

Overview of licences to kill in Queensland



**HUMANE SOCIETY
INTERNATIONAL**
AUSTRALIA



Licensing Framework

In Queensland, the licensed killing of native wildlife is primarily regulated by the *Nature Conservation Act 2002* (Qld) (**NC Act**) and the *Nature Conservation (Animals) Regulation 2020* (**Animals Regulation**).

Under the NC Act, it is an offence to 'take'¹ a 'protected animal' unless the taking is authorised by the NC Act or the Animals Regulations.² 'Protected animal'³ means an animal that is listed under the NC Act as 'threatened',⁴ 'near threatened',⁵ or 'least concern wildlife'.⁶

One way the NC Act authorises the taking of protected animals is via a Damage Mitigation Permit (**DMP**).

DMPs are used to regulate certain interactions between humans and native wildlife. Most relevantly, where a protected animal is causing loss or damage (e.g. to a property/crops), the Chief Executive of the Department of Environment and Science (**DES**) may grant a person a DMP to kill that animal.⁷ A DMP may also be granted if there is, or may be, a threat to a person's health or wellbeing resulting from harm caused by a protected animal.⁸

A DMP cannot be granted for an extinct animal or an extinct in the wild animal,⁹ but can be granted for a critically endangered, endangered, vulnerable or near threatened animal in specified circumstances.¹⁰ Additionally, the *Nature Conservation (Koala) Conservation Plan 2017* provides that the Chief Executive of DES must not grant a DMP for koalas.¹¹

If a person intends to take certain macropod species (e.g. eastern grey kangaroo), the *Nature Conservation (Macropod) Conservation Plan 2017 (Macropod Plan)* will also apply.¹² The Macropod Plan applies to 'macropod harvest species' and essentially sets out the type and number of macropods that may be killed in Queensland.¹³ As per the Macropod Plan, the Chief Executive of DES must not grant a DMP for a harvest macropod in a calendar year after the total permit number for the macropod for the year has reached 2% of the estimated population size of the macropod.¹⁴

A different kind of permit may be granted to manage flying fox roosts.¹⁵ These are known as 'flying fox roost management permits'. Where a flying-fox that "congregates at the roost" is causing damage or loss to property, the Chief Executive may grant a person a flying fox management permit to destroy the roost, drive away flying foxes from the roost, or disturb flying foxes in the roost.¹⁶

The Queensland Government is in the process of phasing out DMPs that authorise the shooting of flying foxes for the purposes of crop protection. These kinds of DMPs will not be available from 1 July 2026.¹⁷ However, a DMP may still be granted to kill flying foxes where the animal is causing, or is likely to cause, a threat to a person's health or wellbeing.¹⁸ It is unclear what constitutes a threat to a person's "wellbeing" and how this threat is verified in practice.¹⁹

Exceptions to the requirement to hold a DMP

While dingoes are protected in protected areas (e.g. national parks) in Queensland,²⁰ a person is not required to hold a DMP (or any other kind of permit under the NC Act/Animals Regulations) to kill a dingo on their private land. This is because outside of protected areas, dingoes are not protected under the NC Act²¹ and are classified as a 'restricted invasive animal' under the *Biosecurity Act 2014* (Qld). Landholders are therefore 'required' to 'control' dingoes on their land (which is usually carried out by lethal means, including particularly inhumane methods like laying poison baits and steel-jawed traps). As permits are not required, it is not known how many dingoes are killed on private land in Queensland.

Lethal methods used to take wildlife

The Animals Regulation provide that a holder of a DMP must kill a protected animal in a way that causes minimal damage and disturbance to other wildlife and the environment and by using the method stated in the DMP (if one is stated).²² If a method is not stated in the DMP, the method must be "humane"²³ (although it is unclear how that is enforced in practice). Despite this requirement, a DMP may authorise the use of poison.²⁴

The NC Act and Animals Regulation do not otherwise specifically address how a person may kill a protected animal. Based on the DES's website, it appears animals are usually shot. However, because the definition of 'take' includes to hunt, shoot, wound, kill, skin, poison, net, snare, spear, trap, a person could, in theory, use any of these methods to kill a protected animal (unless the DMP advises otherwise).

