



GROUP PERMIT

Biosecurity Act 2019 s100 (1) (c) & s110

Approved method of carcass disposal as part of a Deer Control Project - Aerial Shooting

1. I, Kevin de Witte, being and as the Chief Veterinary Officer under the *Biosecurity Act 2019* (the Act) hereby grant to the classes of persons described in clause 3 below, a group permit authorising the following dealings with biosecurity matter (including prohibited dealings), subject to the conditions in clause 4:

the disposal of carcasses of certain vertebrate game or wildlife, namely wild fallow deer taken by aerial culling, by allowing the carcasses to remain in place without the requirement for hygienic disposal such as burial or incineration, where such methods of disposal are not reasonably practicable

2. In this permit –

the Act means the *Biosecurity Act 2019*; and

approved tag” means a tag approved by the Secretary; and

“Deer Management Zone 1” means the area identified as “*Deer Management Zone 1 – Sustainable Hunting*” in the [Tasmanian Wild Fallow Deer Management Plan 2022-27](#), published on the Department website; and

“material environmental harm” has the same meaning as in [section 5 of the Environmental Management and Pollution Control Act 1994](#)

“the Regulations” means the *Biosecurity Regulations 2022*; and

“take or taking” of deer has the same meaning as in the *Nature Conservation Act 2022*; and

“Wildlife Regulations” means the Nature Conservation (Wildlife) Regulations 2021 made under *Nature Conservation Act 2002*; and

all other terms that are defined in the Act, Regulations or Wildlife Regulations have the same meaning as the Act, Regulations or Wildlife Regulations.

3. This permit is granted to the following classes of persons:
 - (a) a person authorised to take wild fallow deer under a “property protection permit” within the meaning of the Wildlife Regulations;
 - (b) a person authorised to take deer by aerial shooting under a special permit issued under section 29 of the *Nature Conservation Act 2002*;
4. This permit is subject to the following conditions:
 - (a) this permit is granted only in respect of –
 - (i) the carcasses of deer culled by **aerial shooting** as part of the [Tasmanian Wild Fallow Deer Management Plan Implementation Strategy 2022-27](#), published on the website of the Department; and
 - (ii) a premises on which the taking of deer is authorised by a valid property protection permit granted under the Wildlife Regulations;
 - (b) all reasonable and practicable measures must be taken to ensure that a deer carcass is not left or disposed of in a manner that would allow any domestic or wild dog to gain access to the carcass;
 - (c) all reasonable and practicable measures must be taken to ensure that a deer carcass is not left within 50 metres of a watercourse, established walking track, fence line or a road, or in a place where it is likely to pose a risk of causing material environmental harm;
 - (d) all reasonable and practicable measures must be taken to ensure that –
 - (i) deer carcasses are located, and the location of the carcass is recorded; and
 - (ii) adult male deer taken on a property located within **Deer Management Zone I** are affixed with an approved tag within 48 hours of being taken.
5. This permit takes effect on 17 January 2024 at 12.00 AM and remains in force for a period of five (5) years unless sooner revoked.
6. This permit authorises dealings for the purposes of the *Biosecurity Act 2019* and does not authorise any activity that is otherwise prohibited or restricted under the *Nature Conservation Act 2002*, *Environmental Management and Pollution Control Act 1994*, *Local Government Act 1993*, or any other Australian law.

Signed by:

Kevin de Witte
Chief Veterinary Officer
Date: 17/1/2024

INFORMATION

Effect of a permit

1. A person is not guilty of an offence under the Act in respect of conduct if –
 - (a) the person is a permit holder with a valid permit; and
 - (b) the permit authorises the conduct; and
 - (c) the person is acting in accordance with the permit when engaging in the conduct.
2. A permit does not authorise conduct in contravention of an emergency order or emergency biosecurity direction unless –
 - (a) the permit is an emergency permit granted in respect of the relevant emergency; and
 - (b) the conduct of the person is in accordance with the emergency permit.
3. Compliance with a permit in respect of a dealing is necessary to ensure that a person complies with the [general biosecurity duty](#) (GBD), however the GBD also requires the permit holder to take all reasonable and practicable measures to prevent, eliminate or minimise biosecurity risks posed by their dealings, even if such measures, dealings or risks are not covered or required by the permit.
4. A permit is of no effect while it is suspended.

Conditions of a permit

5. It is an offence for a permit holder to contravene a condition of their permit with a maximum penalty of 500 penalty units for an individual and 2500 penalty units for a corporation.
6. A permit, or the conditions of a permit, may be varied at any time by written notice to the permit holder.

Suspension or cancellation of a permit

7. A permit may be suspended or cancelled for one or more of the following reasons:
 - (a) the permit holder has contravened a requirement imposed by, or under, the Act or a corresponding law;
 - (b) the permit holder is no longer a suitable person to engage in the conduct authorised by the permit;
 - (c) an application relating to the permit was false or misleading in a material particular;
 - (d) the permit holder has failed to pay fees or charges payable by the permit holder under the Act;
 - (e) it is in the interests of public safety to suspend or cancel the permit;
 - (f) information has been provided that, if it had been provided at the time that an application relating to the permit was made, may have resulted in the application for the permit being refused;
 - (g) the suspension or cancellation is necessary in an emergency.

Renewal of a permit

8. At least 28 days before the expiry of an individual permit the permit holder may apply for a renewal of the permit.
9. An application for renewal of a permit must –
 - (a) be in the approved form; and
 - (b) include, or be accompanied by, all information or that is relevant to the application; and
 - (c) be accompanied by the prescribed fee (if any).

Appeals relating to permits

10. A person aggrieved by any of the following decisions may, within 28 days of receiving notice of the decision, appeal to the Tasmanian Civil and Administrative Tribunal against the decision:
 - (a) a decision to refuse to grant or renew a permit to the person;
 - (b) a decision to suspend or cancel a permit held by the person;
 - (c) a decision to refuse to revoke a suspension of a permit following the making of a submission by the former permit holder under this Act, being a suspension of which the former permit holder was not given prior notice;
 - (d) a decision to impose any condition on a permit held by the person, or on the suspension, cancellation or surrender of a permit held by the person;
 - (e) a decision to vary a permit held by the person or any condition on a permit held by the person.
11. No right of appeal lies against any of the following decisions:
 - (a) a decision in respect of an emergency permit;
 - (b) a decision in respect of a prohibited dealing permit;
 - (c) a decision in respect of a prohibited matter permit;
 - (d) a decision of a relevant decision-maker to refuse to renew a permit, or to suspend or cancel a permit, due to the occurrence of an emergency;
 - (e) a decision in respect of a group permit.

End.