. Last year we suffered a huge loss of our lychee crop through flying foxes even with our control measures. We have looked into total exclusion netting but due to weather events in this area (ie cyclones, hail storms etc) the cost is too great.

14. Previous non-lethal damage mitigation

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Which non-lethal deterrence methods are in use?

Note: exclusion or tunnel netting is defined in the code of practice as "netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags."

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

If exclusion netting IS NOT used, a minimum of two other non-lethal mitigation methods must have been attempted.

☒ Exclusion or tunnel/drape netting for entire crop

☐ Netting

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	Tunnel exclusion netting and drape netting Area of crop approx 6 hectares Area of netting approx 6 hectares
When the netting is installed as detailed in the code of practice, what is the mesh size?	Bee net - very fine - 2 - 3 mm Canopy netting - 12 - 15 mm

☐ Sound

Detail the type and volume of the sounds being used to deter the flying foxes.	
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	

☐ Light

How many lights/light towers are in operation and what is the wattage per light/light tower?	
Describe how light is protecting all areas of the crop where exclusion netting is not present.	

☐ Smoke

How many foggers / controlled fires are in operation?	
Describe how smoke is protecting all areas of the crop where exclusion netting is not present.	

☐ Movement

What movement-generating equipment is being used to deter flying-foxes?	
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	

☐ Alternative method

What alternative method is being used to deter flying-foxes?	
--	--

15. Provide photos to substantiate the information provided in the non-lethal mitigation questions.

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons.

- ☒ Attached are photos to substantiate the information provided in the non-lethal mitigation questions
- ☐ Please refer to photos supplied last year, or the year before that.

16. Designate a location for the disposal site:

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an EHP or conservation officer.

Specific location/description of disposal site.	trench dug at back of property and buried
Geographical coordinates.	sch4b4(6) Personal informat

The location must be clearly delineated by GPS coordinates and an attached map.

- ☐ Map attached
- ☒ Please refer to the map supplied last year, or the year before that.

17. Permission for Queensland Government Officers and communication between multiple shooters

Note: Section 145 of the *Nature Conservation Act 1992* allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

- ☒ I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.

- ☐ Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

--

18. Provide the name(s) of the person(s) operating under this permit

Complete this section if person(s) other than the applicant will be operating under this permit. Use an attachment if insufficient space.

FAMILY NAME s.73 irrele	GIVEN NAME s.73 irrelevant inf
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

19. Application questions

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 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

20. Effective Date

Select an effective date Decision Date ☒ or Nominated Date

21. Person in Charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

Nominate Person in Charge*

☒ Same as applicant ☐ Alternate person in charge

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Person in Charge Identity Details

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH

Person in Charge Registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
(WRITE 'AS ABOVE' IF SAME AS REGISTERED RESIDENTIAL ADDRESS)			
POSTAL ADDRESS	SUBURB	STATE	POST CODE

Person in Charge contact details – email or phone contact is mandatory.

EMAIL ADDRESS			
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER: NOTE: 10 DIGITS (INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☐ Mobile phone ☐ Facsimile			

22. Application Contact Details

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

☒ Same as applicant ☐ Alternate contact details

*NAME OR POSITION	*PRIMARY PHONE. NOTE: 10 DIGITS (INCLUDING AREA CODE)	EMAIL ADDRESS	SECONDARY PHONE

23. Applicant's signature

APPLICANT'S NAME s.73 irrelevant information	
APPLICANT'S SIGNATURE sch4p4(6) Personal inform	DATE 3-10-2017.

24. Applicant checklist

- ☒ All questions on application form completed, signed and dated.
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

FIREARMS LICENCE

s.73 irrelevant information		
DATE OF BIRTH	s.73 irrele	
LICENCE NO	sch4p4(6) Pers	
CATEGORY	B A	
CONDITIONS	RE1 SC1	
EXPIRY	03/03/18	sch4p4(6) Persona

Published on DES Dis
RTI Act 2009





Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To:

s.73 irrelevant informati
YEPPON
QLD 4703
Australia

Our reference: APP0006026

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 05 October 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0002493	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0002493.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Michael Joyce
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 02 November 2017

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017 Part 2 Division 1.

Permit number: WA0002493

Valid from: 02 November 2017 to 01 February 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:	s.73 irrelevant informatio	s.73 sch4p4(6) Perso BONDOOLA QLD 4703
Person In Charge:	s.73 irrelevant informatio	s.73 sch4p4(6) Perso BONDOOLA QLD 4703
Business name:		ABN/ACN /
Activity location//licensed premises	sch4p4(6) Personal inform	

Schedule

Species details	Category	Quantity	Unit
little red flying-fox, Pteropus scapulatus	Live	90	
black flying-fox, Pteropus alecto	Live	90	
grey-headed flying-fox, Pteropus poliocephalus	Live	60	

Michael Joyce
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 02 November 2017

Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only.
This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2006
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au

Condition

Nature Conservation

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.

Published on DES Disclosure Log
RTI Act 2009



Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

File Note

Date: 20 October 2017

Subject (Detail): APP0006062

All information required for the assessment was available in the application and previous assessment.

Author: Christian Retschlag
Position: Conservation Officer (WAT)
Phone: (07) 4529 4138

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:	20/10/17
Assessing Officer:	Christian Retschlag
Project Ref:	APP0006026
Permit Ref:	

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒

Corporation ☐

Individual or corporation name:

s.73 irrelevant information

Person in charge (if corporation):

ABN/ACN number

Lot on Plan details

sch4p4(6) Person

Property Location (GPS etc):

Address:

s.73 s.73 irrelevant info Bondoola QLD 4703 or s.73 irrelevant info Yeppoon QLD 4703

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
(a) a least concern animal; or
(b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	90
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	60
little red flying-fox	<i>Pteropus scapulatus</i>	Live	90

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe:

Take within permissible quota under the conservation plan.

Section 182

Delegate Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

- (a) The flying-fox is causing or may cause, damage to crops

Identify the crop type:

☒ Fruit ☐ Non-fruit

Assessment form

Damage mitigation permit (culling and dispersal)

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage

☐ OR

Damage to surrounding crop (within 5 km)

☐ OR

Other

☐

Describe:

Applicant has 1500 fully netted lychee trees. Applicant states that is not enough to deter the flying foxes from the fruit crop.

Provide Image (insert file or cut and paste) :

**Section
185 (2) (a)**

**Delegate
Comments:**

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Applicant has provided evidence of full net protection on trees, Code of Practice requires only one non-lethal mitigation method provided the orchard is fully covered.

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Assessment form

Damage mitigation permit (culling and dispersal)

Identify these suitable prescribed methods:

- ☐ Exclusion or tunnel netting for the entire crop
- ☒ Netting ☐ Sound ☐ Light
- ☐ Smoke ☐ Movement ☐ Alternative method

Comments: Fully netted 1500 lychee trees.

Provide Image (insert file or cut and paste) :

**Section
185 (2) (b)**

**Delegate
Comments:**

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

(c) If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?: ☒ Yes ☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe: N/A

Provide image if appropriate (insert file or cut and paste) :

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments: Yes. Numbers appropriate for period of issue.

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	0	0	0	0	0%
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar/30 June (delete incorrect quota period)	2450/1050	2800/1200	896/384	6146/2634	
Remaining quota for 1 Mar/30 June (delete	0	0	0	0	0

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

incorrect quota period)					
Remaining quota for year	0	0	0	0	0
% allocated	0	0	0	0	0

**Section
185 (2) (d)**
**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) *The landholder is a commercial crop grower for the land;*

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: Lychees.

**Section
185 (2) (e)**
**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) *The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code*

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments: Stated in application.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (f)**

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

Disposal site at same location as previous permit sch4p4(6) Personal information

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>No. Selective take of target species.</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No.</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No.</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>Applicant to take only within Code of Practice.</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Relevant protocols in Code of Practice.</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the permit that has not been addressed?</i> <p>No</p>	☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>Yes. Take under COP is considered in the public interest for crop protection.</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>No recovery plan for the FF species listed on this application.</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☐ Yes ☐ No

If yes:

a) Are names and contact details recorded?

☒ Yes ☐ No

b) Are communication means described and satisfactory?

☒ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments: Photos provided.

Has the applicant specified start and completion dates?

☐ Yes ☐ No

Comments:

ASAP for full period of issue.

Is this application for a three month 'lethal take of flying-foxes' DMP?

☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☐ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Has permission for access been given?

☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – ‘lethal take of flying-foxes’ activity

☐ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☐ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☐ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported ☒ Not supported ☐

Name:

Position:

Date:

Comments:

Assessing Officer Christian Retschlag. Recommend approval. Take to be in accordance with Code of Practice.

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Name:

Position:

Date:

Comments:

15. Manager/delegate approval:

Approved ☐ Not approved ☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:

14.11.2017

Assessing Officer:

Laura Affleck

Project Ref:

APP0007771

Permit Ref:

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒ Corporation ☐

Individual or corporation name:	s.73 irrelevant information	
Person in charge (if corporation):		ABN/ACN number
Lot on Plan details	sch4p4(6) Personal informa Area: 19.99 ha	
Property Location (GPS etc):	sch4p4(6) Perso	
Address:	Residential: s.73 sch4p4(6) Person Red Ridge QLD 4660 Postal: As above Activity Location: As above LGA: Bundaberg Regional Email: s.73 irrelevant information Phone: s.73 irrelevant info	

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) *The chief executive may grant a damage mitigation permit only for—*
 - (a) *a least concern animal; or*
 - (b) *an endangered, vulnerable or near threatened animal.*
- (2) *However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.*

Assessment form
Damage mitigation permit (culling and dispersal)

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	15
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	10
little red flying-fox	<i>Pteropus scapulatus</i>	Live	15

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe:

All species are listed as of least concern under the NCA, however I feel it should be noted that grey-headed flying-foxes are listed as vulnerable under the EPBC and as a critical priority species under the EHP Back on Track Species Prioritisation Framework. There is no recovery or conservation plan listed for the species.

**Section
182**

**Delegate
Comments:**

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

(a) The flying-fox is causing or may cause, damage to crops

Identify the crop type: ☒ Fruit ☐ Non-fruit

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage ☐ OR

Damage to surrounding crop (within 5 km) ☐ OR

Other ☐

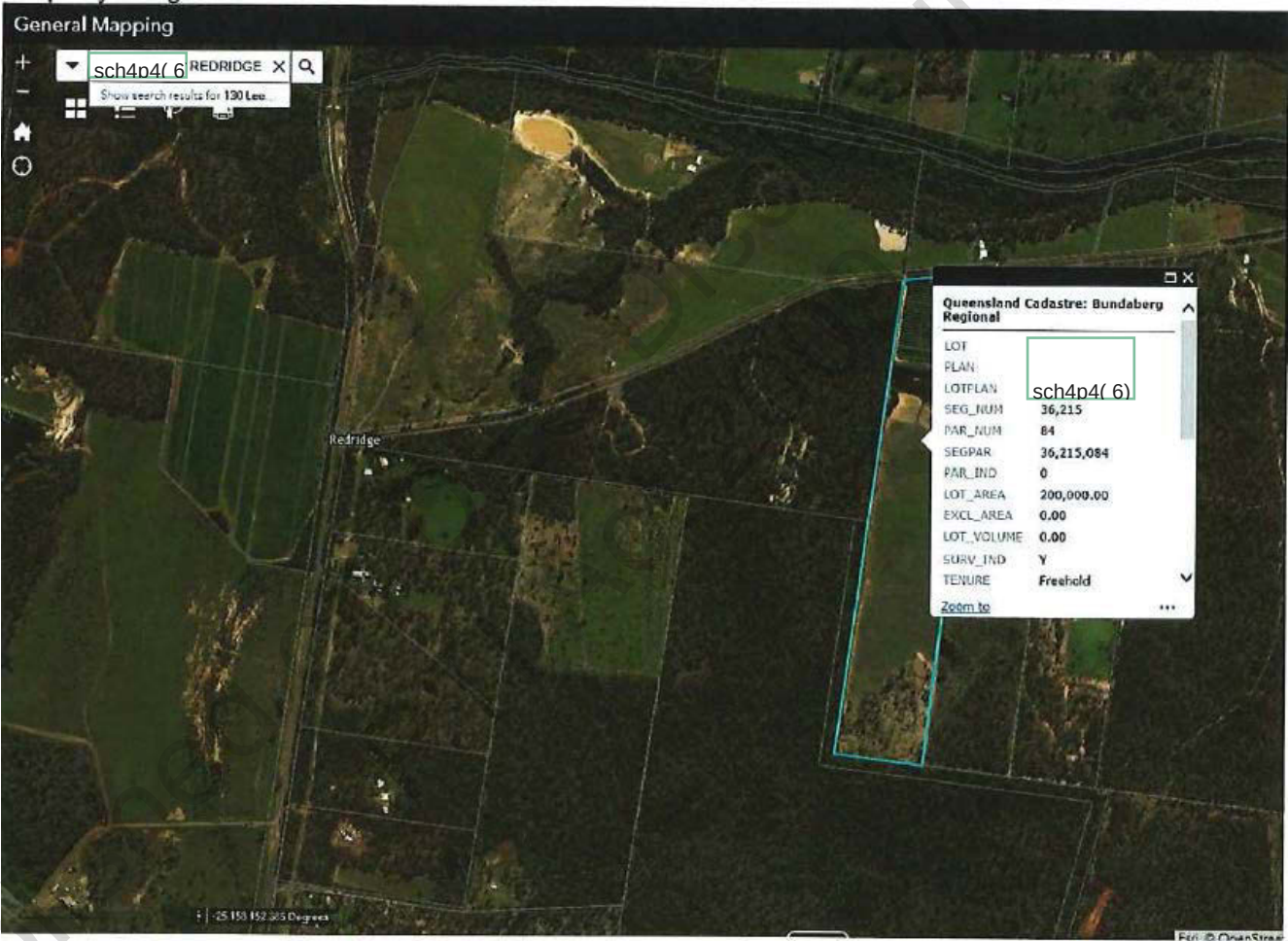
Assessment form

Damage mitigation permit (culling and dispersal)

Describe:

Application states: Lychees. He has suffered actual damage this season or in the past season (box ticked on the application). Applicant has a history of holding this type of permit annually. He believes he will suffer significant economic loss if not granted a permit because they will stay all night and every night.

Provide Image (insert file or cut and paste) :



Section

185 (2) (a)

Delegate

Comments:

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Application states:

- 4ha of netting to 4ha of crops
- 35mm netting mesh size
- Gas canon
- 4 lights are in operation (14,900 lumens each)
- 1 smoke fogger is in operation

Photos provided with applications from previous years

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Identify these suitable prescribed methods:

- ☒ Exclusion or tunnel netting for the entire crop
- ☒ Netting ☒ Sound ☒ Light
- ☒ Smoke ☐ Movement ☐ Alternative method

Comments:

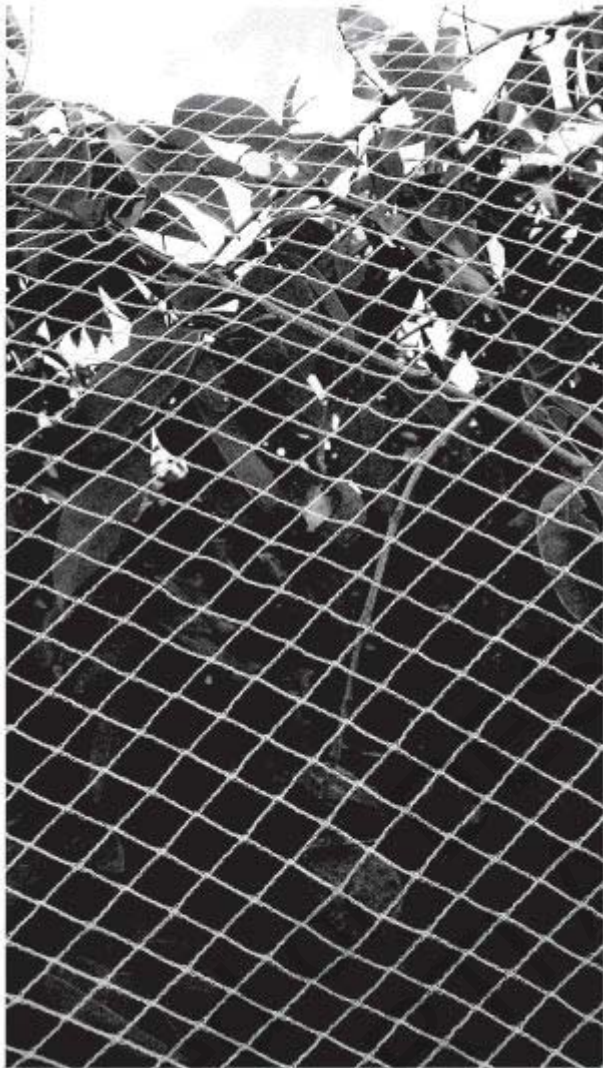
Application states:

- 4ha of netting to 4ha of crops
- 35mm netting mesh size
- Gas canon
- 4 lights are in operation (14,900 lumens each)
- 1 smoke fogger is in operation

Photos provided with applications from previous years

Provide Image (insert file or cut and paste) :

Assessment form





Section
185 (2) (b)
Delegate
Comments:

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

Assessment form

Damage mitigation permit (culling and dispersal)

(c) *If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;*

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes

☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Provide image if appropriate (insert file or cut and paste) :

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments: Quantities are below the maximum number allowed per permit.

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	75	65	80	220	
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar/30 June	2450	2800	896	6146	
Remaining quota for 1 Mar/30 June	2390	2750	826	5966	97.07
Remaining quota for	3440	3950	1210	8600	97.9

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

year					
% allocated	1.7	1.3	5.5	2.1	2.93

**Section
185 (2) (d)**

**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) *The landholder is a commercial crop grower for the land;*

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: Application states: Lychees

**Section
185 (2) (e)**

**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) *The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code*

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments:

**Section
185 (2) (f)**

Delegate

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Comments:

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

Site indicated on a map provided in a prior application

[sch4p4\(6\) Personal information](#)

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>No</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>No</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Yes</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the permit that has not been addressed?</i> <p>No</p>	☐

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>Yes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>Yes</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☐ Yes ☒ No

If yes:

a) Are names and contact details recorded?

☐ Yes ☐ No

b) Are communication means described and satisfactory?

☐ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments:

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

01.12.2017 - 31.3.18

Note: This permit is for four months, not three months. The applicant held this type of permit last year for this same period of time.

Is this application for a three month 'lethal take of flying-foxes' DMP?

☐ Yes ☐ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Has permission for access been given? ☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – ‘lethal take of flying-foxes’ activity

☐ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☐ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☐ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported ☒ Not supported ☐

Name:

Position:

Date:

Comments:

Laura Affleck, Conservation Officer, 07.11.2017

All species are considered of least concern. The numbers requested are below the maximum number allowed and consistent with the numbers requested by this applicant in previous years.

History of being granted this type of permit and fulfilling their return obligations.

Has provided in previous years evidence of non-lethal mitigation methods used.

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Name:

Position:

Date:

Comments:

15. Manager/delegate approval:

Approved ☐

Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

RECEIVED

06 NOV 2017

Application form

Section 12(a) ~~PLM~~ Nature Conservation (Administration) Regulation 2017

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

1 Important information for applicants

Applications can be made using the Department's digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit www.ehp.qld.gov.au/connect for more information.

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>, and the code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Heritage Protection is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, EHP will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on 1300 130 372 option 4.

2 Terms and Conditions

Permits, licences and authorities Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native birds, reptiles, mammals and amphibians are protected, along with some invertebrates (certain butterflies, spiders and scorpions), freshwater fish and the grey nurse shark. Other aquatic species are protected by the Department of Agriculture and Fisheries, the Great Barrier Reef Marine Park Authority and the Australian Government. A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using or moving of wildlife for commercial, recreational or other purposes we contribute to the maintenance of viable wild populations of plants and animals. The type of approval(s) you will need depends upon a number of things, including:

- The nature and purpose of your proposed activity
- The tenure of the area in which you intend to undertake your activity and
- The species of wildlife concerned

To apply for permits:



Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

- within the protected area estate (except nature refuges and special wildlife reserve) as defined in the Nature Conservation Act 1992 (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or
- within a marine park under the Marine Parks Act 2004; or
- within State forest estate under the Forestry Act 1959 (e.g. state forests and timber reserves)

Please contact the Department of National Parks, Sport and Racing

Note: Corporations must have an office in Queensland to be eligible to apply for a wildlife authority.

The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on-line on the Office of Queensland Parliamentary Counsel website.

Privacy statement for wildlife permits

Information you provide assists the Department of Environment and Heritage Protection (EHP) to administer wildlife licences, permits and authorities granted under the Nature Conservation (Wildlife Management) Regulation 2006.

Some information may be provided to the Departments of National Parks, Sport and Racing; Agriculture and Fisheries; Science, Information Technology and Innovation; Health; Queensland Police Service or the Australian Defence Force in order investigate biosecurity or health issues or allegations of unlawful activity, if required.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Information regarding your status as a holder of a permit may be provided to any party upon request. Your personal information will not be disclosed to any other parties without your consent unless authorised or required by law.

More information on our commitment to privacy is available on our website. Should you have a general question on the Department and its obligations under the Information Privacy Act 2009 please email privacy@ehp.qld.gov.au or for specific questions concerning privacy information and wildlife activities please email: wildlife.management@ehp.qld.gov.au

1. You may only lodge this application if you have accepted the above terms and conditions

3 ☒ I accept the above terms and conditions.

2. All questions must be answered and the applicable fees included (if required) for the application to be processed. If you do not complete all questions and sign and date the application form, your application will be returned to you as an invalid application.

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

3. 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 4 applicant details in full — then go to section 6
- ☐ **AN ORGANISATION** → Complete Section 5 applicant details — then go to section 6

4. Applicant details for an individual

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	*DATE OF BIRTH
☒ Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Doctor ☐ Prof	s.73 irrelevant information			

5. Applicant details for an organisation

Organisation type –

- ☐ Company ☐ Australian registered (foreign) body ☐ Incorporated association
☐ Co-operation ☐ Government ☐ Non for profit organisation

*AUSTRALIAN BUSINESS NUMBER	*BUSINESS NAME
CEO	ABN

6. Applicant registered / residential address

*RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	*SUBURB	*STATE	*POST CODE
s.73 irrelevant information	RED RIDGE	QLD	4660
(WRITE 'AS ABOVE' IF SAME AS REGISTERED/RESIDENTIAL ADDRESS)			
POSTAL ADDRESS	SUBURB	STATE	POST CODE
"AS ABOVE"			

7. Applicant contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER (NOTE: 10 DIGITS INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		s.73 irrelevant information	

8. Permit activity

- ☒ Culling to prevent damage or loss
- ☒ Lethal take of flying-fox. Use this application type if you are a commercial fruit grower and intend to use lethal control to kill flying foxes for the purposes of fruit crop protection only where non-harmful measures have been attempted and failed.

9. Code of Practice

- I can comply with the Code of Practice
- ☒ Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

10. Location of the activity

Please provide exact location of where this activity will occur by either Lot on Plan or physical street address, if required attach additional documentation.

* PHYSICAL STREET ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL /REGISTERED ADDRESS)	* SUBURB	* STATE	* POST CODE
"AS ABOVE"		*	

OR

* LOT# AS	* PLAN#

OR

GPS LOCATION

11. Wildlife details

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

COMMON NAME	SCIENTIFIC NAME	NUMBER
BLACK FLYING - FOX	PTEROPUS ALECTO	15
GREY-HEADED FLYING-FOX	PTEROPUS POLIOCEPHALUS	10
LITTLE RED FLYING-FOX	PTEROPUS SCAPULATUS	15

12. Start and completion dates

Please enter the proposed start and completion dates for the project

START DATE <i>1-12-17</i>	FINISH DATE <i>31-3-18</i>
------------------------------	-------------------------------

13. Potential for damage or significant economic loss

Permits are exclusively granted to commercial crop growers. Please identify the crop at risk and the cause for concern.

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

- ☒ Fruit type/s crop
☐ Non-fruit type/s crop

PROVIDE DETAILS OF THE TYPE OF CROP <i>LYCHEES</i>

Please identify the cause for concern.

- ☒ I have suffered actual damage this season or in the past season.
☐ Someone in the surrounding area growing the same or similar crop incurred damage this season or in the past season.
☐ Neither myself or anyone in the surrounding area have incurred damage this season or in past season.