A person is not required to pass a shooter proficiency test under the NC Act or Animal Regulation to kill native animals under a DMP. However, they must comply with the *Firearms Act 1996*.²⁵ If a private landholder wants to kill kangaroos on their property and they are in a commercial harvest zone, the DES advises that landholders may like to seek the assistance of a professional shooter.²⁶

DMPs are supposed to only be granted where the Chief Executive of DES is satisfied that the proposed method of taking a protected animal is "humane"²⁷ and therefore - because of the definition of "humane" - complies with the *Animal Care and Protection Act 2001* (Qld).²⁸ However, it is not clear how the Chief Executive determines whether a method is "humane", or how in practice the DES ensures a person is conforming to this standard.

It is also questionable whether compliance with the Animal Care and Protection Act means that methods of killing animals will necessarily be "humane". Indeed, under the Animal Care and Protection Act, a person may use steel jaw traps to trap (and therefore kill) dingoes.²⁹

Numbers of native animals licensed to be killed in QLD

The Queensland Government does not maintain a public register of DMPs, or publish any information about how many DMPs are issued and for what species, or how many animals are killed under a DMP on an annual basis (although some limited data is published for macropods and flying foxes). However, the DES provided some of the requested information in response to an application under the *Right to Information 2009* (Qld).

To provide a snapshot, in 2023, the Queensland Government allowed approximately 299,346 native animals to be killed under DMPs. This included (but was not limited to):

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

While the number of animals that were reported to have been killed under DMPs was requested, the information was not provided. It is therefore not known how many animals are reported as being killed under DMPs in any given year. As noted above, it is also not known how many dingoes are killed in Queensland in any given year.



Application, assessment & enforcement

Applications

An application for a DMP must:³⁰

- be in the approved form; and
- be supported by enough information to enable the application to be decided; and
- be accompanied by the prescribed fee.

Applications may be submitted via an online portal, or a person may submit a hard copy application. The relevant application forms are available to download on the DES's DMP website.³¹ There is currently no fee associated with applying for a DMP.

The application form for a DMP asks the applicant a number of questions, including:

- the reason for applying for the permit;
- what damage and/or significant economic loss has been experienced (as a monetary value), or information about the threat being posed to human health or wellbeing;
- what non-lethal methods have been attempted to prevent or minimise the damage or loss being caused by the animal;
- whether the animal can be positively identified (photographic evidence is requested);
- what method the applicant is proposing to use to kill (or relocate) the animal; and
- whether the applicant (or an associate) has been convicted of an offence under the NC Act/Animals Regulation, the Animal Care and Protection Act and/or an offence relating to wildlife under another Queensland Act or under laws in other states or countries.

There are additional questions on the form if someone is applying to harvest macropod species.

Unlike other jurisdictions (e.g. Victoria), any person that wishes to harm animals under the DMP (in addition to or instead of the applicant) must be listed on the application form, and the applicant must nominate a "person in charge".

The DES's DMP website provides some guidance on what kind of information should be included with an application and says that the DES offers a pre-lodgement service to guide applicants through the assessment process.

This website also links to a section of Business Queensland's website that contains information on the ways to minimise crop damage from wildlife, providing a summary of some non-lethal options to protect crops (although this page is limited to information about flying foxes, not other wildlife).³²

Further information about 'living with wildlife' is provided on the wildlife section of the DES's website (which is separate to the DMP website). Although the DES does not appear to have an overarching policy on coexisting with wildlife, this page says it *"provides insights into how to coexist in balance with some of our more common species of wildlife and, if problems arise, what practical solutions are available to restore this balance"*.

The amount of information and guidance provided on subsequent pages varies for each species, but it is fairly comprehensive. However, it is disappointing that the 'living with wildlife' page also says that the "new wild" (described as the city in which a number of animals now live) will become "a new frontier for confronting a range of wildlife conservation and management issues". This indicates that managing wildlife for humans' benefit, as opposed to human and wildlife coexistence, is the main goal for the Queensland Government.

