**Sections 161 and 164 — Nature Conservation (Animals) Regulation 2020**

**Damage mitigation permit: Ecologically sustainable lethal take of**

**flying-foxes for crop protection**

**Important information for applicants**

The phase-out of flying-fox damage mitigation permits in Queensland commenced on 1 July 2023.

From 1 July 2023 to 30 June 2026:

* **only a person who has held a flying-fox damage mitigation permit between 1 September 2012 and 30 June 2023 may apply**
* the annual quota of flying-foxes that can be shot, and maximum quota per permit, have been reduced by between 80% to 90%, depending on the species.

From 1 July 2026, permits to shoot flying-foxes for crop protection purposes will no longer be available.

**Additional information**

Applications can be made using the Department of Environment and Science (the department) digital platform for online services and transactions. In some instances, online licences are granted straight away. Visit https://www.business.qld.gov.au/running-business/environment/online-services for more information.

This form is to be used to apply for a damage mitigation permit or the ecologically sustainable lethal take of flying-foxes to prevent damage and loss. A damage mitigation permit for the ecologically sustainable lethal take of flying-foxes may be granted for a maximum period of three (3) months. 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 (code of practice).

Before lodging this application you should be familiar with the relevant sections of the *Nature Conservation Act* *1992* (the Act)and Nature Conservation (Animals) Regulation 2020 (the Animals Regulation) available from the Office of the Queensland Parliamentary Counsel website http://www.legislation.qld.gov.au and the code of practice.

The information requested will enable your application to be processed as prescribed by the *Nature Conservation Act 1992* (the Act). Your application must be assessed, and a permit granted by the chief executive before you can proceed with the proposed activity. If all the necessary information is provided, **your application may take up to 40 business days to process**. A comprehensive and detailed application will assist the department in processing your application.

Before lodging this application, you should be familiar with the requirements of the Act, which are available from the Office of the Queensland Parliamentary Counsel website at https://www.legislation.qld.gov.au 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 Permits and Licensing on **1300 130 372 option 4**.

**Important information for applicants about flying-fox**

In Queensland, the Black flying fox (*Pteropus alecto)*, Little red flying-fox (*Pteropus scapulatus*) and Grey-headed flying-fox (*Pteropus policephalus*) are listed as a ‘least concern’ species under the Act. The spectacled flying-fox (*Pteropus conspicillatus*) is classified as an ‘endangered’ species under the Act and the department can not 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.

The code of practice can be found at https://environment.des.qld.gov.au/licences-permits/plants-animals/damage-mitigation-permits

To ensure these flying-fox species are conserved and any take is ecologically sustainable, the department assesses damage mitigation permits for flying-fox against the code of practice. The applicant must provide specific objective evidence of the types of impacts on the applicant and the measures to address the damage or loss from the flying-fox. A comprehensive and detailed application will assist officers in processing your application.

**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, freshwater fish, the estuary stingray and the grey nurse shark.

Other aquatic species are protected by the [Department of Agriculture and Fisheries](https://www.daf.qld.gov.au/), the [Great Barrier Reef Marine Park Authority](http://www.gbrmpa.gov.au/) and the Australian Government.

A licensing system helps us protect native wildlife species. By regulating the sustainable taking, keeping, using, or moving of native animals 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, nature refuges and special wildlife reserves as defined in the Act (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 Queensland Parks and Wildlife Service and Partnerships (QPWS&P) at parkaccess@des.qld.gov.au

Note: Corporations must have an office in Queensland to be eligible to apply for an authority. The *Nature Conservation Act 1992* and the subordinate Nature Conservation Regulations may be found on the Office of Queensland Parliamentary Counsel website at https://www.legislation.qld.gov.au

**Privacy statement for wildlife permits**

Information you provide, assists the department in administering animals and plant licences, permits and authorities granted under the *Nature Conservation Act 1992*.

Some information may be provided to the Departments of Agriculture and Fisheries; Queensland 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.

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 the department’s website at https://www.des.qld.gov.au/legal/privacy.html For specific privacy information or enquiries please email privacy@des.qld.gov.au

**Completion of this form**

To enable your application to be processed you must answer all sections and acknowledge you have read the ‘terms and conditions’ by checking the box in section 1.