Why do you believe you may suffer significant economic loss if not granted a permit?

<i>BECAUSE THEY WILL STAY ALL NIGHT & EVERY NIGHT</i>

14. Previous non-lethal damage mitigation

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Which non-lethal deterrence methods are in use?

Note: exclusion or tunnel netting is defined in the code of practice as "netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags."

If exclusion netting IS NOT used, a minimum of two other non-lethal mitigation methods must have been attempted.

- ☒ Exclusion or tunnel/drape netting for entire crop
☒ Netting

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	NETS 4 HA CROP 4 HEC
When the netting is installed as detailed in the code of practice, what is the mesh size?	25mm

☒ Sound

Detail the type and volume of the sounds being used to deter the flying foxes.	GAS CANON.
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	

☒ Light

How many lights/light towers are in operation and what is the wattage per light/light tower?	4
Describe how light is protecting all areas of the crop where exclusion netting is not present.	

☒ Smoke

How many foggers / controlled fires are in operation?	1
Describe how smoke is protecting all areas of the crop where exclusion netting is not present.	

☐ Movement

What movement-generating equipment is being used to deter flying-foxes?	
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	

☐ Alternative method

What alternative method is being used to deter flying-foxes?	
Describe how the alternative method is protecting all areas of the crop where exclusion netting is not present.	

15. Provide photos to substantiate the information provided in the non-lethal mitigation questions.

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons.

☐ Attached are photos to substantiate the information provided in the non-lethal mitigation questions

☒ Please refer to photos supplied last year, or the year before that.

16. Designate a location for the disposal site:

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an EHP or conservation officer.

Specific location/description of disposal site.	
Geographical coordinates.	

The location must be clearly delineated by GPS coordinates and an attached map.

- ☐ Map attached
- ☒ Please refer to the map supplied last year, or the year before that.

17. Permission for Queensland Government Officers and communication between multiple shooters

Note: Section 145 of the *Nature Conservation Act 1992* allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

- ☒ I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.
- ☐ Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

18. Provide the name(s) of the person(s) operating under this permit

Complete this section if person(s) other than the applicant will be operating under this permit. Use an attachment if insufficient space.

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

19. Application questions

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>☐ Yes</div> <div>☒ No</div>	
2. Have you ever had an equivalent permit from another State 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>☐ Yes</div> <div>☒ No</div>	

20. Effective Date

Select an effective date Decision Date ☒ or Nominated Date

21. Person in Charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

Nominate Person in Charge*

☒ Same as applicant ☐ Alternate person in charge

Person in Charge Identity Details

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH
s.73 irrelevant information				sch4p4(6) Person

Person in Charge Registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 irrelevant information sch4p4(6) Personal information (WRITE 'AS ABOVE' IF SAME AS REGISTERED RESIDENTIAL ADDRESS)	RED RIDGE	QLD	4660
POSTAL ADDRESS	SUBURB	STATE	POST CODE
"AS ABOVE"			

Person in Charge contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER: NOTE: 10 DIGITS (INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		s.73 irrelevant information	

22. Application Contact Details

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

☒ Same as applicant ☐ Alternate contact details

*NAME OR POSITION	*PRIMARY PHONE. NOTE: 10 DIGITS (INCLUDING AREA CODE)	EMAIL ADDRESS	SECONDARY PHONE

23. Applicant's signature

APPLICANT'S NAME	
s.73 irrelevant information	
APPLICANT'S SIGNATURE	DATE
sch4p4(6) Personal information	2-11-17

24. Applicant checklist

- ☐ All questions on application form completed, signed and dated.
- ☐ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Published on DES Disclosure Log
RTI Act 2009

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To: [s.73 irrelevant information]
[s.73 sch4p4(6) Pers]
REDRIDGE
QLD 4660
Australia

Our reference: APP0007771

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 07 November 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0003083	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0003083.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Rebecca Williams
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 29 November 2017

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

AFFLECK Laura

From: AFFLECK Laura
Sent: Wednesday, 8 November 2017 8:21 AM
To: s.73 irrelevant information
Subject: Update on the progress of your flying-fox damage mitigation permit application



Good morning,

I am the Conservation Officer who is currently processing your flying-fox damage mitigation permit application (reference: APP0007462). I am just writing to let you know that I have completed my assessment on your application and will be sending up for a final review soon. I do not require anything further from you at this point, but I will let you know if anything gets flagged in the final approval stage.

Kind regards,

Laura Affleck
Conservation Officer
Wildlife Assessment, Strategic Compliance and Southern Operations
Conservation & Biodiversity Operations
Department of Environment and Heritage Protection

P (07) 3330 5258 ext. 25258
400 George Street, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017 Part 2 Division 1.

Permit number: WA0003083

Valid from: 29 November 2017 to 28 February 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:		REDRIDGE QLD 4660 Australia
Person In Charge:	s.73 irrelevant information	s.73 sch4p4(6) Per REDRIDGE QLD 4660
Business name:		ABN/ACN /
Activity location/licensed premises	s.73 sch4p4(6) Pe	REDRIDGE QLD 4660

Schedule

Species details	Category	Quantity	Unit
black flying-fox, Pteropus alecto	Live	15	
grey-headed flying-fox, Pteropus poliocephalus	Live	10	
little red flying-fox, Pteropus scapulatus	Live	15	

Rebecca Williams
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 29 November 2017

Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only. This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2017
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice
- Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice
- Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au

Condition

Nature Conservation

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:

14.11.2017

Assessing Officer:

Laura Affleck

Project Ref:

APP0007841

Permit Ref:

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒ Corporation ☐

Individual or corporation name:	s.73 irrelevant information	
Person in charge (if corporation):		ABN/ACN number
Lot on Plan details	s.73 irrelevant informat Area: 41.79ha	
Property Location (GPS etc):		
Address:	Residential: s.73 sch4p4(6) Person South Bingera QLD 4670 Postal: As above Activity Location: As above LGA: Bundaberg Regional Email: s.73 irrelevant information	

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
 - (a) a least concern animal; or
 - (b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Assessment form
Damage mitigation permit (culling and dispersal)

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	60
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	30
little red flying-fox	<i>Pteropus scapulatus</i>	Live	

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe:

Both species are listed as of least concern under the NCA, however I feel it should be noted that the grey-headed flying-foxes are listed as vulnerable under the EPBC and as a critical priority species under the EHP Back on Track Species Prioritisation Framework. There is no recovery or conservation plan listed for the species.

**Section
182**

**Delegate
Comments:**

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

(a) The flying-fox is causing or may cause, damage to crops

Identify the crop type:

☒ Fruit ☐ Non-fruit

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage

☐ OR

Damage to surrounding crop (within 5 km)

☐ OR

Other

☐

Assessment form
Damage mitigation permit (culling and dispersal)

Describe:

Application states: Lychees

Application states: They have suffered actual damage this season or in the past season (box ticked on the online application)

The applicant has been approved for years for this type of permit

Provide Image (insert file or cut and paste) :



Section
185 (2) (a)
Delegate

--

Comments:

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Application states:

- Exclusion or tunnel/drape netting for entire crop
- 2 gas guns and a 48 speaker high frequency sound system
- 6 towers with a total of 26 lights and each light is 2000 watts
- 3 quad bikes
- Drones (a project with the University of QLD)

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Identify these suitable prescribed methods:

- ☒ Exclusion or tunnel netting for the entire crop
- ☐ Netting ☒ Sound ☒ Light
- ☐ Smoke ☒ Movement ☒ Alternative method

Comments:

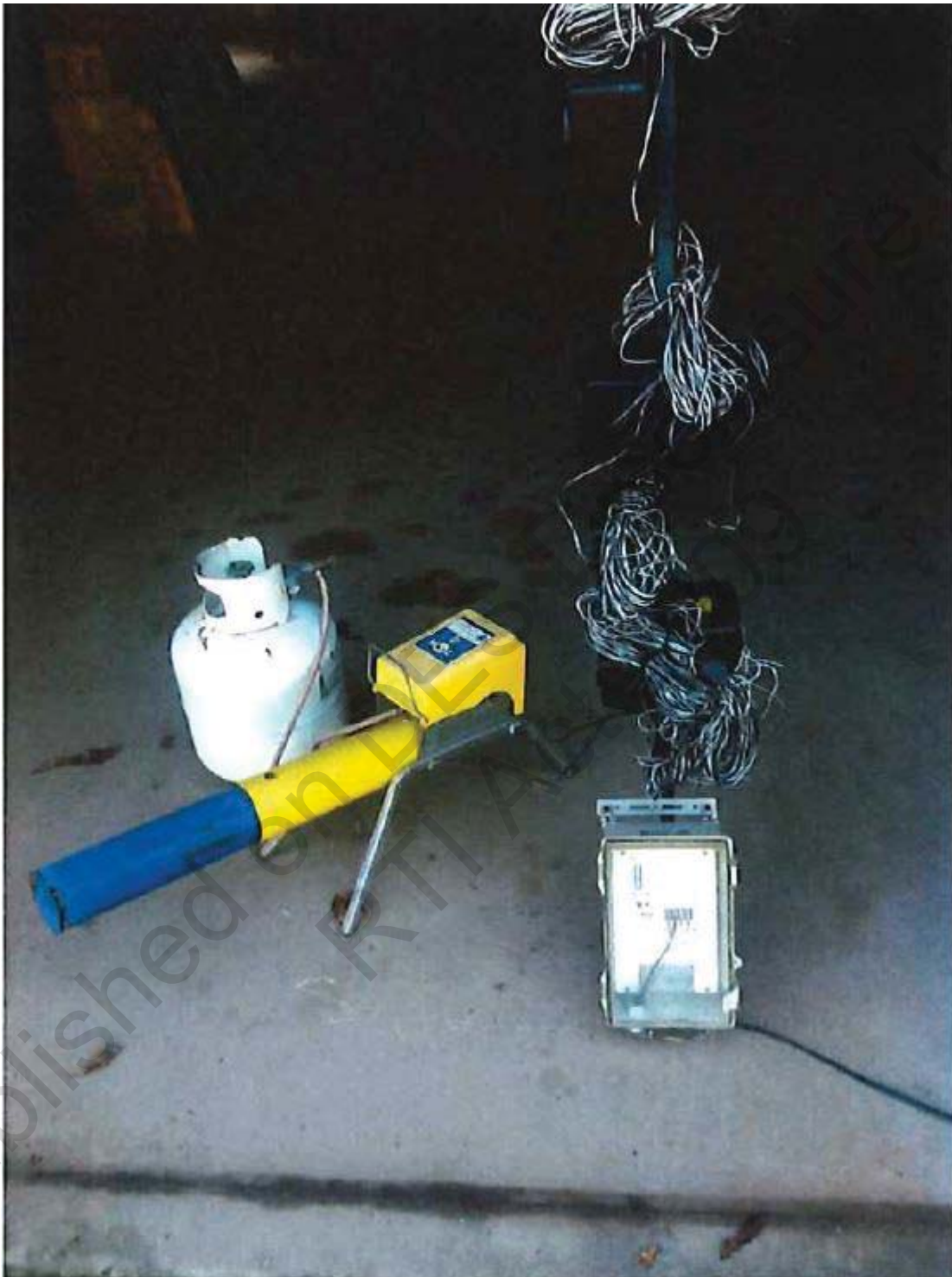
Application states:

- Exclusion or tunnel/drape netting for entire crop
- 2 gas guns and a 48 speaker high frequency sound system
- 6 towers with a total of 26 lights and each light is 2000 watts
- 3 quad bikes
- Drones (a project with the University of QLD)

Provide Image (insert file or cut and paste) :

Assessment form









Section
185 (2) (b)
Delegate
Comments:

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

(c) *If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;*

Assessment form

Damage mitigation permit (culling and dispersal)

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes

☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Application states: Crop is lychees

Provide image if appropriate (insert file or cut and paste) :



Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments: The numbers requested are below the permitted quantities

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	120	230	100	450	
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar/30 June	2450	2800	896	6146	
Remaining quota for 1 Mar/30 June (delete incorrect quota period)	2330	2570	796	5696	92.68

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Remaining quota for year	3380	3770	1180	8330	94.87
% allocated	3.4	5.8	7.8	5.1	

Section 185 (2) (d)

Delegate Comments:

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) The landholder is a commercial crop grower for the land;

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments:

Application states: Lychees
Phone call: The crops are being shipped to multiple countries

Section 185 (2) (e)

Delegate Comments:

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments:

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (f)**

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

s.73 sch4p4(6) Person South Bingera

sch4p4(6) Personal information

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>No</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>No</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Yes</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the permit that has not been addressed?</i> <p>No</p>	☐

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>Yes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>Yes</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☒ Yes ☐ No

If yes:

a) Are names and contact details recorded?

☒ Yes ☐ No

b) Are communication means described and satisfactory?

☒ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments:

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

30.11.2017 - 9.02.2018

Note: This application is for less than 3 months

Is this application for a three month 'lethal take of flying-foxes' DMP?

☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan?

☐ Yes ☒ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Has permission for access been given?

☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – ‘lethal take of flying-foxes’ activity

☐ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☐ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☐ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported x☒ Not supported ☐

Name:

Position:

Date:

Comments:

Laura Affleck, Conservation Officer, 14.11.2017

Applicant has a history of holding this type of permit and fulfilling their return obligations. Return of Operations shows a consistent take of less than the number requested.

Application (and previous applications) detail damage, economic loss and reasonable use of non-lethal mitigation measures

Both species requested are considered of least concern under the NCA 1992. The numbers requested are below the permitted quota.

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Name:

Position:

Date:

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Comments:

15. Manager/delegate approval:

Approved ☐

Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Application on Connect (APP0007841):

Application Summary

Application Reference: APP0007841
Authority Type: Wildlife Authority
Permit Type: Damage Mitigation Permit

Industry Sector: Unknown
Lodgement Date: 14/11/2017
Stage: Decision
Status: Permit issued
Related Permit: WA0003087

Project Dates

Start and completion dates

Start date	30 Nov 2017
Completion date	9 Feb 2018

Wildlife Suitability

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?

No

Have you ever had an equivalent permit from another State or country that was suspended and/or cancelled?

No

Lethal Take of Flying Fox

Potential for Damage or Significant Economic Loss

Fruit Type/s Crop

Provide Details:

Detail the type of crop	Lychee
-------------------------	--------

Potential for Damage or Significant Economic Loss

I have suffered actual damage this season or in the past season.

Previous Non-Lethal Damage Mitigation

Note: The chief executive (or their delegate) may use information provided under part D to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Exclusion or tunnel/drape netting for entire crop.

Sound

Light

Movement

Alternative Method

Provide Details on the selected deterrence methods:

Detail the type and volume of the sounds being used to deter the flying foxes.	2 gas guns and a 48 speaker high frequency sound system
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	n/a
How many lights/light towers are in operation and what is the wattage per light/light tower?	6 towers with a total of 26 lights and each light is 2000 watts
Describe how light is protecting all areas of the crop where exclusion netting is not present.	n/a
What movement-generating equipment is being used to deter flying foxes?	3 quad bikes
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	n/a
What alternative method is being used to deter flying foxes?	using drone. It is a project with the university of QLD
Describe how the alternative method is protecting all areas of the crop where exclusion netting is not present.	n/a

Please attach photos to substantiate the information provided in the non-lethal mitigation questions.

Please refer to photos supplied last year, or the year before that.

Please designate a location for the disposal site:

Specific Location/Description Of Disposal Site.

s.73 sch4p4 south Bingera.

Geographical Coordinates.

sch4p4(6) Personal ii

The location must be clearly delineated by GPS coordinates and an attached map.

Please refer to map supplied last year, or the year before that.

Permission for Queensland Government Officers and Communication Between Multiple Shooters

I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.

Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

Communications:

All takes are diarised and mobile phones are used to communicate.

▼ Persons Operating

Provide the name(s) of the person(s) operating under this permit

Family Name

Given Name

s.73 i

s.73

› Information Requests

› Approval Workflow History

› Internal Review

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To: s.73 irrelevant information
s.73 sch4p4(6) Per
SOUTH BINGERA
QLD 4670
Australia

Our reference: APP0007841

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 14 November 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0003087	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0003087.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Rebecca Williams
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 29 November 2017

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

AFFLECK Laura

From: AFFLECK Laura
Sent: Tuesday, 14 November 2017 5:01 PM
To: s.73 irrelevant information
Subject: Update on the status of your lethal DMP applications



Good afternoon,

As discussed with you on the phone, I have now completed my assessments on both of your lethal damage mitigation permit applications and have sent them up for review.

The reference numbers of your applications are:

- APP0007841 (flying-foxes)
- APP0007843 (lorikeets)

Nothing further is required from you at this point, but I will let you know as soon as possible if anything requires clarification in the final approval process.

If you have any questions please do not hesitate to ask.

Kind regards,

Laura Affleck

Conservation Officer

Wildlife Assessment, Strategic Compliance and Southern Operations

Conservation & Biodiversity Operations

Department of Environment and Heritage Protection

P (07) 3330 5258 ext. 25258

400 George Street, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017 Part 2 Division 1.

Permit number: WA0003087

Valid from: 29 November 2017 to 28 February 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:		s.73 sch4p4(6) Per SOUTH BINGERA QLD 4670 Australia
Person In Charge:	s.73 irrelevant information	s.73 sch4p4(6) Per SOUTH BINGERA QLD 4670
Business name:		ABN/ACN /
Activity location//licensed premises	sch4p4(6) Personal info	

Schedule

Species details	Category	Quantity	Unit
grey-headed flying-fox, Pteropus poliocephalus	Live	30	Individuals
black flying-fox, Pteropus alecto	Live	60	Individuals

Rebecca Williams
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 29 November 2017

Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only. This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2017
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice
- Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice
- Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au

Condition

Nature Conservation

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:

17.11.2017

Assessing Officer:

Laura Affleck

Project Ref:

APP0008000

Permit Ref:

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒

Corporation ☐

Individual or
corporation name:

s.73 irrelevant information

Person in charge
(if corporation):

ABN/ACN number

Lot on Plan details

Area: 61.29 ha
Area: 64.27 ha

Property Location
(GPS etc):

sch4p4(6) Personal infor

Address:

Residential: s.7 sch4p4(6) Personal Electra, Bundaberg QLD 4670
Postal: As above
Activity Location: As above
LGA: Bundaberg Regional
Email: s.73 irrelevant information

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
 - (a) a least concern animal; or
 - (b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Assessment form **Damage mitigation permit (culling and dispersal)**

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	90
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	60
little red flying-fox	<i>Pteropus scapulatus</i>	Live	

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe:

Both species are listed as of least concern under the NCA, however I feel it should be noted that the grey-headed flying-foxes are listed as vulnerable under the EPBC and as a critical priority species under the EHP Back on Track Species Prioritisation Framework. There is no recovery or conservation plan listed for the species.

Section 182

Delegate Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

(a) The flying-fox is causing or may cause, damage to crops

Identify the crop type: ☒ Fruit ☐ Non-fruit

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage ☐ OR

Damage to surrounding crop (within 5 km) ☐ OR

Other ☐

Assessment form
Damage mitigation permit (culling and dispersal)

Describe:

Application states: Lychees

Application states: They have suffered actual damage this season or in the past season (box ticked on the online application)

The applicant has been approved for years for this type of permit

Provide Image (insert file or cut and paste) :



Section
185 (2) (a)

Delegate
Comments:

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Application states:

- Netting
 - Drape netting on 3ha, total area 17 ha. 12mm netting
- Sound
 - Gas gun: random shot gun discharge
 - Riding around on quad bike firing shot gun randomly
- Light
 - 8 poles 18m high, 26 lights which are 2000wt metal hallide lights
 - All areas not covered by sufficient light are drape netted

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Identify these suitable prescribed methods:

- ☐ Exclusion or tunnel netting for the entire crop
- ☒ Netting ☒ Sound ☒ Light
- ☐ Smoke ☐ Movement ☐ Alternative method

Comments:

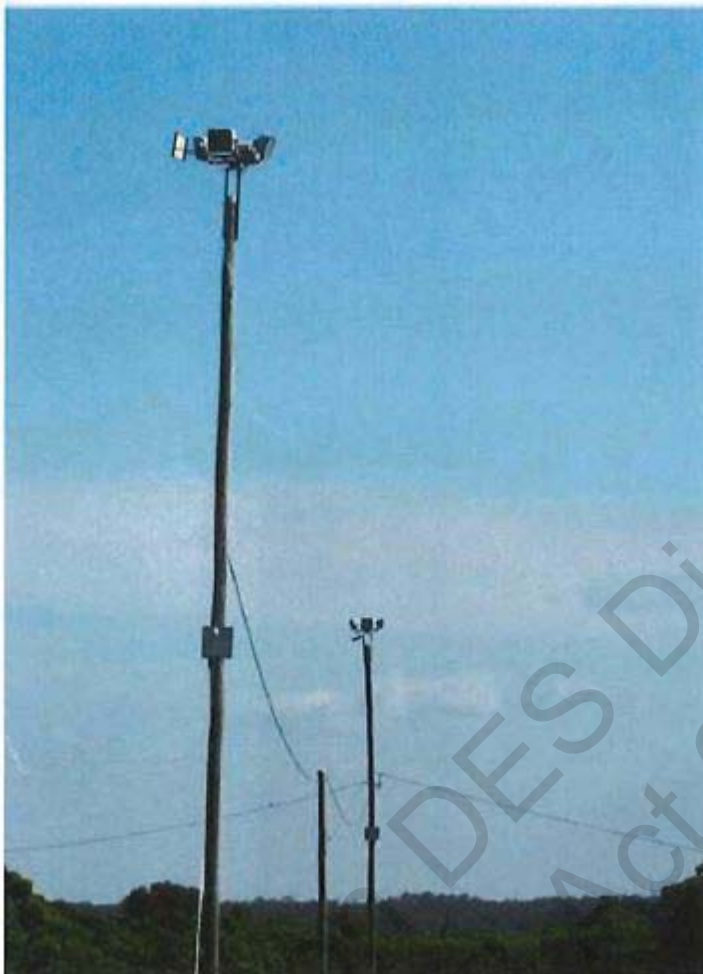
Application states:

- Netting
 - Drape netting on 3ha, total area 17 ha. 12mm netting
- Sound
 - Gas gun: random shot gun discharge
 - Riding around on quad bike firing shot gun randomly
- Light
 - 8 poles 18m high, 26 lights which are 2000wt metal hallide lights
 - All areas not covered by sufficient light are drape netted

Assessment form
Damage mitigation permit (culling and dispersal)

Provide Image (insert file or cut and paste) :

Published on DES Disclosure Log
RTI Act 2009





Section
185 (2) (b)
Delegate
Comments:

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

(c) If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Assessment form

Damage mitigation permit (culling and dispersal)

Is the crop a fruit crop?:

☒ Yes

☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Application states: Lychees

Provide image if appropriate (insert file or cut and paste) :

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments:

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	150	230	130	510	5.8%
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar/30 June	2450	2800	896	6146	
Remaining quota for 1 Mar/30 June (delete incorrect quota period)	2300	2570	766	5636	

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Remaining quota for year	3350	3770	1150	8270	94.2
% allocated	4.3	5.8	10.2	5.8	

**Section
185 (2) (d)**

**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) The landholder is a commercial crop grower for the land;

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: Application states: Lychees

**Section
185 (2) (e)**

**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments:

**Section
185 (2) (f)**

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

Application states: Pit at the end of Avocado 4

[sch4p4\(6\) Personal inform](#)

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>No</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>No</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Yes</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the permit that has not been addressed?</i> <p>No</p>	☐

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>Yes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>Yes</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☒ Yes ☐ No

If yes:

a) Are names and contact details recorded?

☒ Yes ☐ No

b) Are communication means described and satisfactory?

☒ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments:

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

21.11.2017 - 20.01.2018

Is this application for a three month 'lethal take of flying-foxes' DMP?

☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Has permission for access been given?

☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – ‘lethal take of flying-foxes’ activity

☐ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☐ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☐ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported ☒ Not supported ☐

Name:

Position:

Date:

Comments:

Laura Affleck, Conservation Officer, 17.11.2017

Applicant has a history of holding this type of permit and fulfilling their return obligations.

Application (and previous applications) detail damage, economic loss and reasonable use of non-lethal mitigation measures

Both species requested are considered of least concern under the NCA 1992. The numbers requested are within the permitted quota.