Assessment

The Chief Executive of the DES has the power to grant a DMP in certain circumstances.³³

- The Chief Executive may grant a DMP if the DMP is for the purpose of:³⁴
 - preventing damage or loss caused, or likely to be caused, by the animal; or
 - preventing or minimising a threat, or potential threat, to human health or well being caused, or likely to be caused, by the animal; or
 - a purpose stated in a conservation plan (e.g. Macropod Plan) applying to the animal.
- If a person applies for a DMP to prevent damage or loss caused by an animal (except for flying foxes), the Chief Executive may grant the DMP if they are satisfied that:³⁵
 - the animal is causing, or may cause, damage;
 - the landholder of the land on which the animal is causing, or may cause, damage has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage; and
 - if the damage is not prevented or controlled:
 - persons may suffer significant economic loss; or
 - the ecological sustainability of nature is likely to be harmed; and
 - action under the DMP would not adversely affect the survival of the animal the wild; and
 - the proposed way of taking the animal is humane.

There are different limits on the Chief Executive's power to grant a DMP in respect of flying foxes.³⁶



In addition, when considering whether to grant a DMP, the chief executive must have regard to:³⁷

- whether the chief executive is restricted from granting the permit;³⁸
- whether the applicant is a suitable person to hold the permit;³⁹
- the impact the activities proposed to be carried out under the permit may have on the conservation of native wildlife;
- the effect the grant of the permit may have on the fair and equitable access to nature, in particular, the ecologically sustainable use of wildlife;
- any contribution the applicant proposes to make to the conservation of nature;
- any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;
- the precautionary principle;
- public health and safety;
- the public interest;
- any recovery plan for an animal to which the permit is proposed to apply;
- for a flying fox roost management permit in an area outside an urban flying fox management area – whether the flying foxes in the relevant area are likely to move to, and congregate at, a tree or other place within an urban flying fox management area, having regard to:
 - the proximity of the permit area to the urban flying fox management area; and
 - the direction, from the relevant area, of trees or other places suitable for the flying foxes to move to and congregate at;
- for an animal authority (such as a DMP) that is to take effect immediately after an existing animal authority of the same type ends:
 - whether the existing authority was obtained on the basis of false or misleading information; and
 - whether the holder of the existing authority has failed to comply with a condition of the existing authority.
- any other matter stated in a conservation plan (e.g. the Macropod Plan) that the Chief Executive is required to have regard to when considering an application for the permit.

In addition, if an application for a DMP is for the lethal control of harvest macropods, the Chief Executive (or their delegate) must consider the *Assessment guidelines for applications for Damage Mitigation Permits (Culling and Dispersal) for lethal take of harvest macropods*. These guidelines are available to view on the DES's website.⁴⁰

It is acknowledged that the Animals Regulation requires the Chief Executive to consider a number of factors in determining whether they should grant a DMP. However, it is very concerning that, despite this, the Queensland Government allowed approximately 299,346 native animals to be killed under DMPs in 2023. While the Animals Regulation appears to place limits on the Chief Executive's discretion to grant a DMP, this is undermined by the use of subjective terms like "satisfied" and "reasonable".

It is also concerning that the DMP application form says that some "online licences" are granted straight away. Although it is unclear what an 'online licence' is (i.e., is it referring to a DMP or another kind of licence), it suggests that some applications may not undergo rigorous assessment.

Post Approval

Within 40 business days of receiving the application,⁴¹ the Chief Executive must decide to grant the permit or refuse the application.⁴²

A permit may be granted with or without conditions.⁴³

In addition to other conditions that may be imposed, the Animals Regulation sets out conditions that apply to all DMPs.⁴⁴ These include that:

- the holder of a DMP may take an authorised animal only:
 - in a way that causes minimal damage and disturbance to other wildlife; and the environment; and
 - by using:
 - if a method for taking the animal is stated in the DMP – the stated method; or
 - otherwise – another method that is “humane”.⁴⁵
- if the authorised animal is a flying fox, the holder of the DMP must not shoot the flying fox.
 - Additionally, the person must comply with the flying fox damage mitigation code.⁴⁶
- the holder of a DMP must give the chief executive a return of operations for the DMP.⁴⁷

There are separate restrictions and conditions that relate to a flying fox roost management permit.⁴⁸

The DES's DMP website says that “permit holders may be required to comply with a code of practice. The only codes of practice which appear to have been made for this purpose are the *Code of Practice: Humane shooting of kangaroos (which is actually the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes)* and the *Code of Practice: Ecologically sustainable lethal take of flying foxes for crop protection*.”⁴⁹ The DES's DMP website says that the codes specify “appropriate and humane” methods of killing animals under a DMP.

