

## **Appendix 4**

### **Code of Practice for Use of 1080 Poison for Native Browsing Animal Management**

**July 2006**

#### **1. Introduction**

1.1 This Code guides the Secretary or their delegate as to the requirements to be met before permission may be given to use 1080 poison for native browsing animal management as well as the procedures to be followed when using 1080 for this purpose in Tasmania.

1.2 Some species of browsing animal have benefited from increased food supply resulting from current agricultural and forestry activities and are present in large numbers in many parts of Tasmania where they can cause significant damage to forest and agricultural crops, and compete with livestock for available pasture. These include native species such as brushtail possums, Bennett's wallabies and Tasmanian pademelons. Possum, wallaby and pademelon population trends are monitored on a regular basis by the Department of Primary Industries and Water to ensure the conservation of these species.

1.3 Farmers and foresters frequently have a real need to reduce damage to pastures and crops by native browsing animals. In addition, land managers often have a need to protect native vegetation from browsing damage.

1.4 The objective of browsing animal control is to minimise damage to the crop. Other methods and strategies not involving the use of 1080 poison are the preferred methods of protecting crops and pastures, where these methods are effective and practically achievable. Browsing animal proof fencing or other non-lethal methods are the preferred options for controlling browsing animal damage. Shooting is preferred where non-lethal methods are not viable. Use of 1080 poison is seen as being the method of last resort for controlling browsing animal damage.

1.5 There is ongoing work into alternatives to 1080 poison for browsing control. These alternatives will be implemented as soon as they represent practically achievable alternatives.

1.6 The Tasmanian Government is committed to reducing the use of 1080 poison for browsing animal control in line with the Tasmania Together Targets of a 50% reduction from 1999/2000 usage levels (15.2kg of 1080 concentrate) by 2005, a 75% reduction by 2010 and a 100% reduction by 2015.

## 2. Responsibilities

2.1 The Applicant: A landholder applying for a permit to use 1080 poison to control protected wildlife is responsible for providing the Resource Management and Conservation Division of the Department of Primary Industries and Water with documented evidence that all requirements for the issuing of a permit to use 1080 poison are met. This will include an on-site inspection involving assessment and documentation of supporting evidence by an Accredited Person.

2.2 Department of Primary Industries Water and Environment- Resource Management and Conservation Division (RMC): Where 1080 poison is used to control protected wildlife, an appropriate permit will be required under the *Nature Conservation Act (2002)* administered by the RMC. These permits may specify such additional conditions as may be required to protect people, non-target species, pets, stock and the environment. The RMC will maintain detailed records of all permits issued allowing the use of 1080 poison for control of protected wildlife. The RMC will also be responsible for providing information to users of 1080 on alternative control measures and on measures to avoid poisoning of non-target wildlife. RMC will undertake on-site audits of a minimum of 10% of all applications for use of 1080 poison. The results of the auditing process will be published annually. Any person who knowingly falsifies the results of an assessment will have their accreditation withdrawn. An Authorised Officer from RMC will be responsible for evaluating applications to use 1080 poison to control protected wildlife. RMC commits to issuing permits for applications approved by an Authorised Officer within **2 working days** of receiving the application.

2.3 Department of Primary Industries Water and Environment- Wild Animal Management Unit (WAM): The control and supervision of the use of 1080 poison rests with the WAM as Competent Officers under the authority of the *Poisons Act (1971)* and the *Agricultural and Veterinary Chemicals (Control of Use) Act (1995)*. WAM officers provide information and advice to users and the wider public on the toxicology and environmental effects of 1080. They are also responsible for maintaining comprehensive records of the amount and location of 1080 used. WAM commits to providing a 1080 poison service within **15 working days** of receiving a request from a permitted landholder, if all necessary control measures are in place.

2.4 The Permit holder: The *Police Offences Act (1935)* requires the permit holder, as the occupier of the property, to display notices advising that poison has been laid. Permit holders are also responsible for notifying neighbours of their intention to lay 1080 poison and for satisfying the Competent Officer supplying 1080 poison that this has been done. They also have a responsibility to ensure that 1080 poison is used as directed by a WAM officer and to minimise any potential adverse effects on people, pets, stock and the environment, and to comply with permit conditions. It is the permit holder's responsibility to undertake all reasonable measures to prevent movement of 1080 poison from the site at which the poison baits are laid and to properly dispose of any uneaten baits and all carcasses.

## 3. Issue of Permits to use 1080 poison

3.1 A permit to use 1080 poison for native browsing animal control will be issued only when an Authorised Officer is satisfied of that the following requirements are met:

- that there is an unacceptable risk to a crop or pasture,
- that the use of 1080 does not pose an unacceptable risk to a population of non-target species and,

- that alternative control measures have been adequately considered and implemented as far as practicable and judged to be ineffective.

3.2 It is the responsibility of the applicant to provide the Authorised Officer with evidence that these requirements are met. As part of this process, an Accredited Person must undertake an on-site inspection to assess and document the evidence required for the issuing of a permit to use 1080 poison. The Authorised Officer will use a standard evaluation system to ensure that all factors are considered before a permit is issued.