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Name:

Position:

Date:

Comments:

15. Manager/delegate approval:

Approved ☐

Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Application on Connect (APP0008000):

Application Summary

Application Reference: APP0008000

Authority Type: Wildlife Authority

Permit Type: Damage Mitigation Permit

Industry Sector: Unknown

Lodgement Date: 17/11/2017

Stage: Decision

Status: Permit issued

Related Permit: WA0003088

Project Dates

Start and completion dates

Start date	21 Nov 2017
Completion date	20 Jan 2018

Wildlife Suitability

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?

No

Have you ever had an equivalent permit from another State or country that was suspended and/or cancelled?

No

Lethal Take of Flying Fox

Potential for Damage or Significant Economic Loss

Fruit Type/s Crop

Provide Details:

Detail the type of crop	Lychee
-------------------------	--------

Potential for Damage or Significant Economic Loss

I have suffered actual damage this season or in the past season.

Previous Non-Lethal Damage Mitigation

Note: The chief executive (or their delegate) may use information provided under part D to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Netting

Sound

Light

Provide Details on the selected deterrence methods:

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	Drape netting : on 3ha : Total area 17ha
When the netting is installed as detailed in the code of practice, what is the mesh size?	12mm
Detail the type and volume of the sounds being used to deter the flying foxes.	Gas Gun : random shot gun discharge.
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	Riding around on Quad bike firing shot gun randomly .
How many lights/light towers are in operation and what is the wattage per light/light tower?	8 poles 18meters high: 26 lights which are 2000 wt metal halide lights
Describe how light is protecting all areas of the crop where exclusion netting is not present.	all areas not covered by sufficient light are drape netted

Please attach photos to substantiate the information provided in the non-lethal mitigation questions.

Please refer to photos supplied last year, or the year before that.

Please designate a location for the disposal site:

Specific Location/Description Of Disposal Site.	Pit at the end of Avocado 4
Geographical Coordinates.	Site indicated on map previously supplied to the department along with the netted Area

The location must be clearly delineated by GPS coordinates and an attached map.

Please refer to map supplied last year, or the year before that.

Please designate a location for the disposal site:

Specific Location/Description Of Disposal Site.	Pit at the end of Avocado 4
Geographical Coordinates.	Site indicated on map previously supplied to the department along with the netted Area

The location must be clearly delineated by GPS coordinates and an attached map.

Please refer to map supplied last year, or the year before that.

Permission for Queensland Government Officers and Communication Between Multiple Shooters

I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.

Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

Communications:	Every morning the number of dispatched FF is reported to me : there is only one shooter on duty in any one night.
-----------------	---

▼ Persons Operating

Provide the name(s) of the person(s) operating under this permit

Family Name	Given Name
S.73.ir	S.73.ii

[Information Requests](#)

[Approval Workflow History](#)

[Internal Review](#)

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To: s.73 irrelevant information
s.73 sch4p4(6) Person
ELECTRA
QLD 4670
Australia

Our reference: APP0008000

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 17 November 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0003088	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0003088.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Rebecca Williams
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 29 November 2017

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

AFFLECK Laura

From: AFFLECK Laura
Sent: Friday, 17 November 2017 5:28 PM
To: s.73 irrelevant information
Subject: Update on the status of you damage mitigation permit



Hello,

As previously mentioned, I am the Conservation Officer who is assessing your damage mitigation permit for flying-foxes (application reference: APP0008000).

I have now finished my assessment and have sent it up for review.

Nothing further is required from you at this point in time for this application, but I will let you know if anything gets flagged in the final approval stage that requires clarification from you.

Kind regards,

Laura Affleck
Conservation Officer
Wildlife Assessment, Strategic Compliance and Southern Operations
Conservation & Biodiversity Operations
Department of Environment and Heritage Protection

P (07) 3330 5258 ext. 25258
400 George Street, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017 Part 2 Division 1.

Permit number: WA0003088

Valid from: 29 November 2017 to 28 February 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:		ELECTRA QLD 4670 Australia
Person In Charge:	s.73 irrelevant information	s.7 sch4p4(6) Pers ELECTRA QLD 4670
Business name:		ABN/ACN /
Activity location//licensed premises	s.73 sch4p4(6) Per Electra BUNDABERG QLD 4670	

Schedule

Species details	Category	Quantity	Unit
grey-headed flying-fox, Pteropus poliocephalus	Live	60	Individuals
black flying-fox, Pteropus alecto	Live	90	Individuals

Rebecca Williams
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 29 November 2017

Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only. This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2017
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice
- Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice
- Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au

Condition

Nature Conservation

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.

Application form

Section 12(a) — Nature Conservation (Administration) Regulation 2017

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

1 Important information for applicants

Applications can be made using the Department's digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit www.ehp.qld.gov.au/connect for more information.

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>, and the code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Heritage Protection is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, EHP will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on **1300 130 372 option 4**.

2 Terms and Conditions

Permits, licences and authorities Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native birds, reptiles, mammals and amphibians are protected, along with some invertebrates (certain butterflies, spiders and scorpions), freshwater fish and the grey nurse shark. Other aquatic species are protected by the Department of Agriculture and Fisheries, the Great Barrier Reef Marine Park Authority and the Australian Government. A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using or moving of wildlife for commercial, recreational or other purposes we contribute to the maintenance of viable wild populations of plants and animals. The type of approval(s) you will need depends upon a number of things, including:

- The nature and purpose of your proposed activity
- The tenure of the area in which you intend to undertake your activity and
- The species of wildlife concerned

To apply for permits:

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

- within the protected area estate (except nature refuges and special wildlife reserve) as defined in the Nature Conservation Act 1992 (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or
- within a marine park under the Marine Parks Act 2004; or
- within State forest estate under the Forestry Act 1959 (e.g. state forests and timber reserves)

Please contact the Department of National Parks, Sport and Racing

Note: Corporations must have an office in Queensland to be eligible to apply for a wildlife authority.

The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on-line on the Office of Queensland Parliamentary Counsel website.

Privacy statement for wildlife permits

Information you provide assists the Department of Environment and Heritage Protection (EHP) to administer wildlife licences, permits and authorities granted under the Nature Conservation (Wildlife Management) Regulation 2006.

Some information may be provided to the Departments of National Parks, Sport and Racing; Agriculture and Fisheries; Science, Information Technology and Innovation; Health; Queensland Police Service or the Australian Defence Force in order investigate biosecurity or health issues or allegations of unlawful activity, if required.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Information regarding your status as a holder of a permit may be provided to any party upon request. Your personal information will not be disclosed to any other parties without your consent unless authorised or required by law.

More information on our commitment to privacy is available on our website. Should you have a general question on the Department and its obligations under the Information Privacy Act 2009 please email privacy@ehp.qld.gov.au or for specific questions concerning privacy information and wildlife activities please email: wildlife.management@ehp.qld.gov.au

1. You may only lodge this application if you have accepted the above terms and conditions

3

☒ I accept the above terms and conditions.

2. All questions must be answered and the applicable fees included (if required) for the application to be processed. If you do not complete all questions and sign and date the application form, your application will be returned to you as an invalid application.

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

3. 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 4 applicant details in full — then go to section 6
- ☐ **AN ORGANISATION** → Complete Section 5 applicant details — then go to section 6

4. Applicant details for an individual

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	*DATE OF BIRTH
☒ Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Doctor ☐ Prof	s.73 irrelevant information			sch4p4(6) Pe

5. Applicant details for an organisation

Organisation type –

- ☐ Company ☐ Australian registered (foreign) body ☐ Incorporated association
☐ Co-operation ☐ Government ☐ Non for profit organisation

*AUSTRALIAN BUSINESS NUMBER	*BUSINESS NAME
CEO	ABN

6. Applicant registered / residential address

*RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	*SUBURB	*STATE	*POST CODE
s.73 sch4p4(6) Pe	Kabra	QLD	4702
(WRITE 'AS ABOVE' IF SAME AS REGISTERED/RESIDENTIAL ADDRESS)			
POSTAL ADDRESS	SUBURB	STATE	POST CODE
As Above			

7. Applicant contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☒
PHONE TYPE	AREA CODE	PHONE NUMBER (NOTE: 10 DIGITS INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		s.73 irrelevant in	

8. Permit activity

☒ Culling to prevent damage or loss

☒ Lethal take of flying-fox. Use this application type if you are a commercial fruit grower and intend to use lethal control to kill flying foxes for the purposes of fruit crop protection only where non-harmful measures have been attempted and failed.

9. Code of Practice

I can comply with the Code of Practice

☒ Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

10. Location of the activity

Please provide exact location of where this activity will occur by either Lot on Plan or physical street address, if required attach additional documentation.

<small>* PHYSICAL STREET ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL /REGISTERED ADDRESS)</small> <div style="border: 1px solid black; padding: 2px; display: inline-block;">s.73 sch4p4(6) Pe</div>	<small>* SUBURB</small> Kabra	<small>* STATE</small> QLD*	<small>* POST CODE</small> 4702
OR			
<small>* LOT# AS</small>	<small>* PLAN#</small>		
OR			
<small>GPS LOCATION</small>			

11. Wildlife details

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

COMMON NAME	SCIENTIFIC NAME	NUMBER
Little Red Flying-fox	P.scapulatus	60
Black Flying-fox	P.alecto	60
Grey headed Flying-fox	P.polioccephalus	40

12. Start and completion dates

Please enter the proposed start and completion dates for the project

START DATE 20/11/17	FINISH DATE 20/1/17
------------------------	------------------------

13. Potential for damage or significant economic loss

Permits are exclusively granted to commercial crop growers. Please identify the crop at risk and the cause for concern.

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

- ☒ Fruit type/s crop
☐ Non-fruit type/s crop

PROVIDE DETAILS OF THE TYPE OF CROP

Mangoes

Please identify the cause for concern.

- ☒ I have suffered actual damage this season or in the past season.
☐ Someone in the surrounding area growing the same or similar crop incurred damage this season or in the past season.
☐ Neither myself or anyone in the surrounding area have incurred damage this season or in past season.

Why do you believe you may suffer significant economic loss if not granted a permit?

--

14. Previous non-lethal damage mitigation

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Which non-lethal deterrence methods are in use?

Note: exclusion or tunnel netting is defined in the code of practice as "netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags."

If exclusion netting IS NOT used, a minimum of two other non-lethal mitigation methods must have been attempted.

- ☐ Exclusion or tunnel/drape netting for entire crop
☐ Netting

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	
When the netting is installed as detailed in the code of practice, what is the mesh size?	

☒ Sound

Detail the type and volume of the sounds being used to deter the flying foxes.	GAS SCARE GUN - THIS GUN WAS BORROWED FROM THE THEN NEIGHBOUR BUT COULD ONLY BE OPERATED FOR SHORT PERIODS FOR THE NOISE TO RESIDENTS IN THE AREA. THE BATS SOON BECAME ACUSTOMED TO THE HARMLESS NOISE. THIS COULD BE PRACTICAL IF IN CONJUNCTION WITH LETHAL DETERENTS. HIGH FREQUENCY SOUND MACHINE
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	PURCHASED A BAT SCARER MACHINE (EMITTING HIGH FREQUENCY SOUND) SEVERAL YEARS AGO WHICH HAS NOW BEEN DISPOSED OF. THIS DID NOT DETER THE BATS

☒ Light

How many lights/light towers are in operation and what is the wattage per light/light tower?	Portable spotlight / torches/ mobile/ flashing lights
Describe how light is protecting all areas of the crop where exclusion netting is not present.	Shining high wattage spot lights / torches on incoming flying foxes and searching through trees

☐ Smoke

How many foggers / controlled fires are in operation?	
Describe how smoke is protecting all areas of the crop where exclusion netting is not present.	

☒ Movement

What movement-generating equipment is being used to deter flying-foxes?	VEHICLES / MOTORBIKE REGULAR TRIPS AROUND THE PROPERTY
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	DRIVING AROUND CROP SCARING OUT FLYING FOXES MAKING NOISE BY VOCAL AND BLOWING HORN

☐ Alternative method

What alternative method is being used to deter flying-foxes?	
--	--

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Describe how the alternative method is protecting all areas of the crop where exclusion netting is not present.	
---	--

15. Provide photos to substantiate the information provided in the non-lethal mitigation questions.

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons.

- ☐ Attached are photos to substantiate the information provided in the non-lethal mitigation questions
- ☒ Please refer to photos supplied last year, or the year before that.

16. Designate a location for the disposal site:

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an EHP or conservation officer.

Specific location/description of disposal site.	Incinerator drum located at the back of the house
Geographical coordinates.	[sch4p4(6) Personal information]

The location must be clearly delineated by GPS coordinates and an attached map.

- ☐ Map attached
- ☒ Please refer to the map supplied last year, or the year before that.

17. Permission for Queensland Government Officers and communication between multiple shooters

Note: Section 145 of the *Nature Conservation Act 1992* allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

- ☒ I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.
- ☒ Multiple shooters being proposed.

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

All shooters must report to Timothy prior to entering the property. Timothy will keep a logbook that each shooter must fill out at the end of every night in order to tally numbers and not exceed permit limits.

18. Provide the name(s) of the person(s) operating under this permit

Complete this section if person(s) other than the applicant will be operating under this permit. Use an attachment if insufficient space.

FAMILY NAME s.73 irrelevant	GIVEN NAME s.73 irrelevant
FAMILY NAME s.73 irrelevant	GIVEN NAME s.73 irrelevant
FAMILY NAME s.73 irrelevant	GIVEN NAME s.73 irrelevant
FAMILY NAME s.73 irrelevant info	GIVEN NAME s.73 irrelevant
FAMILY NAME	GIVEN NAME

19. Application questions

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 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

20. Effective Date

Select an effective date Decision Date ☒ or Nominated Date

21. Person in Charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Nominate Person in Charge*

☒ Same as applicant ☐ Alternate person in charge

Person in Charge Identity Details

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH

Person in Charge Registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE

(WRITE 'AS ABOVE' IF SAME AS REGISTERED RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE

Person in Charge contact details – email or phone contact is mandatory.

EMAIL ADDRESS			
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER: NOTE: 10 DIGITS (INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☐ Mobile phone ☐ Facsimile			

22. Application Contact Details

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

☐ Same as applicant ☒ Alternate contact details

*NAME OR POSITION	*PRIMARY PHONE. NOTE: 10 DIGITS (INCLUDING AREA CODE)	EMAIL ADDRESS	SECONDARY PHONE
s.73 irrelevant inform	s.73 irrelevant inf	s.73 irrelevant information	

23. Applicant's signature

APPLICANT'S NAME

s.73 irrelevant information

APPLICANT'S SIGNATURE

sch4p4(6) Personal

DATE

11/11/2017

24. Applicant checklist

- ☐ All questions on application form completed, signed and dated.
- ☐ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team

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

Enquiries: **1300 130 372 option 4**

Facsimile: (07) 3330 5875

Email: palm@ehp.qld.gov.au

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To: s.73 irrelevant information
s.73 sch4p4(6) Pel
KABRA
QLD 4702
Australia

Our reference: APP0008405

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 20 November 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0003085	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0003085.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Rebecca Williams
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 29 November 2017

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

File Note

File Reference: APP0008405*Print and file when complete.***Date:** 27/11/17**File Name:** s.73 irrelevant information (APP0008405)**Subject (Detail):** DMP - flying foxes application

Have not contacted applicant by email or phone.

Performed a search on Ecotrack to confirm photos had been provided for previous growing seasons. Looked over previous assessments to check for concerns – applicant had to be asked to supply return of operations. Return of operations have been submitted to Ecotrack.

Confirmed Lot on Plan details from previous applications.

Date: 27/11/17

Author: Lisa Owen**Position:** Wildlife Officer**Unit/Office:** Wildlife Assessment Team**Phone:** 33305537

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:	20/11/17
Assessing Officer:	Lisa Owen
Project Ref:	
Permit Ref:	APP0008405

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒

Corporation ☐

Individual or corporation name:

s.73 irrelevant information

Person in charge (if corporation):

ABN/ACN number

Lot on Plan details

- 17.24ha
sch4p4(6) Pers 16.33ha

Property Location (GPS etc):

Address:

Residential & Activity: s.73 sch4p4(6) Pe KABRA QLD 4702
LGA - Rockhampton Regional

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

Assessment form
Damage mitigation permit (culling and dispersal)

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
(a) a least concern animal; or
(b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	60
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	40
little red flying-fox	<i>Pteropus scapulatus</i>	Live	60

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe:

Section 182

Delegate Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

Assessment form
Damage mitigation permit (culling and dispersal)

(a) *The flying-fox is causing or may cause, damage to crops*

Identify the crop type:

☒ Fruit

☐ Non-fruit

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes

☐ No

If non-fruit:

Past/current season damage

☐ OR

Damage to surrounding crop (within 5 km)

☐ OR

Other

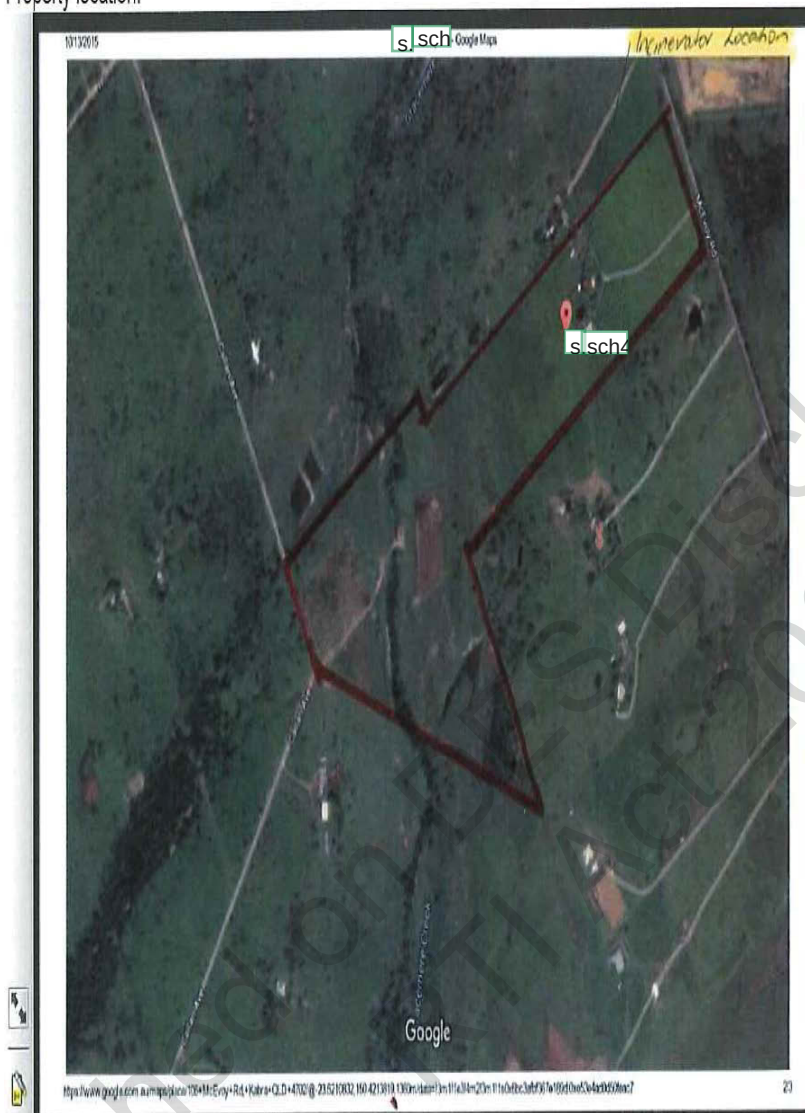
☐

Describe:

Mangoes

Provide Image (insert file or cut and paste) :

Property location:



Section
185 (2) (a)

Delegate
Comments:

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management

Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Sound - Applicant states Gas scare gun - this gun was borrowed from the then neighbour but could only be operated for short periods for the noise to residents in the area. The bats soon became accustomed to the harmless noise. This could be practical if in conjunction with lethal deterrents. High Frequency sound machine - purchased a bat scarer machine (emitting high frequency sound) several years ago which has now been disposed of. This did not deter the bats.

Light - Portable spotlight/torches/mobile/flashing lights. Shining high wattage spot lights/torches on incoming flying foxes and searching through the trees.

Movement - Vehicles/motorbike regular trips around the property. Driving around crop scaring out flying foxes making noise by vocal and blowing horn.

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

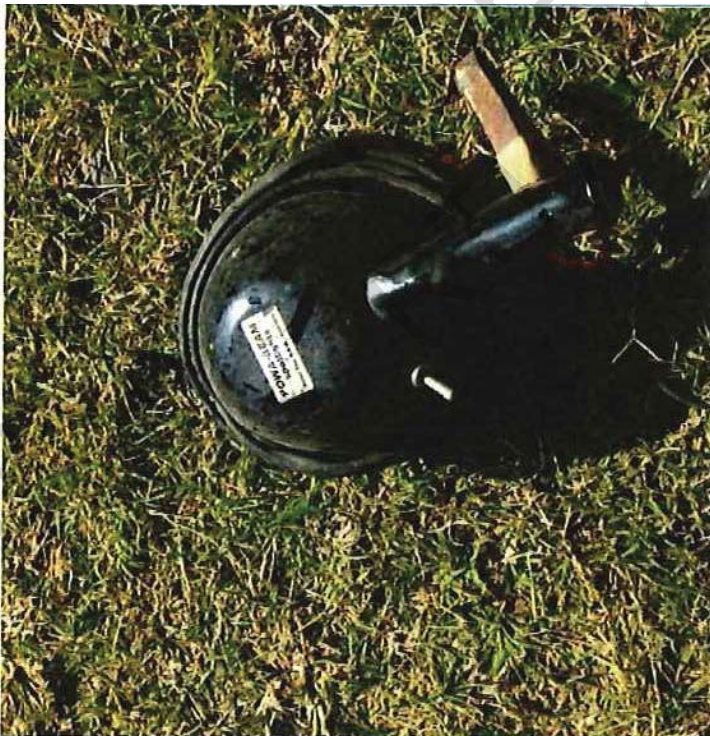
☒ Yes ☐ No

Identify these suitable prescribed methods:

- ☐ Exclusion or tunnel netting for the entire crop
- ☐ Netting ☒ Sound ☒ Light
- ☐ Smoke ☒ Movement ☐ Alternative method

Comments: Applicant confirmed photos were supplied in the previous two growing seasons

Provide Image (insert file or cut and paste) :





Section
185 (2) (b)

--

Delegate
Comments:

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

(c) If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes

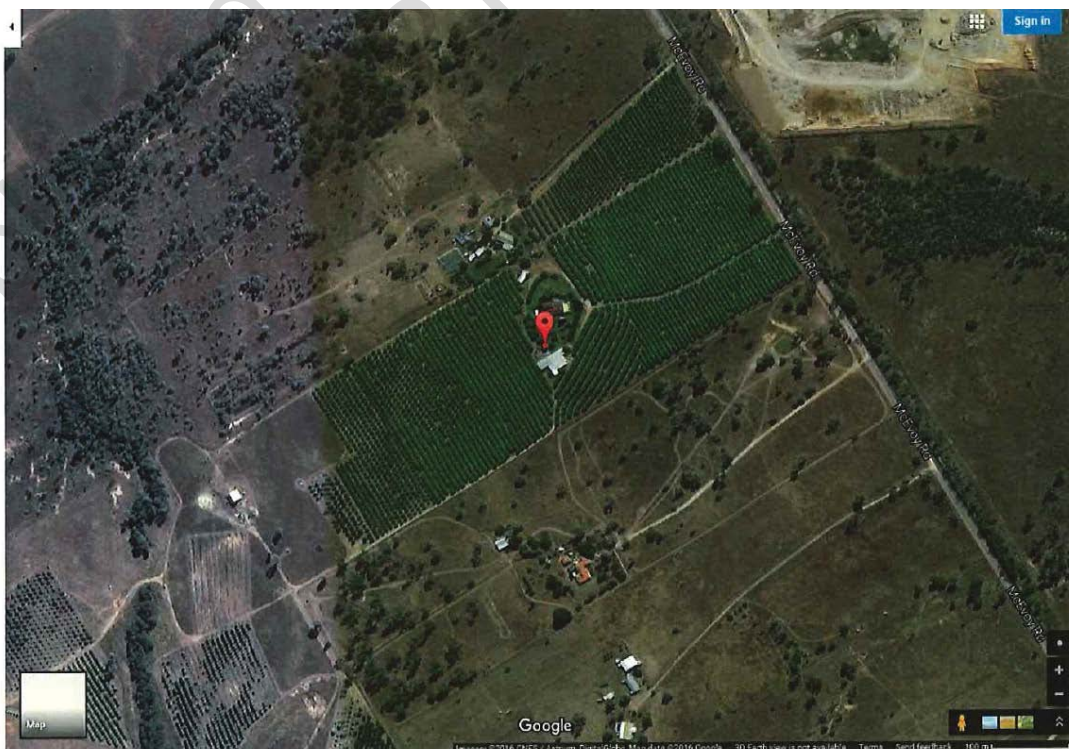
☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Provide image if appropriate (insert file or cut and paste) :

Disposal Site



Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments: All numbers requested are below allocated quotas.

