

# Guideline

## Macropod management

### Assessment guideline for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods

*An assessment guideline provides guidance for consideration by the chief executive or their delegate of an application for an authority under the Nature Conservation Act 1992.*

#### Table of Contents

<b>1 Purpose</b> .....	<b>2</b>
<b>2 Background</b> .....	<b>2</b>
<b>3 Policy statement</b> .....	<b>3</b>
<b>4 Assessment guidelines</b> .....	<b>3</b>
4.1. Managing the 2% DMP quota .....	4
4.2 Setting the maximum number of macropods that can be taken under an individual DMP .....	4
4.3 Section 163(2) DMP assessment requirements .....	6
<b>5 Key definitions</b> .....	<b>7</b>
<b>6 Authorities</b> .....	<b>8</b>
<i>Human Rights Act 2019 compatibility</i> .....	<b>8</b>
<b>Approved By</b> .....	<b>8</b>

# Assessment guideline for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods

---

## 1 Purpose

This assessment guideline outlines the specific matters that the Department of Environment and Science needs to consider when deciding an application for a Damage Mitigation Permit for the lethal management of harvest macropods (see definitions).

In accordance with section 174B of the *Nature Conservation Act 1992* (NCA), the chief executive or their delegate must have regard to the provisions and requirements of this assessment guideline when considering an application for a Damage Mitigation Permit for the lethal take of harvest macropods.

## 2 Background

The chief executive or their delegate may consider applications for Damage Mitigation Permits (DMPs) made under *Nature Conservation (Animals) Regulation 2020* (the Animals Regulation) that allow the permit holder to carry out lethal take of native wildlife. These permits can be issued to prevent damage or loss caused, or likely to be caused, by the animal (e.g. economic loss, or a loss of ecological sustainability), or prevent or minimise a threat, or potential threat, to human health or wellbeing caused, or likely to be caused, by the animal.

One type of animal taken under DMPs is large macropod species which, in large numbers and high densities, can cause significant impacts on commercial crops and pastures. Three macropod species (red kangaroos, eastern grey kangaroos and common wallaroos) taken under DMPs are also harvested under a science-based sustainable use program that applies population surveys and monitoring to determine an estimated population size for each of the harvest macropods in each of the regions/zones. This harvest system is regulated under the *Nature Conservation (Macropod) Conservation Plan 2017* (the Macropod Conservation Plan) and the Wildlife Trade Management Plan under the Commonwealth *Environmental Protected and Biodiversity Conservation Act 1999*.

The Macropod Conservation Plan sets out the number of animals that can be lethally taken under a DMP. This quota for annual take under DMPs ensures that the take of the species is ecologically sustainable. The quota for DMPs is restricted to 2% of the estimated population of each harvest macropod for a calendar year by the Macropod Conservation Plan. Restricting the granting of DMPs in this way provides a clear limit that ensures the lethal take of harvest macropods operates as a sustainable program.

The Macropod Conservation Plan also sets a 'relevant maximum amount', which is the percentage of the population estimate of a harvest macropod that can be harvested for commercial purposes (in a region/zone). This is published in a Macropod Harvest Notice as a percentage of the population estimate for each species.

There is also a general requirement placed on the issue of all lethal DMPs for economic loss and damage that landholders must first be able to show they have implemented non-lethal control measures, and these measures have been ineffective. The consistent application of this requirement is important in the case of macropod DMPs, as in some areas non-lethal measures can be sufficient and this allows the quota to be allocated where and when the impacts from macropod damage need to be addressed by lethal take.

Due to the application of a fixed quota and other restrictions applied to DMPs it is necessary to establish specific arrangements to provide for equitable access to the quota for landholders across different geographic areas, and throughout the calendar year. This assessment guideline sets out the arrangements to ensure that the quota for lethal take of harvest macropods under DMPs can be accessed equitably across the community, particularly in years where the quota may be significantly reduced.

## Assessment guideline for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods

---

### 3 Policy statement

Queensland's native wildlife is protected by legislation that aims to conserve wildlife and its habitat, and to allow for sustainable use of wildlife.