3.3 The use of 1080 poison may be permitted, in the case of existing crops, only following completion of a documented damage assessment using standard protocols applicable to the type of crop being assessed. The damage assessment will follow a standard protocol approved by the Secretary.

3.4 The use of 1080 poison may be permitted prior to planting only for protection of crops of high value and high vulnerability to browsing, and only following completion of a fully documented risk assessment. The risk assessment will follow a standard protocol approved by the Secretary.

3.5 The applicant must provide evidence that non-lethal damage control measures, including fencing, have been considered.

3.6 Except where shooting is unlawful or otherwise not feasible, applicants for a permit to use 1080 poison for native browsing animal control must provide documented evidence of the amount and method of shooting and the number of animals shot in attempting to control browsing damage. Applicants must have been issued with and used a current Permit to Take Partly Protected Wildlife by shooting with the aid of a vehicle and spotlight (available from RMC). Use of 1080 will not be permitted unless a level of shooting effort appropriate to the circumstances has been expended.

3.7 Applicants are required to provide the following documentation of shooting effort:

- For agricultural crops, this may be provided through log-book returns from accredited Property-based Game Management Plans (PBGMPs). On properties without PBGMPs, a signed declaration would be required giving the method of shooting, number of browsing animals shot and hours hunted. Agricultural properties without PBGMPs would get a 1080 permit only once, after which they would either require an accredited PBGMP, or in special cases demonstrate that shooting is either not permitted or not feasible, before an application for a 1080 permit would be approved.
- For forestry crops, this evidence will be provided by signed declarations from forest managers operating on the sites proposed to be poisoned and giving details of the method of shooting, number of animals shot and the number of hours/nights hunted by an appropriately trained shooter using a method most appropriate to that site. Forestry properties without PBGMPs would get a 1080 permit only once, after which they would either require an accredited PBGMP, or in special cases demonstrate that shooting is either not permitted or not feasible, before an application for a 1080 permit would be approved.

- Accredited Property-based Game Management Plans must specify a strategy for dealing with browsing animal damage to property values. This strategy must include a detailed consideration of the use of fencing. It must also specify minimum shooting requirements and require comprehensive documentation of shooting effort and results.

3.8 The repeat use of 1080 poison for browsing animal control at the same site within a three year period will be permitted only when the Authorised Officer is satisfied that:

- the previous attempt failed for reasons such as unfavourable weather conditions or human interference with baits, or;
- exceptional circumstances prevail such as following wildfire or drought, or repeat use of 1080 poison is necessary to protect native forest regeneration or to prevent bark stripping in pine plantations.

3.9 Except where the previous attempt failed due to unfavourable weather, repeat use of 1080 poison will be permitted only after a comprehensive re-assessment of the application, including where appropriate the re-use of shooting.

#### **4. The Control of 1080 Use**

4.1 1080 concentrate may be either stored or used only by officers authorised as Competent Officers by the Registrar of Chemical Products, or the Secretary of DPIWE, under the provisions of the *Poisons Act (1971)*.

4.2 Baits containing 1080 are registered for sale under conditions specified by the Australian Pesticides and Veterinary Medicines Authority. A poisoning service will not be supplied until the permit holder or their agent has completed and signed an Application to Use Poison form. Before a permit holder or their agent lays baits, an Authority to Purchase and Use 1080 Bait must be issued under the provisions of the *Poisons Act (1971)* by the Competent Officer. The Competent Officer may impose any conditions deemed necessary.

4.3 The Competent Officer will inform the permit holder of the requirement under the *Police Offences Act (1935)* to display notices advising that poison has been laid as well as the need to notify neighbours of their intention to lay poison. The officer will warn the permit holder of the risks of stock poisoning, and the risk of secondary poisoning to dogs and cats, the need to keep people away from the area to be poisoned and be shown the safety directions printed on the reverse side of the authority form.

4.4 The Competent Officer will maintain a register of poison received or used including the names and addresses of landholders on whose properties the poison was laid, the location of the site at which 1080 poison was laid, the date it was laid, the amount used and the target species. At the end of each month a record of poison used by each officer during the month will be collated and a report made to the Registrar, Chemical Products.

## **5. Notification of Use**

5.1 Holders of permits to use 1080 poison must give written notification of their intention to lay poison to all landholders with land within a specified distance of the intended poison line. This distance will be a minimum of 500 metres, unless an Authorised Officer determines that the distance should be greater. Written notification must be given either in person or by registered mail at least 4 working days prior to the poison being laid. Delays of more than 7 days from the intended date of poisoning will require this process of neighbour notification to be repeated.

5.2 Landholder notifications must include details of the location and date on which it is proposed to lay 1080 baits and an information sheet on 1080 poison. Proforma letters of advice, copies of the information sheet and a form on which to record who was notified, the date, and how the notification was given, will be provided for the purpose. This form must be completed and signed by the permit holder and provided to the Competent Officer prior to poison being mixed. Landholder notifications should also specify any other control measures applied prior to being granted a permit to use 1080 poison.