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	120	290	110	520	5.9
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar	2450	2800	896	6146	
Remaining quota for 1 Mar	2330	2510	786	5626	
Remaining quota for year	3380	3710	1170	8260	94.1

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

% allocated	3.4	7.3	8.6	5.9	
-------------	-----	-----	-----	-----	--

**Section
185 (2) (d)**
**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) *The landholder is a commercial crop grower for the land;*

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: Mangoes

**Section
185 (2) (e)**
**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) *The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code*

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments: All shooters must report to s.73 irrele prior to entering the property. s.73 irrele will keep a logbook that each shooter must fill out at the end of every night in order to tally numbers and not exceed permit limits.

**Section
185 (2) (f)**

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

Incinerator drum located at the back of the house sch4p4(6) Personal informati

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>No</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>No</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Yes</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the permit that has not been addressed?</i> <p>No</p>	☐

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>Yes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>Yes</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☒ Yes ☐ No

If yes:

a) Are names and contact details recorded?

☒ Yes ☐ No

b) Are communication means described and satisfactory?

☒ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments:

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

20/11/17 to 20/1/18

Is this application for a three month 'lethal take of flying-foxes' DMP?

☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Has permission for access been given?

☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – ‘lethal take of flying-foxes’ activity

☒ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☒ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☒ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported x☒ Not supported ☐

Name:

Position:

Date:

Comments:

Lisa Owen Wildlife Officer 27/11/17

Applicant has held this permit previously and submitted return of operations.

Numbers requested are below allocated quotas.

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Name:

Position:

Date:

Comments:

15. Manager/delegate approval:

Approved ☐ Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017 Part 2 Division 1.

Permit number: WA0003085

Valid from: 29 November 2017 to 28 February 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:	s.73 irrelevant information	s.73 sch4p4(6) Pe KABRA QLD 4702 Australia
Person In Charge:	s.73 irrelevant information	s.73 sch4p4(6) Per KABRA QLD 4702
Business name:		ABN/ACN /
Activity location/licensed premises	s.73 sch4p4(6) Pe KABRA QLD 4702	

Schedule

Species details	Category	Quantity	Unit
little red flying-fox, Pteropus scapulatus	Live	60	
black flying-fox, Pteropus alecto	Live	60	
grey-headed flying-fox, Pteropus poliocephalus	Live	40	

Rebecca Williams
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 29 November 2017

Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only. This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2017
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice
- Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice
- Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au

Condition

Nature Conservation

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.

Permit¹

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

Damage Mitigation Permit

Permit number: WIMP18104717

Valid from: 14-JAN-2017 to 12-APR-2017

Parties to the Permit

Role	Name	Address
Principal Holder	s.73 irrelevant information	s.73 sch4p4(6) Personal inf MOOLOOLAH QLD 4553

Permitted Location Activity Details

Location (s)	Activity (s)
s.73 sch4p4(6) Personal inf MOOLOOLAH QLD 4553	Culling Wildlife to prevent damage or loss

Permit Details

Species Details

Location		Activity	
s.73 sch4p4(6) Personal inf MOOLOOLAH QLD 4553		Culling Wildlife to prevent damage or loss	
Common Name	Scientific Name	Category	Quantity
black flying-fox	Pteropus alecto	Live	90 Animal/s
grey-headed flying-fox	Pteropus poliocephalus	Live	60 Animal/s
little red flying-fox	Pteropus scapulatus	Live	90 Animal/s

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

Conditions of Approval

Agency Interest: Biodiversity

- PB1 Important notes:
A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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
- PB2 Additional information:
Flying-foxes may only be taken in a way that is specified in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.
- PB3 Netting:
Appropriate netting which meets the requirements of Schedule 1 of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection must be in place and remain in place over the period that shooting occurs.
- PB4 General interest:
The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.

Signed

Lindsay Delzoppo
Delegate
Department of Environment and Heritage Protection

Application form

Section 12(a) — Nature Conservation (Administration) Regulation 2017

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

1 Important information for applicants

Applications can be made using the Department's digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit www.ehp.qld.gov.au/connect for more information.

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>, and the code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Heritage Protection is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, EHP will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on **1300 130 372 option 4**.

2 Terms and Conditions

Permits, licences and authorities Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native birds, reptiles, mammals and amphibians are protected, along with some invertebrates (certain butterflies, spiders and scorpions), freshwater fish and the grey nurse shark. Other aquatic species are protected by the Department of Agriculture and Fisheries, the Great Barrier Reef Marine Park Authority and the Australian Government. A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using or moving of wildlife for commercial, recreational or other purposes we contribute to the maintenance of viable wild populations of plants and animals. The type of approval(s) you will need depends upon a number of things, including:

- The nature and purpose of your proposed activity
- The tenure of the area in which you intend to undertake your activity and
- The species of wildlife concerned

To apply for permits:

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

- within the protected area estate (except nature refuges and special wildlife reserve) as defined in the Nature Conservation Act 1992 (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or
- within a marine park under the Marine Parks Act 2004; or
- within State forest estate under the Forestry Act 1959 (e.g. state forests and timber reserves)

Please contact the Department of National Parks, Sport and Racing

Note: Corporations must have an office in Queensland to be eligible to apply for a wildlife authority.

The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on-line on the Office of Queensland Parliamentary Counsel website.

Privacy statement for wildlife permits

Information you provide assists the Department of Environment and Heritage Protection (EHP) to administer wildlife licences, permits and authorities granted under the Nature Conservation (Wildlife Management) Regulation 2006.

Some information may be provided to the Departments of National Parks, Sport and Racing; Agriculture and Fisheries; Science, Information Technology and Innovation; Health; Queensland Police Service or the Australian Defence Force in order investigate biosecurity or health issues or allegations of unlawful activity, if required.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Information regarding your status as a holder of a permit may be provided to any party upon request. Your personal information will not be disclosed to any other parties without your consent unless authorised or required by law.

More information on our commitment to privacy is available on our website. Should you have a general question on the Department and its obligations under the Information Privacy Act 2009 please email privacy@ehp.qld.gov.au or for specific questions concerning privacy information and wildlife activities please email: wildlife.management@ehp.qld.gov.au

1. You may only lodge this application if you have accepted the above terms and conditions

3 ☒ I accept the above terms and conditions.

2. All questions must be answered and the applicable fees included (if required) for the application to be processed. If you do not complete all questions and sign and date the application form, your application will be returned to you as an invalid application.

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

3. 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 4 applicant details in full — then go to section 6**
- ☐ **AN ORGANISATION** → **Complete Section 5 applicant details — then go to section 6**

4. Applicant details for an individual

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH
☐ Mr ☒ Mrs ☐ Ms ☐ Miss ☐ Doctor ☐ Prof	s.73 irrelevant information			sch4p4(6) P

5. Applicant details for an organisation

Organisation type –

- ☐ Company ☐ Australian registered (foreign) body ☐ Incorporated association
☐ Co-operation ☐ Government ☐ Non for profit organisation

*AUSTRALIAN BUSINESS NUMBER	* BUSINESS NAME		
CEO	ABN		

6. Applicant registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 sch4p4(6) Personal infor	MOOLOOLAH	QLD	4553
(WRITE 'AS ABOVE' IF SAME AS REGISTERED/RESIDENTIAL ADDRESS)			
POSTAL ADDRESS	SUBURB	STATE	POST CODE
s.73 irrelevant infor	MOOLOOLAH	QLD	4553

7. Applicant contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER (NOTE: 10 DIGITS INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		s.73 irrelevant inf	

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

8. Permit activity

☒ Culling to prevent damage or loss

☒ Lethal take of flying-fox. Use this application type if you are a commercial fruit grower and intend to use lethal control to kill flying foxes for the purposes of fruit crop protection only where non-harmful measures have been attempted and failed.

9. Code of Practice

I can comply with the Code of Practice

☒ Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

10. Location of the activity

Please provide exact location of where this activity will occur by either Lot on Plan or physical street address, if required attach additional documentation.

* PHYSICAL STREET ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL /REGISTERED ADDRESS)	* SUBURB	* STATE	* POST CODE
s.73 [sch4p4(6) Personal infor]	MOOLOOLAH	QLD*	4553

OR

* LOT# AS	* PLAN#

OR

GPS LOCATION

11. Wildlife details

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

COMMON NAME	SCIENTIFIC NAME	NUMBER
black flying-fox	Pteropus alecto	90
grey-headed flying -fox	Pteropus poliocephalus	60
little red flying-fox	Pteropus scapulatus	90

12. Start and completion dates

Please enter the proposed start and completion dates for the project

START DATE 1 ST JANUARY 2018	FINISH DATE 1 ST APRIL 2018
--	---

13. Potential for damage or significant economic loss

Permits are exclusively granted to commercial crop growers. Please identify the crop at risk and the cause for concern.

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

- ☒ Fruit type/s crop
- ☐ Non-fruit type/s crop

PROVIDE DETAILS OF THE TYPE OF CROP LYCHEE

Please identify the cause for concern.

- ☒ I have suffered actual damage this season or in the past season.
- ☐ Someone in the surrounding area growing the same or similar crop incurred damage this season or in the past season.
- ☐ Neither myself or anyone in the surrounding area have incurred damage this season or in past season.

Why do you believe you may suffer significant economic loss if not granted a permit?

In regards to financial loss over the past 20 years of growing lychee, I would have to refer to our decision to cover each lychee block with full exclusion permanent netting. The cost to ensure our fruit was covered and protected from flying fox and birds amounts to approx. \$400,000.00.

Over these 21 years, there have been many occasions when the flying foxes have chewed through the nets to access the fruit and then remain inside the netted area. This not only causes stress to the flying fox but also to our picking staff.

In 2016, we needed to roll up a large amount of permanent net and then endeavour to head 6 flying fox out through the opening. 3 did go out, but the other 3 remained in the netted area within the lychee trees. We then instructed our picking staff that the fruit on these trees would not be picked and to stay away from the area so as not to risk being bitten or scratched as well as ensuring the flying fox were not stressed. So a financial loss by not picking the fruit on these trees and the time it cost 2 cherry picker drivers to role up the nets and then putting the

nets back down and restitching them in place.

14. Previous non-lethal damage mitigation

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Which non-lethal deterrence methods are in use?

Note: exclusion or tunnel netting is defined in the code of practice as “netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags.”

If exclusion netting IS NOT used, a minimum of two other non-lethal mitigation methods must have been attempted.

☒ Exclusion or tunnel/drape netting for entire crop

☐ Netting

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	
When the netting is installed as detailed in the code of practice, what is the mesh size?	

☐ Sound

Detail the type and volume of the sounds being used to deter the flying foxes.	
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	

☐ Light

How many lights/light towers are in operation and what is the wattage per light/light tower?	
Describe how light is protecting all areas of the crop where exclusion netting is not present.	

☐ Smoke

How many foggers / controlled fires are in operation?	
Describe how smoke is protecting all areas of the crop where exclusion netting is not present.	

☐ Movement

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

What movement-generating equipment is being used to deter flying-foxes?	
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	

☐ Alternative method

What alternative method is being used to deter flying-foxes?	
Describe how the alternative method is protecting all areas of the crop where exclusion netting is not present.	

15. Provide photos to substantiate the information provided in the non-lethal mitigation questions.

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons.

- ☐ Attached are photos to substantiate the information provided in the non-lethal mitigation questions
- ☒ Please refer to photos supplied last year, or the year before that.

16. Designate a location for the disposal site:

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an EHP or conservation officer.

Specific location/description of disposal site.	
Geographical coordinates.	

The location must be clearly delineated by GPS coordinates and an attached map.

- ☐ Map attached
- ☒ Please refer to the map supplied last year, or the year before that.

17. Permission for Queensland Government Officers and communication between multiple shooters

Note: Section 145 of the *Nature Conservation Act 1992* allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

☒ I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.

☒ Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

Only 1 shooter is proposed although 2 shooters if required, working together if necessary and in constant contact.

18. Provide the name(s) of the person(s) operating under this permit

Complete this section if person(s) other than the applicant will be operating under this permit. Use an attachment if insufficient space.

FAMILY NAME s.73 irrelevant	GIVEN NAME s.73 irrelevant info
FAMILY NAME s.73 irrele	GIVEN NAME s.73 irrelevant information
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME
FAMILY NAME	GIVEN NAME

19. Application questions

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 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	

20. Effective Date

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Select an effective date Decision Date ☒ or Nominated Date

21. Person in Charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

Nominate Person in Charge*

☒ Same as applicant ☐ Alternate person in charge

Person in Charge Identity Details

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH
s.73 irrelevant information				sch4p4(6) P

Person in Charge Registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 sch4p4(6) Personal informati	MOOLOOLAH	QLD	4553

(WRITE 'AS ABOVE' IF SAME AS REGISTERED RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE
s.73 irrelevant infor	MOOLOOLAH	QLD	4553

Person in Charge contact details – email or phone contact is mandatory.

EMAIL ADDRESS			
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER: NOTE: 10 DIGITS (INCLUDING AREA CODE)	
☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		s.73 irrelevant information	

22. Application Contact Details

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

☒ Same as applicant ☐ Alternate contact details

*NAME OR POSITION	*PRIMARY PHONE. NOTE: 10 DIGITS (INCLUDING AREA	EMAIL ADDRESS	SECONDARY PHONE

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

	CODE)		
s.73 irrelevant information	s.73 irrelevant info	s.73 irrelevant information	

23. Applicant's signature

APPLICANT'S NAME	
s.73 irrelevant information	
APPLICANT'S SIGNATURE	DATE 20/12/2017
 sch4n4(6) Personal information	

24. Applicant checklist

- ☒ All questions on application form completed, signed and dated.
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:	2/1/2017
Assessing Officer:	Daniel Guymer
Project Ref:	APP0010680
Permit Ref:	

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒ Corporation ☐

Individual or corporation name:

s.73 irrelevant inform

Person in charge (if corporation):

ABN/ACN number
sch4p4(6) Person

Lot on Plan details

sch4p4(6) Personal info

Property Location (GPS etc):

Address:

s.73 sch4p4(6) Personal info Mooloolah QLD 4553

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
 - (a) a least concern animal; or
 - (b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	90
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	60
little red flying-fox	<i>Pteropus scapulatus</i>	Live	90

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe: All three species listed as of Least Concern under the NCA.

Section
182

Delegate
Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

- (a) The flying-fox is causing or may cause, damage to crops

Identify the crop type: ☒ Fruit ☐ Non-fruit

Assessment form

Damage mitigation permit (culling and dispersal)

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage

☐ OR

Damage to surrounding crop (within 5 km)

☐ OR

Other

☐

Describe:

The applicant has owned a lychee farm [sch4p4(6) Per] and maintains that flying foxes have chewed through nets to access fruit and have remained inside the netted area. The cost of exclusion netting for the applicant has been estimated at approx. \$400 000.

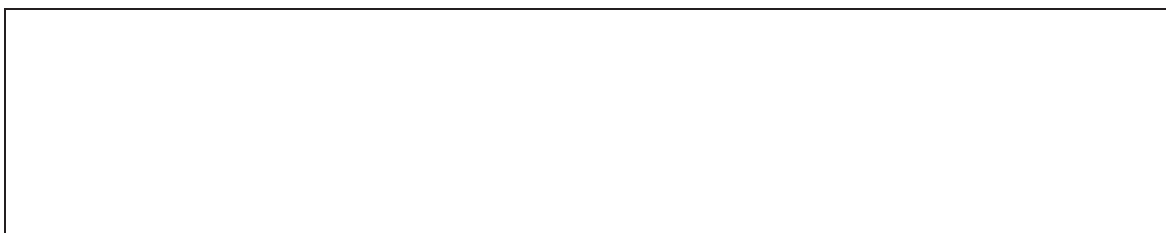
Provide Image (insert file or cut and paste) :



[sch4p4(6) Personal information]

**Section
185 (2) (a)**

**Delegate
Comments:**



5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Full exclusion netting as per Schedule 1 (a) of the Code of Practice.

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Identify these suitable prescribed methods:

☒ Exclusion or tunnel netting for the entire crop

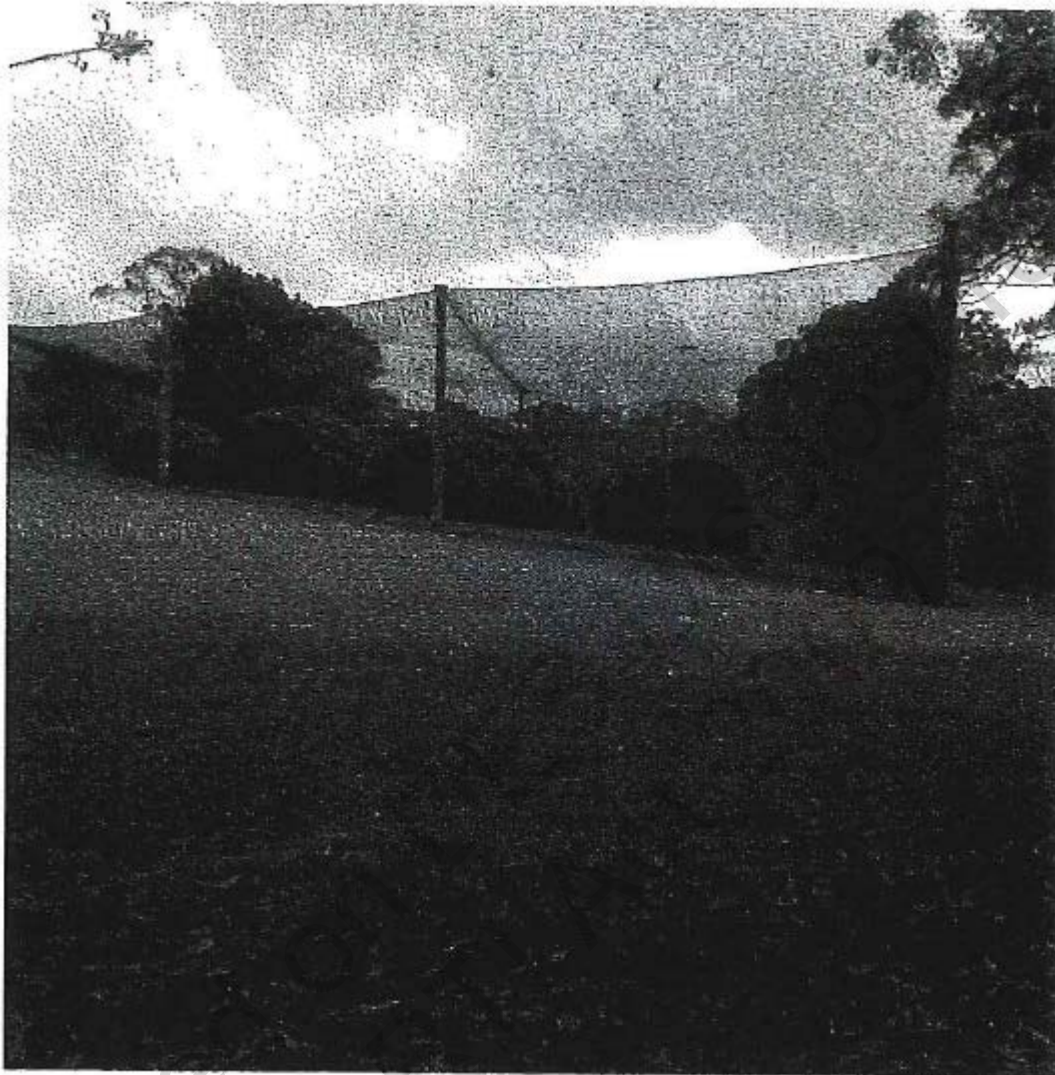
☐ Netting ☐ Sound ☒ Light

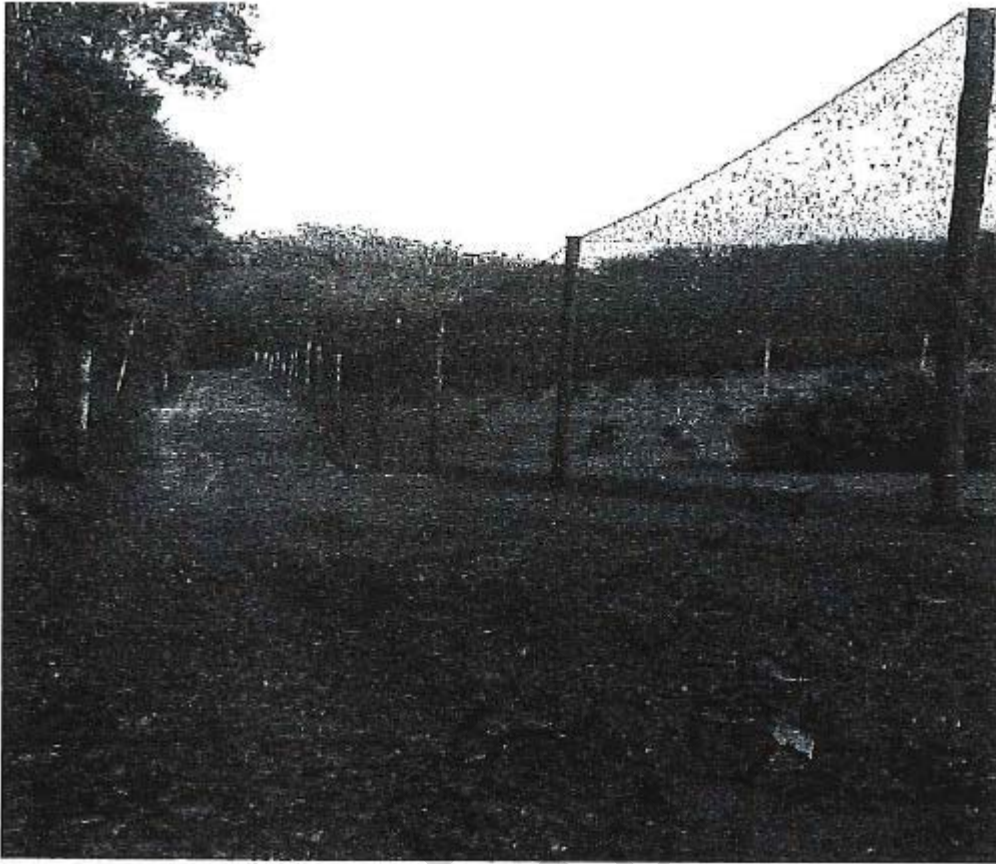
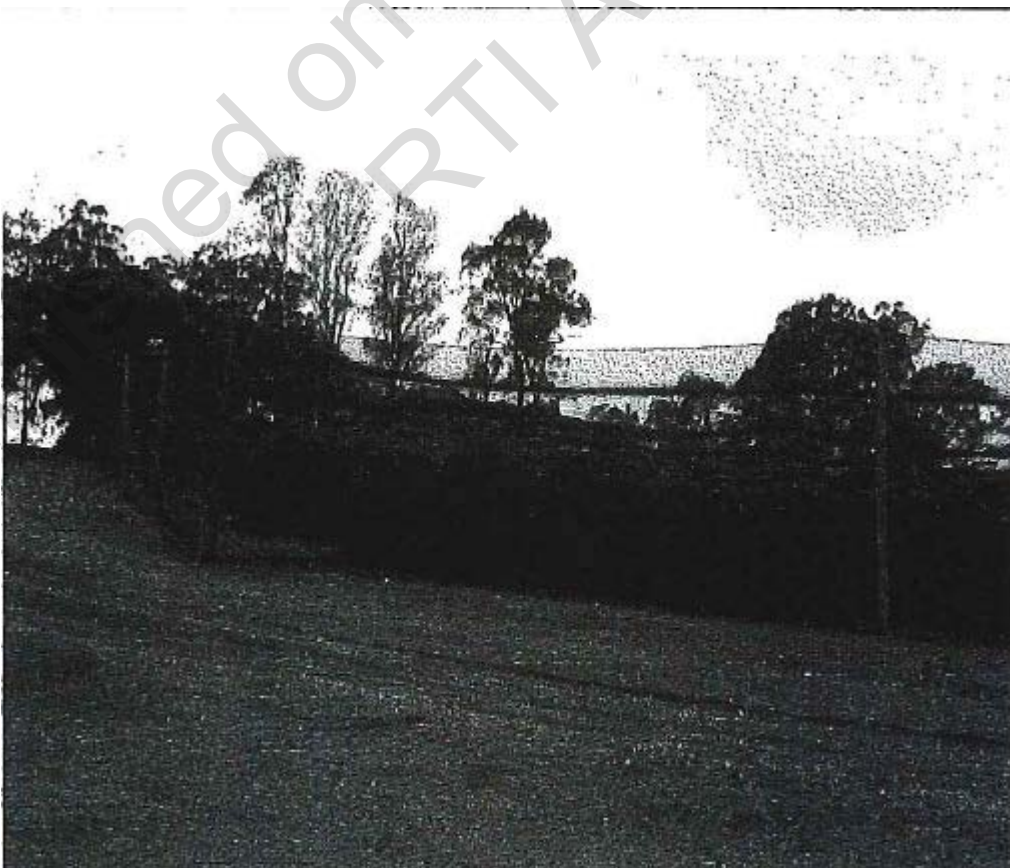
☐ Smoke ☐ Movement ☐ Alternative method