Under section 69 of the Macropod Conservation Plan the lethal take of harvest macropods is limited by a statutory annual quota of 2% of the estimated population size established under the commercial harvest scheme and Wildlife Trade Management Plan. These population estimates are calculated annually for each species, in each of five population estimate regions.

The lethal take of macropods on land used for grazing and agriculture under a DMP is also restricted to those cases where the landholder has attempted to use non-lethal measures to manage the relevant damage or loss, and where those measures have not been effective in avoiding damage and loss.

This assessment guideline establishes the assessment and permitting procedures to ensure that the 2% quota in any given year is distributed amongst landholders proportionately across the regions and throughout the calendar year, and to those landholders who remain impacted by macropods after implementing non-lethal measures.

The assessment and permitting procedures will involve:

- Processes for tracking the allocation of the 2% DMP quota for each species in each population estimate region;
- Setting a maximum number of each of the harvest macropods that can be approved under any given DMP, based on the size of the population estimate; and
- Where populations of harvest macropods are below a key threshold, setting the minimum criteria for assessing the non-lethal measures used by landholders prior to the use of lethal control.

Note that the assessment of DMPs is subject to a range of additional considerations and criteria set out in the Animals Regulation. This assessment guideline addresses specific issues relevant to deciding applications for DMPs for harvest macropods that arise from the allocation of the total permit numbers within the 2% quota (set out in section 69 of the Macropod Conservation Plan).

### 4 Assessment guidelines

When assessing an application for a DMP for lethal take of harvest macropods the chief executive or their delegate is bound by:

- Section 69 of the Macropod Conservation Plan, to not issue DMPs where the total permit number for the macropod has reached the 2% quota based on the estimated population in that calendar year;
- Section 163(2)(a) of the Animals Regulation, to only issue a lethal DMP if macropods are causing or may cause damage which may cause significant economic loss, or harm to ecological sustainability;
- Section 163(2)(b) of the Animals Regulation, to only issue a lethal DMP if the relevant landholder has made reasonable attempts to prevent or minimise the damage, and these attempts have not been effective.

In addition, when considering an application for a DMP for lethal take of harvest macropods, under section 241 of the Animals Regulation, the chief executive or their delegate must take into consideration:

- the public interest

## Assessment guideline for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods

---

- the effect the grant of the authority may have on the fair and equitable access to nature, in particular, the ecologically sustainable use of wildlife.

To ensure consistent application of these criteria and considerations, the delegate will be guided by each of the following considerations (i.e. 4.1, 4.2, and 4.3) when deciding an application for a DMP for harvest macropods. As noted above, the assessment of a DMP for harvest macropods includes a number of other more general considerations and criteria set out in the Animals Regulation, which must be considered and addressed by the chief executive or their delegate, but are not addressed in this guideline.

### 4.1. Managing the 2% DMP quota

The Macropod Conservation Plan restricts the issue of DMPs by not allowing them to be granted for a harvest macropod once the quota for the lethal take of 2% of the estimated population of that harvest macropod has been reached in any given year (see section 69).

Each year the Department of Environment and Science publishes the results of its annual macropod survey, and provides population estimates by species and region. The population estimates developed in one calendar year are then used to set the sustainable use and DMP quota for the following calendar year.

In accordance with the Commonwealth-approved Wildlife Trade Management Plan (WTMP) these population estimates are produced annually, for each species, across five **Population estimate regions** (see current Nature Conservation (Macropod Harvest Period) Notice for a list of local councils in each region). This **Population estimate region**-based approach to population estimates, and the setting of quotas by region, is an integral part of the approved WTMP, and the sustainable harvest program established under the Macropod Conservation Plan.

All DMPs issued for harvest macropods will set a maximum number of animals that can be taken from each species during the DMP period. After each licence is issued this number of approved macropods will be entered into a tracking system by **Population estimate regions** and species. Where properties span more than one harvest region or zone the approved amount will be entered against each of the regions in an equal proportion (or where the delegate decides specific circumstances warrant another arrangement to be used).

