LICENCE TO KILL

The shocking scale of licensed wildlife killing in Australia

HUMANE SOCIETY INTERNATIONAL
AUSTRALIA

Report authored by Humane Society International Australia

Cite this report as: Humane Society International Australia (2024) Licence to Kill: The shocking scale of licensed wildlife killing in Australia.

Front cover image: Luke Wait Photography/iStock

Humane Society International (HSI) is one of the world's leading animal protection organisations and HSI Australia established our office in 1994. We work to create a humane and sustainable world for animals advocating across wildlife conservation and animal welfare policy areas.

ABN: 63 510 927 032

ISBN: 978-0-6456891-0-5

Acknowledgements

Humane Society International Australia acknowledges the Traditional Custodians of Country throughout Australia. We recognise and respect the enduring relationship they have with the land, seas, rivers and animals of Australia, and we pay our respects to Elders past and present.

Humane Society International Australia wishes to express our gratitude to Meg Lamb, Dr Louise Boronyak, Nicola Beynon, Evan Quartermain and Dr Jennifer Ford for their authorship of this report.

Humane Society International Australia wishes to express our gratitude to Exuberance, as well as Erica Martin and Matthew Smeal, for their expert review and valuable feedback.

We thank governments for their time in reviewing our analysis of their licencing framework and data, and their insights into the way those frameworks work in practice.

We also thank Susanne Geppert for the design of this report.

Humane Society International Australia acknowledges the generosity of our supporters and donors who have made the preparation of this report possible.

This report was finalised on 17 September 2024

CONTENTS

TABLES

CASE STUDIES

Executive summary

Every year, Australia's state and territory governments allow private landholders to kill hundreds of thousands of native animals—animals that would otherwise be protected by law.

For the first time ever, this report quantifies the national scale of the licensed killing of Australia's native wildlife using data obtained from state and territory governments.

Our detailed investigations reveal that in 2023, licences were issued to kill 1,222,507 native animals. This included (but was not limited to):

- 580,695 native birds, including corellas, cockatoos, lorikeets, swallows, black ducks, grey teals and wood ducks
- 419,120 kangaroos and wallabies[1]
- 3,558 wombats
- 2,050 brushtail possums

Licensing at this scale is the norm. Between 2021-2023, over 4.5 million native animals were allowed to be killed. However, exemptions from needing a licence, and a lack of reporting and transparency, means the actual number of native animals killed each year is not known and could be much higher.

The report examines the various licencing frameworks and how they operate in practice, showing how each jurisdiction exposes Australia's wildlife to unnecessary and inhumane killing.

Common methods such as shooting, poisoning, and trapping pose serious risks to animal welfare. They cause prolonged pain and suffering, shatter family and social bonds, and orphan young. By allowing these methods at scale, governments are showing a callous disregard for animal suffering.

Against the backdrop of a nationwide extinction crisis—where our biodiversity is declining, the number of threatened species is increasing, and ecosystems are experiencing collapse—this report highlights a shockingly complacent lack of accountability for the ecological consequences of widespread wildlife killing.

Our report calls for urgent legislative and policy reform that moves away from killing as the default solution to human–wildlife conflicts and instead moves towards innovative and humane solutions that foster living side by side, or coexistence.

If we continue down our current path, we risk a future of lifeless landscapes. Our woodlands, plains and paddocks will be emptied of the birds, kangaroos, wallabies, wombats, and dingoes—and countless other animals—who have always had the right to call Australia home.

Between 2021–2023, licences were issued to kill

4,579,839

NATIVE ANIMALS

Introduction

Over the past two centuries, Australia has been responsible for more mammal extinctions than any other continent and continues to have one of the highest rates of species decline among developed nations.[2] The number of species on our country's threatened species lists is growing year on year and the abundance of wildlife in our landscapes is diminishing. At the same time, the public's compassion for animal welfare is growing. Many people feel that it is no longer acceptable to be complacent or cruel in our approach to wildlife. It is time to modernise Australia's wildlife management practices and prioritise coexistence over killing.

The primary justification for the killing of hundreds of thousands of native animals is to reduce human-wildlife conflict. Conflicts can arise due to competition over resources such as grasslands or water, damage to property such as fences, or injury to and death of livestock. Or simply because native animals are seen as pests or nuisances.

The main lethal methods used across Australia are shooting, trapping and poisoning. These methods cause pain, trauma, and distress to individual animals, their dependents, and social groups. Trapping and poisoning are indiscriminate methods that also harm and kill other animals beyond those they target. Widespread and repeated killing of native wildlife also reduces their abundance in our landscapes and contributes to biodiversity loss.

Humane Society International Australia believes that all animals deserve to be treated humanely. We oppose the killing of wildlife—particularly when there are humane and effective alternatives to managing human–wildlife conflict.

We must protect our wildlife and our biodiversity. It should be much harder to get licences to kill, and there needs to be more accountability, transparency and reporting where licences are given out. No animal should be allowed to be killed without a licence.

We are sympathetic to the challenges that landholders face and understand that changes will not be made overnight. But we do urge a priority be placed on transitioning to humane solutions which are often also more effective. We are calling on governments to provide more support to landholders to bring about this transition.

We believe it is time to revisit what we, as a nation, think is right and wrong regarding the way we treat animals.

Scope of report

This report examines the use of killing to manage conflicts with native animals on private land.

It focuses on licences issued to private landholders that allow the killing of native terrestrial animals in an attempt to protect or minimise property damage, or for safety or wellbeing reasons. It also examines circumstances in which native animals may be legally killed by private landholders without a licence.

This report does not include the killing of native wildlife for other reasons, including recreational, scientific, or commercial purposes, nor does it include the killing of native animals on public land or in the marine environment. In this way, it only tells one part of a much bigger story.

Calculating the scale of killing

To quantify the scale of killing, we looked at licence information when it was publicly available, provided when requested from the relevant government department, or obtained at a cost through 'freedom of information' (FOI) applications. We obtained this information for the most recent three years, and we have used the year 2023 to provide a current, contemporary snapshot.

▶ **See figure 1, 'Licences to Kill across Australia in 2023', page 8.** Western Australia could not provide the requested information for 2023 and so we have presented the limited data they provided for 2021. Except for the Australian Capital Territory and Tasmania, no government department provided the number of animals that had been reported as killed (although it is noted that the New South Wales Government publishes the 'harvest' information in relation to the Native Game Bird Management Program).

As a result, this report reveals the number of native animals that private landholders were *licensed* to kill across Australia. The actual number of native animals that private landholders have killed around Australia is not known and could be much higher.[3] The figures do not account for any animals that have been killed by private landholders without or in excess of a licence, nor do they account for wildlife that may be killed beyond the point of reporting (e.g. if an animal is trapped, injured and escapes, or is poisoned, it may die without the licence holder's knowledge).

▶ **The table at Appendix A provides a summary of how licence information was accessed, the kind of information obtained, and the associated limitations**.

The actual number of native animals that private landholders have killed around Australia is not known.

The laws that allow the killing

The killing of native wildlife is primarily regulated at the state and territory level. Each state and territory has laws that automatically protect most native animals. Under these laws, it is an offence to harm, disturb or kill these protected native animals. However, these laws also provide easily accessible avenues for private landholders to kill these animals without committing an offence. They do this by:

- allowing licences[4] to kill protected animals; and/or
- automatically excluding (or giving the government power to exclude) certain animals from protection, allowing those animals to be killed without a licence.

While in most jurisdictions a person cannot obtain a licence to kill an endangered animal, this is not always forbidden by the relevant law.

In addition to these laws, most jurisdictions also have a policy on 'living with wildlife', which outlines the government's approach to managing wildlife. While these policies typically encourage people to explore non-lethal solutions to managing human–wildlife conflict, they almost always note that licences to kill may be obtained to resolve such conflict. ► **A summary of each jurisdiction's licencing framework is provided in Table 1, page 5.**[5]

This summary does not include other laws that may apply. For example, private landholders are required to comply with the relevant firearms laws if they are shooting native wildlife.

There is also a requirement to adhere to animal welfare and prevention of cruelty laws. However, the degree to which they apply or are effective at preventing cruelty varies widely. For example, a person killing native wildlife under a licence may be exempt from cruelty offences if they kill the animal in accordance with the conditions of the licence. However, these conditions do not necessarily prevent cruelty or suffering. Some animals (such as dingoes) are generally not protected by animal welfare legislation. ► **See Case Study: 'Dingoes: Unprotected native animals', pages 22–24.** One state exempts the licensed killing of native wildlife from its animal welfare and prevention of cruelty laws altogether.

While most jurisdictions have in place population management plans for the killing of kangaroos and wallabies, it is understood that population monitoring is not generally carried out for other species that private landholders routinely kill for non-commercial purposes.

While in most jurisdictions a person cannot obtain a licence to kill an endangered animal, this is not always forbidden by the relevant law.

Licence assessment and conditions

The licence application and assessment process to kill native wildlife on private land varies between jurisdictions, although follows a similar format. Applicants are typically required to provide information about the use of the relevant property, the type and number of animals to be killed by which method, and the issue the animal is said to be causing. However, this process is fraught with problems and weaknesses. ► **See 'Discussion', pages 34–43.**

In all jurisdictions, licences are issued with associated conditions and the law typically sets out what these conditions may require of a licence holder.

For example, in some jurisdictions a person may be required to kill the animal by using only a specified method, comply with a code of practice, report on the number of animals killed under the licence, and report breaches of non-compliance with the licence.

However, some jurisdictions do not require a person to report how many animals have been killed under the licence. Even where this is a requirement, it is not possible to know whether such reporting is accurate. Indeed, government departments acknowledge that publishing the number of animals that have been killed is difficult because licence holders may not submit complete and accurate reports.

While two jurisdictions make some licence data publicly available, most do not publish this kind of information. No jurisdiction keeps a complete public record of how many native animals are killed by private landholders in a year.[6]

Table 1: Summary of wildlife licencing laws in Australia

State/Territory	Act	Regulations	Policy	Government agency
Australian Capital Territory	Nature Conservation Act 2014	Nature Conservation Regulation 2015	N/A	Environment Planning and Sustainable Development Directorate
New South Wales[7]	Biodiversity Conservation Act 2016	Biodiversity Conservation Regulation 2017	People and Wildlife Policy	National Parks and Wildlife Service
Northern Territory	Territory Parks and Wildlife Conservation Act 1976	Territory Parks and Wildlife Conservation Regulations 2001	N/A	Parks and Wildlife Division, Department of Environment, Parks and Water Security
Queensland	Nature Conservation Act 1992	Nature Conservation (Animals) Regulation 2020	Policy statement in assessment guidelines for macropods	Department of Environment, Science and Innovation
South Australia	National Parks and Wildlife Act 1972	National Parks and Wildlife (Wildlife) Regulations 2019	Policy statement - Permit to destroy wildlife	Department of Environment and Water
Tasmania	Nature Conservation Act 2002	Nature Conservation (Wildlife) Regulations 2021	N/A	Game Services Tasmania (within Department of Natural Resources and Environment)
Victoria	Wildlife Act 1975	Wildlife Regulations 2024	Living with Wildlife Action Plan	The Office of the Conservation Regulator
Western Australia	Biodiversity Conservation Act 2016	Biodiversity Conservation Regulations 2018	N/A	Department of Biodiversity, Conservation and Attractions

The scale of killing

Our detailed investigations reveal that in 2023, conflicts with landholder private interests saw licences issued that allowed **1,222,507 native animals** to be killed. This is typical. In the last three years, Australian governments have allowed more than **4.5 million native animals** to be killed by private landholders.

Added to this toll are the likely thousands of native animals that were killed without a licence, legally or otherwise.

Three-year snapshot showing number of native animals allowed to be killed under licence

In 2023, approximately 1,222,507 NATIVE ANIMALS. Some of these included:

- **419,120** kangaroos and wallabies
- **580,695** native birds, including corellas, cockatoos, lorikeets, swallows, black ducks, grey teals and wood ducks
- **3,558** wombats
- **2,050** possums

In 2022, approximately 2,355,208 NATIVE ANIMALS.* Some of these included:

- **321,749** kangaroos and wallabies
- **214,119** native birds, including corellas, cockatoos, lorikeets, swallows, black ducks, grey teals and wood ducks
- **3,413** wombats
- **2,302** possums

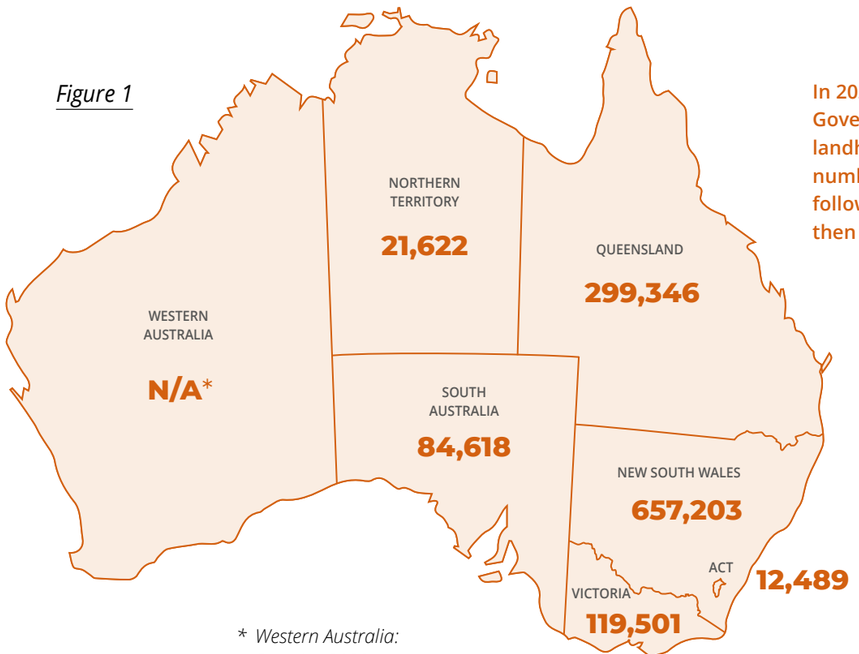
In 2021, approximately 1,002,124 NATIVE ANIMALS.[8] Some of these included:

- **343,245** kangaroos and wallabies
- **219,046** native birds, including corellas, cockatoos, lorikeets, swallows, black ducks, grey teals and wood ducks
- **2,044** wombats
- **2,152** possums

** Approximately 1,812,000 native rats were licensed to be killed in Queensland in 2022.*

Licences to Kill across Australia in 2023

Figure 1



* *Western Australia: Data for 2023 requested but not provided.*

In 2023, the New South Wales Government allowed private landholders to kill the largest number of native animals, followed by Queensland and then Victoria.