A DMP may be granted for a maximum period of 12 months, unless the applicant is operating under an “approved property management plan for the land” in which case the DMP may be granted for a period of three years.⁵⁰

Failure to comply with a condition of a DMP is an offence (and is also a ground for amendment, suspension or cancellation of a permit).⁵¹

The holder of a DMP must provide a return of operations for the DMP. Unless the person has a “reasonable excuse”, the person must provide the return within 10 business days after the expiration date of the DMP.⁵² There does not appear to be any requirement to report on whether non-target animals have been killed under a DMP.

There is no public register of DMPs, or any publicly available information which records the number of DMPs that have been granted in any given year and for what species. While some of this information was provided in response to an application made under the *Right to Information Act*, it is not known how many native animals are reported as (or actually) killed in total in Queensland every year.

Except for macropods, it appears that the DES does not publish Population Management Plans for species or quotas which set the maximum number of animals that may be killed on an annual basis.

Enforcement

The Chief Executive of DES may amend, suspend, or cancel a DMP in certain circumstances,⁵³ including if the Chief Executive believes that the holder of the DMP has failed to comply with a condition of the permit, or the holder of the DMP is no longer a suitable person to hold the DMP.

A person may seek a review of the Chief Executive's decision to amend, suspend, or cancel a DMP.⁵⁴

It is not clear how the DES ensures that DMP holders are complying with the conditions of their DMPs (or that people are not harming protected animals without a permit). However, there are a range of enforcement and investigative powers in the NC Act that can be used if a person is believed to be contravening the NC Act or the Animals Regulation.⁵⁵

The NC Act also contains third-party civil enforcement provisions, which means that any person may bring legal proceedings to remedy or restrain a breach of the NC Act or the Animals Regulation.⁵⁶

► See page 11 for Queensland's performance against the governance criteria.⁵⁷



Recommendations for reform in Queensland

HSI Australia supports wildlife coexistence and urges the Queensland Government to reconsider its approach to managing perceived conflicts between private landholders and native animals (while acknowledging the progress that has been made with the legislated phase out of DMPs to kill flying foxes for crop protection).

To this end, our overarching recommendation is that the Queensland Government provides increased resourcing to the DES to fund trials of non-lethal methods for managing wildlife, and provide training, capacity building, and workshops for DES staff and landholders on wildlife coexistence.

However, while we oppose permits, we make the following recommendations to ensure a more robust, transparent, and accountable system that prioritises non-lethal strategies, tolerance, and human-wildlife co-existence.

► **Develop a formal 'living with wildlife' policy, which prioritises wildlife coexistence.**

► **Amend the NC Act to:**

- recognise animal sentience.⁵⁸
- protect the dingo on all land in Queensland (not just in protected areas). As a consequence, de-identify dingoes as pests (or biosecurity risks).

► **Amend the Animals Regulation to:**

- prohibit the grant of a DMP to kill 'threatened' (including critically endangered wildlife, endangered wildlife, or vulnerable wildlife) and 'near threatened' wildlife.
- prohibit the use of poison (and the Minister authorising the use of poison).
- require the payment of fee to obtain a DMP.
- remove subjective terms like "satisfied" and "reasonable" in any decision-making criteria which applies to the grant of a DMP (e.g. clause 163 ('restrictions on grant of permit to prevent damage or loss')).
- remove 'wellbeing' as a category for which a DMP may be granted.
- remove the 'flying fox management roost' as a category for which a DMP may be granted.
- define 'significant economic loss' in clauses 163, 164 and 175 and/or introduce a minimum damage threshold that must be reached in order that the Chief Executive may grant a DMP.
- specify which lethal methods are permissible and which are prohibited.
- mandate the use of professional shooters, or preclude a person from obtaining a DMP unless they have passed a specific native wildlife shooting proficiency test, as well as a species identification test.
- require permit holders to report on licence activities within 1-2 weeks of the maximum kill limit being reached, or every 6 months (whichever is the sooner), documenting the species targeted, number of animals killed, and the methods used. Also require licence holders to report, within 24 hours, if any non-target wildlife/animals have been harmed or killed.