The delegate will also reserve part of this quota for each region (e.g. 100 harvest macropods from each species) in the event of public safety issues involving macropods that have become aggressive and attacked members of the public, and need to be removed.

### 4.2 Setting the maximum number of macropods that can be taken under an individual DMP

Section 69 of the Macropod Conservation Plan sets a 2% statutory limit on the total number of harvest macropods that can be taken under DMPs in a year. For this quota system to operate over the entire year, there needs to be a process in place to regulate the number of harvest macropods taken under DMPs to ensure that permit numbers needed by landholders in the latter half of the year will be available to manage impacts from macropods.

The risk of allocating most of the quota early in the year is particularly high when the estimated macropod population is lower, as the DMP quota will also be reduced. To address this, the maximum number of harvest macropods that can be approved under a lethal DMP will vary proportionately to the estimated population level of each macropod species. As a result, lower individual permit numbers will be set when there is a reduced DMP quota available for a given region and species.

## Assessment guideline for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods

The estimated population size for harvest macropods in each of the harvest zones or regions is determined using a standardised methodology and is informed by long-term information about variations in macropod populations in each zone. This estimate is used to determine the maximum percentage of the population of the harvest macropods that can be harvested within a harvest zone or region. This percentage is referred to as the 'relevant maximum amount' and is published in the Harvest Period Notice to provide an accurate indicator of the proportion of the population of each harvest macropod that can be harvested sustainably within each harvest zone or region.

The following table identifies how the rate of lethal take under DMPs will be managed by varying the maximum number of harvest macropods that are allocated to an individual DMP as their population fluctuates. The relevant maximum amount (%) allocated for harvest for a macropod species within a specific harvest zone or region will be used as a robust and reliable indicator of abundance.

<b>Restriction</b>	<b>Relevant maximum amount for region and species (stated in current Harvest Period Notice)</b>	<b>Limit for number of macropods allocated to an individual DMP (by species)</b>
Standard restriction	Relevant maximum amount for the species/region is set at 10% or more	1000 for that species
Level 1 reduced population restriction	Relevant maximum amount for the species/region is set at more than 5%, but less than 10%	400 for that species
Level 2 reduced population restriction	Relevant maximum amount for the species/region is 5% or less, (including where no amount is set)	200 for that species

This mechanism regulates the number of macropods allocated to an individual permit (the Animals Regulation and this assessment guideline do not set any limits on the number of DMPs that can be issued to any given landholder in a calendar year). Restricting the number of macropods allocated to a permit in this way will avoid the disproportionate allocation of the DMP quota to those landholders who apply first (i.e. those who have to address macropod damage early in the year) and those who apply for the maximum permit allocation but are unable to take that many macropods during the permit period.

*As an example, if a harvest zone has a relevant maximum amount for eastern grey kangaroos of 100,000 individuals and 15 landholders apply for DMPs each for 1000 animals but only take 400 each, then the remaining 600 cannot be reallocated. This means that for the 15 landholders, 9000 macropods have been allocated but not taken and will not be available to other landholders. If level 1 restrictions were in place, the landholders would achieve the same outcome and there would be no impact on the DMP quota for other landholders who need to apply for a DMP later in the year.*

The number of macropods allocated to a permit may need to be further restricted below the levels shown above where there is evidence to indicate a relatively high probability that the DMP quota would otherwise be overused in a particular region or zone and within a short timeframe, disadvantaging some landholders.

## Assessment guideline for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods

---

### 4.3 Section 163(2) DMP assessment requirements

Section 163(2) of the Animals Regulation sets out criteria that must be met for a DMP to be issued for a harvest macropod. Under this provision the delegate must be satisfied of all of the following criteria:

- (a) the animal is causing, or may cause, damage; and
- (b) the landholder of the land... has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
- (c) if the damage is not prevented or controlled—
  - (i) persons may suffer significant economic loss; or
  - (ii) the ecological sustainability of nature is likely to be harmed.

Across the full range of interactions with native animals that can occur there is a proportion that create damage and loss. There are also a set of practical measures specific to these different circumstances that can be employed to meet the criteria prescribed in section 163. Consequently, the evidence required to meet this criteria will vary significantly depending on the behaviour of the animal and the environment it is in.