NEW SOUTH WALES: 657,203 native animals[9]

- 186,179 macropods, including eastern grey kangaroos, western grey kangaroos, red kangaroos, red–necked wallabies, swamp wallabies, whiptail wallabies, common wallaroos
- 41,343 native birds, including little corellas, sulphur–crested cockatoos, galahs, noisy miners, welcome swallows, long–billed corellas. An additional 429,482 native ducks were allowed to be killed under the NSW Native Game Bird Management Program
- 189 bare–nosed wombats
- 10 brushtail possums

QUEENSLAND: 299,346 native animals*

- 210,100 native rats
- 55,002 macropods, including eastern grey kangaroos, red kangaroos, wallaroos, agile wallabies
- 27,340 native birds, including white ibis, lorikeets, little corellas, sulphur-crested cockatoos, welcome swallows, fairy martins
- 5,000 grassland melomys
- 1,402 black and little red flying foxes

* *The list below does not include the number of eggs or nests that were allowed to be destroyed.*

VICTORIA: 119,501 native animals

- 83,056 macropods, including eastern grey kangaroos, western grey kangaroos, red kangaroos, black wallabies, red–necked wallabies
- 34,118 native birds, including silver gulls, maned ducks, Australian ravens, long–billed corellas, pacific black ducks, rainbow lorikeets, little corellas
- 1,902 bare–nosed wombats
- 405 brushtail possums
- 20 ringtail possums

SOUTH AUSTRALIA: 84,618 native animals

- 61,000 macropods, including eastern grey kangaroos, western grey kangaroos, red kangaroos, tammar wallabies
- 20,663 native birds, including rainbow lorikeets, Adelaide rosellas, emus, welcome swallows
- 1,595 brushtail possums
- 1,360 southern hairy–nosed wombats

NORTHERN TERRITORY: 21,622 native animals

- 14,892 macropods, including agile wallabies, red kangaroos
- 6,630 native birds, including magpie geese, little corellas, sulphur–crested cockatoos
- 80 dingoes[10]
- 20 brushtail possums

TASMANIA: 27,728 native animals[11]

- 21,119 native birds, including black swans, sulphur-crested cockatoos, mountain ducks
- 6,502 forester kangaroos
- 107 bare–nosed wombats

ACT: 12,489 eastern grey kangaroos[12]

▶ **For 2021–2022 breakdown of licence data by state/territory see Appendices B and C.**

IMAGES (FROM TOP TO BOTTOM): ADELAIDE HILLS KANGAROO RESCUE; DELWP; FARM TRANSPARENCY PROJECT

Top to bottom: Female western grey kangaroo shot dead by landholder in South Australia; lorikeets shot dead by an orchardist in Victoria; dingo caught in a foothold trap in Victoria.

Killing methods

The main methods used to kill native animals across Australia are shooting, trapping, and poisoning.

Shooting

If a person wants to shoot wildlife, they must hold a firearms licence. However, it is not typically a requirement under wildlife laws for a person to pass a species identification or shooter proficiency test (this is only required in the Australian Capital Territory). As a result, some animals are likely to suffer from inaccurate body shots, and will not be killed instantly, leading to prolonged pain and suffering.

The National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-commercial Purposes (Non-Commercial Code) is the only national code of practice that applies to the shooting of native wildlife. However, this does not mean that the animals do not suffer. ► **See Case Study: 'Killing of kangaroos and wallabies', pages 18–19.**

While some jurisdictions require compliance with other codes of practice for the shooting of native wildlife (e.g. birds and wombats), these codes do not mean that animals are killed humanely.

Other jurisdictions do not have any codes of practice in place (other than the Non-Commercial Code).

Some animals are likely to suffer from inaccurate body shots, and will not be killed instantly, leading to prolonged pain and suffering.

Poisoning

Poisoning involves distributing food baits laced with poison such as sodium fluoroacetate (commonly known as 1080) and strychnine.

1080 poison disrupts cell respiration and causes central nervous system, cardiovascular system, and/or respiratory system failure. It causes both native and domestic animals to die in agony after prolonged suffering.[13] Symptoms of poisoning include anxiety, vomiting, shaking, seizures, convulsions, collapse and death. Footage of animals dying from 1080 poisoning is rare but horrifying.[14] Poison baiting is an indiscriminate killing method because non-target species, including pet dogs, may also consume poisoned baits and die.[15]

Strychnine is also a highly dangerous and toxic poison and should not be considered humane. Affected animals remain conscious after they ingest the poison and suffer pain and anxiety from violent muscle spasms and death from exhaustion and suffocation.[16] Strychnine carries the risk of secondary poisoning of other species as it can remain in the gut of a poisoned carcass and is hazardous to other carnivores.[17]

Poison baiting is an indiscriminate killing method because non-target species, including pet dogs, may also consume poisoned baits and die.

Trapping

Lethal traps typically include leg or foot hold traps that are used to capture dingoes (as well as non-native animals) but may capture a variety of other native animals.

In South Australia *flocking birds* may also be trapped and killed with carbon dioxide. ► **See Case Study: 'Managing conflicts with cockatoos', page 21.**

Steel-jawed traps are banned in most jurisdictions in Australia because they are not considered humane, but Queensland still allows their use on certain animals (including dingoes). Rubber-padded leg hold traps are allowed in most jurisdictions and raise significant animal welfare concerns. Animals may die from exposure, starvation and dehydration and may suffer serious physical injuries, as well as anxiety, fear, and stress. Unable to flee, trapped animals can be attacked and killed by predators.[18] In some jurisdictions, traps are laced with poison so that when a dingo tries to chew themself free from the trap, they ingest the poison and die.

Leg or foot hold traps are not target specific, meaning animals other than those they are meant for can be caught in them and suffer pain and distress.

Birds trapped before being killed with carbon dioxide are likely to suffer from distress and injuries during the process of being captured, restrained and confined. While there is very little public information on the welfare impacts associated with carbon dioxide narcosis, one study on Indian mynas and starlings showed that these birds appeared distressed when they were killed.[19]

All lethal methods disrupt family and social bonds and may result in orphaned young.

Immediate welfare and conservation impacts to the individual animals licensed to be killed are just the beginning of the factors that should be considered in informed decision making.

All lethal methods disrupt family and social bonds and may result in orphaned young.

Table 2: Methods permitted for landholders to kill native wildlife

Lethal method	Description	Where are these methods used?
Shooting	• Use of a rifle or shotgun	• All states and territories
Poisoning with 1080	• 1080 is injected into baits which are distributed on a person's property, and some private/public land boundaries	• 1080 permitted to kill dingoes in all jurisdictions • Wallabies, pademelons and possums: Tas only
Poisoning with strychnine	• The poison is mixed with grain to make baits, or cloth is soaked with poison and attached to leg hold traps	• In WA, SA and Qld, strychnine is permitted for use to kill dingoes • In WA, it is permitted to be used to bait and kill emus
"Soft" (padded/ rubber lined/offset) leg trap	• "Soft" leg traps are typically smooth jawed, spring-operated traps lined with material such as rubber which are designed to capture an animal by the foot or leg	• Permitted in NSW, NT, Qld, and WA • Permitted in the ACT if a person has a permit • Permitted for use on "wild dogs" (including dingoes) in SA and Vic. In SA, the trap must be bound with cloth soaked in poison. • Prohibited in Tas
Steel Jaw leg trap	• Steel jaw leg traps are made of steel, iron or other metal and are designed to spring together and trap an animal when a leg or other part of the animal's body comes into contact with, or is placed between, the jaws	• Permitted in Qld, and if used to kill dingoes in WA (but the trap may only be used by certain people and must be bound with cloth soaked in poison)
Catch and euthanise	• Animals are typically caught in a non-lethal trap and then shot with a firearm	• All states and territories
Trap and gas	• Birds are lured to the ground, trapped with a net and covered with a tarpaulin. Carbon dioxide is then dispensed. This induces unconsciousness and death	• SA (for certain birds)

Human–wildlife coexistence: Alternatives to killing

We know so much more today about the critical role wildlife plays in keeping ecosystems healthy than we have in the past. We also have a greater understanding regarding how animals are sentient, with their own feelings and social interactions. This has led to a growing recognition of the need to leave behind outdated attitudes to wildlife and foster coexistence.

Human–wildlife coexistence is recognised as an important way to reduce threats to animal welfare and biodiversity. It asks us to shift away from a culture that normalises and enables lethal wildlife management, to one that values the life of—and actively finds ways to live alongside—lots of different wild animals.[20] Landholders adopting alternatives to killing is a critical step towards human–wildlife coexistence. Lethal control usually needs to be regularly repeated, leading to an endless cycle of killing. ► **See Case Study: 'Killing Wombats', page 16.** In contrast, non-lethal solutions can be more effective and long lasting, while reducing negative welfare and conservation outcomes.

With this report, Humane Society International Australia is calling for a transition from human–wildlife conflict towards coexistence that provides effective and humane solutions for people, wildlife, and nature.

Non-lethal tools and solutions include:

- **Visual deterrents:** involves using flashing lights to mimic human presence or strips of brightly coloured material on fencing to deter wildlife
- **Audio deterrents:** involves the use of sounds to discourage wildlife (e.g. music, sirens, horns or sounds of predators)
- **Olfactory deterrents:** involves the distribution of synthetic odours to deter animals from eating crops or other plants, and predators from other animals
- **Enclosures:** involves the use of "wildlife-friendly" permanent fencing or moveable barriers such as night pens to provide protection. Many types of fencing currently used can trap wildlife, causing injury, distress and even death from starvation, thirst or exposure. They can also disrupt natural wildlife movement patterns and separate animals from their mates. Removing the top strand of barbed wire can be enough to make fencing wildlife-friendly and reduce both the threat to wildlife and potential damage to the fence
- **Husbandry practices:** these are particularly important for reducing carnivores preying on livestock. Some practices include the use of guardian animals (e.g. dogs, donkeys, llamas) and the removal of elements that attract predators (e.g. desexing working dogs, treating ill or injured farm animals, and removing animal carcasses)

Capturing, relocating and releasing an animal is an alternative to killing. However, it is not suitable for all animals. When it is carried out it should be done with care to avoid pain and distress and to maximise survival post-release.

Wildlife laws and policies should be reformed to drive institutional and cultural change to prioritise living with wildlife over trying to kill our way out of problems.

To mainstream the adoption of wildlife coexistence tools and solutions, more research and capacity building is required. Landholders may need support to help them develop the skills, abilities and processes that make coexistence possible, and encouragement to adopt different tools and solutions. This should involve government funding when high upfront costs pose barriers to adoption, and governments should promote greater awareness of the benefits of co-existence. Wildlife laws and policies should be reformed to drive institutional and cultural change to prioritise living with wildlife over trying to kill our way out of problems.

The case studies in this report provide examples of some non-lethal strategies for managing different interactions with wildlife. Two studies showcase the success landholders are having with non-lethal solutions for interactions with flying foxes and dingoes. ► **See Case Studies: 'Dingoes: Unprotected native animals', pages 22–24 and 'A win for farmers and flying foxes in New South Wales and Queensland', page 25.**

While some governments and landholders are practising coexistence, this report shows that the current licencing frameworks readily enable killing over coexistence.

Guardian donkey protecting sheep.

CASE STUDY: **Wombats**

Killing wombats

There are few Australian species as beloved as the wombat. Each with their own personalities, a group of wombats is known as a wisdom, mob or a colony.

There are three species, northern hairy-nosed, southern hairy-nosed, and bare-nosed wombat, and they are all protected across Australia. While the northern hairy-nosed wombat is fully protected as Critically Endangered, landholders can get licences to kill southern hairy-nosed and bare-nosed wombats because they can cause erosion and damage to crops, machinery and farm infrastructure, and may compete for pasture with grazing livestock. Some people also claim that wombat burrows are dangerous.

More than 3,500 wombats were authorised to be killed by private landholders across New South Wales, South Australia, Tasmania and Victoria in 2023. Victoria allowed the most wombats to be killed (1,902) closely followed by South Australia (1,360).