If you do not complete all sections, sign and date the application form, your application will be returned to you as an invalid application.

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

**[ ]** I accept the above terms and conditions.

1. **Have you held this authority previously?**

[ ]  Yes – provide the following information:

|  |  |
| --- | --- |
| \*Permit number and expiry date: |       |
| Have all ‘return of operations’ and ‘reports’ due under the above authority been submitted?  | [ ]  Yes[ ]  No – STOP – all return of operations and reports must be submitted prior to lodging this application. Note: Return of operations may be submitted electronically through Online Services or using the approved return of operations form available on the department’s website at:https://environment.des.qld.gov.au/licences-permits/plants-animals/return-of-operations  |

[ ]  No – STOP – do not proceed with this application.

**From 1 July 2023 to 30 June 2026, the phased repeal of flying-fox damage mitigation permits is occurring. Only a person who has held a flying-fox damage mitigation permit between 1 September 2012 and 30 June 2023 may apply.**

More detailed information about the [phased repeal of flying-fox damage mitigation permits for crop protection](https://www.qld.gov.au/environment/plants-animals/animals/living-with/bats/flying-foxes/managing-impacts-of-flying-foxes/damage-mitigation-permits-for-crop-protection) is available on the department's website.

1. **Applicant information**

A wildlife authority may only be granted to an individual or corporation. A corporation must have an office in Queensland to be eligible to apply for an authority. Please tick the appropriate box:

[ ]  **An individual** ® **Complete** Section 4 **applicant details in full — then complete sections 6 – 26.**

[ ]  **An organisation** ® **Complete** Section 5 **applicant details — then complete sections 6 – 26.**

1. **Applicant details for an individual**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Title | \*First name | Middle name | \*Surname | \*Date of birth |
| [ ]  Mr[ ]  Mrs[ ]  Ms[ ]  Miss[ ]  Other |       |       |       |       |

1. **Applicant details for an organisation**

Organisation type –

[ ]  Company [ ]  Australian registered (foreign) body [ ]  Incorporated association

[ ]  Co-operation [ ]  Government [ ]  Not for profit organisation

|  |  |
| --- | --- |
| \*Australian Business Number | \*Business name |
|       |       |
| Chief Executive Officer | Australian Company Number / Association Number |
|       |       |

1. **Applicant registered / residential address**

Note: An organisation must have an office in Queensland to be eligible to apply for an authority.

|  |  |  |  |
| --- | --- | --- | --- |
| \*Registered / residential address (not a post office box) | \*Suburb | \*State | \*Postcode |
|       |       |       |       |

(write ‘as above’’ if same as registered/residential address)

|  |  |  |  |
| --- | --- | --- | --- |
| Postal address | Suburb | State | Postcode |
|       |       |       |       |

1. **Applicant contact details – email and phone contact is mandatory**

|  |  |
| --- | --- |
| Email address |       |
| Phone type[ ]  home phone [ ]  office phone[ ]  mobile phone  | Area code      | Phone number (note: 10 digits including area code)      |

1. **Permit activity**

[ ]  Culling to prevent damage or loss

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

1. **Code of practice**

Please acknowledge the following statement:

[ ]  I will comply with the Code of practice – ecologically sustainable lethal take of flying-foxes for crop protection.

1. **Activity location**

Please provide exact location of where this activity will occur by Lot on Plan and physical street address. If required attach additional documentation.

|  |  |  |  |
| --- | --- | --- | --- |
| \*Physical street address, this cannot be a post office box. | \*Suburb | \*State | \*Postcode |
|       |       |       |       |

**And**

|  |  |  |  |
| --- | --- | --- | --- |
| \*Lot and plan number | \*Lot and plan number | \*Lot and plan number | \*Lot and plan number |
|       |       |       |       |
|       |       |       |       |

**Or**

|  |
| --- |
| \*GPS locations  |
|       |

#  Is the applicant the landholder of the property for the proposed activity?

# Note: Landholders may include owners, lessees, trustees, easement rights holders, etc.

[ ]  Yes – **go to section 13.**

[ ]  No

#  Have you obtained statements signed by each landholder that grant you access?

[ ]  Yes – completed landholder statements (Appendix A) attached.