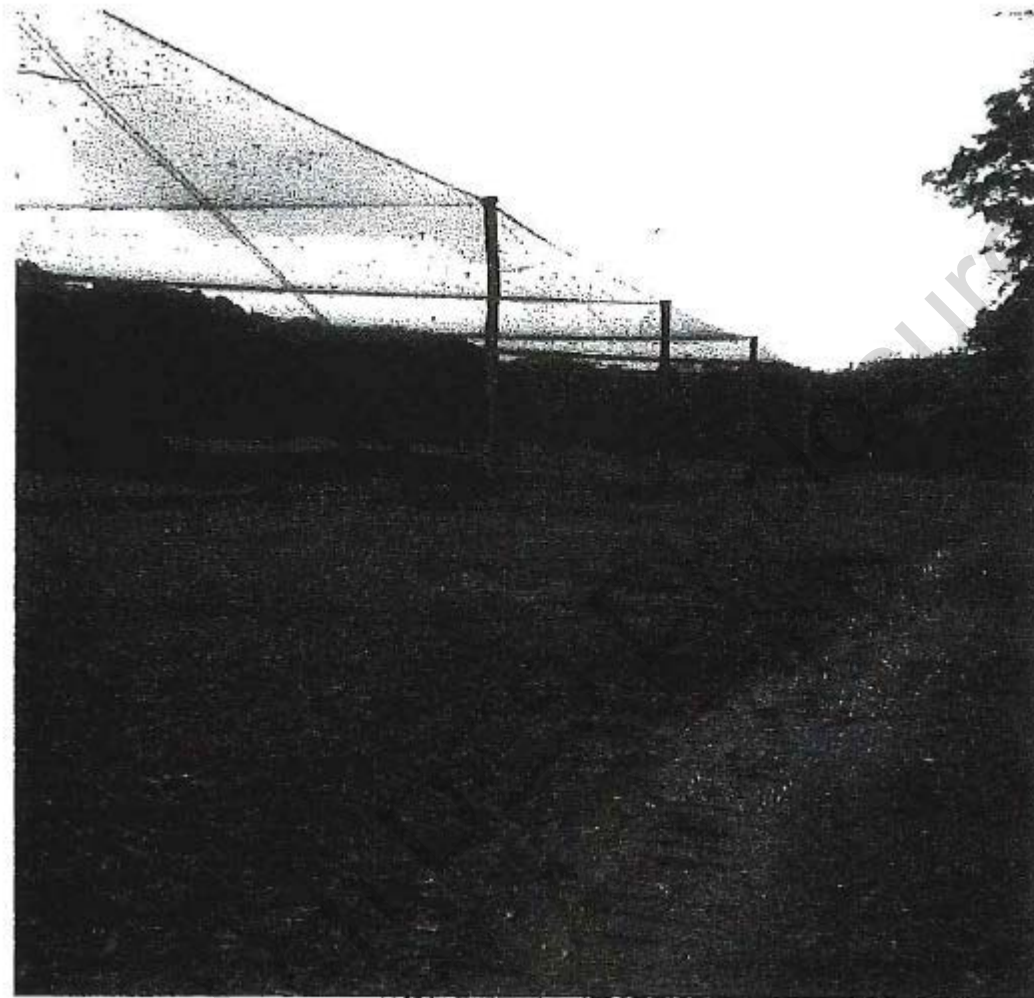
Comments:

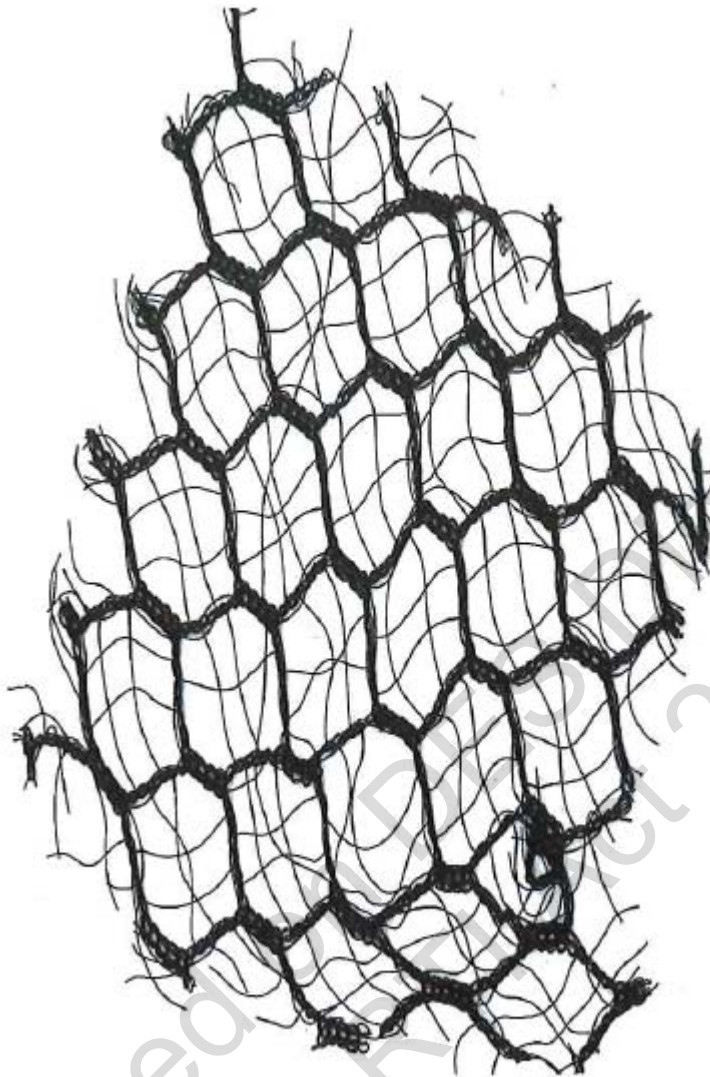
Photos of nets sourced from 2017 application.

Provide Image (insert file or cut and paste) :









Section
185 (2) (b)
Delegate
Comments:

--

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

Assessment form

Damage mitigation permit (culling and dispersal)

(c) *If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;*

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes

☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Provide image if appropriate (insert file or cut and paste) :

**Section
185 (2) (c)**
**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) *Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;*

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments: Quantities are the maximum allowed per month per species as stated within the Operational Policy: Ecologically sustainable lethal take of flying-foxes for crop protection.

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	0	0	0	0	0%
Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar/30 June (delete incorrect quota period)	2450/1050	2800/1200	896/384	6146/2634	
Remaining quota for 1 Mar/30 June (delete	0	0	0	0	0

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

incorrect quota period)					
Remaining quota for year	0	0	0	0	0
% allocated	0	0	0	0	0

**Section
185 (2) (d)**
**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) *The landholder is a commercial crop grower for the land;*

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: Lychees

**Section
185 (2) (e)**
**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) *The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code*

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments: Applicant reminded of obligations to abide by the Code of Practice for the ecologically sustainable lethal take of flying-foxes for crop protection.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (f)**

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

The applicant has identified the disposal site is located on the property, in ground burial.

Coordinates:

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>No</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No, the annual quotas for all three species have not yet been reached. This will be the 15th flying fox DMP issued in the 2017-2018 period.</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>No</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Relevant protocols are included in the Code of Practice: Ecologically sustainable lethal take of flying-foxes for crop protection.</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the</i> 	☐

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

<p><i>permit that has not been addressed?</i></p> <p>No</p>	
<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>Yes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>No recovery plans are present for the black flying-fox or the little-red flying fox. A federal draft recovery plan for the Grey-headed flying fox exists. The issuing of this permit is not inconsistent with the draft recovery plan.</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☐ Yes ☐ No

If yes:

a) Are names and contact details recorded?

☒ Yes ☐ No

b) Are communication means described and satisfactory?

☒ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments:

s.73 irrelevant information is the person in charge. s.73 irrelevant information may also act as a another shooter. s.73 irrelevant information maintains shooters will remain in constant contact with only one person typically shooting to ensure lethal take does not exceed numbers on permit.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

Proposed dates: 1/1/2018 - 1/4/2018

Is this application for a three month 'lethal take of flying-foxes' DMP?

☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Has permission for access been given?

☒ Yes ☐ No

Comments:

Applicant had held one flying-fox DMP previously for 2017 (WIMP18104717). RoO's provided indicate during this time no flying-foxes were lethally taken.

13. Ecotrack conditions

a) Standard conditions – 'lethal take of flying-foxes' activity

☐ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☒ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☒ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported x☒ Not supported ☐

Name:

Position:

Date:

Comments:

Daniel Guymer

Wildlife Officer

2/1/2018

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Name: Simon Booth

Position: Senior Wildlife Officer

Date:

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Comments:

15. Manager/delegate approval:

Approved ☐

Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To: s.73 irrelevant information
s.73 sch4n4(6).Personal
MOOLOOLAH VALLEY
QLD 4553
Australia

Our reference: APP0010680

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 21 December 2017 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0004397	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0004397.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Frank Mills
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 03 January 2018

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017.

Permit number: WA0004397

Valid from: 03 January 2018 to 02 April 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:		s.73 sch4p4(6) Personal MOOLOOLAH VALLEY QLD 4553 Australia
Person In Charge:	s.73 irrelevant information	s.73 sch4p4(6) Personal MOOLOOLAH VALLEY QLD 4553
Business name:		ABN/ACN /
Activity location/licensed premises	s.73 j sch4p4(6) Personal	MOOLOOLAH VALLEY QLD 4553

Schedule

Species details	Category	Quantity	Unit
little red flying-fox, <i>Pteropus scapulatus</i>	Live	90	
grey-headed flying-fox, <i>Pteropus poliocephalus</i>	Live	60	
black flying-fox, <i>Pteropus alecto</i>	Live	90	

Frank Mills
Department of Environment and Heritage Protection
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@ehp.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 03 January 2018

Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR01 A return of operations is required to be sent to EHP either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided:
- within 10 business days after each 3 month period after the permit has been granted, and
- upon expiry.
You must keep a copy for your records, see www.ehp.qld.gov.au
This requirement may be found in section 188 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only. This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2017
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection, see www.ehp.qld.gov.au

Condition

Nature Conservation

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.

Information Sheet

This information sheet is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Department of National Parks, Sport and Racing.

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Heritage Protection using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

File Note

File Reference:

Print and file when complete.

Date: 3/1/2017

File Name: Lethal Flying-fox DMP- [s.73 irrelevant]

Subject (Detail): Phone conversation

- Tuesday 2nd January 2017 at approx. 4:00pm WO Daniel GUYMER contacted [s.73 irrelevant] to discuss her lethal flying-fox DMP application. GUYMER noted that [s.73 irrelevant] had an identical DMP last year and asked how the flying-fox numbers seemed in relation to the past. [s.73 irrelevant] stated that the flying-foxes only appeared seasonally (Jan.-Apr.) and that it was hard to discern yet if there was any difference yet in population numbers visiting her property. [s.73 irrelevant] recounted a story in her application detailing how three (3) flying-foxes became stuck in the exclusion net last year and could not be removed in fear of stressing out the animals. This section of crop was subsequently left unharvested and resulted in economic loss. GUYMER asked if there was much cost associated with the upkeep of exclusion netting to which [s.73 irrelevant] stated that at that point in time there had not been, however it was very labour intensive to peruse the entire net for breaches in a cherry picker. [s.73 irrelevant] remarked that the animals causing the most amount of damage to the crops were rainbow lorikeets which had the ability to squeeze through gaps in the netting. No other flying-fox deterrents had been utilised by [s.73 irrelevant] aside from the full exclusion netting. GUYMER reminded [s.73 irrelevant] of her obligations to abide by the Code of Practice for sustainable lethal take of flying-foxes for crop protection. GUYMER noted that on [s.73 irrelevant] return for last year that no flying-foxes were lethally taken and reminded [s.73 irrelevant] of obligations to provide these returns ten (10) days after the permit expires. [s.73 irrelevant] stated that it was not necessary for the farm to cull any flying-foxes last year but the permit was good to have as a contingency plan. GUYMER noted that [s.73 irrelevant] was now the person in charge of the permit as opposed to [s.73 irrelevant] who is listed as another authorised person under the permit. GUYMER reminded [s.73 irrelevant] to constantly communicate with [s.73 irrelevant] when hunting to ensure take quotas do not exceed permitted numbers. The disposal site was confirmed to be the same as the previous year, coordinates on the property identified as [sch4p4(6) Personal information s.73 irrelevant] asked GUYMER if he was processing another DMP application she had made for rainbow lorikeets, to which GUYMER responded in the negative. GUYMER thanked [s.73 irrelevant] for the call and stated that someone else would likely call in relation to the rainbow lorikeets application.

Date: 3/1/2017

Author: Daniel Guymer
Position: OO5 Wildlife Officer
Unit/Office: Cairns
Phone: 42225111

Return of operations

Damage mitigation permit (lethal take of flying-foxes for crop protection)

Wildlife Management

Note:

A separate 'return of operations' must be submitted every three months from the permit start date (within 10 days), and at the expiry of the permit (within 10 days). Failure to do so is an offence under the *Nature Conservation (Wildlife Management) Regulation 2006*.

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

Send each completed return to Permit and Licence Management-

Email: palm@ehp.qld.gov.au

Or Facsimile: (07) 3330 5875

Permit holder's name:	s.73 irrelevant information
Permit number:	WIMP18104717
Permit start date:	14/01/2017
Permit expiry date:	12/04/2017
Permit holders address:	s.73 [sch4p4(6) Personal inform] MOOLOOLAH QLD 4553
Address where permitted actions took place:	s.73 [sch4p4(6) Personal inform] MOOLOOLAH QLD 4553

[illegible]

Note: To insert extra lines in Windows 7, click on the 'Home' tab, click on the 'Insert' drop down menu and select 'Insert Sheet Rows'.

File Note

File Reference: APP0017709

Date: 08/05/2018

File Name: APP0017709 - [s.73 irreleva]

Subject (Detail): Amendment of permit dates - Lethal Damage Mitigation Permit (flying foxes)

- **Approval** recommended for a [s.73 irrelevant informat] to obtain a Lethal Damage Mitigation Permit (LDMP) to take flying fox species – *Pteropus alecto*, *Pteropus poliocephalus*, *Pteropus scapulatus* under section 12(a) of the NCA Administration Reg 2017.
- **Background:** This is an amendment for an earlier issued LDMP (APP0013339). Permit upon delegate approval was issued by CONNECT with incorrect dates (date given was same date as delegate approval) compared to what was requested by applicant. Applicant notified DES and requested amendment. New application (APP0017709) valid dates from 8 May to 7 August 2018.
- Delegate approval for LDMP for flying foxes is at Category 1, 2 and includes Director.
- 12/02/2018, YOUNG contacted [s.73 irreleva] via phone leaving message on answering machine to no avail. YOUNG followed up with email to confirm the following questions:
 - Estimated \$\$\$ value of damage from previous year of flying foxes?
 - Clarify three month maximum term of permit?
 - Mitigation measures, firearms licence and species identification?
- 13/02/2018, [s.73 irreleva] responded to email and confirmed the following details:
 - ◆ Estimated economic loss as minimal, <\$5000 damage to crops.
 - ◆ Requested three month permit from 15/04/2018 to 14/07/2018.
 - ◆ Possesses current firearms licence [sch4p4(6) Person] and uses a registered shotgun when required.
 - ◆ Confirmed many years of identification experience of flying foxes and uses the Code of Practice for management and identifying species.
 - ◆ Confirmed their non-lethal mitigation measures were ineffective over the past 10 years.
- [s.73 irreleva] has held previous LDMP from 2008 onwards on the same property and has consistently and lawfully abided by the Code of Practice and provided return of operations every three months. Previous permit #: WIMP18243317 - 01/04/2017 to 30/06/2017.
- YOUNG also provided [s.73 irreleva] with information regarding the Queensland Rural and Industry Development Authority's 'Sustainability Loan Program' to acquire exclusion netting if needed to mitigate their economic losses : <http://www.qrida.qld.gov.au/current-programs/Productivity-Loans/sustainability-loan/Sustainability-Loan-Primary-producer>

File Note

Date: 8/05/2018

Author: Gary Young

Position: Conservation Officer

Unit/Office: WAT Cairns

Phone: 4222 5114

Published on DES Disclosure Log
RTI Act 2009

Application form

Section 12(a) — Nature Conservation (Administration) Regulation 2017

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

1 Important information for applicants

Applications can be made using the Department's digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit www.ehp.qld.gov.au/connect for more information.

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>, and the code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Heritage Protection is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, EHP will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on **1300 130 372 option 4**.

2 Terms and Conditions

Permits, licences and authorities Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native birds, reptiles, mammals and amphibians are protected, along with some invertebrates (certain butterflies, spiders and scorpions), freshwater fish and the grey nurse shark. Other aquatic species are protected by the Department of Agriculture and Fisheries, the Great Barrier Reef Marine Park Authority and the Australian Government. A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using or moving of wildlife for commercial, recreational or other purposes we contribute to the maintenance of viable wild populations of plants and animals. The type of approval(s) you will need depends upon a number of things, including:

- The nature and purpose of your proposed activity
- The tenure of the area in which you intend to undertake your activity and
- The species of wildlife concerned

To apply for permits:

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

- within the protected area estate (except nature refuges and special wildlife reserve) as defined in the Nature Conservation Act 1992 (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or
- within a marine park under the Marine Parks Act 2004; or
- within State forest estate under the Forestry Act 1959 (e.g. state forests and timber reserves)

Please contact the Department of National Parks, Sport and Racing

Note: Corporations must have an office in Queensland to be eligible to apply for a wildlife authority.

The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on-line on the Office of Queensland Parliamentary Counsel website.

Privacy statement for wildlife permits

Information you provide assists the Department of Environment and Heritage Protection (EHP) to administer wildlife licences, permits and authorities granted under the Nature Conservation (Wildlife Management) Regulation 2006.

Some information may be provided to the Departments of National Parks, Sport and Racing; Agriculture and Fisheries; Science, Information Technology and Innovation; Health; Queensland Police Service or the Australian Defence Force in order investigate biosecurity or health issues or allegations of unlawful activity, if required.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Information regarding your status as a holder of a permit may be provided to any party upon request. Your personal information will not be disclosed to any other parties without your consent unless authorised or required by law.

More information on our commitment to privacy is available on our website. Should you have a general question on the Department and its obligations under the Information Privacy Act 2009 please email privacy@ehp.qld.gov.au or for specific questions concerning privacy information and wildlife activities please email: wildlife.management@ehp.qld.gov.au

1. You may only lodge this application if you have accepted the above terms and conditions

3 ☒ I accept the above terms and conditions.

2. All questions must be answered and the applicable fees included (if required) for the application to be processed. If you do not complete all questions and sign and date the application form, your application will be returned to you as an invalid application.

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

3. 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 4 applicant details in full — then go to section 6**
- ☐ **AN ORGANISATION** → **Complete Section 5 applicant details — then go to section 6**

4. Applicant details for an individual

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH
☒ Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Doctor ☐ Prof	s.73 irrelevant information			sch4p4(6) Pe

5. Applicant details for an organisation

Organisation type –

- ☐ Company ☐ Australian registered (foreign) body ☐ Incorporated association
- ☐ Co-operation ☐ Government ☐ Non for profit organisation

*AUSTRALIAN BUSINESS NUMBER	* BUSINESS NAME
CEO	ABN

6. Applicant registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 irrelevant information	Mundubbera	Qld	4626
(WRITE 'AS ABOVE' IF SAME AS REGISTERED/RESIDENTIAL ADDRESS)			
POSTAL ADDRESS	SUBURB	STATE	POST CODE
s.73 irrelevant in	Gayndah	Qld	4625

7. Applicant contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE	AREA CODE	PHONE NUMBER (NOTE: 10 DIGITS INCLUDING AREA CODE)	
☒ Home phone ☐ Office phone ☐ Mobile phone ☐ Facsimile	07	s.73 irrelevant in	

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

8. Permit activity

☒ Culling to prevent damage or loss

☒ Lethal take of flying-fox. Use this application type if you are a commercial fruit grower and intend to use lethal control to kill flying foxes for the purposes of fruit crop protection only where non-harmful measures have been attempted and failed.

9. Code of Practice

I can comply with the Code of Practice

☒ Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

10. Location of the activity

Please provide exact location of where this activity will occur by either Lot on Plan or physical street address, if required attach additional documentation.

* PHYSICAL STREET ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL /REGISTERED ADDRESS)	* SUBURB	* STATE	* POST CODE
		*	

OR

* LOT# AS	* PLAN#
sch4r	sch4p4(6)

OR

GPS LOCATION

11. Wildlife details

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

COMMON NAME	SCIENTIFIC NAME	NUMBER
Red flying fox		30
Black flying fox		30
Grey headed flying fox		20

12. Start and completion dates

Please enter the proposed start and completion dates for the project

START DATE 1/4/2018	FINISH DATE 30/9/2018
------------------------	--------------------------

13. Potential for damage or significant economic loss

Permits are exclusively granted to commercial crop growers. Please identify the crop at risk and the cause for concern.

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

- ☒ Fruit type/s crop
- ☐ Non-fruit type/s crop

PROVIDE DETAILS OF THE TYPE OF CROP Citrus fruit

Please identify the cause for concern.

- ☒ I have suffered actual damage this season or in the past season.
- ☐ Someone in the surrounding area growing the same or similar crop incurred damage this season or in the past season.
- ☐ Neither myself or anyone in the surrounding area have incurred damage this season or in past season.

Why do you believe you may suffer significant economic loss if not granted a permit?

I have found no other way to deter flying foxes from my crop. There are significant flying fox camps in the close proximity.
--

14. Previous non-lethal damage mitigation

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Which non-lethal deterrence methods are in use?

Note: exclusion or tunnel netting is defined in the code of practice as "netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags."

If exclusion netting IS NOT used, a minimum of two other non-lethal mitigation methods must have been attempted.

- ☐ Exclusion or tunnel/drape netting for entire crop
- ☐ Netting

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	
When the netting is installed as detailed in the code of practice, what is the mesh size?	

☒ Sound

Detail the type and volume of the sounds being used to deter the flying foxes.	Vehicle noise, Radio, Gunshots
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	POOR: FLYING FOXES SIMPLY MOVE TO OTHER AREAS OF ORCHARD AND IT IS IMPRACTICAL TO MAINTAIN THESE METHODS ALL NIGHT

☐ Light

How many lights/light towers are in operation and what is the wattage per light/light tower?	
Describe how light is protecting all areas of the crop where exclusion netting is not present.	

☐ Smoke

How many foggers / controlled fires are in operation?	
Describe how smoke is protecting all areas of the crop where exclusion netting is not present.	