Wombats are most commonly killed by shooting with a firearm. The burden of caring for shot gun wounded wombats falls to Australia's volunteer wildlife carer community. As a wombat carer from Mt Evelyn in Victoria explains after rescuing Jasper from the pouch of his mother who had been shot dead: "*not only do you have a traumatised, emaciated, orphan, you also have the added financial burden that wouldn't be there if the shooter had just left Jasper's mum alone in the wild where she and Jasper belong. Rehab is incredibly expensive and Jasper shouldn't have needed to come into care – his mum was perfectly healthy before she was shot in the head. We're really thankful that we found Jasper and that he didn't die with his mother, but it's incredibly sad and frustrating that people carry out this senseless killing. I don't know why some humans feel they have the right to decimate our native wildlife's right to live. Jasper would've been much better off with his mother.*"

IMAGE: DPIPWE TASMANIA

Wombat using a swinging wombat gate.

South Australia is the only jurisdiction that has a code of practice in place for the shooting of wombats. It specifically notes that the "*destruction of wombats is time consuming and is rarely an effective method of control when used in isolation. The trapping and relocation of wombats is not usually advised because wombats are territorial animals and if relocated, they may be harassed or even killed by resident wombats. Therefore, non-lethal methods are encouraged to reduce impacts caused by wombats.*"

Living with wombats

There are many alternatives to lethal control of wombats.

Some of these include marking burrows (e.g. by putting posts and flagging tape next to the burrow so people and vehicles can avoid falling into them), installing wombat-friendly fencing and gates, and using deterrents (i.e. organic fertiliser or a combination of audio and lights). Planting trees and growing more plants in places away from streams can also help in stopping wombats from digging burrows along creek banks. Keeping the trees, logs, and rocks that are already there and adding more native plants makes wombats choose other spots for their burrows, which helps prevent soil erosion.

CASE STUDY: **Black swans**

Killing black swans in Tasmania

The black swan is a majestic native waterbird found throughout Australia.

But between 2021–2023, more than 3,100 black swans were shot by private landholders in Tasmania under Property Protection Permits.

Many of the swans likely endured slow, painful deaths from their gun wounds. As black swans mate for life, the loss of a partner will cause further distress to a surviving bird and have a negative impact on populations.

In 2022, the Department of Natural Resources and Environment received media attention for allowing shooters to kill up to 200 black swans in Tasmania's Central Highlands. The swans were blamed for fouling waters inhabited by trout—a non-native species introduced to Tasmania for recreational fishing.

This is a stark example of native wildlife being persecuted to protect a species introduced for human leisure.

IMAGE: AUDIODAM/FLICKR

Killing of kangaroos and wallabies

Iconic to Australia, kangaroos and wallabies (collectively referred to as "macropods") are Australia's most persecuted native animals. Though ostensibly protected, they are permitted to be killed in large numbers for both commercial and non-commercial purposes all across the country.

The non-commercial killing primarily occurs because of conflicts with landholders' private interests. For example, kangaroos and wallabies may compete with livestock for grazing, or cause damage to crops, pasture and fencing as they move across the landscape.

In 2023, Australian governments allowed approximately 419,120 macropods to be killed for non-commercial purposes. This is on top of those allowed to be killed for commercial purposes which, in 2023, was more than five million. It is known as the largest commercial slaughter of terrestrial wildlife on the planet.

New South Wales allowed the greatest number of macropods to be killed by private landholders for non-commercial purposes (186,179), followed by Victoria (83,056), South Australia (61,000), Queensland (55,002), the Northern Territory (14,892), and the Australian Capital Territory (12,489). However, Tasmania allows an unlimited number of Bennetts and rufous wallabies to be killed by private landholders. In 2023, the Tasmanian Government also allowed 6,502 forester kangaroos to be killed. The Australian Capital Territory only allows eastern grey kangaroos to be killed by private landholders for property protection purposes. In other jurisdictions, macropods commonly killed include eastern grey kangaroos, red kangaroos, and red-necked wallabies. While macropods are also killed in Western Australia, the number killed for non-commercial reasons is not known.

The most common way kangaroos and wallabies are killed is by shooting with a firearm. In Tasmania, they are also killed with 1080 poison.

While exclusion fencing can be a very effective non-lethal method, it must be used carefully because it can cause pain and suffering. If the fencing is not "wildlife-friendly", kangaroos may be wounded as they try to jump fences, or may become trapped or deprived of food or water if the exclusion areas are too extensive, or the fencing prevents them from meeting their needs.

A person who shoots a kangaroo or wallaby for non-commercial purposes must comply with the *National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-Commercial Purposes* (Non-Commercial Code), and relevant animal welfare legislation. But this does not mean the animals do not suffer. The Non-Commercial Code was written in 2008 and has not been updated since. It does not require a person to pass shooter accuracy or species identification testing (although the Australian Capital Territory Government does require this). Mis-shots leading to slow and painful deaths and the separation and starvation of orphaned joeys are two of the most serious welfare concerns associated with shooting under the Non-Commercial Code, as well as the way in which joeys are meant to be killed if the code is followed (that is, by way of blunt force trauma to the head which is typically achieved by hitting it against the bull bar of a vehicle). There are also concerns that governments do not have proper oversight over the killing of kangaroos because it is usually carried out at night and in remote locations, and that non-compliance with the code is not properly monitored and/or enforced.[21]

Kangaroos and wallabies killed by 1080 poison will also suffer pain and distress, especially as it may take up to 60 hours for these animals to die once they have ingested the poison.[22] While the specific effects of 1080 poison on macropods has not been well researched, the symptoms of 1080 poisoning generally include anxiety, hypersensitivity, retching, vomiting, screaming, shaking, uncontrolled urinating or defecating, convulsions, fits, seizures, difficulty breathing, coma and death.

While monitoring of kangaroo populations is carried out in those jurisdictions that allow kangaroos to be commercially slaughtered,[23] this monitoring has been criticised. For example, the New South Wales and Victorian governments have been criticised for inflating population estimates to justify and service the commercial industry.

Without robust planning, monitoring and reporting, it is difficult to know what cumulative impacts the commercial and non-commercial killing of macropods is having on local populations.

Coexisting with kangaroos and wallabies

There are various proactive ways to coexist with kangaroos and wallabies. These include installing wildlife-friendly fencing to prevent kangaroos from moving into certain areas, kangaroo gates to provide safe access across landscapes, mowing lawns regularly to reduce grass cover to prevent kangaroos from grazing on certain areas, using deterrents such as floodlights and unpalatable crops to make areas less inviting, limiting available food, and restricting crops near forested areas.

Carefully executed relocations with species-specific conditions are also possible for macropods and have been successfully undertaken for agile wallabies in Far North Queensland[24] and western grey kangaroos in Western Australia. Due to the high risk of stress myopathy such relocations must be professionally managed with expert involvement and extreme caution.

Dingoes also naturally regulate native herbivore numbers, such as kangaroos and wallabies, which means coexisting with dingoes rather than killing them is another important strategy for coexisting with kangaroos.

IMAGE: LANDCARE SJ

Kangaroo gate provides safe access across landscapes.

CASE STUDY: **Native ducks**

Native ducks shot on farms across New South Wales

Recreational duck hunting is a cruel and dangerous pastime that has been banned in New South Wales since 1995.

However, licensed hunters can still be invited onto private land to kill native ducks—known as 'native game birds'—under the *New South Wales Native Game Bird Management Program*.[25]

If native game birds are 'impacting'[26] agricultural lands in New South Wales, the program allows owners or occupiers of that land to either obtain a licence, or engage a licensed hunter, to kill those ducks.

The program is regulated by the New South Wales Department of Primary Industries, rather than the National Parks and Wildlife Service.

More than 50,000 native ducks were reported to have been killed under the program between 2021–2023. This included:

- 18,619 grey teals
- 16,712 wood ducks
- 16,558 black ducks
- 697 grass whistling ducks
- 346 hardheads
- 184 Australian shelducks
- 28 pink-eared ducks
- 9 blue-winged shovelers
- 4 chestnut teals

With 1,404 rice growers and 8,900 hunters participating in the program during that time, there is concern that the program creates a backdoor to recreational hunting in New South Wales.

Unlike licences to harm other native animals, a person obtaining a licence under the *Native Game Bird Management Program* must undertake training and pass certain tests.[27] However, this does not ensure a humane killing of the ducks—the licensed hunters may be amateurs, and many ducks are wounded and suffer a slow, painful death.

The legalised hunting places additional pressure on native ducks which are already under threat from a changing climate and habitat loss.

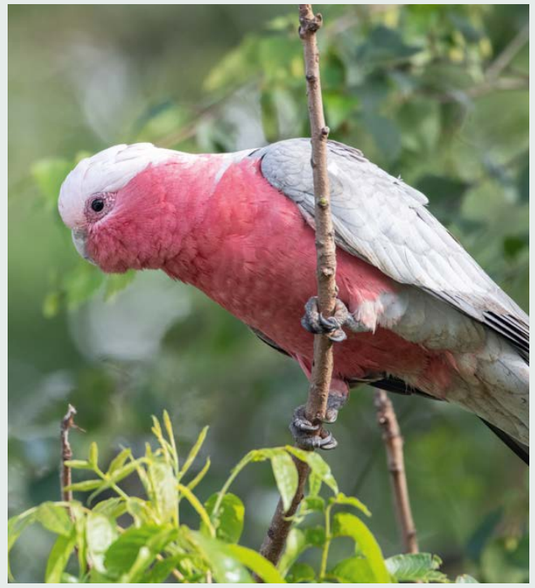
Importantly, native ducks protect crops by eating worms, invertebrates and snails that also impact crops. Non-lethal methods, such as scare guns, lights and sirens, can be used to manage ducks instead of shooting.

IMAGE: KIM WORMALD/LIRRALIRRA.COM

CASE STUDY: **Cockatoos**

Managing conflicts with cockatoos

Cockatoos, corellas, and galahs, collectively referred to as "cockatoos", are some of Australia's most charismatic and widely recognised native birds. They are also highly persecuted.



In 2023, Australian governments allowed private landholders to kill approximately 54,423 cockatoos. New South Wales allowed the most cockatoos to be killed (28,973), then Tasmania (9,449), and then Queensland (6,733).

In some states, cockatoos are considered a native pest and can be shot without a licence. In other jurisdictions, cockatoos are protected but licences are still granted to kill them. The Australian Capital Territory is the only jurisdiction that does not grant licences to kill cockatoos.

A further, unknown, number of cockatoos will have been killed in places where people do not a require licence (e.g. parts of New South Wales, South Australia, Victoria, and parts of Western Australia).

The most common way that cockatoos are killed is by shooting with a firearm. However, in South Australia, cockatoos are also sometimes killed by traps and carbon dioxide.

It is generally acknowledged that killing cockatoos is only a temporary management method that is unlikely to resolve unwanted interactions over the long term.

Coexisting with cockatoos

There are a number of non-lethal methods that private landholders can use to effectively manage unwanted interactions with cockatoos.

To avoid cockatoos flocking together, landholders can monitor crops regularly and deploy a deterrent as soon as the first birds arrive to prevent a large flock forming. Another strategy is to lessen cockatoos' access to grain, by feeding it to farm animals at or after dusk and minimise grain residue in the stubble.

Other methods, such as decoy feeding (where food sources are spread away from the main crop) and wildlife-friendly exclusion netting, are also known to be effective at reducing impacts on crops.

Cockatoos are wary of birds of prey and this fear may be exploited to scare cockatoos away using kites in the shape of predatory birds or plastic silhouettes of birds of prey.

Audio and visual deterrents that startle the birds and encourage them to flock elsewhere can also mitigate unwanted interactions. Audio deterrents come in the form of pyrotechnic 'crackers' and playing recorded alarm calls, while visual deterrents include flashing lights and balloons.

Dingoes: Unprotected native animals

Some First Nations people say killing dingoes is like killing family,[28] yet they are labelled a pest and legally trapped, poisoned and shot all around Australia by private landholders.

The dingo has lived in Australia for 5,000 to 10,000 years, long enough to become a critical part of our ecosystem as a top-order predator. Despite this, they are branded as 'wild dogs' and afforded very little protection (see table on page 23) and are heavily persecuted.

This is because of the threat they pose to livestock and the disputed[29] belief that most dingoes are not "pure" dingoes and should not be considered native animals deserving of protection. Queensland, South Australia and Victoria also have "wild dog" bounty programs that incentivise and lead to the killing of dingoes.

Since most states and territories do not require a licence to kill dingoes, it is simply not known how many are killed across Australia every year.

Where dingoes and dingo/dog hybrids are declared pests, private landholders are typically required to "control" them on their land. In these areas, dingoes are shot, baited with 1080 poison and trapped. Steel-jawed traps are still legal in Queensland and used to trap and kill dingoes. In South Australia and Western Australia, they use leg hold traps bound with cloth soaked in strychnine poison. In the Australian Capital Territory, Queensland, Victoria and Western Australia as a "pest" animal the dingo is essentially excluded from protection under animal welfare and prevention of cruelty laws.

IMAGE: FARM TRANSPARENCY PROJECT

Dingo caught in leg-hold trap in Victoria.

Summary of how dingoes are classified in each state and territory

State/Territory	Classification	Protection
Australian Capital Territory[30]	• Excluded from definition of native animal • Declared a pest	• No protection
New South Wales	• Native species, but excluded from the list of protected mammals • Not declared, but identified in policy documents as a pest	• No protection
Northern Territory	• Native animal	• Protected
Queensland	• Native animal • Classified as "restrictive invasive animal"	• Protected in "protected areas" (e.g. K'gari) only
South Australia	• Native animal • Declared a pest	• Listed as "unprotected species"
Tasmania	• No dingoes in Tasmania	
Victoria	• Native animal • Threatened species • Dingo/dog hybrids are prescribed a pest	• Declared "unprotected wildlife" in certain areas
Western Australia	• Native animal • Declared a pest	• Unprotected by a "ministerial exemption order"

In the Northern Territory, licences are required to kill dingoes on private land, which means this is the only place where we have some indication of how many dingoes are killed. 80 dingoes were allowed to be killed in the Northern Territory in 2023.