5.3 The *Police Offences Act (1935)* requires the occupier of property where 1080 poison is used to display on gates and other conspicuous places on the property notices advising that 1080 poison has been laid. These notices are to be in a format approved by the DPIWE and will be issued by them and must be displayed for a minimum of 28 days.

5.4 Advice is available to neighbouring property holders from the RMC in relation to potential impacts on wildlife populations, alternative control measures and the risks of non-target poisoning.

5.5 Advice is available to neighbouring property holders from WAM officers in relation to the toxicology of 1080 poison, potential threats to pets, stock, people and environmental effects.

## **6. Laying of 1080 Poison Baits**

6.1 The mixing of 1080 poison with bait shall be done only by a Competent Officer. Baits containing 1080 poison at a concentration of 0.014% shall be used in routine agricultural and forestry situations.

6.2 Baits containing 1080 poison may be laid only by a person who has received appropriate training, or instruction, to the satisfaction of the Secretary. This must include instruction on safe use of 1080 poison, risks to non-target animals, and clean-up requirements. The Competent Officer may allow a person who has received instruction or training to the satisfaction of the Secretary to lay baits, or the officer may leave baits with that person for laying at a later date.

6.3 Bait that is left for laying later by the permit holder or their agent must be placed in waterproof plastic bags to which poison labels have been attached and the bags personally passed to the permit holder or their agent by the Competent Officer. The permit holder or their agent must be warned of the dangers of the poison and must keep the poisoned bait in a secure place inaccessible to children, pets, stock and wildlife. Adequate arrangements for the destruction of bags must be made by the permit holder or their agent.

6.4 Poison baits must not be laid within:

- 20 metres of the edge of a stream containing permanent running water,
- 5 metres from a neighbour's property boundary,
- 5 metres from the edge of a formed road unless where public access to the road is denied (A formed road means any road which is graded and gravelled or sealed).
- 200 metres of an occupied house, except with the written consent of the occupant, verification of which must be provided to the Competent Officer.
- 200 metres of any picnic facility built by a public authority and available for use by the public.

6.5 At the discretion of an Authorised Officer, poison baits may be restricted from being laid in areas known to contain populations of non-target wildlife species that have been identified as being potentially at risk from 1080 poison.

## **7. Post-poisoning Precautions**

**7.1 It is the permit holder's responsibility to undertake all reasonable measures to prevent movement of 1080 poison from the site at which the poison baits are laid and to properly dispose of any uneaten baits and all carcasses.**

7.2 Uneaten poison baits must be buried to a depth of at least 100mm or collected and disposed of on the property by an appropriately trained person within 4 days (96 hours) of mixing, or as instructed by the Competent Officer. Baits that are collected should be disposed of by either burial at least 50metres from running water or by incineration.

7.3 The permit holder or their agent must visit the site on the morning of the day following the laying of the baits and again on the day when any uneaten baits are buried or collected. On each occasion, all reasonable effort must be made to collect and dispose of the carcasses of all poisoned animals present on the permit holder's land. The permit holder or their agent must also attempt to collect and dispose of all carcasses on a neighbour's land within 500 metres of the poison line, or to a distance specified by an Authorised Officer, when requested to do so by that neighbour. A Competent Officer, with the permission of a neighbouring landholder, may instruct the permit holder or their agent to attempt to collect and dispose of all carcasses on that landholder's land.

7.4 Any female wallabies or possums recovered must be examined for pouch young and if one is present it must be humanely destroyed. (Suitable techniques include decapitation with a sharp knife or a heavy blow to the head as recommended in the *Animal Welfare Standard for the Hunting of Wallabies in Tasmania*). Carcasses that are collected should be disposed of by either burial at least 50metres from running water or by incineration.

7.5 The permit holder or their agent must maintain a record of the numbers of carcasses of each species of animal recovered (including any non-target species) and return this information with the permit to the Secretary within 14 days of the expiry of their permit. Failure to do so may make the permit holder liable for prosecution and ineligible for a permit to use 1080 poison in future.

## 8. Definitions

8.1 Competent Officer: Under the *Poisons Act (1971)* a Competent Officer means the Secretary of DPIPWEE, the Registrar of Chemical Products or an employee of the DPIWE authorised in writing by the Secretary to perform the functions of a Competent Officer. A Competent Officer must have received adequate training and be competent in the use of 1080 poison, as well as its toxicology and environmental effects.

8.2 Authorised Officer: Any officer authorised by the Secretary to act as his delegate in approving the issuing of permits to take protected wildlife using 1080 poison baits under the authority of the *Nature Conservation Act 2002*.

8.3 Secretary: The Secretary of the Department of Primary Industries, Water and Environment, or his/her delegate.

8.4 Accredited Person: A person who has received training and been accredited by the Secretary to undertake on-site inspections to assess and document the evidence required for the issuing of permits to use 1080 poison for the control of protected wildlife.

8.5 Appropriately Trained Person: A person trained to the satisfaction of the Secretary on matters relating to the use of 1080 poison for browsing animal control. This training must include instruction on safe use of 1080 poison, risks to non-target animals, and clean-up requirements.