☒ Movement

What movement-generating equipment is being used to deter flying-foxes?	VEHICLE MOVEMENT THROUGH TREE ROWS
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	Chases flying foxes from tree to tree. Cannot do this from dusk till dawn every night

☒ Alternative method

What alternative method is being used to deter flying-foxes?	Wait for the scouts at dusk and fire into the air when they arrive.
Describe how the alternative method is protecting all areas of the crop where exclusion netting is not present.	If timing is right it is helpful but you can't be everywhere and it is easy to miss their arrival and once in they are difficult to move without actually shooting. It has worked okay in the past but only when flying fox pressure was low

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

15. Provide photos to substantiate the information provided in the non-lethal mitigation questions.

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons.

- ☐ Attached are photos to substantiate the information provided in the non-lethal mitigation questions
- ☒ Please refer to photos supplied last year, or the year before that.

16. Designate a location for the disposal site:

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an EHP or conservation officer.

Specific location/description of disposal site.	Small washout adjacent to Orchard block J (see map)
Geographical coordinates.	

The location must be clearly delineated by GPS coordinates and an attached map.

- ☐ Map attached
- ☒ Please refer to the map supplied last year, or the year before that.

17. Permission for Queensland Government Officers and communication between multiple shooters

Note: Section 145 of the *Nature Conservation Act 1992* allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

- ☒ I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.
- ☐ Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

18. Provide the name(s) of the person(s) operating under this permit

Complete this section if person(s) other than the applicant will be operating under this permit. Use an attachment if insufficient space.

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

19. Application questions

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 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	

20. Effective Date

Select an effective date Decision Date ☐ or Nominated Date 1/4/2018

21. Person in Charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

Nominate Person in Charge*

☒ Same as applicant ☐ Alternate person in charge

Application form

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Person in Charge Identity Details

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH

Person in Charge Registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
AS ABOVE			

(WRITE 'AS ABOVE' IF SAME AS REGISTERED RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE

Person in Charge contact details – email or phone contact is mandatory.

EMAIL ADDRESS			
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE ☐ Home phone ☐ Office phone ☐ Mobile phone ☐ Facsimile		AREA CODE	PHONE NUMBER: NOTE: 10 DIGITS (INCLUDING AREA CODE)

22. Application Contact Details

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

☒ Same as applicant ☐ Alternate contact details

*NAME OR POSITION	*PRIMARY PHONE. NOTE: 10 DIGITS (INCLUDING AREA CODE)	EMAIL ADDRESS	SECONDARY PHONE

23. Applicant's signature

APPLICANT'S NAME s.73 irrelevant inform	
APPLICANT'S SIGNATURE	DATE 2/2/2018

24. Applicant checklist

- ☐ All questions on application form completed, signed and dated.
- ☐ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

No Photos Provided

Published on DES Disclosure Log
RTI Act 2009

23. Applicant's signature

APPLICANT'S NAME s.73 irrelevant informa	
APPLICANT'S SIGNATURE sch4p4(6) Personal inform	DATE 2/2/2018

24. Applicant checklist

- ☒ All questions on application form completed, signed and dated.
- ☒ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**
Facsimile: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:	12/02/2018
Assessing Officer:	Gary Young
Project Ref:	APP0013339
Permit Ref:	

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒ Corporation ☐

Individual or corporation name:

s.73 irrelevant information

Person in charge (if corporation):

ABN/ACN number

sch4p4(6) Personal

Lot on Plan details

sch4p4(6) Personal inform

Property Location (GPS etc):

sch4p4(6) Personal informati

Address:

s.73 ir sch4p4(6) Personal information Mundubbera QLD 4626

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
(a) a least concern animal; or
(b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☒			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	30
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	20
little red flying-fox	<i>Pteropus scapulatus</i>	Live	30

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe: All species currently listed as Least Concern under the NCA.

Section
182

Delegate
Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

- (a) The flying-fox is causing or may cause, damage to crops

Identify the crop type: ☒ Fruit ☐ Non-fruit

Assessment form

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage

☐ OR

Damage to surrounding crop (within 5 km)

☐ OR

Other

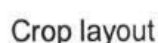
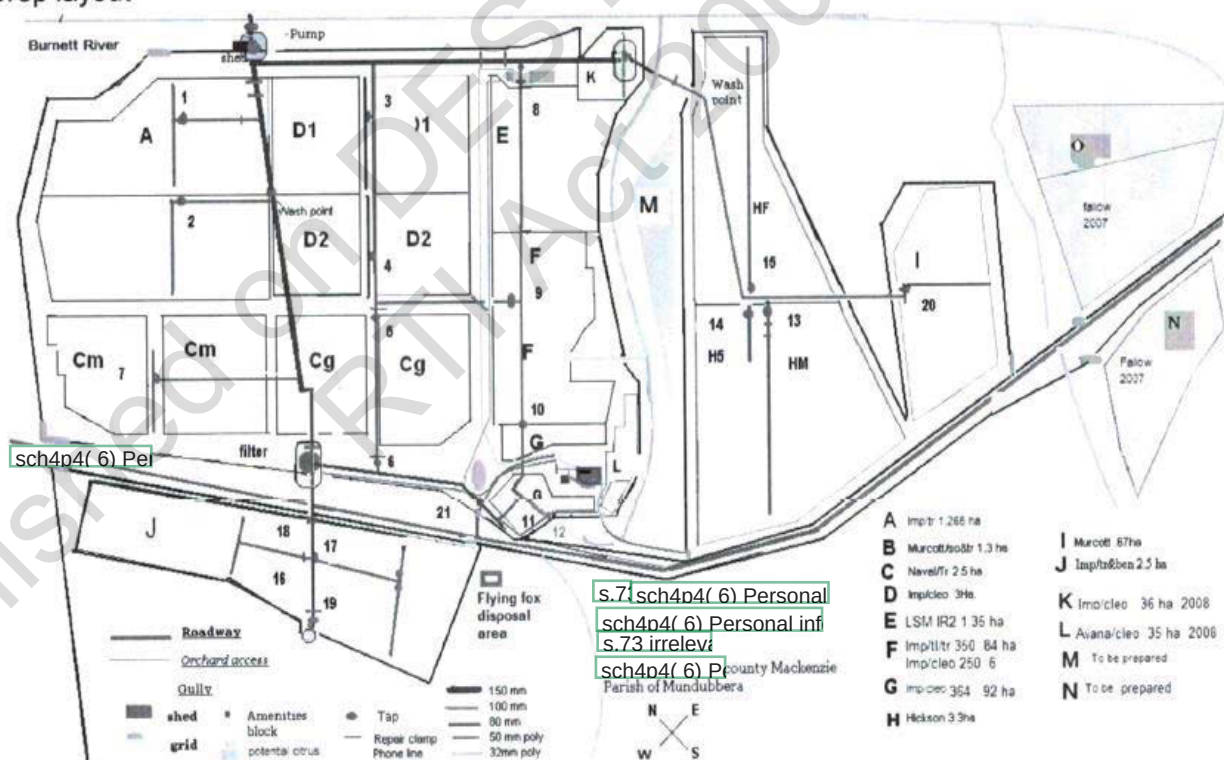
7

Describe:

Client has stated that suffered economic loss this season, <\$5000 value.

Client has held several DMP permits in the past and provided various photos with examples of damage in those applications.

Provide Image (insert file or cut and paste) :



02/12/2013

Overview of orchid



Section
185 (2) (a)
Delegate
Comments:

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe:

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Identify these suitable prescribed methods:

- ☐ Exclusion or tunnel netting for the entire crop
- ☐ Netting ☒ Sound ☐ Light
- ☐ Smoke ☒ Movement ☒ Alternative method

Comments: Movement: Driving vehicles through tree rows. Poor result, flying foxes simply move to other area and impractical to maintain all night.

Sound: Playing radio through speakers at dusk. Not effective.

Alternative: Indirectly firing gunshot into air as a warning shot (has had success when numbers are low)

Provide Image (insert file or cut and paste) :

**Section
185 (2) (b)**
**Delegate
Comments:**

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

(c) If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;

Assessment form

Damage mitigation permit (culling and dispersal)

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes ☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Applicant, although has had DMP for the past two years has not taken any flying foxes as stated on their Return of Operation forms. Applicant stated pressure was low and therefore cannot provide photos in evidence of damage, although described some economic loss as there are roosts adjacent to their crops. Applicant has provided photos in the past of damage of birds for other DMPs. Applicant sees this DMP as precautionary in case of return of high numbers of flying foxes this year.

Provide image if appropriate (insert file or cut and paste) :

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments:

Quantity is within quota per 3 month period.

Black flying-fox: 30 per month

Grey-headed flying fox: 20 per month

Little red flying fox: 30 per month

Note: permit is within second quota for year (March to June)

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
Allocation:	1 September – 1 March	2 March – 30 June	
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	0	0	0	0	0%

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Yearly Quota	3500	4000	1280	8780	
Quota to 1 Mar/30 June (delete incorrect quota period)	2450/1050	2800/1200	896/384	6146/2634	
Remaining quota for 1 Mar/30 June (delete incorrect quota period)	0	0	0	0	0
Remaining quota for year	0	0	0	0	0
% allocated	0	0	0	0	0

**Section
185 (2) (d)**

**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) *The landholder is a commercial crop grower for the land;*

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: 100 ha plus of various fruit crops (mainly oranges) and has been viable for over 10 years.

**Section
185 (2) (e)**

**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) *The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code*

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Comments:

**Section
185 (2) (f)**

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

Disposal site located as small washout adjacent to Orchard block J, as shown on Map in section 4. This disposal site has remained consistent as per previous applications.

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>no</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>no</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>no</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>not stated</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>yes</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>no</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the permit that has not been addressed?</i> <p>no</p>	☐

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>yes</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>no</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>no recovery plan currently exists in QLD for the stated species. However, from 24 April 2017, there is a draft federal recovery plan (dept. environment and energy) for the grey-headed flying fox in effect.</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☒ Yes ☐ No

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

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

Multiple shooters?

☐ Yes ☒ No

If yes:

a) Are names and contact details recorded?

☐ Yes ☐ No

b) Are communication means described and satisfactory?

☐ Yes ☐ No

Has a field assessment been completed? (attach copy)

☐ Yes ☒ No

Comments:

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

Applicant confirmed permit dates for three month period via email, from 15/04/2018 to 14/07/2018. Initial application requested six months.

Is this application for a three month 'lethal take of flying-foxes' DMP?

☒ Yes ☐ No

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Has permission for access been given? ☒ Yes ☐ No

Comments:

13. Ecotrack conditions

a) Standard conditions – ‘lethal take of flying-foxes’ activity

☒ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☒ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☒ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported ☒ Not supported ☐

Name:

Position:

Date:

Comments:

14. Senior conservation officer endorsement: (where applicable)

Supported ☒ Not supported ☐

Name: Gary Young

Position: Conservation Officer

Date:
12/02/2018

Comments:

15. Manager/delegate approval:

Approved ☐ Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To:

s.73 irrelevant information

GAYNDAH
QLD 4625
Australia

Our reference: APP0017709

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 08 May 2018 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0007574	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0007574.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Michael Joyce
Department of Environment and Science
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@des.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 21 May 2018

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017.

Permit number: WA0007574

Valid from: 21 May 2018 to 20 August 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:		s.73(1) sch4p4(6) Personal information GLENRAE QLD 4626 Australia
Person In Charge:	s.73 irrelevant information	s.73(1) sch4p4(6) Personal information GLENRAE QLD 4626
Business name:		ABN/ACN /
Activity location/licensed premises	sch4p4(6) Personal	

Schedule

Species details	Category	Quantity	Unit
little red flying-fox, Pteropus scapulatus	Live	30	Individuals
black flying-fox, Pteropus alecto	Live	30	Individuals
grey-headed flying-fox, Pteropus poliocephalus	Live	20	Individuals

Michael Joyce
Department of Environment and Science
Delegate of the administering authority
Nature Conservation Act 1992

Date issued: 21 May 2018

Enquiries:
Wildlife Assessment Team
Email: wildlife@des.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

Legislative Requirements

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only. This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2017
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection, see www.des.qld.gov.au
- This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection, see www.des.qld.gov.au

Conditions

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.
- DMS07 (S) A return of operations is required to be sent to DES either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
- The required details must be provided within 10 business days after each 1 month period after the permit has been granted and upon expiry.
- You must keep a copy for your records, see www.des.qld.gov.au

Information Sheet

This information sheet is issued by the Department of Environment and Science to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive cannot grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive cannot grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Queensland Parks and Wildlife Service.

This notice is issued by the Department of Environment and Science to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Science using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provides for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Science must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPChome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

This form is to be used to assess an application for a damage mitigation permit (DMP) under the Nature Conservation (Wildlife Management) Regulation 2006 (the Wildlife Management Regulation) for culling of flying-foxes for crop protection. Assessment must consider the requirements of the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection.

Date:	07/06/18
Assessing Officer:	Rolf Nilsson
Project Ref:	
Permit Ref:	APP0018844

1. Applicant name and address:

A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland). Is the applicant an individual or corporation?

Individual ☒ Corporation ☐

Individual or
corporation name:

s.73 irrelevant information

Person in charge
(if corporation):

ABN/ACN number

Lot on Plan details

s.40(6) Personal info

Property Location
(GPS etc):

s.40(6) Personal info

Address:

s.7(1) s.40(6) Personal info Doolbi QLD 4660

2. DMP type:

A permit will only be issued for section 185 (2) of the Wildlife Management Regulation for damage or loss caused, or likely to be caused by a flying-fox to crops.

☒ Culling of flying-foxes to prevent damage to crops

3. Legislative requirement - Section 182 – General restriction about animals for which permit may be granted

Section 182 of the Wildlife Management Regulation:

- 1) The chief executive may grant a damage mitigation permit only for—
 (a) a least concern animal; or
 (b) an endangered, vulnerable or near threatened animal.
- (2) However, for a damage mitigation permit for an animal mentioned in subsection (1) (b), other than a damage mitigation permit (removal and relocation of wildlife), the chief executive must not grant the permit unless a conservation plan authorises the holder of a damage mitigation permit to take the animal under the permit.

Species:

All damage mitigation permits for culling of flying-foxes for crop protection must list the following schedules as described below.

Have species and location been listed on permit? ☒ Yes ☐ No

Confirm NCA- Least concern* ☐			
Common name	Scientific name	Category	Quantity
black flying-fox	<i>Pteropus alecto</i>	Live	90
grey-headed flying-fox	<i>Pteropus poliocephalus</i>	Live	60
little red flying-fox	<i>Pteropus scapulatus</i>	Live	90

*These species are currently listed as least concern (NCA), however if EVNT (endangered, vulnerable or near threatened), indicate if consistent with the conservation plan.

Describe: All least concern - consistent with the conservation plan.

Section
182

Delegate
Comments:

4. Legislative requirement: Section 185 (2) (a) of the Wildlife Management Regulation

Section 185 (2)(a):

- (a) The flying-fox is causing or may cause, damage to crops

Identify the crop type: ☒ Fruit ☐ Non-fruit

Assessment form

Damage mitigation permit (culling and dispersal)

Has the applicant provided sufficient information to demonstrate that they may suffer damage to crops?

☒ Yes ☐ No

If non-fruit:

Past/current season damage

☐ OR

Damage to surrounding crop (within 5 km)

☐ OR

Other

☐

Describe:

The applicant states that the flying-foxes have the potential to destroy the entire crop in one week without control. Image not provided with current application but was provided with 2017 application (see images below).

Provide Image (insert file or cut and paste) :



**Section
185 (2) (a)**

**Delegate
Comments:**

5. Legislative requirement: Section 185 (2) (b) of the Wildlife Management Regulation

Section 185 (2) (b)

Assessment form

Damage mitigation permit (culling and dispersal)

(b) The landholder of the land on which the flying-fox is causing, or may cause, damage has made a reasonable attempt to take any action the flying-fox damage mitigation code states the landholder must take to prevent or control the damage;

Has the applicant listed prescribed (non-harmful) methods tried in the last 5 years? ☒ Yes ☐ No

Describe: Details of gas-gun and light deterrant is provided in Attachments 1 and 2 respectively (see images below).

Has the applicant listed what non-lethal deterrence methods are currently in use, prior to crop ripening?

☒ Yes ☐ No

Identify these suitable prescribed methods:

- ☐ Exclusion or tunnel netting for the entire crop
- ☒ Netting ☒ Sound ☒ Light
- ☐ Smoke ☒ Movement ☒ Alternative method

Comments: Adequate detail of the non-lethal deterrence methods supplied in application form (see Section 14; Attachment 3). The applicant is currently purchasing and installing exclusion netting and hopes to have the entire crop covered this year; however they may not get the entire crop covered in time to prevent significant damage and subsequent economic loss.

Provide Image (insert file or cut and paste) :



GAS GUN



LIGHT DETERRANT

**Section
185 (2) (b)**

**Delegate
Comments:**

6. Legislative requirement: Section 185 (2) (c) of the Wildlife Management Regulation

Section 185 (2) (c)

Assessment form

Damage mitigation permit (culling and dispersal)

(c) *If the damage is not prevented or controlled the landholder may suffer significant economic loss as defined under the flying-fox damage mitigation code;*

The Operational Policy – Ecological sustainable lethal take of flying-foxes for crop protection states that where the applicant is growing a fruit crop it will be usually reasonable to assume that flying-foxes may cause damage to the crop and that the applicant may suffer significant economic loss, unless there are specific circumstances which suggest otherwise.

Is the crop a fruit crop?:

☒ Yes

☐ No

If no has the applicant provided evidence as identified in section 4 regarding the likelihood of damage to crops or significant economic loss?

Describe:

Provide image if appropriate (insert file or cut and paste) :

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

**Section
185 (2) (c)**

**Delegate
Comments:**

7. Legislative requirement: Section 185 (2) (d) of the Wildlife Management Regulation

Section 185 (2) (d)

(d) *Action under the permit will not adversely affect the survival of the species of flying-fox in the wild;*

Note that under section 185 (3) the chief executive can not grant a damage mitigation permit for taking a flying-fox of a particular species in a financial year after the total permit number for the species for the financial year has reached the maximum permit number for the species.

Is the quantity consistent with the numbers permitted per permit? ☒ Yes ☐ No

Comments: Application is for a three month permit comprising 30 x little red flying-fox, 30 x black flying-fox and 20 x grey-headed flying-fox per month.

State quotas for the lethal take of flying-foxes in Queensland for current season are as follows:

Species	Annual Queensland quota (number of animals)		Maximum number per permit (3 month period)
	1 September – 1 March	2 March – 30 June	
Allocation:			
Black flying-fox	2450	1050	90
Grey-headed flying-fox	896	384	60
Little red flying-fox	2800	1200	90

Make sure all documents are submitted for fruit and non-fruit crop applications.

Quota Summary	approved #BFF	approved #LRFF	approved #GHFF	total	%Total
Total Granted (including this permit)	1315	1005	540	2860	32.57%
Yearly Quota	3500	4000	1280	8780	
Remaining quota to 1 Mar	1135	1795	356	3286	
Remaining quota for 30 June	750	990	304	2044	

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Remaining quota for year	2185	2995	740	5920	67.43%
% allocated	62.43%	74.88%	57.81%	67.43%	

**Section
185 (2) (d)**

**Delegate
Comments:**

8. Legislative requirement: Section 185 (2) (e) of the Wildlife Management Regulation

Section 185 (2) (e)

(e) The landholder is a commercial crop grower for the land;

Is the applicant a commercial crop grower?

☒ Yes ☐ No

What is the crop and is it viable?

☒ Yes ☐ No

Comments: The applicant grows peach and nectarine stone-fruit.

**Section
185 (2) (e)**

**Delegate
Comments:**

9. Legislative requirement: Section 185 (2) (f) of the Wildlife Management Regulation

Section 185 (2) (f)

(f) The proposed way of taking the flying-fox complies with the flying-fox damage mitigation code

Has the applicant ticked 'read and understood the Code and agree to abide by it'?

☒ Yes / ☐ No

Comments: The applicant has complied with the flying-fox damage mitigation code for previously held lethal DMP's (flying-fox). Return of operations for last years permit have been provided (See attachments 7 - 9)

**Section
185 (2) (f)**

**Delegate
Comments:**

10. Legislative requirement: Section 185 (2) (g) of the Wildlife Management Regulation

Section 185 (2) (g)

(g) The proposed way of dealing with the flying-fox complies with the flying-fox damage mitigation code

Is the location of activity different to address identified in question 1 ☐ Yes ☒ No

If yes
describe:

Has the applicant identified the notified disposal site? ☒ Yes ☐ No

Describe:

See images (provided in previous years applications) in Attachment 4. Disposal site was also confirmed during a phone conversation (15/06/18 - see file note) with the applicant and by formal RFI (see attachments 5 and 6).

**Section
185 (2) (g)**

**Delegate
Comments:**

11. Legislative requirement: Section 25 of the Nature Conservation (Administration) Regulation 2006 – Considerations to be taken into account by the delegate

Section 25 considerations (to be completed by assessing officer)	Consideration given (delegates use only)
<p>(a) <i>The impact the activities that may be carried out under the DMP may have on the conservation of this or other native wildlife;</i></p> <ul style="list-style-type: none"> <i>Is this proposed activity likely to affect other species?</i> <p>No</p>	☐
<p>(b) <i>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 wildlife;</i></p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce an existing ecologically sustainable use of wildlife?</i> <p>No</p> <ul style="list-style-type: none"> <i>Will the issue of this permit reduce the general public's access to nature?</i> <p>No</p>	☐
<p>(c) <i>Any contribution the applicant proposes to make to the conservation of nature;</i></p> <ul style="list-style-type: none"> <i>Is the applicant proposing to undertake conservation works that will alleviate impacts on the species?</i> <p>No</p>	☐
<p>(d) <i>Any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;</i></p> <ul style="list-style-type: none"> <i>Has there been a search for documents and instruments relating to the species?</i> <p>Yes</p>	☐
<p>(e) <i>The precautionary principle;</i></p> <ul style="list-style-type: none"> <i>Is there any gap in our understanding of impact on the species that should preclude issuing the permit?</i> <p>No</p>	☐
<p>(f) <i>Public health and safety</i></p> <ul style="list-style-type: none"> <i>Is there a public health and safety risk from the activities in the permit that has not been addressed?</i> <p>No</p>	☐

Assessment form
Damage mitigation permit (lethal take of flying-foxes)

<p>(g) <i>The public interest</i></p> <ul style="list-style-type: none"> Is the issue of the permit in the public interest? <p>No</p>	☐
<p>(h) <i>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></p> <ul style="list-style-type: none"> Does the applicant have a conviction relating to the permit activity? <p>No</p>	☐
<p>(k) <i>Any recovery plan for wildlife to which the authority applies.</i></p> <ul style="list-style-type: none"> Has a search been carried out for a recovery plan for the species? <p>Yes</p>	☐

12. Other considerations prior to issuing the permit:

Has the applicant held this type of permit before?

☒ Yes ☐ No

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

☐ Yes ☐ No

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

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

Multiple shooters?

☐ Yes ☒ No

If yes:

a) Are names and contact details recorded?

☐ Yes ☐ No

b) Are communication means described and satisfactory?

☐ Yes ☐ No

Has a field assessment been completed? (attach copy)

☒ Yes ☐ No

Comments:

Initially inspected in 2016. A further site inspection (audit) was conducted 07/11/17 by DES officers due to a noise complaint by neighbours (gun shots at night). No compliance matters were identified. See compliance register - <http://team:6002/ehp/css/ncs/wm/ws/Lists/Register%20%20Compliance/DispForm.aspx?ID=1229>

Has the applicant specified start and completion dates?

☒ Yes ☐ No

Comments:

07/08/2018 - 07/11/2018

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

Is this application for a three month 'lethal take of flying-foxes' DMP? ☒ Yes ☐ No

Is this application for a 3 year DMP and is it accompanied by a Property Management Plan? ☐ Yes ☒ No

Has permission for access been given? ☒ Yes ☐ No

Comments: Applicant was audited in November 2017 as described in Section 12 above.

13. Ecotrack conditions

a) Standard conditions – 'lethal take of flying-foxes' activity

☒ Have the following conditions been added to the permit?

Ecotrack standard condition (ESC)

☐ WI Additional information:

Flying-foxes may only be taken in a way that is specified in the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

☐ WI Important notes:

A Return of operations form must be sent to EHP within 10 business days after the end of the permit, 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

Ecotrack standard conditions –permits issued under a Property Management Plan

☐ This permit must be in conjunction with and in adherence with the approved Property Management Plan (PMP).