Licences are now also required in some parts of northwest Victoria. This is because on 14 March 2024, the Victorian Government ended the dingo "unprotection order" in northwest Victoria to protect a vulnerable population of dingoes.[31] The government recognised that effective non-lethal methods are available to protect livestock from dingoes and has committed to providing funding to farmers to trial these options.

Coexistence with dingoes

Recent DNA analysis has found that most so-called wild dogs are actually pure dingoes[32] and their important ecological role is increasingly being recognised. This must prompt a rethink on their management and the need to transition from the routine killing of dingoes towards coexistence.

"Predator Smart Farming" is a growing movement in the United States, where wolves and coyotes are prevalent. Landholders in Australia are adopting this

Guardian dog protecting sheep from predators.

method to protect livestock from dingoes without the need for killing. For example, dingoes are naturally afraid of livestock guarding animals such as Maremma dogs and donkeys, and these animals can be very effective at protecting livestock from predators.

Misunderstanding dingo culture and resorting to killing can also be counterproductive.

Queensland grazier Angus Emmott explains, "*Once you start killing dingoes, you break up that family unit. Then there are all these dogs with no direction, no family constraints, and they go out and form groups of young hoodlums and go around killing things. By broad-scale baiting across huge areas that don't need it, we're actually creating the problem we're trying to prevent.*"

The use of guardian animals can be combined with strategies that mimic human presence, such as lights that flash different colours and the use of sounds or smells to startle and deter dingoes. These deterrents take advantage of the dingo's fear of new things in the landscape. Predator Smart Farming also includes livestock husbandry practices, such as vigilant monitoring and promptly attending to sick or injured livestock, putting salt licks or hay out at dusk to encourage livestock bunching overnight, removing attractants such as deceased livestock, desexing working dogs, and reducing the distance that livestock need to travel to access water.

When Predator Smart Farming tools are employed effectively, farmers can capitalise on the benefits that dingoes bring for healthy and productive landscapes. Graziers using these techniques have reported many benefits, including reduced livestock injury and death, and less time and stress associated with managing interactions with dingoes.

▶ **For more information, see Humane Society International Australia's Predator Smart Farming Guide: Modernising Australia's approach to livestock protection (https://hsi.org.au/wp-content/uploads/2023/03/HSI-Predator-Smart-Farming-Digital.pdf).**

A win for farmers and flying-foxes

Flying-foxes are intelligent mammals with complex social lives. Their conservation is critical to forest ecosystem health due to their important role as pollinators and seed dispersers.

This is why it is critical to findways to co-exist with flying-foxes and to manage the impact that they can have on fruit crops without killing them. In 2015, an independent review of flying-fox licencing in New South Wales found that shooting flying-foxes is ineffective and unacceptable from an animal welfare perspective. It was found that flying-foxes were suffering terrible injuries and prolonged deaths from bullet wounds and that the shooting was contributing to the decline of the grey-headed flying-fox, a threatened species in New South Wales. As a result, the New South Wales Government agreed to phase out the licensed shooting of flying-foxes for crop protection purposes and provided orchardists with a total of $6.5 million in subsidies to install wildlife-friendly netting to protect their crops (although, to date, this has not been legislated). Orchardists saw significant co-benefits from the netting including protection from hailstorms and intense sunlight, as well as from other fruit eating birds and animals. The netting also resulted in the protection of high-value fruits and less labour time in sorting fruits.

Following this success, in 2023, the Queensland Government also decided to introduce a three-year phase out of licences to shoot flying-foxes for crop protection purposes with no more licences to be given out from 1 July 2026. Funding from the Commonwealth Government will assist with providing subsidies to crop growers for exclusion netting.

This is welcome news given that the Queensland Government authorised the killing of 1,402 black and little red flying-foxes in 2023.

Although licences may be able to be obtained in other jurisdictions, no other government issued a private landholder a licence to kill flying-foxes in 2023.

Wildlife-friendly exclusion netting to protect crops.

Assessing state and territory licencing laws

To evaluate the licencing frameworks in each state and territory, we looked at legislation, policy documents, and information provided on government websites. Based on this research, we prepared an overview of each jurisdiction's framework, and relevant government departments were invited to review and provide feedback on the information and commentary compiled for their jurisdiction. These overviews do not form part of this report but are available on request.

This information was then used to assess each jurisdiction's performance against a set of governance criteria that we developed for the purpose of this report. The criteria can be found [below], along with the key indicators for each (see Table 3, 'Governance Criteria', pages 27–29).

Humane Society International Australia does not support the killing of wildlife. However, we recognise that change does not happen overnight. As long as the killing of wildlife by private landholders remains legal, we recommend urgent improvements to the current licencing frameworks to make them more robust, transparent, and accountable, while prioritising animal welfare, coexistence, and non-lethal strategies. The controls that we think should be in place while the killing of wildlife by private landholders remains legal (i.e. those indicated as green) are directed at that purpose.

Key

- Controls that should be in place if killing of wildlife by private landholders is allowed.
- Some controls in place but improvement required.
- Controls not in place and significant improvement required.

Table 3: Governance Criteria

CRITERIA 1: **Animal Welfare**			
Indicator			
Professional shooters	• Mandatory	• Encouraged	• Not mentioned
Shooter testing	• Mandatory	• Encouraged	• Not mentioned
Animal welfare and prevention of cruelty laws apply in addition to wildlife licencing laws	• Animal welfare laws apply to killing of native wildlife	• Animal welfare laws apply but there are exemptions or provisions that create ambiguity	• Animal welfare laws do not apply to killing of native wildlife
Licence holder to be fit and proper person	• Decision-maker precluded from granting licence to person that is not a 'fit and proper' person	• Decision-maker has discretion to grant licence to a person that is not a 'fit and proper' person	• No 'fit and proper' person test
CRITERIA 2: **Prioritise human/wildlife coexistence**			
Indicator			
Law requires applicants to demonstrate, and decision-maker to consider non-lethal methods have been exhausted	• Yes	• No, but relevant website and application form advises that it is a 'requirement' and will be considered	• No
Governments have 'Living with wildlife'/ non-lethal policy and guidance	• Formal policy in place, and comprehensive and practical coexistence information for all common species (all of which is publicly available, easy to access and linked to the application process)	• Formal policy and practical information and guidance for some species available; or • No formal policy, but government's position clearly stated, and practical information and guidance for some species available	• No policy or position and very little or no information
Landholder capacity building in non-lethal methods	• Proactive engagement with landholders	• Assistance available on request	• Not available
CRITERIA 3: **Landholder justification for the use of lethal control**			
Proof of issues caused by wildlife	• Required by law, to provide proof e.g. via site visit or comprehensive evidence	• Application requires written account of issues on application form	• No details required or only brief description or tick box

Table 3: Governance Criteria *continued*

CRITERIA 4: **Licences**			
Indicator	◎	!	✕
Identification of all persons acting under the licence	• Mandatory	• N/A	• Not required
Reporting requirements	• Mandatory reporting within 1–2 weeks of limit being reached or at least every six months, including number of target animals killed, methods used, and any injured but not killed	• Mandatory reporting every year or expiration of licence, whichever is sooner	• No mandatory reporting, or reporting period is longer than one year
Report non-target animals harmed/killed	• Mandatory for all non-target animals killed or injured to be reported within 24 hours	• Mandatory for all non-target animals killed or injured to be reported when reporting is required for target animal(s)	• No reporting of non-target animals killed or injured required
Licence lengths	• Licence granted for one year or less	• Licence granted for more than one year	• Licence may be granted for any amount of time
CRITERIA 5: Transparency			
Government maintains public register/ publishes licence data, including number of animals reported killed	• Comprehensive data publicly available	• Data provided upon request, free of charge • Data either publicly available or provided on request, but does not include number of animals reported killed	• No publicly available data and FOI application required to access data • Data was not able to be provided
Public reporting of compliance and enforcement action on licence activities	• Yes	• N/A	• No

Key

◎ Controls that should be in place if killing of wildlife by private landholders is allowed.

! Some controls in place but improvement required.

✕ Controls not in place and significant improvement required.

Table 3: Governance Criteria *continued*

CRITERIA 6: **Responsibility for conservation**			
Indicator	◎	!	✕
Obtain licence to kill threatened species	• Prohibited by law	• Prohibited (either by law or policy) for some categories of threatened species, but allowed for others	• Permissible
Population Management Plans (PMPs) and associated limits of number of animals that may be killed	• PMPs and limits for all commonly killed species (which are publicly available, and includes information on how plans are made and how limits are calculated)	• Some PMPs and limits in place for commonly killed species (which are publicly available, or provided upon request)	• No PMPs or limits (except for macropods)
Unprotected native species	• All native species are protected and require a licence to be killed	• N/A	• Some native species are unprotected and can generally be killed without a licence
Decision-maker considers likely environmental impacts (e.g. ecological sustainability and impacts on populations) in the licence assessment process	• Required by law	• Not required by law, but available information suggests it is a consideration	• Not required and no evidence that they are a consideration
CRITERIA 7: Enforcement			
Community empowered to enforce breaches of a licence or legislation	• Wildlife licencing laws contain open standing third-party civil enforcement provisions (or the community is otherwise empowered to enforce the law)	• Wildlife licencing laws contain limited third-party civil enforcement provisions	• No third-party civil enforcement provisions

IMAGE: RAYMOND BARLOW/FLICKR

State and territory performance against the governance criteria

Table 4, 'Performance of states and territories against the governance criteria' pages 32–33, provides a national overview of each jurisdiction's performance against the seven criteria. Broadly, it shows that the laws that allow private landholders to kill native animals are in desperate need of reform.

Given that the licencing frameworks differ between jurisdictions, it is difficult to make direct comparisons. However, there are some clear deficiencies that are common to most, if not all, jurisdictions, including that:

- all jurisdictions, except for one, do not require a person to pass shooter accuracy/competency testing to shoot wildlife;
- no jurisdiction requires landholders to use professional shooters to shoot wildlife;
- most jurisdictions have "unprotected" some native animals, undoing the need for a licence to kill;
- while animal welfare and prevention of cruelty laws generally apply to licences to kill, most jurisdiction's animal welfare and prevention of cruelty laws include exemptions that remove or lessen protections for native wildlife (especially dingoes), or include provisions which create ambiguity about whether the laws apply in certain situations;
- most jurisdictions do not explicitly require licence holders to report on whether non-target animals have been killed;
- most jurisdictions do not have population management plans in place for animals commonly killed under licences (other than kangaroos and wallabies);
- there is very little transparency, in any jurisdiction, around licence information; and
- the public knows very little about what, if any, compliance and enforcement activity is carried out.

Table 4: Performance of states and territories against the governance criteria[33]

Indicator	ACT[34]	NSW[35]	NT	Qld	SA	Tas	Vic	WA
CRITERIA 1: Animal Welfare								
Use of professional shooters	✗ [37]	!	✗	!	!	✗ [38]	✗	✗
Shooter competency testing	◎	✗	✗	✗	✗	✗	!	✗
Animal welfare and prevention of cruelty laws apply in addition to wildlife licencing laws	!	!	◎	!	!	!	✗	!
Licence holder to be a "fit and proper" person	!	◎	◎	!	!	◎	✗	!
CRITERIA 2: Prioritise human/wildlife coexistence								
Law requires applicants to demonstrate, and decision-maker to consider, wildlife coexistence efforts	✗	!	✗	◎	!	✗	!	!
'Living with wildlife'/ non-lethal policy and guidance	◎	!	!	!	◎	!	◎	!
Landholder capacity building/training in non-lethal control methods	✗	!	✗	✗	!	!	✗	✗
CRITERIA 3: Landholder justification for the use of lethal control								
Proof of damage/issues caused by wildlife	✗	✗	✗	!	!	!	!	!
CRITERIA 4: Licences								
Identification of all persons acting under the licence	◎	◎	◎	◎	◎	✗	✗	◎
Reporting requirements	!	!	!	!	!	!	✗	!
Requirement to report non-target animals harmed/killed	✗	◎	✗	✗	✗	✗	✗	✗
Licence lengths	◎	✗	✗	◎	◎	!	!	!

Table 4: Performance of states and territories against the governance criteria *continued*

Indicator	ACT	NSW	NT	Qld	SA	Tas	Vic	WA
CRITERIA 5: Transparency								
Government maintains public register/ publishes licence data, including number of animals reported killed	!	! [39]	✗	✗	!	!	!	✗
Public reporting of compliance and enforcement activity	✗	✗	✗	✗	✗	✗	✗	✗
CRITERIA 6: Responsibility for conservation								
A private landholder may not obtain a licence to kill threatened wildlife	!	! [40]	✗ [41]	! [42]	✗ [43]	◎	◎	✗ [44]
Population Management Plans (PMPs) and associated limits on number of animals that may be killed	◎	✗	!	✗	✗	✗	✗	✗
Unprotected native species	! [45]	✗	◎ [46]	✗	✗	! [47]	✗	✗
Decision-maker required to consider likely environmental impacts in licence assessment process	◎	✗	◎	◎	!	✗	!	!
CRITERIA 7: Enforcement								
Community empowered to enforce breaches of a licence or legislation	!	◎	✗	◎	◎	✗	✗	✗

Key

◎ Controls that should be in place if killing of wildlife by private landholders is allowed.

! Some controls in place but improvement required.

✗ Controls not in place and significant improvement required.