Recommendations

- require DES employees or permit holders to notify neighbours of the grant of a DMP and when killing of native wildlife will be carried out.

- ▶ Ensure that any claim to lethal or non-lethal methods of managing wildlife being “humane” is underpinned by the most contemporary science on animal welfare and provide guidance to the public on what ‘humane’ means.
- ▶ Ensure non-lethal methods of managing wildlife do not have negative impacts on target or non-target species. Adopt the use of wildlife friendly fencing and netting.
- ▶ Introduce enforceable mandatory codes of practice for all species killed under DMPs that are drafted with input from animal welfare specialists and are underpinned by the most contemporary science on animal welfare.
- ▶ **Increase resourcing for the DES to:**
 - fund trials of non-lethal methods for managing wildlife.
 - provide training, capacity building and workshops for DES employees and landholders to promote and foster wildlife coexistence (as well as subsidies for landholders to trial non-lethal management methods).
 - increase guidance available on the DES’ website and for a broader number of species. Ensure this information is up to date, central, and readily accessible before a person applies for a person.
 - conduct site inspections during the permit application process to verify the need for a permit, and after permits have been granted.
 - carry out robust monitoring and reporting of animal populations.
 - carry out compliance and enforcement activities.
- ▶ Maintain a public register of DMPs and publish information on how many native animals are killed under DMPs on an annual basis (including by what methods).
- ▶ Publicly report on compliance and enforcement activities (including when licence conditions have been breached, or licences suspended or cancelled).
- ▶ The Animal Care and Protection Act should be amended to prohibit the use of steel-jaws traps.

Performance of Queensland against governance criteria

Category	Criteria	Status under current law/policy	Result
Animal welfare	Use of professional shooters	Not encouraged per se, but the DES advises that private landholders may seek assistance from a professional shooter if the landholder wants to kill kangaroos and they are in a commercial harvest zone	!
	Shooter competency testing	Not required under the <i>Nature Conservation Act/Animals Regulation</i>⁵⁹	✗
	Animal welfare laws apply	Yes, although dingoes are not protected by the Animal Care and Protection Act because they are “pests”	!
	Licence holder to be fit and proper person	The Chief Executive of DES must consider whether the applicant is a ‘suitable person’	✗
Prioritise human/wildlife coexistence	Law requires applicants to demonstrate, and decision-maker to consider, wildlife coexistence efforts	The Chief Executive of DES must not grant a DMP unless they are satisfied that the applicant has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage. The DMP application form states, when asking what non-lethal methods have been attempted, that a person must demonstrate they have made reasonable attempts to prevent or minimise damage and those attempts have been unsuccessful	⊙
	‘Living with wildlife’/ non-lethal control policy and guidance	No formal policy, but the DES have a ‘living with wildlife’ section on their website which houses several species-specific factsheets providing fairly comprehensive guidance on non-lethal ways of managing wildlife (although the detail varies from species to species)	!
	Landholder capacity building/training on non-lethal methods	Not available	!
Landholder justification for the use of lethal control	Proof of damage/ issues caused by wildlife	The application form requires an applicant to detail the damage and/or economic loss as a monetary value or detail the threat to human health or wellbeing. For economic loss, evidence to substantiate loss is requested	!
Licences	Identification of all persons acting under the licence	Yes, required	⊙
	Reporting requirements	Within 10 days of licence expiry	!
	Report non-target animals harmed	It does not appear to be a requirement	✗
	Licence lengths	12 months (unless the applicant is operating under an “approved property management plan for the land” in which case the DMP may be granted for a period of three years)	⊙