10. Recommendation and comment regarding grant of permit:

☒ Yes / ☐ No Is the person a suitable person to hold the permit?

Supported ☒ Not supported ☐

Name:

Position:

Date:

Comments:

- I am satisfied based on the application and discussions with the client that they are currently, and likely to suffer further, significant crop damage - S185(2)(a) NC(WM)R 2006.
- The applicant has, and will continue to, applied non-lethal deterrent methods. This include the erection of exclusion netting which is anticipated to be completed by early 2019 - S185(2)(b) NC(WM)R 2006.
- Based on conversation with the applicant I am satisfied that the taking of the flying-foxes complies with the flying-fox damage mitigation code - S185(2)(f) and (g) NC(WM)R 2006.
- Activities conducted under last years lethal-DMP held by the applicant were in accordance with all monitoring and compliance requirements and met those required as conditioned on their permit and in line with the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection - S145 NC(WM)R 2006.

Assessment form

Damage mitigation permit (lethal take of flying-foxes)

- Erection of the exclusion netting should be very effective in protecting the orchard. Consequently, it should be expected that the client will not require further lethal DMP's in the future.

- If the applicant does apply for further lethal DMP's in the future a site inspection by DES officers is recommended as a part of that assessment.

14. Senior conservation officer endorsement: (where applicable)

Supported ☐ Not supported ☐

Name:

Position:

Date:

Comments:

15. Manager/delegate approval:

Approved ☐ Not approved ☐

Name:

Position:

Date:

Comments:

EHP policy standards and legislative requirements are detailed within:

Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection

Nature Conservation Act 1992

Nature Conservation (Wildlife) Regulation 2006

Nature Conservation (Wildlife Management) Regulation 2006

Nature Conservation (Administration) Regulation 2006

File Note

File Reference: APP0018844**Date:** 07/06/2018**File Name:** APP0018844**Subject (Detail):** Damage Mitigation Permit (Lethal Take of Flying-Foxes)

- WAT officer Rolf was contacted s.73 irrelevant information (telephone 15/06/18) to discuss his application for a damage mitigation permit for lethal take of flying-foxes on his stone fruit orchard.
- The applicant was asked why he was requesting the permit to be issued early in the cropping season ((07/08/18). The applicant stated that he has had early fruit set (much earlier than normal). I discussed the departmental quota system with the client and advised that, based on this system and application details, a permit may not be granted later in the season. The applicant confirmed that they request this commencement date.
- The applicant was advised that a formal request for information was going to be sent asking for previous year's return of operations and confirmation that the disposal site is the same as previous years (sent 15/06/18 – see Attachment 5).
- The applicant responded to the RFI 15/06/18 (Attachment 6).
- Decision is sought for a Damage Mitigation Permit (Lethal Take of Flying-Foxes) under S12 (a) of the Nature Conservation (Administration) Regulation 2017.
- Delegation for a Damage Mitigation Permit (Lethal Take of Flying-Foxes) is at Category 1 and 2.

Date: 18/06/2018

Author: Rolf Nilsson**Position:** Wildlife Assessments Officer**Unit/Office:** Wildlife Assessments Team, Cairns, QLD 4870**Phone:** 07 4222 5446

From: s.73 irrelevant information
Sent: Wednesday, 6 June 2018 9:12 AM
To: PALM
Subject: AR111490 Mitigation Application
Attachments: Grote Industries Compact Four Sealed.docx; Guardian Gas Gun.docx; Mitigation Application.pdf

Please find attached mitigation application for 2018 season.

Thankyou

s.73 irrelevant in

Published on DES Disclosure Log
RTI Act 2009

Grote Industries Compact Four Sealed-Beam Roto-Beacons 76203



• [Click to Enlarge Image](#)

\$149.97

[Change Currency](#)

1

Add To Cart

[+ Wish List + Compare](#)

- Fast Shipping
- Low Price Guarantee
- Tech Advice
- Easy Returns

XFast Shipping

- We ship in-stock parts via ground shipping the same day if ordered by 10:00 pm EST. Monday through Friday. [Learn More](#)
- Low Price Guarantee
- We're confident our prices are the lowest. We'll beat any advertised price on an in-stock product. [Learn More](#)
- Tech Advice
- Best Tech Advice and Customer Support, before and after your purchase! [Learn More](#)
- Easy Returns
- You can return any new or unused item within 90 days of the date your item was shipped and we will refund the full purchase price. [Learn More](#)

[Write the First Review](#)

Warning Light, Roto-Bacon, Yellow Lens, Aluminum-Stainless Housing, 12V, 8.437 in. Diameter, Each

Estimated USA Ship Date: 9/5/2017 (if ordered today)

Estimated International Date: 9/6/2017 (if ordered today) [INTERNATIONAL Customer Options](#)

• [Check Application](#)

18-025

View Similar Products

File A

333 of 374



Grote Industries Compact Four Sealed-Beam Roto-Beacons

Part Type:[Auxiliary Lights](#)

Application:[Find out if this fits your application](#)

-
-
-
-
- [Email](#)



Get more time to pay.

Check out with PayPal and choose PayPal Credit

Subject to credit approval. [See terms](#). US customers only.

- [Overview](#)
- [Applications](#)
- [Show All](#)

Brand:[Grote](#)

Manufacturer's Part Number: 76203

Part Type:[Auxiliary Lights](#)

Product Line:[Grote Industries Compact Four Sealed-Beam Roto-Beacons](#)

Summit Racing Part Number: GTE-76203

UPC: 089373003597

Light Style: Warning

Lens Color: Yellow

Bulb Color: Clear

Shape: Cylindrical

Diameter (in): 8.437 in.

Length (in): 8.250 in.

Housing Color: Polished

Housing Material: Aluminum/Stainless steel

Volts: 12 V

Candlepower: 33,000

Lens Material: Acrylic

Light Cover Included: No
18-025

Relay Included: No

Wiring Harness Included: No

Replacement Bulb Number: 7400

Quantity: Sold individually.

In-Store Pickup: Choose In-store pick-up (OH, NV, GA) on our web site.

The Grote Industries compact four sealed-beam beacons flash 60-120 times per minute, making it easier for other drivers to see you approaching. Grote designed these lights with a permanently lubricated clutched, sealed gear box with a suitcase latch design for easy transport. Grote manufactures these lights from quality materials to ensure performance and durability.

Quality tools for Australian Horticulture Since 1933

- [HOME /](#)
- [VINETECH & GUARDIAN GAS GUNS /](#)
- [GUARDIAN GAS GUN - BIRD SCARER WITH TIMER](#)



MORE VIEWS

GUARDIAN GAS GUN - BIRD SCARER WITH TIMER

GUARDIAN GUN WITH TIMER

Same Bird Scare Gun just fitted with a 24 hr stop–start timer.

The Guardian Bird scarer is a mechanically operated LPG gas cannon which creates single shot explosions to scare birds, kangaroos and other animals. The machine activates with a piezo-electric electronic system; the rest of the machine is mechanical, which makes it highly reliable and minimizes possible faults or problems. The explosions can be programmed to go off regularly, from every minute to every half hour, and the volume of the explosions can also be adjusted using the telescopic canon, within a range of 80 to 120 decibels. The area that our bird scarers can protect is 3 to 4 hectares, depending on the type of crop and the terrain. . The entire machine is zinc-plated so that it can withstand bad weather conditions.

- [Email to a Friend](#)
- [Share Facebook](#)
- [Share on Twitter](#)
- **DESCRIPTION**

GUARDIAN GUN WITH TIMER Same Bird Scare Gun just fitted with a 24 hr stop–start timer. The Guardian Bird scarer is a mechanically operated LPG gas cannon which creates single shot explosions to scare birds, kangaroos and other animals. The machine activates with a piezo-electric electronic system; the rest of the machine is mechanical, which makes it highly reliable and minimizes possible faults or problems. The explosions can be programmed to go off regularly, from every minute to every half hour, and the volume of the explosions can also be adjusted using the telescopic canon, within a range of 80 to 120 decibels. The area that our bird scarers can protect is 3 to 4 hectares, depending on the type of crop and the terrain. . The entire machine is zinc-plated so that it can withstand bad weather conditions.

Application form

Section 12(a) — Nature Conservation (Administration) Regulation 2017

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

1 Important information for applicants

Applications can be made using the Department's digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit www.des.qld.gov.au/connect for more information.

This form is to be used to apply for a Damage Mitigation Permit (a permit) for the purpose of lethal take of flying-foxes. Where a permit is issued, a permit holder is required to comply with the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection. Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act 1992* available from the Office of the Queensland Parliamentary Counsel website <http://www.legislation.qld.gov.au>, and the code of practice.

Please note: On 28 August 2015 the *Nature Conservation (Wildlife) Regulation 2006* was amended to classify the spectacled flying-fox as a 'vulnerable' species in Queensland. As a consequence, the Department of Environment and Science is no longer able to authorise the lethal take of spectacled flying-foxes for crop protection. Photographs and identifying information can be found for each flying-fox species in the Code of practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

Please note: A comprehensive and detailed application will assist officers in making a prompt decision. If your application does not include all the required information, DES will notify you. The permit holder must ensure they are in compliance with all relevant legislation, including the *Weapons Act 1990*.

If you have queries about how to complete this form correctly or need guidance contact Permit and Licence Management on **1300 130 372 option 4**.

2 Terms and Conditions

Permits, licences and authorities Queensland's native wildlife is protected by legislation that aims to conserve biodiversity by protecting native plants and animals and their habitat. All native birds, reptiles, mammals and amphibians are protected, along with some invertebrates (certain butterflies, spiders and scorpions), freshwater fish and the grey nurse shark.

Other aquatic species are protected by the [Department of Agriculture and Fisheries](#), the [Great Barrier Reef Marine Park Authority](#) and the Australian Government. A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using or moving of wildlife for commercial, recreational or other purposes we contribute to the maintenance of viable wild populations of plants and animals. The type of approval(s) you will need depends upon a number of things, including:

- The nature and purpose of your proposed activity
- The tenure of the area in which you intend to undertake your activity and
- The species of wildlife concerned

To apply for permits:

- within the protected area estate (except nature refuges and special wildlife reserves) as defined in the *Nature Conservation Act 1992* (e.g. national park, national park [Aboriginal land], national park [Torres Strait Island land] etc); or



Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

- within a marine park under the Marine Parks Act 2004; or
- within State forest estate under the Forestry Act 1959 (e.g. state forests and timber reserves) please contact the Queensland Parks and Wildlife Service.

Note: Corporations must have an office in Queensland to be eligible to apply for a wildlife authority. The Nature Conservation Act 1992 and the subordinate Nature Conservation Regulations may be found on-line on the [Office of Queensland Parliamentary Counsel](#) website.

Your Privacy

Information you provide assists the Department of Environment and Science (DES) to administer wildlife licences, permits and authorities granted under the Nature Conservation (Wildlife Management) Regulation 2006.

Some information may be provided to the Departments of Agriculture and Fisheries; Health; Queensland Police Service and the Australian Defence Force in order to investigate biosecurity or health issues or allegations of unlawful activity.

Some information, where relevant, may also be sent to non-government organisations such as the RSPCA Qld and the Queensland Wildlife Rehabilitation Council for the purpose of improving standards of native animal care.

Names of all permit holders are publically available on request. Any other personal information in relation to your permit will not be disclosed to any other parties without your consent unless authorised or required by law.

More information on our commitment to privacy is available on our [website](#). For specific privacy information or enquiries please email privacy@des.qld.gov.au. For queries concerning wildlife activities please email: wildlife@des.qld.gov.au

1. You may only lodge this application if you have accepted the above terms and conditions

3 ☒ I accept the above terms and conditions.

2. All questions must be answered and the applicable fees included (if required) for the application to be processed. If you do not complete all questions and sign and date the application form, your application will be returned to you as an invalid application.

3. 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 4 applicant details in full — then go to section 6
- ☐ **AN ORGANISATION** → Complete Section 5 applicant details — then go to section 6

4. Applicant details for an individual

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	*DATE OF BIRTH
-------	-------------	-------------	----------	----------------

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

☒ Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Doctor ☐ Prof	s.73 irrelevant information			sch4p4(6) Per
--	-----------------------------	--	--	----------------

Organisation type –

☐ Company ☐ Australian registered (foreign) body ☐ Incorporated association
☐ Co-operation ☐ Government ☐ Non for profit organisation

*AUSTRALIAN BUSINESS NUMBER	*BUSINESS NAME
CEO	ABN

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
S.7. sch4p4(6) Personal i	Doolbi	Qld	4660

(WRITE 'AS ABOVE' IF SAME AS REGISTERED/RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE
as above			

EMAIL ADDRESS		s.73 irrelevant information	
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE		AREA CODE	PHONE NUMBER (NOTE: 10 DIGITS INCLUDING AREA CODE)
☐ Home phone	☐ Office phone		s.73 irrelevant info
☒ Mobile phone	☐ Facsimile		

☒ Culling to prevent damage or loss

☒ Lethal take of flying-fox. Use this application type if you are a commercial fruit grower and intend to use lethal control to kill flying foxes for the purposes of fruit crop protection only where non-harmful measures have been attempted and failed.

18-025

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

I can comply with the Code of Practice

☒ Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection.

10. Location of the activity

Please provide exact location of where this activity will occur by either Lot on Plan or physical street address, if required attach additional documentation.

* PHYSICAL STREET ADDRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL /REGISTERED ADDRESS)	* SUBURB	* STATE	* POST CODE
as above		*	

OR

* LOT# AS	* PLAN#

OR

GPS LOCATION

11. Wildlife details

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

COMMON NAME	SCIENTIFIC NAME	NUMBER
little red flying-fox	P. scapulatus	90
black flying-fox	P. alecto	90
grey-headed flying-fox	P. poliocephalus	60

12. Start and completion dates

Please enter the proposed start and completion dates for the project

START DATE 7/08/2018	FINISH DATE 7/11/2018
-------------------------	--------------------------

13. Potential for damage or significant economic loss

Permits are exclusively granted to commercial crop growers. Please identify the crop at risk and the cause for concern.

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(a) and 185(2)(c) of the Wildlife Management Regulation.

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

☒ Fruit type/s crop

☐ Non-fruit type/s crop

PROVIDE DETAILS OF THE TYPE OF CROP

Stone Fruit (Peaches & Nectarines)

Please identify the cause for concern.

☒ I have suffered actual damage this season or in the past season.

☐ Someone in the surrounding area growing the same or similar crop incurred damage this season or in the past season.

☐ Neither myself or anyone in the surrounding area have incurred damage this season or in past season.

Why do you believe you may suffer significant economic loss if not granted a permit?

Flying Foxes have the potential to destroy entire crop in one week without control.

14. Previous non-lethal damage mitigation

Note: The chief executive (or their delegate) may use information provided to assist in determining whether they are satisfied under sections 185(2)(b) of the Wildlife Management Regulation.

Which non-lethal deterrence methods are in use?

Note: exclusion or tunnel netting is defined in the code of practice as "netting or other physical material that is intended to provide full exclusion of flying-foxes, for example, canopy netting or tunnel netting, and for fruit such as bananas, protective fruit bags."

If exclusion netting IS NOT used, a minimum of two other non-lethal mitigation methods must have been attempted.

☒ Exclusion or tunnel/drape netting for entire crop

☒ Netting

Detail the type of netting used (exclusion/tunnel/drape), the area the netting covers (hectares) and the total area of the crop (hectares).	Exclusion netting is being purchased now and hope to have entire crop covered this year. It is possible I may not get the entire crop covered in time.
When the netting is installed as detailed in the code of practice, what is the mesh size?	35mm exclusion nett

☒ Sound

Detail the type and volume of the sounds being used to deter the flying foxes.	Guardian gas gun giving a blast of 80 to 120 decibels
Describe how sound is protecting all areas of the crop where exclusion netting is not present.	The blast covers a area of 3 to 4 hectares giving good sound over the entire orchard

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

☒ Light

How many lights/light towers are in operation and what is the wattage per light/light tower?	10 light towers with 10 Grote beacon lights. Each light contains 4 35 watt by12 volt bulbs.
Describe how light is protecting all areas of the crop where exclusion netting is not present.	Theses lights cover the entire orchard because the whole orchard is only 11,200 square meters

☐ Smoke

How many foggers / controlled fires are in operation?	
Describe how smoke is protecting all areas of the crop where exclusion netting is not present.	

☒ Movement

What movement-generating equipment is being used to deter flying-foxes?	The Grote lights are rotating beacon lights giving the movement of light. These lights have had the yellow lense replaced with a clear lense giving a white light
Describe how movement is protecting all areas of the crop where exclusion netting is not present.	The rotating beacon light covers the entire orchard giving good control in the 2017 season.

☒ Alternative method

What alternative method is being used to deter flying-foxes?	12g shot gun with bird frite cartridges
Describe how the alternative method is protecting all areas of the crop where exclusion netting is not present.	Patrolling the orchard by myself on a 4 wheeled bike

15. Provide photos to substantiate the information provided in the non-lethal mitigation questions.

Note: Repeat applicants do not need to resubmit photos that were supplied in the previous two growing seasons.

☒ Attached are photos to substantiate the information provided in the non-lethal mitigation questions

☐ Please refer to photos supplied last year, or the year before that.

16. Designate a location for the disposal site:

Note: All dead flying-foxes must be collected and disposed of on the property in accordance with the code of practice and local council regulations (e.g. buried or incinerated). Prior to disposal, dead flying-foxes must be held for 24 hours and be available for inspection by an DES or conservation officer.

Specific location/description of disposal site:	Holes in ground for burial
---	----------------------------

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Geographical coordinates.	sch4a4(6) Personal information
---------------------------	---

The location must be clearly delineated by GPS coordinates and an attached map.

☐ Map attached

☒ Please refer to the map supplied last year, or the year before that.

17. Permission for Queensland Government Officers and communication between multiple shooters

Note: Section 145 of the *Nature Conservation Act 1992* allows conservation officers to enter any place at any reasonable time for the purpose of finding out whether the Act is being complied with where the occupier of the place consents to the entry. Landholders who have given consent will generally be notified immediately before an inspection is conducted. Other powers of entry and search under the Act may also apply and officers of the Queensland Government may use these powers on a case by case basis regardless of whether consent is given here.

☒ I give permission for Queensland Government officers that are Conservation Officers under the Nature Conservation Act 1992 to access the property for the purposes of assessing the application for this permit and, if granted, compliance monitoring during the operation of a permit for the lethal take of flying-foxes.

☐ Multiple shooters being proposed.

In light of having multiple shooters, please describe what system you have in place to ensure that the number of flying-foxes taken does not exceed the number specified on the permit (e.g. communication systems).

Flying foxes will only be taken by myself.

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

18. Provide the name(s) of the person(s) operating under this permit

Complete this section if person(s) other than the applicant will be operating under this permit. Use an attachment if insufficient space.

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

19. Wildlife Suitability

During the past three (3) years, have you been convicted of: (a) an offence against the *Nature Conservation Act 1992*, or (b) an animal welfare offence under the *Animal Care and Protections Act 2001*, or (c) an offence relating to wildlife against another Act, or an offence, however described, equivalent to an offence mentioned under (a) or (b) in another state or country?

- ☒ No
- ☐ Yes – an assessment officer will contact you regarding this question

20. Effective Date

Select an effective date Decision Date ☐ or Nominated Date 7/08/2018

21. Person in Charge

Details of the person nominated to be in charge of the place(s) where the authorised activity is to be undertaken.

Nominate Person in Charge*

- ☒ Same as applicant ☐ Alternate person in charge

Damage mitigation permit: Ecologically sustainable lethal take of flying-foxes for crop protection

Person in Charge Identity Details

TITLE	*FIRST NAME	MIDDLE NAME	*SURNAME	* DATE OF BIRTH
s.73 irrelevant information				sch4p4(6) Per

Person in Charge Registered / residential address

* RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)	* SUBURB	* STATE	* POST CODE
s.73 sch4p4(6) Personal infor	DOOLBI	QLD	4660

(WRITE 'AS ABOVE' IF SAME AS REGISTERED RESIDENTIAL ADDRESS)

POSTAL ADDRESS	SUBURB	STATE	POST CODE
AS ABOVE			

Person in Charge contact details – email or phone contact is mandatory.

EMAIL ADDRESS	s.73 irrelevant information		
TICK THIS BOX IF YOU DO NOT CONSENT TO RECEIVING DEPARTMENTAL CORRESPONDENCE BY EMAIL			☐
PHONE TYPE ☐ Home phone ☐ Office phone ☒ Mobile phone ☐ Facsimile		AREA CODE	PHONE NUMBER: NOTE: 10 DIGITS (INCLUDING AREA CODE) s.73 irrelevant i

22. Application Contact Details

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the customer contact or if nominated, the primary contact.

☒ Same as applicant ☐ Alternate contact details

*NAME OR POSITION	*PRIMARY PHONE. NOTE: 10 DIGITS (INCLUDING AREA CODE)	EMAIL ADDRESS	SECONDARY PHONE

23. Applicant's signature

APPLICANT'S NAME s.73 irrelevant information	
APPLICANT'S SIGNATURE sch4p4(6) sch4p4(6) Personal information	DATE 6/06/2018

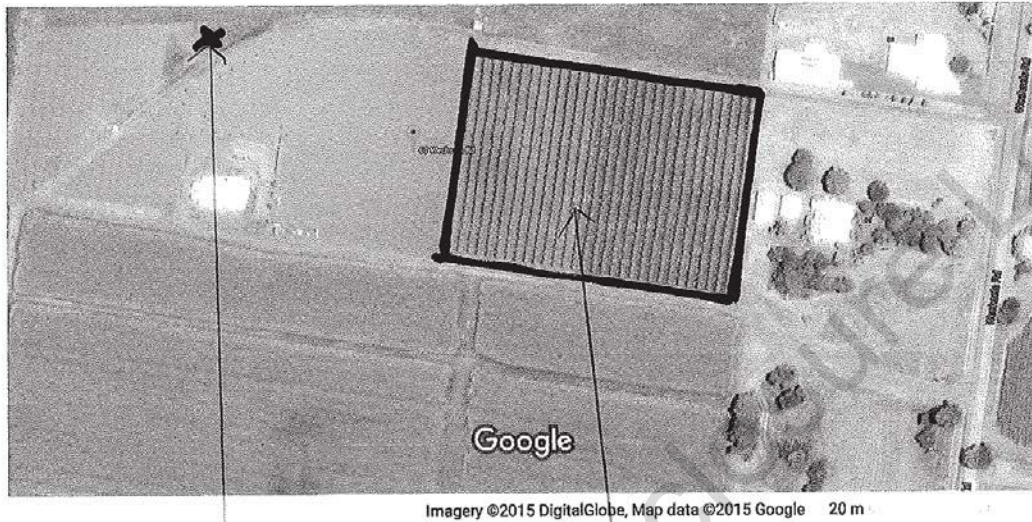
24. Applicant checklist

- ☒ All questions on application form completed, signed and dated.
- ☐ Supporting information and accreditation attached (if applicable)

Please return your completed application kit to:

Customer Service Team
Department of Environment and Science
GPO Box 2454
Brisbane
Queensland 4001

Enquiries: **1300 130 372 option 4**
Facsimile: (07) 3330 5875
Email: palm@des.qld.gov.au



Disposal Site
of Bats.

orchard 1/4.



From: NILSSON Rolf
Sent: Friday, 15 June 2018 10:18 AM
To: s.73 irrelevant information
Cc: Wildlife
Subject: Permit Application APP0018844_Request for Information

Department of Environment and Science

Request for additional information

Authorised under Section 27 of the *Nature Conservation (Administration) Regulation 2017*

Our reference: APP0018844

s.73 irrelevant information

Dear s.73 irrelevant information

Re: Application for a permit under the *Nature Conservation (Administration) Regulation 2017*

The department received your application for a Lethal Damage Mitigation Permit (Flying Foxes) on 06th June 2018.

Project Reference	Person in Charge	Activity Location/s
APP0018844	s.73 irrelevant information	s.73 sch4p4(6) Person Doolbi, QLD 4660

We require the following further information to assist in the assessment of this application:

1. Please provide your completed return of operations for your previous Lethal Damage Mitigation Permit (Flying Foxes) (Permit Reference WA0002301) issued by the department on 23rd October 2017.
2. Please confirm that the disposal site for the proposed activities, if granted, is the same as indicated in last year's permit application.