Discussion

While native animals are ostensibly protected in Australia, state and territory governments allow hundreds of thousands of them to be killed by landholders every year because of the concern these animals pose to private interests.

Kangaroos and wallabies are Australia's most consistently persecuted animals, while several other species of animals are targeted by private landholders in large numbers. In some cases, native animals are perceived as such "pests" or "nuisances" that they are excluded from the most basic of protections.

The laws that allow this killing prioritise human interests over biodiversity conservation and animal welfare protection. They are failing our precious wildlife and are in urgent need of reform.

The following discussion explores some of the common themes and issues we have uncovered while looking at each state and territory's licencing framework and provides important context for the recommendations we make in this report. ▶ **See Recommendations, pages 44–47**.

Responsibility for conservation

A key issue with the current licencing frameworks is the power that some jurisdictions have to 'unprotect' native species, meaning a licence is generally not required to kill those animals.[48]

While the terminology and mechanisms differ across jurisdictions, Victoria, South Australia, and Western Australia have all 'unprotected' certain species.

The legislation in New South Wales does not include a power to 'unprotect' native animals, but it does offer defences for harming certain animals under specific conditions, effectively allowing harm to those animals without a licence.

Additionally, dingoes may be killed without a licence on private land in most jurisdictions because they are labelled as 'wild dogs' and pests and thus excluded from the protection ordinarily afforded to native animals.[49]

It is highly inappropriate to exclude any native species from protection, or to authorise killing without assessment or oversight. To do so completely undermines the objectives of the legislation.

Although most governments do not allow private landholders to kill threatened species for property protection purposes, we are concerned that in most jurisdictions, the law itself does not actually forbid this.

We are also concerned that there is a lack of comprehensive population management plans for most species across the country. This makes it harder to see the impact of licencing regimes on conservation goals. While kangaroo population management plans exist in most jurisdictions, these have faced criticism. For example, governments have been accused of inflating kangaroo population numbers in these plans to support the commercial kangaroo slaughtering industry. According to the New South Wales Government, it is not feasible to develop population management plans for common species.

Although most governments do not allow private landholders to kill threatened species for property protection purposes, we are concerned that in most jurisdictions, the law itself does not actually forbid this.

And without population monitoring, it is not possible to set limits on the number of animals that can be killed.

Governments cannot make sure that killing is carried out in a way that is ecologically sustainable and protects the role of the animal in the local ecology and species from local extinction without robust monitoring and planning.

While the law requires decision-makers in Queensland and the Northern Territory to consider the impact licence activities have on the environment (including wildlife conservation), decision makers in other jurisdictions are not legally obliged to turn their minds to this.[50] It is also difficult to see how impacts (including cumulative impacts) can be properly assessed when comprehensive population monitoring is not carried out.

Governments cannot make sure that killing is carried out in a way that is ecologically sustainable and protects the role of the animal in the local ecology and species from local extinction without robust monitoring and planning.

Animal Welfare

If a private landholder kills native wildlife, either under a licence or an exception which does not require them to hold a licence, they are generally required to comply with:

- the conditions of their licence (if they are required to hold one); and
- any relevant legislation.

Relevant legislation includes wildlife licencing legislation and animal welfare and prevention of cruelty legislation, as well as firearms legislation, if the person is shooting wildlife.

Each state and territory has similar laws that purport to ban animal cruelty.[51] However, the extent to which these laws apply to native wildlife varies between jurisdictions, meaning these animals are not always afforded proper protection. For example:

- In Victoria, the *Prevention of Cruelty to Animals Act 1986* (Vic) states that it does not apply to "anything done in accordance with the Wildlife Act".[52] In practice, this means that wildlife is not protected under Victoria's animal welfare and prevention of cruelty laws.[53] This is particularly concerning in circumstances where a person may kill an animal that has been 'unprotected' under the Wildlife Act (which means no licence is required to kill them). This is because an 'unprotected' animal may be killed by a method that would otherwise be prohibited, such as poison,[54] and if a licence is not required, and the animal welfare and prevention of cruelty laws do not apply, there is virtually no oversight.[55]
- In Queensland and Western Australia, dingoes are not protected under animal welfare and prevention of cruelty laws, because they are classified as "pests",[56] while in other jurisdictions they may be harmed or killed by methods that are ordinarily prohibited. For example:
  - in Victoria, while laying poison for an animal is usually considered an act of cruelty, a person may poison dingoes in certain areas[57]
  - in the Australian Capital Territory, dingoes may be poisoned because they do not meet the definition of 'native animal'[58]

- in South Australia, jawed leg hold traps may not be used on most animals, but they can be used on a 'wild dog' (which includes dingoes) so long as the trap meets certain specifications.[59]

- In New South Wales, a person is not guilty of cruelty under the *Prevention of Cruelty to Animals Act 1979* (NSW) if they shoot, trap, catch, or capture an animal and do not inflict any "unnecessary" pain on the animal.[60] But there is no general agreement on what 'unnecessary' means.

- In Tasmania, cruelty and aggravated cruelty offences do not apply to the "hunting of animals" if done in a "usual and reasonable manner and without causing excess suffering".[61] However, it is unclear whether the word 'hunting' captures the licensed killing of native wildlife. Further, who decides what is 'usual and reasonable' and what constitutes 'excess suffering'? And why is the threshold 'excess suffering'?

Considerations of animal welfare are usually addressed through conditions in the licences. These conditions may specify the method by which an animal may be killed and/or require a person to comply with a code of practice. Every jurisdiction requires a licence holder to comply with their licence conditions, but this does not always ensure good animal welfare outcomes. For example:

- Shooting is the most permitted method to kill native animals around Australia, yet only the Australian Capital Territory requires shooter competency/accuracy or species identification testing.[62] Similarly, no jurisdiction mandates the use of a 'professional shooter'.[63]

- South Australia is the only jurisdiction that has mandatory codes of practice in place for all species that are commonly killed under licences. These codes state that they have been endorsed by an animal ethics committee, and that they provide a plain English version of how to meet animal welfare and legal obligations when killing an animal. While the codes are quite prescriptive, there is no guarantee that a person will comply with them or meet *all* the standards every time they kill an animal, or that a person will be reprimanded if they do not comply. This is especially so when the killing is taking place on private land. It is further compromised in circumstances where a person is killing an 'unprotected' animal (for which they do not require a licence). The relevant code states that they are still required to comply with the code, but it is unclear how that would be properly enforced, without the accountability that at least a licence brings.

- In Tasmania, licences allow kangaroos, wallabies and possums to be killed with 1080 poison. As discussed earlier in this report, 1080 poison is known to cause immense pain and suffering.

- In South Australia, licences allow flocking birds to be killed by way of carbon dioxide narcosis, a process that is likely to cause distress during both the trapping and gassing process.

- When people shoot kangaroos, they are required to comply with the *National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-Commercial Purposes*. However, this code does not ensure that animals do not suffer, as it does not mandate shooter accuracy or species identification testing (although this is still required in the Australian Capital Territory). Mis-shots, slow deaths, and the separation and starvation of orphaned joeys are some of the most serious welfare concerns, as well as the requirement to kill joeys by "blunt force trauma to the head"—which usually means beating the joey's head against a bull bar. There are also concerns about the lack of government oversight, as killings usually occur at night and in remote locations, with poor monitoring and enforcement of the code.[64]

Furthermore, while the use of poison to kill native animals (other than dingoes) is prohibited in most jurisdictions, exceptions exist. In Queensland and Western Australia, licences may authorise its use, and in South Australia, the Minister may permit its use.[65]

This flexibility is a common feature of each state and territory's wildlife licencing laws, and further weakens animal protection. Other examples include:

- Tasmania's *Nature Conservation (Wildlife) Regulations*, which state that "unless otherwise authorised by a licence or permit, a person authorised to take wildlife must ensure that the wildlife is humanely killed, as soon as practicable". This is problematic because it suggests a licence may authorise the inhumane killing of wildlife. Nor does it say what humane means. The provision also states "as soon as practicable", which leaves too much room for anyone to decide when that is.

- In Queensland, a licence must not be granted unless the decision maker is satisfied that the proposed way of taking the animal is "humane".[66] While humane is defined, requiring the state of satisfaction introduces subjectivity to the decision-making process.

- The Northern Territory and Queensland are the only jurisdictions where decision makers have to be a 'fit and proper person' to grant a licence to kill native animals.[67] In the Australian Capital Territory, New South Wales

Flexibility is a common feature of each state and territory's wildlife licencing laws, and further weakens animal protection.

and Tasmania the decision rests on the 'state of satisfaction' of the decision maker (i.e. they will only grant a licence if they are 'satisfied' of certain matters, which means there is a level of subjective decision making involved), while in South Australia and Western Australia the decision maker has discretion to grant a person a licence if the person is not considered a fit and proper person. In Victoria, there is no 'fit and proper' person test.

This flexibility also means breaches of the legislation are likely to be difficult to enforce.

Wildlife licencing frameworks are typically found in biodiversity legislation and are not set up to protect the welfare of individual animals (like animal welfare and prevention of cruelty laws). Despite this, native animals are sentient and deserve moral consideration and humane treatment, like any other animal. They should not be subject to reduced welfare protections by way of inhumane killing, weak licencing conditions, declarations as "pests" or otherwise.

Wildlife licencing frameworks are typically found in biodiversity legislation and are not set up to protect the welfare of individual animals (like animal welfare and prevention of cruelty laws).

Prioritising human/wildlife coexistence

While not all jurisdictions have a formal 'living with wildlife' policy, all jurisdictions generally encourage the use non-lethal methods to resolve 'conflicts' with native wildlife. Further, most jurisdictions state either on their relevant licencing website or on the licence application form (or both) that a licence will only be issued where non-lethal measures have failed or been exhausted or are not "feasible" or "practical".

There are, however, exceptions:

- While the Northern Territory has a 'living with wildlife' website, which provides some "non-intrusive" suggestions on how to manage interactions with "problem animals", there does not appear to be anything advising a person that they must trial/exhaust non-lethal methods before applying for a licence to remove the "problem animal". A "problem animal" is also not defined anywhere.
- In Tasmania, guidance is provided on managing interactions with animals non-lethally. However, there is nothing to suggest that non-lethal methods *must* be tried before an application for a licence is made. In fact, the 'managing wildlife browsing and grazing losses' website states that "*effective shooting should be part of an integrated browsing management approach, which combined with fencing and other tools can provide great returns for your investment*" and that "*fencing is cost effective method for controlling wallabies and pademelons entering a property, but should be undertaken in conjunction with other control methods such as shooting, trapping and the judicious use of 1080 poison*".
- The Australian Capital Territory also does not include this information on its website, although it is different to other jurisdictions in that it only allows private landholders to kill eastern grey kangaroos for 'damage mitigation' purposes, not other animals. Despite this, the government advised that it does not require landholders to demonstrate that non-lethal methods have been trialled before a licence is sought.

Even when a government policy requires a person to demonstrate or for a decision maker to consider attempts to resolve the issue using non-lethal measures, the law does not insist on it. In fact, Queensland is the only jurisdiction where this is legally required, though the relevant provision is watered down by flexible language.[68]

Moreover, there is often no requirement to provide evidence of the non-lethal measures.

While some support for landholders to discuss non-lethal alternatives appears to be available in the Australian Capital Territory, New South Wales, South Australia and Tasmania, it is not advertised as being available in the other states and territories.

To properly[69] prioritise human/wildlife coexistence, public information on department websites must emphasise the expectation that all non-lethal measures should be tried first, and legislative frameworks must be strengthened to legally require that non-lethal methods are both documented and exhausted before killing is an option. Increased support for and investment in humane and non-lethal strategies to resolve conflicts and coexistence programs are also crucial.

Landholder justification for the use of lethal control

In every state and territory, a person may apply for a licence to kill a native animal if the animal is causing some kind of damage or threat to, or problem for, their private interests.[70]

However, the requirement to demonstrate or prove this impact varies. There is also little guidance in the legislation as to what "damage" or "problem" means.

Most application forms require a person to tick a box which best describes, or asks them to briefly explain, the issue being caused by the animal, but it is rarely a requirement to provide evidence (e.g. by way of photographs, site visits).

Most application forms require a person to tick a box which best describes, or asks them to briefly explain, the damage being caused by the animal, but it is rarely a requirement to provide evidence

While it does not specifically ask for evidence, the Queensland licence application form asks the applicant to detail the damage and/or significant economic loss experienced (as a monetary value). This is because in Queensland, the decision maker must not grant a licence unless they are satisfied that the person may suffer significant economic loss if the damage is not prevented or controlled (amongst other things).[71]

A similar provision exists in the Tasmanian legislation where the decision maker may only grant a licence if satisfied that the applicant is likely to suffer financial loss.[72] While the application form asks the applicant to identify the property that is being damaged, it does not include any space to detail the "financial loss suffered". Moreover, there is no guidance in the legislation about what "financial loss" means, and it is left to the "satisfaction" of the decision maker to decide whether financial loss has been suffered.

These provisions impose some important restrictions on the decision-making power, which do not exist in the other jurisdictions' laws. However, they are somewhat marred by their reliance on subjective and discretionary language,

particularly as "significant" is not defined, and no guidance (at least that is publicly available) is given as to what significant might mean.[73] In Tasmania, based on the wording of the legislation, it appears *any* financial loss would be sufficient to meet the decision maker's requisite state of satisfaction. A review of the wildlife licencing laws that was carried out in Victoria a few years ago explored the potential to introduce a minimum threshold for damage to property before a licence would be issued and the potential introduction of a 'damage estimate calculator' for use in the licencing process. However, it was decided that these actions would not be introduced, including because damage thresholds and calculators would be complex, adding burden to applicants and potentially increasing assessment timeframes.