Transparency	Government maintains public register/publishes licence data, including number of animals killed	The DES publishes some, limited data on macropods and flying foxes, but not for other species (and the information on macropods and flying foxes does not include the number of animals which are reported to have been killed). The DES advised that a FOI application was required to obtain the information	
	Public reporting of compliance and enforcement activity	No	
Responsibility for conservation	Obtain licence to kill threatened species	A DMP may be granted for a critically endangered, endangered, vulnerable or near threatened animal in specified circumstances	
	Population Management Plans (PMPs) and non-commercial quotas for species	There is a 'conservation plan' and quotas in place for macropods (likely because there is a commercial harvesting program), but not for any other species	
	Unprotected native species	A person does not require a DMP to kill dingoes on private land (although they are protected in protected areas)	
	Decision-maker considers environmental impacts	Yes, required by the Animals Regulation	
Enforcement	Community empowered to enforce breaches of a licence or legislation	Yes, the NC Act includes third-party civil enforcement provisions	

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.

Disclaimer

This overview was prepared by Humane Society International Australia. The views expressed in this document are those of the author and do not reflect the views of any Australian government or government agency.

The information contained in this document is for general informational purposes only and does not constitute legal or other professional advice. The insights presented in this overview are based on a general perspective and may not be applicable to specific individual situations.

While every effort has been made to ensure the information in this document is accurate as at the date of this publication, Humane Society International Australia does not accept any responsibility for any errors or any loss or damage that may result from its use.

This document was finalised in October 2024

Endnotes

¹ In relation to an animal, 'take' includes hunt, shoot, wound, kill, skin, poison, net, snare, spear, trap, catch, dredge for, bring ashore or aboard a boat, lure, injure or harm the animal. In addition to the general offence provision, there is also a specific offence provision that relates to flying-foxes - see section 88C.

² NC Act, section 88(2).

³ See definition of 'protected animal' in the Dictionary of the NC Act.

⁴ 'Threatened wildlife' means native wildlife that is prescribed under the NC Act as extinct wildlife, extinct in the wild wildlife, critically endangered wildlife, endangered wildlife, or vulnerable wildlife. See also part 2 of the Animals Regulation (and schedule 1, part 2, divisions 1-5 of the Animals Regulation for a list of native wildlife in these categories).

⁵ 'As per the Dictionary of the NC Act, 'near threatened wildlife' means native wildlife that is prescribed under the NC Act as near threatened wildlife. See also part 2 of the Animals Regulation (and schedule 1, part 2, division 6, subdivision 1 of the Animals Regulation for a list of near threatened wildlife).

⁶ As per the Dictionary of the NC Act, 'least concern wildlife' means native wildlife prescribed under the NC Act as least concern wildlife. See also part 2 of the Animals Regulation (and schedule 1, part 2, division 7 of the Animals Regulation for a list of least concern wildlife).

⁷ Animals Regulation, clause 162(1)(a).

⁸ Animals Regulation, clause 162(1)(b).

⁹ Animals Regulation, clause 161.

¹⁰ Animals Regulation, clause 162(3).

¹¹ *Nature Conservation (Koala) Conservation Plan 2017*, section 13.

¹² See sections 72(1)(c) of 137(2)(d) of the NC Act and clauses 235(2)(d) and 241(1)(m) of the Animals Regulation.

¹³ The Macropod Plan also regulates the commercial harvesting of kangaroos. A person will require a separate licence to harvest kangaroos for commercial purposes.

¹⁴ Macropod Plan, section 69(1).

¹⁵ See Part 11 of the Animals Regulation.

¹⁶ Animals Regulation, clause 177.

¹⁷ See <https://www.qld.gov.au/environment/plants-animals/animals/living-with/bats/flying-foxes/managing-impacts-of-flying-foxes/damage-mitigation-permits-for-crop-protection>.

¹⁸ Animals Regulation, cl 163(1A). See also <https://www.qld.gov.au/environment/plants-animals/animals/living-with/bats/flying-foxes/managing-impacts-of-flying-foxes/damage-mitigation-permits-for-crop-protection>.

¹⁹ The DES website which sets out information about DMPs says that applications for human health and wellbeing must include statements which detail the threat and that examples include illness from zoonotic disease or injury or a risk of injury from aggressive wildlife.