[ ]  No – STOP – do not proceed with this application until landholder statements have been obtained.

1. **Wildlife details**

Note: More detailed information about [annual quotas for the lethal take of flying-foxes](https://www.qld.gov.au/environment/plants-animals/animals/living-with/bats/flying-foxes/managing-impacts-of-flying-foxes/damage-mitigation-permits-for-crop-protection) and the the maximum number per permit is available.

|  |  |  |
| --- | --- | --- |
| **COMMON NAME** | **SCIENTIFIC NAME** | **quantity** |
|       |       |       |
|       |       |       |
|       |       |       |

1. **Start and completion dates**

Please enter the proposed start and completion dates for the project

|  |  |
| --- | --- |
| Start date      | Finish date      |

1. **Potential for damage or significant economic loss**

Permits are exclusively granted to commercial crop growers. A ***commercial crop grower***, for land, means a person carrying on a business of growing a crop for commercial gain, other than an incidental use of the land.

1. **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 164(2)(a) and 164(2)(c) of the Animals Regulation.

[ ]  Fruit type/s crop

[ ]  Non-fruit type/s crop

|  |
| --- |
| Provide details of the type of crop      |

1. **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 I nor anyone in the surrounding area have incurred damage this season or in past season.

1. **Detail the damage and significant economic loss experienced or potential to experience (as a monetary value) using an example.**

You may wish to include examples such as:

* The percentage of the crop lost to flying-fox damage at current market value is equivalent to a dollar value.

For example, 45% of the crop was lost to flying-fox damage in a previous season. At that time the crop was worth $50 per carton. Lost the equivalent of 75 cartons which equates to $3,750 of income lost for that season.

* Specify the potential loss of crop, for example 20 tonnes of fruit, at current market value at dollar value.
* Expenses incurred to pay employees to deter wildlife from crops using non lethal methods.

|  |
| --- |
| Provide detail      |

1. **Can you positively identify the individual species?**

Describe the differences between each species and/or provide photographs of the animals. This is to ensure the correct species are listed on your permit.

|  |
| --- |
|       |

1. **What is your proposed method to take the species?**

|  |
| --- |
|       |

1. **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 164(2)(b) of the Animals Regulation.

**Specify which non-lethal deterrence methods are in use below.**

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, and for fruit such as bananas, protective fruit bags.’

**If exclusion netting IS NOT used, a minimum of two (2) 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

|  |  |
| --- | --- |
| 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. |       |

1. **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 (2) growing seasons.

[ ]  Attached are photos to substantiate the information provided in the non-lethal mitigation questions.

[ ]  Please refer to photos supplied in previous applications.

1. **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 a 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 in previous applications.

1. **Permission for Queensland Government Officers**

Section 145 of the Act 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.

[ ]  I give permission for Queensland Government officers that are conservation officers under the Act 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.

1. **Provide the name(s) of the person(s) operating under this permit**
2. 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 |
|       |       |
|       |       |
|       |       |
|       |       |
|       |       |

1. If multiple persons are operating under the permit, 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).

|  |
| --- |
| Additional comments:      |

1. **Wildlife suitability**

During the past three (3) years, have you (or an associate) been convicted of:

1. an offence against the Act*;* or
2. an animal welfare offence under the *Animal Care and Protection Act 2001*;or
3. an offence under another Act relating to wildlife; or
4. an offence, however described, equivalent to an offence mentioned under (i) to (iii) under the law of another State or country?

[ ]  Yes – an assessment officer will contact you regarding this response.

[ ]  No

Note: An associate, of a person whose suitability to hold an animal authority is being considered, means –

1. If the person is a corporation – each executive officer of the corporation; or
2. If the person is an individual – another person who –
	1. Is, or is intended to be, regularly or usually in charge of the individual’s activity or business, or proposed activity or business, that relates, or is intended to relate, to the authority; or
	2. Regularly directs staff for the activity or business in their duties; or
	3. Is, or is intended to be, in a position to control or substantially influence the activity or business, or proposed activity or business.
3. **Effective Date**

# Select an effective date: Decision Date [ ]  or Nominated Date

Nominated date must not be less than 40 business days or more than six (6) months from the lodgement date of the application.