While some jurisdictions (e.g. Tasmania, Victoria, Western Australia) advise that assessment officers may attend the property to confirm the issues, including any damage, we are concerned that publicly available information suggests that licences may be obtained with little evidence or verification of the issue. In New South Wales, a person applying for a Native Game Bird Management Licence to kill 'native game birds' is not even asked why they are applying for the licence.

Applicants ought to bear the responsibility of providing comprehensive evidence, and government departments should be well resourced to verify the information. There should also be clear, objective criteria for issuing licences.

Licences

There are several key deficiencies with the way in which licences are currently applied for and issued, including with:

- **Licence returns:** all jurisdictions (except Victoria)[74] require a licence holder to report on the number of animals killed. However, this is only mandated by the law itself in Queensland and South Australia, elsewhere it is a condition of the licence. While a licence holder must comply with a condition of their licence, there is no guarantee that a licence will *always* be subject to such a condition if the requirement is not set out in law. What is more concerning is that this 'kill data' is not made publicly available (see discussion about transparency, below).
- **Reporting on non-target species:** it appears that New South Wales is the only jurisdiction that expressly requires a licence holder to report harm to non-target species (which they must do within 24 hours). Putting to one side the issue of how the government ensures compliance with that condition or indeed the licence holder's ability to assess this, if this is correct, then it is impossible to know the true impact of the wildlife licencing system.
- **Licence fees:** to our knowledge, the only jurisdictions that require a person to pay a licence fee is New South Wales and Western Australia and even then, the fee is relatively small.[75] This lowers the barrier to obtaining a licence and removes a potential source of revenue for the relevant departments and agencies, which could be used to improve the licencing framework and enforcement efforts.

Transparency

A key concern is that there is very little information in the public domain about licences.

A key concern is that there is very little information in the public domain about licences.

New South Wales and Victoria are the only two states that publish any licence information.[76] New South Wales maintains a public register,[77] which is updated approximately every three months, while Victoria publishes an annual table.[78] While both states show the number of animals that were *allowed* to be killed, neither state publishes the number of animals that licence holders have reported as actually killed (noting that this would not be possible in Victoria because licence holders are not currently required to report this information). We also note there is an inability to verify reported numbers.

We requested the figures for the total number of animals killed under private landholder licences for three years (amongst other things) from each state and territory, but they were only provided by the Australian Capital Territory and Tasmania. While all jurisdictions provided *some* information (either free of charge or under freedom of information laws), Western Australia could not provide any information for 2022 or 2023, and could only provide limited information for 2021. The relevant department advised that the data was not readily accessible, and that they were not able to divert the department's limited resources away from other responsibilities to fulfil the request.

The New South Wales Government explained that being able to publish the number of animals actually harmed (or killed) under a licence was dependent upon licence holders submitting complete and accurate reports and that "at

any given time, there will be current licences to harm where reports of animals harmed under the licence are not yet due, so this information is not available". Whereas the Australian Capital Territory explained that there was "privacy issues" with publicly releasing some licence information which is why "only aggregate cull numbers" are published.[79]

In other jurisdictions, no explanation was given as to why the requested information was not provided.

While there may be legitimate difficulties with publishing annual licence information (as well as valid reasons for not publishing personal licence information), it is difficult for the public to have confidence in the system when licence information is not available.

Indeed, in 2021, the committee that inquired into the health and wellbeing of kangaroos and other macropods in New South Wales observed that it was of "grave concern" that the New South Wales Government could not provide accurate numbers of kangaroos killed under non-commercial licences and that the committee viewed the inability to report as indicative of lax monitoring and oversight across the board.[80]

Licence information is also critical to understanding the impacts licencing frameworks have on wildlife populations (as well as ecological impacts more broadly), and to inform future wildlife management programs.

Enforcement

There is also a lack of transparency when it comes to compliance and enforcement. All state and territory governments have powers to carry out compliance and enforcement activities with respect to the killing of wildlife. However, no jurisdiction publicly reports on these specific activities.[81]

All state and territory governments have powers to carry out compliance and enforcement activities with respect to the killing of wildlife. However, no jurisdiction publicly reports on these specific activities.

Without such information, it is difficult for the public to know whether government departments and agencies are ensuring people are complying with the law. Indeed, the Final Report (2023) of the *Independent review of the Biodiversity Conservation Act 2016* (NSW) noted that in respect of the wildlife licencing regime, a specific concern held by the public was that there is an absence of compliance and auditing.

This information is particularly important in jurisdictions that do not specifically empower third parties (such as community groups) to enforce breaches of the law, although it is also important for third parties who are able to bring such legal action.

Other than in New South Wales and Queensland, no jurisdiction's wildlife licencing laws expressly contain open standing provisions to allow the community to bring legal proceedings for civil enforcement. Such civil enforcement is an important legal mechanism for local communities, especially in circumstances where a regulator does not or will not take action against a person for breaching the law.[82]

Nevertheless, enforcement of wildlife licencing laws (by both regulators and third parties) is inevitably difficult because of the discretionary and subjective nature of much of the frameworks, and because the killing takes place on private land. It would be further complicated in places like Victoria and Tasmania where people other than the applicant can carry out the killing under the licence, even though they are not listed on the application form or licence itself.

The need to shift from conflict to coexistence

While each state and territory have some good policies in place, the laws that allow private landholders to kill native animals are in desperate need of improvement.

The current systems are too lax and characterised by too much discretion, flexibility, and too many exemptions which allow human convenience to be prioritised over the protection and conservation of wild animals.[83] Our assessment is that the laws are too permissive and allow for the widespread killing of native wildlife while treating conservation and welfare with complacency if not contempt.

Coexistence strategies help us live alongside wildlife in ways that are respectful and mutually beneficial.

Against the backdrop of environmental degradation and biodiversity loss, there is an urgent need to facilitate coexistence between wildlife and private landholders.

Coexistence strategies help us live alongside wildlife in ways that are respectful and mutually beneficial. Where killing often only treats the symptoms and temporarily alleviates the conflict, coexistence strategies can lead to more durable resolutions to wildlife conflicts with benefits for enhanced ecosystem health and function, greater abundance and diversity of wildlife, and improved human and animal wellbeing from less stress and fear.[84]

Legislative and policy reform is required to make this shift.

Policy directives must be replaced with robust and enforceable requirements, exemptions must be removed, non-lethal methods must be exhausted, and comprehensive evidence of the issue must be obtained.

If coexistence is genuinely not possible, then the management response must be humane, sustainable, and ethical.

While we acknowledge that each jurisdiction encourages a 'living with wildlife' approach, the data reveals a different story: one where private landholders are allowed to kill hundreds and thousands of native animals because of conflicts with private interests. Our analysis shows that urgent reform is required.

We therefore urge all governments to reconsider their approach to managing conflicts between private landholders and native animals and shift away from killing as the solution.

Our overarching recommendation is that relevant departments should be provided with increased resourcing to fund trials of non-lethal methods for managing wildlife, and to provide coexistence training, capacity building, and workshops for landholders.

However, recognising that change does not happen overnight, we make recommendations to ensure a more robust, transparent, and accountable system that better protects our precious wildlife and biodiversity, improves animal welfare outcomes, and prioritises tolerance, coexistence, and non-lethal strategies.

Below we provide a set of national recommendations that apply to all jurisdictions.

We have prepared tailored recommendations for each state and territory, which, along with the overview of each jurisdiction's licencing framework, are available on request.

1 Animal welfare

- Recognise animal sentience in wildlife licencing laws.
- Mandatory use of professional shooters to reduce wildlife wounding.
- Regular shooter proficiency tests and mandatory training in species identification.
- Mandatory Codes of Practice (for each species permitted to be lethally controlled) that have been developed with the input of independent animal welfare experts and are reviewed and updated regularly.
- Prohibitions on methods of killing that are known to have particularly poor animal welfare outcomes, such as leg traps and 1080 poison.

Recommendations

2 Transparency of licence data

- Publicly available licence data that includes information on number of licences issued and locations, the species targeted, the maximum number of animals permitted to be killed per licence, the kill method, and the number of animals reported as killed.
- Standardised collection, collation and display of licence data across all Australian states/territories.
- Individual licence data with location of relevant property (with personal identifiers removed) is available from the relevant department upon request to enable analysis of regional impacts.

3 Building skills for co-existence

- Training in non-lethal tools and practices for department staff who manage licences to kill wildlife, and the requirement to pro-actively promote them to assist landholders adopt coexistence tools and solutions.
- Coexistence strategies are prominent on relevant government websites where information and applications for licences are obtained.
- Landholder capacity building and training workshops, as well as subsidies to facilitate adoption of non-lethal practices.
- Increase the cost to the landholder of obtaining a licence to kill wildlife.
- Research and development funding to trial and test non-lethal strategies.

4 Justification for lethal control

- Ensure that licence applicants provide strong proof of issues that is verified by departmental staff site visits, phone interviews and/or detailed photographic evidence.
- Proof that non-lethal methods have been used and have failed.
- A ‘decision tree’ process on the department website that takes applicants through the non-lethal solutions that best suit their circumstances and the wildlife they need assistance with before requesting a licence.
- Mandatory decision-making criteria that decision-makers must consider when deciding whether to grant a licence, including whether the applicant has exhausted non-lethal alternatives and provided proof of the issue being said to be caused by the animal.

5 Licence conditions

- Mandatory reporting within 1–2 weeks of maximum kill limit being reached, or every six months documenting the species targeted, number of animals killed, the kill methods used, as well as any wildlife injured.
- Reporting on non-target animals harmed within 24 hours.
- Licence lengths do not exceed one year.
- Re-issuing licences only after fulfilling reporting requirements, as well as proof that lethal control is effective at achieving the outcome for which the licence was sought.
- Clear process for landholders to inform neighbours of licence, species and lethal control methods to be used (e.g. licence information displayed on front fence).

6 Responsibility for conservation

- All native species are protected, and all require a licence to be killed. This includes recognising dingoes as a native species under the relevant legislation.
- Prohibit in law the granting of a licence to kill threatened species.
- Population Management Plans for all commonly killed species under licences must be in place. This includes regular population monitoring and a clear consideration of the cumulative impact of multiple licence applications.
- Ecological risk assessment to capture how the lethal control of keystone species may impact threated species and ecosystems. Licence applications should alert landholders to the possible presence of threatened species, and for any threatened species harmed to be reported within 24 hrs.

7 Enforcement

- Adequate resourcing to conduct compliance and enforcement activities.
- Data transparency regarding licence breaches, suspension notices and licence cancellations.
- Reporting to show when the department investigates reports of illegal killing and the outcome of any such investigations.
- Change the legislation that provides open standing for third party civil enforcement so that the community may enforce breaches of legislation and licence conditions.

Conclusion

This report is the first of its kind to quantify the shocking scale of the licensed killing of native wildlife throughout Australia. It has looked at the licencing frameworks in each jurisdiction and found them in need of substantial reform to prevent cruelty and killing.

With Australia's native wildlife facing many threats, we must protect our precious biodiversity and make positive strides towards an era of wildlife coexistence. We need our state and territory governments to prioritise and lead a shift from widespread killing to the widespread adoption of non-lethal humane strategies to resolve conflicts with wildlife. It is time for Australia to end the pain and suffering inflicted at scale on our unique and precious native animals.

Appendix A

Summary of data collection

State/Territory	Access	Licence information	Limitations
Australian Capital Territory	Provided by department on request.	Number of eastern grey kangaroos[36] allowed to be, and reported as, killed.	A breakdown according to licence type was not provided, but it is understood that most eastern grey kangaroos are killed pursuant to authorisations issued under the *Nature Conservation (Eastern Grey Kangaroo) Controlled Native Species Management Plan 2017.*
New South Wales	Public register	The 'public register of licences to harm' can be accessed by any member of the public. It dates back to August 2017 and says it is updated approx. every three months. It includes information on licences granted to landholders to kill kangaroos and other native animals. Amongst other things, it includes dates, property postcodes, an indication of the type of impact being said to be caused by the animal, species name, maximum number of animals to be harmed, lethal or non-lethal method. The NSW Government also publishes the 'quotas' and 'harvest' figures for the Native Game Bird Management Program.	The register was downloaded and manual calculations were performed to quantify the 'maximum number of animals to be harmed' in 2021, 2022 and 2023. The calculations did not account for licence variations or extensions, which means the figures for these years could be higher or lower. The NSW Government was invited to review the figures and provided corrections. The register does not include the number of animals that were reported to have been killed by the licence holder. The NSW Government advised that the numbers for New South Wales are assumed worst case numbers and that the number of animals killed is likely substantially lower because returns show that licence holders do not kill the maximum number of animals that they were allowed to kill under the licence. In some cases, licence holders do not submit their returns and so the New South Wales Government must assume, for the purposes of maintaining the public register, that the maximum number of animals that were allowed to be killed under the licence were in fact killed.
Northern Territory	FOI application	A PDF spreadsheet of compiled information on permits to 'take or interfere' was provided. This includes permit number, species, number of animals authorised to be 'taken or interfered with', and permit period.	The number of animals authorised to be 'taken or interfered with' was a total number – no distinction was made between whether animals were killed ('taken')/not killed ('interfere with'). The number of animals reported to have been killed by the permit holder was not provided.
Queensland	FOI application	A PDF spreadsheet of 'damage mitigation permits' was provided. Amongst other things, this includes permit dates, non-lethal or lethal 'control', species, and number of animals authorised to be killed.	The 40-page PDF document was not editable and the authors were required to review the document line by line and then perform manual calculations. The Queensland Government was invited to review the calculations and provided corrections. The number of animals reported to have been killed by the permit holder was not provided.