²⁰ See section 62 of the NC Act and definition of 'natural resources' in the Dictionary.

²¹ See the list of 'least concern wildlife' in schedule 1, part 2, division 7 of the Animals Regulation.

²² Animals Regulation, clause 171(1)(a)(b)(i).

²³ Animals Regulation, clause 171(1)(b)(ii).

²⁴ Animals Regulation, clause 322(2). The use of poison is otherwise generally prohibited.

²⁵ This is not provided under the NC Act or Wildlife Regulations, but the application for a DMP states that a person must comply with all relevant legislation, including the Weapons Act. Also, a person is required to complete a safety training course to hold a firearm (see section 10A(2)(b) of the Weapons Act).

²⁶ See, for e.g. https://environment.des.qld.gov.au/_data/assets/pdf_file/0033/89358/is-wl-dmp-landholder.pdf.

²⁷ Animals Regulation, clause 163(2)(e).

²⁸ See Animals Regulation, Schedule 7.

²⁹ The Animal Care and Protection Act prohibits the use of 'prohibited traps' however no traps have been declared to be prohibited.

³⁰ Animals Regulation, clause 235(2)(a)-(c).

³¹ <https://environment.des.qld.gov.au/licences-permits/plants-animals/damage-mitigation-permits>.

³² See <https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/crops/protect>.

³³ See also section 234 which sets out restrictions on the chief executive's power to grant any authority under the Animals Regulation. This includes that the applicant is not a suitable person to hold the authority, or that the activities proposed to be carried out under the authority are likely to adversely affect the conservation of native wildlife or the ecological sustainability of native wildlife. See also Chapter 5, Part 2, Division 2 as to the factors that determines someone suitability to hold a permit under the Animals Regulation.

³⁴ Animals Regulation, clause 162(1).

³⁵ Animals Regulation, clause 163.

³⁶ See clause 164(2)-(3) of the Animals Regulation.

³⁷ Animals Regulation, clause 241. The chief executive must consider these mandatory relevant considerations when considering an application for any kind of licence/permit/authority made under the Animals Regulation.

³⁸ See clauses 162 and 163 of the Animals Regulation.

³⁹ See Chapter 5, Part 2, Division 1 of the Animals Regulation.

⁴⁰ See section 174B of the NC Act. The guidelines are available here: <https://environment.des.qld.gov.au/licences-permits/plants-animals/damage-mitigation-permits>.

⁴¹ Animals Regulation, clause 244(2)(b). The time may be extended if the chief executive asks for further information or a document – see clause 244(2)(a).

⁴² Animals Regulation, clause 244(1).

⁴³ Animals Regulation, clause 244(1)(a).

⁴⁴ See Chapter 4, Part 10, Division 3.

⁴⁵ Humane means taking the animal in a way that complies with the *Animal Care and Protection Act 2001*.

⁴⁶ Animals Regulation, clause 171A.

⁴⁷ See Chapter 8 of the Animals Regulation for the requirements for returns of operations.

⁴⁸ See Chapter 4, Part 11.

⁴⁹ See <https://environment.des.qld.gov.au/licences-permits/plants-animals/damage-mitigation-permits>.

⁵⁰ Animals Regulation, clause 254(1). An approved property management plan is a plan about the management of the land that is intended to provide for the conservation of animals on the land and is approved by the chief executive.

⁵¹ Animals Regulation, clause 170. See also clause 318.

⁵² Animals Regulation, clause 348(b).

⁵³ Part 6 of the Animals Regulation.

⁵⁴ See Part 8A of the NC Act.

⁵⁵ See for example section 147 of the NC Act.

⁵⁶ NC Act, section 173D(2).

⁵⁷ Humane Society International Australia developed a set of governance criteria for the Licence to Kill report to assess each jurisdiction's licensing framework. The governance criteria can be found on pages 27-29 of the Licence to Kill report.

⁵⁸ We recommend that this also be recognised in the Animal Care and Protection Act.

⁵⁹ NB: Under the Weapons Act, a person must undergo certain training to hold a firearm.