A written response to this request must be received within 20 business days (or earlier) from date of this letter and should be sent to the department at the address listed below. If no information from you is received in that time then we will understand that you no longer wish to proceed with your application and it will be withdrawn under Section 26(5) of the *Nature Conservation (Administration) Regulation 2006*.

Should you have any queries in relation to this notice, please refer to the contact details below.
When responding to this request, please 'Reply All' or CC wildlife@des.qld.gov.au

Kind regards,
Rolf Nilsson



Rolf Nilsson

Project Officer – Wildlife Assessments
Conservation and Biodiversity Operations
Department of Environment and Science

P 07 4222 5446

Wildlife Enquiries: 1300 130 372

L4 William McCormack Place II - 5b Sheridan St CAIRNS QLD

Published on DES Disclosure Log
RTI Act 2009

From: s.73 irrelevant information
Sent: Friday, 15 June 2018 10:36 AM
To: NILSSON Rolf
Subject: Re: Permit Application APP0018844_Request for Information
Attachments: Return of Operations 28.11.17.pdf; Return of opps 3rd Month.pdf; Return of Ops 2nd month.pdf

Hi Rolf, Find attached return of operations and the disposal site is the same as last years permit application.

Thankyou

s.73 irrelevant informati

From: NILSSON Rolf
Sent: Friday, June 15, 2018 10:18 AM
To: s.73 irrelevant information
Cc: Wildlife
Subject: Permit Application APP0018844_Request for Information

Department of Environment and Science

Request for additional information

Authorised under Section 27 of the *Nature Conservation (Administration) Regulation 2017*

s.73 irrelevant information

Our reference: APP0018844

Dear s.73 irrelevant

Re: Application for a permit under the *Nature Conservation (Administration) Regulation 2017*

The department received your application for a Lethal Damage Mitigation Permit (Flying Foxes) on 06th June 2018.

Project Reference	Person in Charge	Activity Location/s
APP0018844	s.73 irrelevant informat	s.73 sch4p4(6) Person Doolbi, QLD 4660

We require the following further information to assist in the assessment of this application:

1. Please provide your completed return of operations for your previous Lethal Damage Mitigation Permit (Flying Foxes) (Permit Reference WA0002301) issued by the department on 23rd October 2017.
2. Please confirm that the disposal site for the proposed activities, if granted, is the same as indicated in last year's permit application.

A written response to this request must be received within 20 business days (or earlier) from date of this letter and should be sent to the department at the address listed below. If no information from you is received in that time then we will understand that you no longer wish to proceed with your application and it will be withdrawn under Section 26(5) of the *Nature Conservation (Administration) Regulation 2006*.

Should you have any queries in relation to this notice, please refer to the contact details below.
When responding to this request, please 'Reply All' or CC wildlife@des.qld.gov.au

Kind regards,
Rolf Nilsson



Rolf Nilsson
Project Officer – Wildlife Assessments
Conservation and Biodiversity Operations
Department of Environment and Science

P 07 4222 5446 **Wildlife Enquiries: 1300 130 372**
L4 William McCormack Place II - 5b Sheridan St CAIRNS QLD

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

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 2017

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:	s.73 irrelevant information	Permit holder's residential address:	s.73 irrelevant sch4p4(6) Personal information
Permit number:	WIMP 000 2301		
Date permit issued:	23/10/17		
Expiry date of permit:	22/1/18		
Name of person in charge (if applicable):			

Return period (tick one return period for this return) ☐ First 3 month period ☐ second 3 month period ☐ third 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		
little red Flying fox	23/10/17	s.73 irrelevant sch4p4(6) Personal information	4.	6-30	9-00	Stone Fruit.	Nil

Return of operations
Damage mitigation permit (culling and dispersal)

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		
black Flying Fox	23/10/17	"	1	6-30	9-00	"	Nil
grey Headed Fox	23/10/17	"	1	"	"	"	
little red Flying Fox	24/10/17	"	2	6-30	8-30	"	
black Flying Fox	24/10/17	"	1	6-30	8-30	"	
little red Flying Fox	25/10/17	"	1	6-30	9-00	"	
little red Flying Fox	26/10/17	"	2	6-30	9-00	"	
grey Headed Fox	26/10/17	"	1	6-30	9-00	"	
little red Flying Fox	27/10/17	"	2	6-30	8-30	"	
little red Flying Fox	28/10/17	"	1	6-30	8-30	"	
black Flying Fox	29/10/17	"	2	6-30	8-30	"	
little red Flying Fox	30/10/17	"	1	6-30	9-00	"	
little red Flying Fox	31/10/17	"	2	6-30	9-00	"	
black Flying Fox	31/10/17	"	2	6-30	9-00	"	

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

28/11/17
Date

sch4p4(6) Personal information
Signature or permit holder:
(If mailing return only)

Return of operations
Damage mitigation permit (culling and dispersal)

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		
Little Red Flying Fox	1/11/17	s.73 sch4p4(6) Personal information	1	6-30	9-00	Stone Fruit	
Grey Headed Fox	1/11/17	"	1	"	"	"	
black Flying Fox	1/11/17	"	1	"	"	"	
Little Red Flying Fox	2/11/17	"	3	"	"	"	
Little Red Flying Fox	3/11/17	"	2	"	"	"	
Little Red Fox	4/11/17	"	2	6-30	8-00	"	
NIL	5/11/17	"	0	6-30	7-00	"	
NIL	6/11/17	"	0	6-30	7-30	"	
Little Red Fox	8/11/17	"	2	8-00	9-00	"	
Little Red Fox	8/11/17	"	2	6-30	9-00	"	
Black Flying Fox	9/11/17	"	1	6-30	8-30	"	
Little Red Fox	10/11/17	"	1	6-30	9-00	"	
Black Flying Fox	11/11/17	"	1	6-30	9-00	"	

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

sch4p4(6) Personal information
Signature of permit holder: _____
(If mailing return only) Date 28/11/17

Return of operations
Damage mitigation permit (culling and dispersal)

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		
13/11/17 Black Fox	13/11/17	s.73 irr sch4p4(6) Personal inform	2	6-30	8-30	Stone Fruit	—
Little Red Fox	15/11/17	"	1	6-30	8-30	"	
Black Flying Fox	16/11/17	"	1	6-30	7-30	"	
Little Red Fox	18/11/17	"	1	6-30	9-00	"	
Black Flying Fox	20/11/17	"	1	6-30	8-30	"	
Black Flying Fox	23/11/17	"	2	6-30	9-00	"	
Little Red Fox	27/11/17	"	1	6-30	9-00	"	
Little Red Fox	28/11/17	"	2	6-30	9-00		
Little Red Fox							

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

sch4p4(6) Personal information
Signature of permit holder: _____ Date: 28/11/17
(If mailing return only)

Return of operation

Section 188 – Nature Conservation (Wildlife Management) Regulation

Damage mitigation permit (culling and disposal)

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2017

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:	s.73 irrelevant information	Permit holder's residential address:	s.73 irrelevant sch4p4(6) Personal information
Permit number:	WIMP 0002301		
Date permit issued:	23/10/17		
Expiry date of permit:	22/11/18		
Name of person in charge (if applicable):			

Return period (tick one return period for this return) ☐ First 3 month period ☒ second 3 month period ☐ third 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		

Return of operations
Damage mitigation permit (culling and dispersal)

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		
Little Red Fox	4/12/17	s.73 irsch4p4(6) Personal inform	2	7-00	8-30	Stone Fruit.	
Black Flying Fox	5/12/17	"	1	7-00	8-00	"	
Little Red Fox	7/12/17	"	3	7-00	9-00	"	
Little Red Fox	9/12/17	"	6	6-30	9-00	"	
Little Red Fox	11/12/17	"	1	6-30	8-30	"	
Little Red Fox	12/12/17	"	2	6-30	9-00	"	
Little Red Fox	15/12/17		1	6-30	9-00	"	
Little Red Fox	17/12/17		1	6-30	8-30	"	
Little Red Fox	19/12/17		3	6-30	9-00	"	
Black Flying Fox	22/12/17		1	6-30	9-00	"	
		* Crop Finished					
Note	23/12/17	to 22/1/18	NO	flying	Foxes	where Taken.	

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

sch4p4(6) Personal information

Signature of permit holder:
(If mailing return only)

sch4p4(6) Personal information

30/12/17

Date

4/2/18

Return of operation

Section 188 – Nature Conservation (Wildlife Management) Regulation

Damage mitigation permit (culling and disposal)

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2017

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:	s.73 irrelevant information	Permit holder's residential address:	s.73 irrelevant information
Permit number:	WIMP 0002301		
Date permit issued:	23/10/17		
Expiry date of permit:	22/1/18		
Name of person in charge (if applicable):			

000161
QLD 4660

Return period (tick one return period for this return) ☐ First 3 month period ☒ second 3 month period ☐ third 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		

Return of op
Damage mitigation permit (culling and dis

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		
13/11 Black Fox	13/11/17	s.73 irr sch4p4(6) Personal infor	2	6-30	8-30	Stone Fruit	—
Little Red Fox	15/11/17	"	1	6-30	8-30	"	
Black Flying Fox	16/11/17	"	1	6-30	7-30	"	
Little Red Fox	18/11/17	"	1	6-30	9-00	"	
Black Flying Fox	20/11/17	"	1	6-30	8-30	"	
Black Flying Fox	23/11/17	"	2	6-30	9-00	"	
2nd Month.							
Little Red Fox	27/11/17	"	1	6-30	9-00	"	
Little Red Fox	28/11/17	"	2	6-30	9-00		
Little Red Fox	29/11/17	"	1	6-30	8-00	"	
Black Flying Fox	30/11/17	"	1	6-30	7-30	"	
Little Red Fox	2/12/17	"	4	6-30	9-00	"	
Little Red Fox	3/12/17	"	2	6-30	9-00	"	

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
palm@ehp.qld.gov.au
Fax: 07 3330 5875

Or email to

sch4p4(6) Personal informati
Signature of permit holder: 28/11/17 Date
(If mailing return only)

4

Return of open
Damage mitigation permit (culling and disposal)

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		
Little Red Fox	4/12/17	S.73 in Sch4p4(6) Personal information	2	7-00	8-30	STONE FRUIT.	
Black Flying Fox	5/12/17	"	1	7-00	8-00	"	
Little Red Fox	7/12/17	"	3	7-00	9-00	"	
Little Red Fox	9/12/17	"	6	6-30	9-00	"	
Little Red Fox	11/12/17	"	1	6-30	8-30	"	
Little Red Fox	12/12/17	"	2	6-30	9-00	"	
Little Red Fox	15/12/17		1	6-30	9-00	"	
Little Red Fox	17/12/17		1	6-30	8-30	"	
Little Red Fox	19/12/17		3	6-30	9-00	"	
Black Flying Fox	22/12/17		1	6-30	9-00	"	
	* Crop Finished						

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

Sch4p4(6) Personal information
Signature of permit holder: _____ Date 30/12/17
(If mailing return only)

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 2017

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:	s.73 irrelevant information	Permit holder's residential address:	s.73 irrelevant sch4p4(6) Personal information
Permit number:	WIMP 000 2301		
Date permit issued:	23/10/17		
Expiry date of permit:	22/1/18		
Name of person in charge (if applicable):			

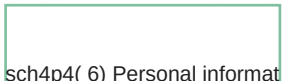
Return period (tick one return period for this return) ☐ First 3 month period ☐ second 3 month period ☐ third 3 month period ☐ following expiry of authority

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		
little red Flying fox	23/10/17	s.73 irrelevant sch4p4(6) Personal information	4.	6-30	9-00	Stone Fruit.	Nil

Return of operations
Damage mitigation permit (culling and dispersal)

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		
black Flying Fox	23/10/17	"	1	6-30	9-00	"	Nil
grey Headed Fox	23/10/17	"	1	"	"	"	
little red Flying Fox	24/10/17	"	2	6-30	8-30	"	
black Flying Fox	24/10/17	"	1	6-30	8-30	"	
little red Flying Fox	25/10/17	"	1	6-30	9-00	"	
little red Flying Fox	26/10/17	"	2	6-30	9-00	"	
grey Headed Fox	26/10/17	"	1	6-30	9-00	"	
little red Flying Fox	27/10/17	"	2	6-30	8-30	"	
little red Flying Fox	28/10/17	"	1	6-30	8-30	"	
black Flying Fox	29/10/17	"	2	6-30	8-30	"	
little red Flying Fox	30/10/17	"	1	6-30	9-00	"	
little red Flying Fox	31/10/17	"	2	6-30	9-00	"	
black Flying Fox	31/10/17	"	2	6-30	9-00	"	

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

sch4p4(6) Personal information
Signature or permit holder:  Date: 28/11/17
(If mailing return only)

Return of operations
Damage mitigation permit (culling and dispersal)

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		
Little Red Flying Fox	1/11/17	s.73 is sch4p4(6) Personal inform	1	6-30	9-00	Stone Fruit	
Grey Headed Fox	1/11/17	"	1	"	"	"	
black Flying Fox	1/11/17	"	1	"	"	"	
Little Red Flying Fox	2/11/17	"	3	"	"	"	
Little Red Flying Fox	3/11/17	"	2	"	"	"	
Little Red Fox	4/11/17	"	2	6-30	8-00	"	
NIL	5/11/17	"	0	6-30	7-00	"	
NIL	6/11/17	"	0	6-30	7-30	"	
Little Red Fox	8/11/17	"	2	8-00	9-00	"	
Little Red Fox	8/11/17	"	2	6-30	9-00	"	
Black Flying Fox	9/11/17	"	1	6-30	8-30	"	
Little Red Fox	10/11/17	"	1	6-30	9-00	"	
Black Flying Fox	11/11/17	"	1	6-30	9-00	"	

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

sch4p4(6) Personal information
Signature of permit holder: _____
(If mailing return only) Date 28/11/17

Return of operations
Damage mitigation permit (culling and dispersal)

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		
13/11/17 Black Fox	13/11/17	s.73 irr sch4p4(6) Personal infor	2	6-30	8-30	Stone Fruit	—
Little Red Fox	15/11/17	"	1	6-30	8-30	"	
Black Flying Fox	16/11/17	"	1	6-30	7-30	"	
Little Red Fox	18/11/17	"	1	6-30	9-00	"	
Black Flying Fox	20/11/17	"	1	6-30	8-30	"	
Black Flying Fox	23/11/17	"	2	6-30	9-00	"	
Little Red Fox	27/11/17	"	1	6-30	9-00	"	
Little Red Fox	28/11/17	"	2	6-30	9-00		
Little Red Fox							

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

sch4p4(6) Personal information
Signature of permit holder: _____ Date: 28/11/17
(If mailing return only)

Return of operation

Section 188 – Nature Conservation (Wildlife Management) Regulation

Damage mitigation permit (culling and disposal)

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2017

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:	s.73 irrelevant information	Permit holder's residential address:	s.73 irrelevant information
Permit number:	WIMP 0002301		
Date permit issued:	23/10/17		
Expiry date of permit:	22/11/18		
Name of person in charge (if applicable):			

Return period (tick one return period for this return) ☐ First 3 month period ☒ second 3 month period ☐ third 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		

Return of operations
Damage mitigation permit (culling and dispersal)

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		
Little Red Fox	4/12/17	s.73 sch4p4(6) Personal information	2	7-00	8-30	Stone Fruit.	
Black Flying Fox	5/12/17	"	1	7-00	8-00	"	
Little Red Fox	7/12/17	"	3	7-00	9-00	"	
Little Red Fox	9/12/17	"	6	6-30	9-00	"	
Little Red Fox	11/12/17	"	1	6-30	8-30	"	
Little Red Fox	12/12/17	"	2	6-30	9-00	"	
Little Red Fox	15/12/17	"	1	6-30	9-00	"	
Little Red Fox	17/12/17	"	1	6-30	8-30	"	
Little Red Fox	19/12/17	"	3	6-30	9-00	"	
Black Flying Fox	22/12/17	"	1	6-30	9-00	"	
* Crop Finished							
Note	23/12/17	to 22/1/18	NO	flying	Foxes	where Taken.	

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

sch4p4(6) Personal information

Signature of permit holder:
(If mailing return only)

sch4p4(6) Personal information

30/12/17

Date

4/2/18

Return of operation

Section 188 – Nature Conservation (Wildlife Management) Regulation

Damage mitigation permit (culling and disposal)

Nature Conservation Act 1992

Nature Conservation (Administration) Regulation 2017

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:	s.73 irrelevant information	Permit holder's residential address:	s.73 irrelevant information
Permit number:	WIMP 0002301		sch4p4(6) Personal information
Date permit issued:	23/10/17		000161
Expiry date of permit:	22/11/18		QLD 4660
Name of person in charge (if applicable):			

Return period (tick one return period for this return) ☐ First 3 month period ☒ second 3 month period ☐ third 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		

Return of op
Damage mitigation permit (culling and dis

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		
13/11 Black Fox	13/11/17	s.73 irr sch4p4(6) Personal info	2	6-30	8-30	Stone Fruit	—
Little Red Fox	15/11/17	"	1	6-30	8-30	"	
Black Flying Fox	16/11/17	"	1	6-30	7-30	"	
Little Red Fox	18/11/17	"	1	6-30	9-00	"	
Black Flying Fox	20/11/17	"	1	6-30	8-30	"	
Black Flying Fox	23/11/17	"	2	6-30	9-00	"	
2nd Month.							
Little Red Fox	27/11/17	"	1	6-30	9-00	"	
Little Red Fox	28/11/17	"	2	6-30	9-00		
Little Red Fox	29/11/17	"	1	6-30	8-00	"	
Black Flying Fox	30/11/17	"	1	6-30	7-30	"	
Little Red Fox	2/12/17	"	4	6-30	9-00	"	
Little Red Fox	3/12/17	"	2	6-30	9-00	"	

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to: palm@ehp.qld.gov.au
Fax: 07 3330 5875

sch4p4(6) Personal information
Signature of permit holder:
(If mailing return only)

28/11/17
Date

4

Return of open
Damage mitigation permit (culling and disposal)

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		
Little Red Fox	4/12/17	s.73 in sch4p4(6) Personal information	2	7-00	8-30	STONE FRUIT.	
Black Flying Fox	5/12/17	"	1	7-00	8-00	"	
Little Red Fox	7/12/17	"	3	7-00	9-00	"	
Little Red Fox	9/12/17	"	6	6-30	9-00	"	
Little Red Fox	11/12/17	"	1	6-30	8-30	"	
Little Red Fox	12/12/17	"	2	6-30	9-00	"	
Little Red Fox	15/12/17		1	6-30	9-00	"	
Little Red Fox	17/12/17		1	6-30	8-30	"	
Little Red Fox	19/12/17		3	6-30	9-00	"	
Black Flying Fox	22/12/17		1	6-30	9-00	"	
	* Crop Finished						

Please return to: Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Or email to palm@ehp.qld.gov.au
Fax: 07 3330 5875

.....sch4p4(6) Personal information
Signature of permit holder:
(If mailing return only) Date 30/12/17

Notice of Decision

Section 12(a) of Nature Conservation (Administration) Regulation 2017

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

To:

s.73 irrelevant information

s.71 sch4p4(6) Perso

DOOLBI

QLD 4660

Australia

Our reference: APP0018844

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 06 June 2018 has been assessed and the decision in regards to your application is specified below:

Permit applied for	Permit number	Decision
Damage Mitigation Permit, Culling to prevent damage or loss, Lethal take of flying-fox	WA0008380	GRANTED

Your application for a permit has been granted, the conditions of approval are attached.

Your permit reference is WA0008380.

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.

Should you have any queries in relation to this notice, please refer to the contact details below.

Michael Joyce
Department of Environment and Science
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@des.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date granted: 09 July 2018

Attachments:

Permit:

Information notice: Statutory decision on a permit application under the Nature Conservation (Administration) Regulation 2017

Permit

Section 12(a) of Nature Conservation (Administration) Regulation 2017

Damage Mitigation Permit

This wildlife authority is issued under the following legislation: Nature Conservation (Administration) Regulation 2017.

Permit number: WA0008380

Valid from: 07 August 2018 to 06 November 2018

Activity: Culling to prevent damage or loss - Lethal take of flying-fox

Role	Name	Registered address
Principal Holder:		s.73 sch4p4(6) Person DOOLBI QLD 4660 Australia
Person In Charge:	s.73 irrelevant information	
Business name:		ABN/ACN /
Activity location/licensed premises	s.73 sch4p4(6) Person DOOLBI QLD 4660	

Schedule

Family or Species	Details	Category	Quantity	Unit
Species	little red flying-fox, Pteropus scapulatus	Live	90	Individuals
Species	black flying-fox, Pteropus alecto	Live	90	Individuals
Species	grey-headed flying-fox, Pteropus poliocephalus	Live	60	Individuals

Michael Joyce
Department of Environment and Science
Delegate of the administering authority
Nature Conservation Act 1992

Enquiries:
Wildlife Assessment Team
Email: wildlife@des.qld.gov.au
Postal Address: PO Box 102, Toowoomba, QLD, 4350

Date issued: 09 July 2018



Legislative Requirements and Conditions of Wildlife Authority

Nature Conservation

- DMM07 The holder, or a relevant person for the holder, must carry a copy of this permit plus photographic proof of identity whilst undertaking activities authorised under this permit.
- DMLR03 Activities carried out under this authority, unless otherwise authorised, apply to non-protected areas only. This requirement may be found in section 12 of the Nature Conservation (Administration) Regulation 2017
- DMLR04 The permit holder must meet all requirements outlined in the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection, see www.des.qld.gov.au
This requirement may be found in section 185 of the Nature Conservation (Wildlife Management) Regulation 2006
- DMLR05 Flying-foxes may only be taken in a way that is specified in the Code of Practice - Ecologically sustainable lethal take of flying-foxes for crop protection, see www.des.qld.gov.au

Condition

Nature Conservation

- DMM08 Appropriate non-lethal deterrent methods which meet the requirements of Schedule 1 of the Code of Practice - Ecological sustainable lethal take of flying-foxes for crop protection must be installed and operational and remain maintained and used over the period that shooting occurs.
- DMS07 (S) A return of operations is required to be sent to DES either on the approved form or entered directly into Connect, if this is not submitted a penalty may be given.
The required details must be provided within 10 business days after each 1 month period after the permit has been granted and upon expiry.
You must keep a copy for your records, see www.des.qld.gov.au

Information Sheet

This information sheet is issued by the Department of Environment and Science to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

When assessing an application for a license, permit or other authority, the chief executive must have regard to the following matters under the following laws:

Section 26(1) of the Nature Conservation (Administration) Regulation 2017¹

- a) the impact the activities that may be carried out under the authority 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) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;
- i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;
- j) any recovery plan for wildlife to which the authority applies;
- k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

Section 26(2) of the Nature Conservation (Administration) Regulation 2017¹

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

Section 33 of the Nature Conservation (Administration) Regulation 2017¹

The chief executive cannot –

- a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive cannot grant the authority to the person or to any person; or
- b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive cannot grant the authority to the person or to any person

¹ Matters relating to Protected Areas (excluding Nature Refuges) under the Nature Conservation Act 1992 are the responsibility of the Queensland Parks and Wildlife Service.

This notice is issued by the Department of Environment and Science to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992 (the Act)*.

Note – See also section 137 of the Act.

Section 137 of the *Nature Conservation Act 1992*

(2) A licence, permit or other authority issued or given under a regulation to—

- (a) take, use or keep protected wildlife; or
- (b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

- (c) the management principles for the wildlife; and
- (d) the declared management intent, or conservation plan, applicable to the wildlife.

In assessing your application, consideration has been given to each of the relevant matters listed above, and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these requirements. Should you have any questions regarding any of these conditions please contact the Department of Environment and Science using the contact details provided under the Enquiries heading on your licence, permit or other authority.

Part 4 of the Nature Conservation (Administration) Regulation 2017 provisci for internal and external reviews, should you be dissatisfied with any reviewable decision. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Science must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.
- For further information you are directed to Part 4: Internal and External Reviews, of the Nature Conservation (Administration) Regulation 2017 and the *Queensland Civil and Administrative Tribunal Act 2009* which can both be found at www.legislation.qld.gov.au/OQPCHome.htm

Also please note:

Should it be determined at some future date by any Court or Tribunal that Native Title exists over the subject land or waters, this permit may be terminated and the holder (or any subsequent holder) may be required to remove any works established under this permit at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.