The harvesting of macropods under a DMP is limited by a fixed statutory quota that needs to be allocated equitably among those landholders who have a genuine need to address macropod damage. This means assessing officers need to ensure that applications for DMPs to harvest macropods are assessed against the criteria in section 163 in a rigorous and consistent way. The assessment needs to ensure that non-lethal measures have been used extensively before they are regarded as ineffective and that there is a genuine need for lethal take reflected in the extent of damage occurring and the number of harvest macropods present.

Circumstances can occur where a landholder is applying for a second DMP after already reaching the limit set for that species under a previous DMP in the same harvest period. When assessing the requirement under section 163 for a DMP for harvest macropods for a second DMP, the delegate will (wherever possible) seek specific objective evidence of the types of impacts (or potential impacts) on the landholder, and the measures used to address the damage or loss from the macropods. These could include:

- Detailed photographic evidence of pasture impacts caused by the macropods
- Receipts for additional feed purchased for stock, to provide supplemental feeding
- Receipts or photographic evidence related to the equipment/supplies used to deter/disperse macropods (e.g. noise-making devices)
- Detailed photographic evidence or receipts for fencing or other control methods used to reduce access to pasture or water resources
- Signed affidavits detailing the specific measures already used to reduce the loss or damage caused by the animals.

Where such evidence isn't available, the delegate will ensure that the applicant provides equivalent information to allow for a consistent assessment of the three key tests set out in section 163. The requirement on the delegate to seek this evidence for repeat applications within a single harvest period does not limit the evidence the delegate may require to support an initial DMP application.

It should be noted that there are no specific deterrent/prevention measures that are compulsory for a landholder to use to satisfy the requirement of section 163. Each circumstance has different aspects and an applicant only needs to demonstrate that they have made a reasonable attempt to reduce the impact from the animals. What

## Assessment guideline for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods

---

constitutes a reasonable measure will vary based on a range of factors including the size of the property and the extent of the macropod populations in the area.

### 5 Key definitions

In this assessment guideline:

**Estimated population size** – for a harvest macropod, means the population size estimated by the chief executive for the macropod in the population estimate region.

**Harvest macropod** – means a species of macropod for which a harvest period has been declared by a Harvest Period Notice, and within a region subject to the harvest period notice.

**Population estimate region** – means the area in which a population estimate of harvest macropods is determined, and quotas are then set as a percentage of this estimate (i.e. the relevant maximum amount specified under regulation). At the time of writing these include the Central North region, Central South region, Central East region, the Eastern Zone, and the Western Zone as defined in the current Harvest Period Notice.

**Quota** - in the context of damage mitigation permits for lethal take of macropods, means 2% of the estimated population size of a macropod for a given year and is set as the total limit of a macropod that can be taken under damage mitigation permits in that year within **Population estimate regions**.

**Total permit number** – for a harvest macropod for a calendar year, means the total number of macropods of the same species for which damage mitigation permits have been issued or given under the *Nature Conservation (Animals) Regulation 2020* in a year.

**Relevant maximum amount** – means the maximum percentage of a harvest macropod estimated population that can be harvested under a licence.

## Assessment guideline for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods

---

### 6 Authorities

*Nature Conservation Act 1992*  
*Nature Conservation (Animals) Regulation 2020*  
*Nature Conservation (Macropod) Conservation Plan 2017*

#### **Human Rights Act 2019 compatibility**

The department is committed to respecting, protecting and promoting human rights. Under the [Human Rights Act 2019](#), the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When acting or making a decision under this assessment guideline, officers must comply with that obligation (refer to [Comply with Human Rights Act](#)).

#### **Disclaimer**

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Science should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

### Approved By

Ben Klaassen



Deputy Director-General, Queensland Parks and  
Wildlife Service and Partnerships  
*Nature Conservation Act 1992*

17 September, 2021

Date

**Enquiries:**  
Macropod Management Unit  
Ph. (07) 4530 1254  
Email. [mmp@des.qld.gov.au](mailto:mmp@des.qld.gov.au)