1. **Person in charge**

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

[ ]  Same as applicant – applicable if applying as an individual – **go to section 24.**

[ ]  Alternate person in charge – applicable if applying as a corporation.

**Person in charge identity details**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Title | \*First name | Middle name | \*Surname | \*Date of birth |
|       |       |       |       |       |

**Person in charge residential address**

|  |  |  |  |
| --- | --- | --- | --- |
| \*Residential address (not a post office box) | \*Suburb | \*State | \*Postcode |
|       |       |       |       |

(write ‘as above’’ if same as registered residential address)

|  |  |  |  |
| --- | --- | --- | --- |
| Postal address | Suburb | State | Postcode |
|       |       |       |       |

**Person in charge contact details – email and phone contact is mandatory**

|  |  |
| --- | --- |
| Email address |       |
| Phone type[ ]  home phone [ ]  office phone[ ]  mobile phone  | Area code      | Phone number: note: 10 digits (including area code)      |

1. **Application contact details**

[ ]  Same as applicant - **go to section 25** [ ]  Alternate contact person

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.

|  |  |
| --- | --- |
| \*Name and position |       |
| \*Email address |       |
| \*Primary phone. Note: 10 digits (including area code) |       |
| Secondary phone |       |

1. **Declaration**

Note: If you provide inaccurate or misleading information in this application you may be liable for prosecution under the relevant Acts or Regulations.

* I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
* I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977.*
* I do solemnly and sincerely declare that I am commercial crop grower, for land, meaning a person carrying on a business of growing a crop for commercial gain, other than an incidental use of the land.

|  |
| --- |
| Applicant’s name      |
| Applicant’s signature | Date      |
| If the applicant is a corporation, please indicate your position in the corporation.      |

1. **Applicant checklist**

[ ]  All sections on application form completed, signed and dated.

[ ]  Supporting information attached.

[ ]  Landholder statement form attached (Appendix A) (if applicable).

Please return completed application to: **Email:** palm@des.qld.gov.au

 **Post:** **Permits and Licensing**

 **Department of Environment and Science**

 GPO Box 2454

 Brisbane Queensland 4001

The Code of practice and the Information sheet – Wildlife authorities and privacy may be obtained from the department’s website <http://www.des.qld.gov.au> or by contacting Permits and Licensing on 1300 130 372, option 4.

**Appendix A: Landholder Statement (if applicable)**

**Important information**

Each landholder for land where wildlife is proposed to be taken are requested to complete a landholder statement. Note: Landholders may include owners, lessees, trustees, easement rights holders, etc.

A landholder statement is not required by the licence applicant.

This form provides assurance that the applicant of the damage mitigation permit (ecological sustainable lethal take of flying-foxes for crop protection), has approval from the landholder to lawfully enter the land to take protected wildlife. The landholder, at any time, may withdraw consent to the permit holder to enter the land.

**Landholder name(s)**

|  |  |
| --- | --- |
| Landholder name(s) |       |

**Contact person’s details**

|  |  |
| --- | --- |
| Position |       |
| Residential address |       |
| Postal address |       |
| Telephone |       |
| Email |       |

**Land description**

|  |  |  |  |
| --- | --- | --- | --- |
| \*Lot and plan number | \*Lot and plan number | \*Lot and plan number | \*Lot and plan number |
|       |       |       |       |
|       |       |       |       |

**Landholder certificate**

|  |
| --- |
| I,      Printed name of landholder owner. |

[ ]  authorise that the applicant may enter onto the property listed above for the purposes of taking wildlife; and

[ ]  state that information supplied above is, to the best of my knowledge, true and accurate.

|  |  |  |
| --- | --- | --- |
| Signature: | Position of signatory (e.g. Director, manager, owner, partner, chief executive officer etc.):       | Date:      |