Summary of data collection *continued*

State/Territory	Access	Licence information	Limitations
South Australia	Provided by Department on request.	A 'Permit to Destroy Wildlife' report was provided, which included the species, number of animals that were allowed to be killed, and the number of permits.	The number of animals reported to have been killed by the permit holder was not provided.
Tasmania	When information was first requested, a FOI application was required. Follow up information was provided as part of department's 'active disclosure' process.	A PDF document of 'property protection permits' was provided, which includes species, number permits, quota and take reported.	Four of the entries include some overlap because some species are listed together. The take reported for each individual species is therefore not known. Where this occurs, this data is presented together. We do not have access to the 'quotas' for 2021 and the first half of 2022, which means where we have presented data for the total number of native animals allowed to be killed in any given year, the figure is missing information from Tasmania. We have also not been able to present the number of native animals that were allowed to be killed in 2021, or the full figures for 2022. Similarly, as there are no 'quotas' for Bennetts and rufous wallabies, the number of these animals that were allowed to be killed in 2021, 2022 and 2023 are not included in any of the figures (because there is no number to present). The Tasmanian Government also explained that the 'reported as killed' figures are higher in 2021 because five year permits expired that year which meant permit holders were reporting that year for a five year period.
Victoria	Public table	The Victorian Government publishes an annual table of licences, which includes species, number of licences issued, and maximum number of animals authorised to be 'controlled'. The table is split into lethal and non-lethal control.	The number of animals reported to have been killed by the licence holder is not published (because such reports are not required).
Western Australia	FOI application and requests to the department.	The WA Government could not provide any information for 2023. Limited information (e.g. species killed and number of licences issued) was provided for some earlier years.	The number of animals allowed to be, and reported as, killed in 2023 was not provided. This information could therefore not be presented in this report.

Appendix B

Native animals allowed to be killed by private landholders in 2021[85]

AUSTRALIAN CAPITAL TERRITORY
18,784 native animals

In 2021, Australian Capital Territory Government allowed 18,784 eastern grey kangaroos to be killed by private landholders under the 'rural culling' program. Under this program, private landholders reported to kill 6,766 eastern grey kangaroos.

NEW SOUTH WALES
153,636 native animals

In 2021, the New South Wales Government allowed 153,636 native animals to be killed under licences to harm protected animals. This included:

- 124,168 macropods, including eastern grey kangaroos, western grey kangaroos, red kangaroos, red-necked wallabies and swamp wallabies
- 29,191 native birds, including little corellas, sulphur-crested cockatoos and noisy miners
- 146 bare-nosed wombats
- 131 brushtail possums

In addition, the New South Wales Government allowed 114,680 native ducks to be killed under the Native Game Bird Management Program (and 8,350 native ducks were reported to have been killed).

NORTHERN TERRITORY
15,200 native animals

In 2021, the Northern Territory allowed approximately 15,200 native animals to be 'taken' or 'interfered' with under permits to take or interfere with wildlife. This included:

- 8,596 macropods including agile wallabies, wallaroos, and red kangaroos
- 6,483 native birds, including little corellas, magpie geese, sulphur-crested cockatoos
- 90 saltwater crocodiles
- 31 dingoes

QUEENSLAND
516,409 native animals

In 2021, the Queensland Government allowed 516,409 native animals to be killed under Damage Mitigation Permits. This included:

- 71,142 macropods including agile, swamp, red-neck and whiptail wallabies and eastern grey kangaroos, red kangaroos and wallaroos
- 37,247 native birds, including little corellas, sulphur-crested cockatoos and rainbow lorikeets
- 2,020 flying foxes, including black flying foxes, grey-headed flying foxes and little red flying foxes
- 206,000 grassland melomys and 200,000 pale field-rats

SOUTH AUSTRALIA
94,051 native animals

In 2021, the South Australian Government allowed 94,051 native animals to be killed by private landholders under Permits to Destroy Wildlife. This included:

- 70,307 macropods, including eastern and western greys, wallaroos, red kangaroos and tammar wallabies
- 20,157 native birds, including rainbow lorikeets, Adelaide rosellas and emus
- 1,915 brushtail possums
- 1,672 southern hairy-nosed wombats

TASMANIA

The number of native animals that were allowed to be killed in 2021 is not available. However, Tasmania was one of two jurisdictions that provided the numbers of animals that were reported to have been killed by private landholders.

In 2021, approximately 859,304 native animals were reported to have been killed by private landholders in Tasmania under Property Protection Permits (formerly known as Crop Protection Permits). This included:

- 682,378 macropods (Bennetts and rufous wallabies and forester kangaroos)
- 9,304 native birds, including sulphur-crested cockatoos, mountain ducks, black swans and silvereyes
- 167,605 brushtail possums
- 17 bare-nosed wombats

VICTORIA
89,364 native animals

In 2021, the Victorian Government allowed approximately 89,364 native animals to be killed by private landholders under Authorities to Control Wildlife. This included:

- 66,388 macropods, including eastern grey kangaroos, western grey kangaroos, red kangaroos, black wallabies and red-necked wallabies
- 21,195 native birds, including silver gulls, maned ducks, Australian ravens and galahs
- 226 bare-nosed wombats
- 66 brushtail possums
- 40 ringtail possums

WESTERN AUSTRALIA

The Western Australian Government does not maintain a public register of licences issued under the BC Act or otherwise publish information on the number of licences issued and for what species, or the numbers of animals killed under licences. In response to a request for licence information, the Western Australian Government was only able to provide the number of Damage Licences and Dangerous Fauna Licences that were issued in 2021 and the species for which they were issued. While the relevant department was responsive, they advised that it was not possible to collate and release any further information (e.g. for the years 2022 and 2023, the number of animals authorised to be killed) because of the way the information is stored, as well as capacity and resourcing constraints.

In 2021, the Western Australian Government issued 87 Damage Licences to manage the following species:

- Australian wood ducks
- emus
- galahs
- little and long-billed corellas
- western grey kangaroos

In 2021, the Western Australian Government issued 49 Dangerous Fauna Licences to manage the following species:

- freshwater crocodiles
- saltwater crocodiles
- magpies
- red wattlebirds

Appendix C

Native animals allowed to be killed by private landholders in 2022[86]

AUSTRALIAN CAPITAL TERRITORY
14,302 native animals

In 2022, Australian Capital Territory Government allowed 14,302 eastern grey kangaroos to be killed by private landholders under the 'rural culling' program. Under this program, private landholders reported to kill 5,207 eastern grey kangaroos.

NEW SOUTH WALES
138,092 native animals

In 2022, the New South Wales Government allowed 138,092 native animals to be killed under licences to harm protected animals. This included:

- 108,826 macropods including eastern grey kangaroos, western grey kangaroos, red kangaroos, red-necked wallabies and swamp wallabies
- 28,982 native birds, including little corellas, sulphur-crested cockatoos, long-billed corellas, and noisy miners
- 204 bare-nosed wombats
- 80 brushtail possums

In addition, the New South Wales Government allowed 96,388 native ducks to be killed under the Native Game Bird Management Program (and 15,361 native ducks were reported to have been killed).

NORTHERN TERRITORY
25,811 native animals

In 2022, the Northern Territory Government allowed 25,811 native animals to be killed by private landholders under permits to take or interfere with wildlife. This included:

- 17,143 macropods, including agile wallabies and red kangaroos
- 8,581 birds, including magpie geese, sulphur-crested cockatoos and little corellas
- 56 dingoes
- 11 saltwater crocodiles

QUEENSLAND
1,887,988 native animals

In 2022, the Queensland Government allowed 1,887,988 native animals to be 'taken' by private landholders under Damage Mitigation Permits. This included:

- 52,692 macropods, including eastern grey kangaroos, red kangaroos, wallaroos, red-necked wallabies, agile wallabies, and whiptail wallabies
- 21,526 native birds, including little black cormorants, rainbow lorikeets, welcome swallows, and sulphur-crested cockatoos
- 1,700 flying foxes, including grey-headed, little and black flying foxes
- 606,000 grassland melomys
- 1,206,000 native rats

SOUTH AUSTRALIA
86,903 native animals

In 2022, the South Australian Government allowed 86,903 native animals to be killed under Permits to Destroy Wildlife. This included:

- 61,848 macropods including eastern and western grey kangaroos, red kangaroos and tammar wallabies
- 21,656 native birds, including rainbow lorikeets, Adelaide rosellas, emus, musk lorikeets
- 2,110 brushtail possums
- 1,289 southern hairy-nosed wombats

TASMANIA

The number of native animals that were allowed to be killed in 2022 is not available for the full year. From 7 June 2022 to 31 December 2022, the Tasmanian Government allowed 15,423 native animals to be killed.

Tasmania is, however, one of two jurisdictions that provided the numbers of animals that were reported to have been killed by private landholders.

In 2022, approximately 105,777 native animals were reported to have been killed by private landholders in Tasmania under Property Protection Permits (formerly known as Crop Protection Permits). This included:

- 69,133 Bennetts and rufous wallabies and brushtail possums
- 5,879 forester kangaroos
- 8,786 native birds, including sulphur-crested cockatoos, black swans and wood ducks
- 53 bare-nosed wombats

VICTORIA
90,301 native animals

In 2022, the Victorian Government allowed 90,301 native animals to be killed under Authorities to Control Wildlife. This included:

- 62,940 macropods, including eastern grey kangaroos, western grey kangaroos, red kangaroos, black wallabies, and red-necked wallabies
- 25,619 native birds, including silver gulls, Australian ravens, maned ducks, sulphur-crested cockatoos, little corellas, and rainbow lorikeets
- 1,862 bare-nosed wombats
- 67 brushtail possums
- 25 ringtail possums

WESTERN AUSTRALIA

Data requested but not provided.

Endnotes

1 This does not include the number of Bennett's and Rufous wallabies that were allowed to be killed in Tasmania, because there are no quotas in place for these animals (or for possums), which means a person may kill as many of them as they like. In 2023, private landholders reported that they had killed 16,107 Bennett's and Rufous wallabies and brushtail possums.

2 Australian Government, Australia state of the environment 2021, Biodiversity, available at: https://soe.dcceew.gov.au/biodiversity/outlook-and-impacts.

3 It is acknowledged the number could also be lower because people may not kill as many animals as they are allowed to. However, without reporting and publicly available information, it is difficult if not impossible to know.

4 The term 'licence' has been used for consistency throughout this report, but it is noted that not every jurisdiction uses this term. For example, some jurisdictions use 'permits' or 'authorisations'.

5 In this report, we refer to the laws that regulate the licenced killing of native wildlife as 'wildlife laws' or 'wildlife licensing laws'.

6 It is acknowledged that the New South Wales Government publishes 'harvest' data in relation to the Native Game Bird Management Program. However, the New South Wales Government does not publish data on how many native animals are killed by private landholders under the Biodiversity Conservation Act 2016 (NSW).

7 In NSW, there is also the 'Native Game Bird Management Program' which is regulated by the Game and Feral Animal Control Act 2002 and the Game and Feral Animal Control Regulation 2022. The program is administered by the Department of Primary Industries. The Program allows for the licensed killing of certain native birds for 'sustainable agriculture management purposes'.

8 The total figure for 2021 does not include the number of animals that were allowed to be killed in Tasmania because we were not provided with this information. However, in 2021, private landholders in Tasmania reported that they collectively killed 859,304 native animals.

9 The New South Wales Government advised that the numbers for New South Wales are assumed worst case numbers and that the number of animals killed is likely substantially lower because returns show that licence holders do not kill the maximum number of animals that they were allowed to kill under the licence.

10 In all other jurisdictions except the Northern Territory, private landholders may generally kill dingoes without a licence.

11 Tasmania is one of two jurisdictions that provided the number of animals reported as killed. In 2023, private landholders are reported to have killed 19,424 native animals, including 16,107 Bennetts and rufous wallabies and brushtail possums, 1,735 forester kangaroos and 1,582 native birds.

12 The ACT is the other jurisdiction which provided the number of animals reported as killed. In 2023, it was reported that 6,529 eastern grey kangaroos were killed by private landholders.

13 See, for example, M Sherley, 'Is sodium fluoroacetate (1080) a humane poison? (2007) 16 Animal Welfare 449.

14 M Sherley, 'Is sodium fluoroacetate (1080) a humane poison? (2007) 16 Animal Welfare 449.

15 See, for example, Dundas, S. J., Adams, P. J., & Fleming, P. A. (2014). First in, first served: Uptake of 1080 poison fox baits in south-west Western Australia. Wildlife Research, 41(2), 117–126. https://doi.org/10.1071/WR13136.

16 Queensland Government. Wild dog facts Department of Agriculture and Fisheries Strychnine. https://www.daf.qld.gov.au/__data/assets/pdf_file/0004/59521/IPA-Wild-Dog-Fact-Sheet-Strychnine.pdf.

17 Western Australian Agriculture Authority. 2015. Landholder information for the safe use and management of strychnine for wild dog traps. https://www.agric.wa.gov.au/invasive-species/use-strychnine-wild-dog-control.

18 Sharp, T. and Saunders, G., 2011. A model for assessing the relative humaneness of pest animal control methods. Canberra, Australia: Department of Agriculture, Fisheries and Forestry.

19 Tidemann, C.R., King, D.H. 2009. Practicality and humaneness of euthanasia of pest birds with compressed carbon dioxide (CO2) and carbon monoxide (CO) from petrol engine exhaust. Wildlife Research 36, 522-527. Available at: https://doi.org/10.1071/WR09039.

20 Boronyak, L. 2023. Transformation from Conflict to Coexistence with Large Carnivores in Social-Ecological Landscapes. Doctoral Thesis. https://opus.lib.uts.edu.au/handle/10453/171483.

21 See, for e.g., Report No 11 – PC 7 – Planning and Environment – Health and Wellbeing of kangaroos and other macropods in NSW available at: https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2707#tab-reportsandgovernmentresponses. It is acknowledged that the Committee's findings were made in the context of kangaroo culling in New South Wales, but are likely to be applicable more broadly.

22 See, for e.g., M Sherley 'Is sodium fluoroacetate (1080) a humane poison?' (2007) 16(4) Animal Welfare 449.

23 Although the ACT does not have a commercial slaughtering program, it does carry out population monitoring to inform annual conservation and rural culling under the Nature Conservation (Eastern Grey Kangaroo) Controlled Native Species Management Plan 2017.

24 https://www.abc.net.au/news/2022-10-25/agile-wallaby-relocation-cairns/101552736.

25 The Native Game Bird Management Program is set up under the Game and Feral Animal Control Act 2002 (NSW) and is administered by the New South Wales Department of Primary Industries.

26 Licences are issued for 'sustainable agricultural management purposes'. This term is not defined in the Game and Feral Animal Control Act 2002 (NSW), however, the New South Wales Department of Primary Industries website says this means "native game birds must be impacting agricultural lands and a management licence will contribute positively to farm, regional and the State's productivity and economy; and will also adaptively manage and enhance biological and physical resources while supporting the State's regional and rural communities".

27 It is acknowledged that the Native Game Bird Management Program also has other features that are absent from the licensing regime under the Biodiversity Conservation Act 2016 (NSW), including the setting of annual quotas and the publishing of annual harvest information.

28 In September 2023, over twenty First Nations Groups signed the national dingo declaration, which outlines the cultural significance of the dingo to First Nations people and calls for their deep involvement in decision-making around dingo management on Country.

29 New research by Dr Kylie Cairns shows that hybridisation between domestic dogs and dingoes has been greatly overstated and that, of the dingoes genetically tested, most were pure dingoes.

30 The Australian Capital Territory is currently considering whether to remove the dingo from the pest animal declaration, which would mean dingoes would be protected as a native animal.

31 https://www.premier.vic.gov.au/striking-balance-save-threatened-dingo-population.

32 K.M. Cairns et al, Genone-wide variant analysis reveals new patterns of admisture and population variation in Austrlaian dingo Journal of Molecular Ecology Vol 32 Issue 15, August 2023 https://onlinelibrary.wiley.com/doi/10.1111/mec.16998.

33 A detailed overview of each State and Territory's performance against the governance criteria is available on request.

34 The ACT Government is different to other jurisdictions in that the only native animals that are allowed to be killed by private landholders for private interests, other than dingoes, are eastern grey kangaroos. The majority of eastern grey kangaroos are killed under authorisations issued pursuant to the Nature Conservation (Eastern Grey Kangaroo) Controlled Native Species Management Plan 2017, which is a statutory instrument made under the Nature Conservation Act 2014. The ACT's performance against the governance criteria has largely been assessed against the requirements of this plan and the Nature Conservation Act 2014 (which guides the application, assessment and decision-making process in regards to authorisations issued to private landholders to kill eastern grey kangaroos for property protection/damage mitigation purposes).

35 The assessment for NSW is based only on licences issued under the Biodiversity Conservation Act 2016, not the Game and Feral Animal Control Act 2002 (which is the legislation that sets up and regulates the Native Game Bird Management Program). For the avoidance of doubt, Humane Society International Australia does not support the continuation of the Native Game Bird Management Program.

36 Other than dingoes, the ACT Government does not allow any animals other than eastern grey kangaroos to be killed by private landholders for damage mitigation/property protection purposes.

37 The ACT Government does not appear to encourage (nor discourage) the use of professional shooters to kill eastern grey kangaroos. However, the Independent Review of the ACT's Eastern Grey Kangaroo: Controlled Native Species Management Plan indicates that professional shooters do carry out some shooting.

38 However, the Tasmanian Government encourages the use of "good shooters".

39 It is acknowledged that the New South Wales Government is the only jurisdiction that maintains a public licence register. However, it does not include information on how many native animals are reported to have been killed (they advised that this was not possible for a range of reasons).

40 It is acknowledged that the New South Wales Government has a policy to not issue licences to shoot flying foxes.

41 However, a licence may only be granted with approval from the Minister and it is not known whether this

ever occurs in practice.

42 While it may be possible under the law, it is not known whether this ever occurs in practice.

43 While it may be possible under the law, it is not known whether this ever occurs in practice.

44 However, a person requires special permission to obtain such a licence and it is not known whether this ever occurs in practice.

45 There is no provision in the Nature Conservation Act 2014 (ACT) to "unprotect" native species. However, the dingo is not recognised as a native animal under ACT legislation because they are declared pests.

46 There are no native animals in the Northern Territory that have been unprotected by the relevant legislation. However, the Minister may declare that it is lawful to kill protected wildlife.

47 All species that are native to Tasmania are protected. However, a person does not require a licence to kill wildlife that is not protected in Tasmania (e.g. animals that are not native to Tasmania, even though they may be native to Australia).

48 It is noted that there are often associated conditions, limitations and restrictions. For example, in Western Australia, a person may only kill "unprotected" wildlife (known there as "managed fauna") in certain geographical locations, by using a certain method, and only if the "managed fauna" is causing economic damage.

49 The Northern Territory is the only jurisdiction in which dingoes are afforded the same protection as other native animals on private land, although they are now also protected on private land in some parts of Victoria.

50 In the Australian Capital Territory, New South Wales and Western Australia, the decision maker may (but is not required to) consider such factors when assessing a licence application. In Victoria and South Australia, the relevant government websites state that such factors are considered, but such criteria is not set out in the legislation.

51 The word 'cruelty' is not typically defined in the legislation. However, it is usually construed to mean that a person should not 'unreasonably,' 'unnecessarily' or 'unjustifiably' inflict pain or suffering on an animal.

52 Prevention of Cruelty to Animals Act 1986 (Vic), s 6(1B).

53 However, if someone did not act "in accordance" with the Wildlife Act, the Prevention of Cruelty to Animals Act would apply to their actions.

54 Wildlife Act 1975 (Vic), s 7A(4). Also Prevention of Cruelty to Animals Act 1986 (Vic), s 9(1)(j).

55 Although the order declaring the species to be "unprotected" may include conditions, restrictions and/or limitations which a person must comply with if they are killing the animal.

56 For Queensland, see Animal Care and Protection Act 2001 (Qld), s 42 and Biosecurity Act 2014 (Qld), Sch 2, Pt 2. For Western Australia, see Animal Welfare Act 2002 (WA), s 24 and the Biosecurity and Agriculture Management (Declared Pests) Declaration 2013.

57 This is because the order declaring dingoes to be "unprotected wildlife" under the Wildlife Act 1975 says that dingoes may be poisoned.

58 See section 12 of the NC Act for the definition of native animal and the Pest Plants and Animals (Pest Animals) Declaration 2021 (No 1) made on 18 June 2021 which declares 'Wild Dingoes/Wild Dogs' a pest.

59 Animal Welfare Regulations 2012, cl 9(2).

60 Prevention of Cruelty to Animals Act 1979, s 24(1)(b).

61 Animal Welfare Act 1993, s 4(1). However, a person may not hunt in a way that is prohibited by the Act. This means a person cannot use leg hold traps on any animal.

62 While HSI does not endorse the killing of wildlife, having licence holders undergo these types of training can have welfare benefits as opposed to permitting shooting by non-trained individuals. In some jurisdictions, a person is required to "positively identify" the species they want to kill as part of the application process by for e.g. attaching photographs.

63 Although it is encouraged in South Australia, and in New South Wales and Queensland where a person is shooting kangaroos in certain areas (i.e. in a commercial slaughter zone). Tasmania also encourages the use of "good shooters" and provides guidance on what that means.

64 See, for e.g. Report No 11 – PC 7 – Planning and Environment – Health and Wellbeing of kangaroos and other macropods in NSW available at: https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2707#tab-reportsandgovernmentresponses. It is acknowledged that the Committee's findings were made in the context of kangaroo culling in New South Wales, but are likely to be applicable more broadly.

65 Although it is not known if this ever occurs. It is noted that neither the wildlife licensing laws nor the animal welfare and prevention of cruelty laws appear to prohibit the use of poison to kill native animals in NSW, although it is understood that it is only used to kill dingoes.

66 See Nature Conservation (Animals) Regulation 2020, cl 165(2).

67 A component of the fit and proper person test is whether the person has been found guilty of an offence under any relevant legislation, including animal cruelty legislation.

68 Clause 163(2)(b) of the Nature Conservation (Animals) Regulation 2020 provides that the decision maker must not grant a licence unless they are satisfied that the landholder has made a reasonable attempt to prevent or minimise the damage and the action has not prevented or minimised the damage.

69 Somewhat paradoxically, Queensland (arguably) has some of the stronger laws in place when it comes to 'wildlife coexistence', yet simultaneously has, consistently, allowed private landholders to kill some of the most animals.

70 The provisions are worded slightly different in every state and territory, although all include some variation of 'damage to crops, stock or other property', 'loss or damage' or 'economic damage'.

71 Nature Conservation (Animals) Regulation 2020, cl 163(2)(c). The same obligation does not appear to exist when a person claims an animal is causing a threat to their "wellbeing" (which is another reason a licence may be issued), which is concerning.

72 Nature Conservation (Wildlife) Regulations 2021, cl 49(2)(b).

73 Similarly, in New South Wales, a person may apply for a licence to kill 'native game birds' under the Native Game Bird Management Program. This Program allows licence holders to kill native game birds for 'sustainable agricultural management purposes', yet 'sustainable agricultural management purposes' is not defined in the legislation.

74 One of the outcomes of the review of the licensing system in Victoria was a transition to an online application process. The Victorian Government has flagged that this would help them determine a "low-burden" way for licence holders to report back on wildlife control they have undertaken under their licences. However, it is not clear whether this requirement, to report back, is in place yet.

75 The fee is currently between $30 and $300 in New South Wales and $65 in Western Australia.

76 It is noted that the ACT Government published historical data in the Nature Conservation (Eastern Grey Kangaroo) Controlled Native Species Management Plan 2017.

77 See https://www.environment.nsw.gov.au/licences-and-permits/wildlife-licences/licences-to-control-or-harm/public-register-of-licences-to-harm. It is acknowledged that this register is fairly comprehensive.

78 See, for example, https://www.vic.gov.au/authorities-control-wildlife-2023.

79 The Australian Capital Territory Government has published some data in the Nature Conservation (Eastern Grey Kangaroo) Controlled Native Species Management Plan 2017, but does not publish annual data.

80 See Report No 11 – PC 7 – Planning and Environment – Health and Wellbeing of kangaroos and other macropods in NSW available at: https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2707#tab-reportsandgovernmentresponses.

81 Western Australia advised that it publishes "aggregate" enforcement information in its annual reports (which is likely to be true of other jurisdictions, too), but specific compliance and enforcement information regarding licences issued to kill native animals could not be found.

82 It is understood that third party civil enforcement proceedings are possible in South Australia via other legal avenues.

83 Another example of this is that in some jurisdictions, a person will not require a licence to harm or kill a 'dangerous' snake. In South Australia for example, a person does not generally require a licence to remove or destroy a poisonous reptile if the reptile is in "such proximity as to cause reasonable anxiety to that person".

84 See, eg, Suzanne Stone et al, 'Adaptive use of nonlethal strategies for minimizing wolf–sheep conflict in Idaho' (2017) 98(1) *Journal of Mammalogy* 33; Louise Boronyak et al, 'Pathways to coexistence with dingoes across Australian farming landscapes' (2023) 4 *Frontiers in Conservation Science*; Matthew Schurch et al 'Wildlife-friendly livestock management promotes mammalian biodiversity recovery on semi-arid karoo farm in South Africa' (2021) 2 *Frontiers in Conservation Science*; Julie Young et al, 'Human–Carnivore Interactions: Lessons Learned from Communities in the American West. *Human Dimensions of Wildlife*' (2015) 20(4) *Human Dimensions of Wildlife* 349; Seth Wilson et al, 'Learning to live with wolves: Community based conservation in the Blackfoot Valley of Montana' (2017) 11(3) *Human-Wildlife Interactions* 245.

85 These numbers have been calculated based on information obtained from state and territory government departments. All government departments were given these numbers to review and verify. The New South Wales Government advised that the numbers for New South Wales are assumed worst case numbers and that the number of animals killed is likely substantially lower because returns show that licence holders do not kill the maximum number of animals that they were allowed to kill under the licence.

86 These numbers have been calculated based on information obtained from state and territory government departments. All government departments were given these numbers to review and verify. The New South Wales Government advised that the numbers for New South Wales are assumed worst case numbers and that the number of animals killed is likely substantially lower because returns show that licence holders do not kill the maximum number of animals that they were allowed to kill under the licence.







IMAGE: ANDERS ZIMNY/FLICKR





Garigal Country, PO Box 439, AVALON NSW 2107

1800 333 737 supporter@hsi.org.au hsi.org.au

@hsiaustralia

HUMANE SOCIETY INTERNATIONAL AUSTRALIA