

Declared Animal Policy

under section 10 (1)(b) of the Natural Resources Management Act 2004

[This policy is interim and will be updated in the future to align with the proposed Landscape South Australia Act]

Feral deer

Preamble

Feral deer impact on agriculture, the environment and road safety. In South Australia, small numbers of deer were first released in 1880, for hunting and for their aesthetic value. Deer are declared for control under the *Natural Resources Management Act 2004* (hereafter NRM Act) and the associated *Natural Resource Management (General) Regulations 2005*.

The previous policy on feral deer aimed to reduce feral deer numbers, prevent deer escaping from farms and being illegally released. Feral deer have since been eradicated from Kangaroo Island. Despite the policy and subsequent culling efforts, particularly by landholders and aerial control programs, feral deer numbers in the rest of the state are now at their highest level, and their distributions have expanded across the state.

This policy stipulates the control measures required to reduce the number of feral deer, and the fencing standards required to stop domestic deer escaping.

This policy applies to all species of deer.

Definitions

Feral deer are deer that are not kept in captivity.

- This policy summarises legislation that requires feral deer to be destroyed, and not moved, sold, kept or released.

Domestic deer are deer that are kept in captivity in an enclosure with security measures designed to ensure that the deer cannot escape (other than in circumstances that cannot be reasonably foreseen and guarded against). Domestic deer include those kept for meat or velvet production, hunting or other commercial or hobby purposes.

- This policy summarises legislation that requires domestic deer, which are older than 12 months, to have visible ear tags at all times.

Deer keepers must be registered to keep deer under the *Livestock Regulations 2013* and they must comply with instructions of an authorised officer under the NRM Act, to keep deer confined. A deer keeper's property where deer are kept must have a valid Property Identification Code.

Declared to be destroyed means that land managers must carry out proper measures for the destruction of all deer until there are none left.

Outcomes

To reduce the environmental, economic, and social impacts of feral deer.

Objectives

- Ongoing reduction the number of feral deer on all properties and in all subpopulations.
- Ensure boundary fences of deer farms meet construction and maintenance standards so that deer do not escape.
- Prevent the illegal release of deer.

Feral deer risk

Invasiveness

Subpopulations of several species of feral deer have spread across mainland South Australia (Appendix 1). These deer include chital deer (*Axis axis*), hog deer (*Axis porcinus*), red deer (*Cervus elaphus*), rusa deer (*Cervus timoriensis*), sambar (*Cervus unicolor*) and fallow deer (*Dama dama*). The numbers of feral deer that have been culled since 2006 have been inadequate to stop populations spreading.

Impacts

Feral deer impact agriculture, the environment and public safety by

- eating pasture for stock
- eating crops
- eating native plants
- spreading plant and animal diseases
- damaging fences
- causing traffic hazards
- attracting illegal hunters on private and public properties

Local impacts of deer can be severe where populations are large.

Trends

Numbers of feral deer across South Australia have increased since the first policy on feral deer was released in 2006. Fallow and red deer populations increased by 30 per cent and 16 per cent per year respectively in the South East NRM region (Lethbridge and Andrews 2016).

The number of properties for which deer keepers are registered to keep deer increased from 47 to 120 between 2006 and 2018.

The number of deer that have escaped from farms is unknown. This is because many farmed deer are not tagged with visible ear tags, so escapees are not identifiable. Most commercial deer farmers tag their deer.

Feasibility of containment

Annual aerial and ground culling over district or landscape scales are effective methods to reduce feral deer populations. The number of female deer culled each year must exceed the number of female fawns produced.

State level risk assessment

The [SA Pest Animal Management Guide](#) was used to assess the future risks of feral deer and the feasibility of containing them. The guide indicated a need to destroy all populations and to prevent keeping, movement and sale of feral deer so that new populations do not establish.

Management plan for feral deer

Implementation at the State level

Ongoing reduction in the numbers of feral deer

Public and private landholders are responsible for destroying feral deer on their land under section 182(1) of the NRM Act. NRM boards will inform landholders about the importance of culling female deer.

NRM boards will try to source external funding to assist the community in coordinating culling programs, in the areas of greatest impacts. The effectiveness of culling programs will be reported.

Methods used to cull deer must adhere to the National Animal Welfare Codes of Practice (Feral Livestock Animals) and the *Animal Welfare Act 1985*.

Prevent feral deer being released illegally

The NRM Act requires that feral deer must not be moved, sold, kept or released.

Management plan for domestic deer

Implementation at the State level

Prevent domestic deer from escaping

South Australia has a productive deer farming industry. On the South Australian mainland, domestic chital, hog, red, rusa, sambar and fallow deer must be kept in captivity in an enclosure with security measures designed to ensure that the deer cannot escape. Security measures, as determined by the Chief Officer under the NRM Act, are specified in Appendix 2:

Audits of all deer farm fences will be conducted at least every 2 years by officers who are authorised under the NRM Act.

Natural Resources Management boards may:

- Impose conditions on deer keepers who, after sufficient warning, do not have enclosures with security measures that are designed to ensure that deer cannot escape.
- Recover the cost of recapturing or destroying released or escaped deer from the deer keeper, who has not confined deer, where it can be demonstrated that escapes are the result of deliberate or negligent acts.

Local councils may:

- Make orders, under section 254 of the *Local Government Act 1999*, to require a farmer to fence land to prevent the escape of deer if they may become a hazard to road users.

On the South Australian mainland, domestic chital, hog, red, rusa, sambar and fallow deer may be moved and/or sold, as long as they are tagged in accordance with regulation 73 of the *Livestock Regulations 2003*.

On Kangaroo Island, chital, hog, red, rusa, sambar and fallow deer cannot be kept, moved or sold without a permit under the NRM Act from the NRM Board. Permit conditions include standards for enclosure construction and maintenance, and deer identification and annual reporting.

White-tailed deer (*Odocoileus virginianus*), wapiti/elk (*Axis canadensis*), sika deer (*Cervus nippon*), and Persian/Mesopotamian fallow deer (*Dama mesopotamica*, excluding hybrids) cannot be kept, moved or sold in South Australia without a permit under the NRM Act from the Department of Primary Industries and Regions South Australia.

Domestic deer may be moved for emergency veterinary care or on a short-term temporary basis, as may be required by the *Animal Welfare Act 1985* or due to any welfare emergency such as a bushfire emergency. While domestic deer are absent from their enclosure (for welfare purposes), they must be confined and supervised by a responsible person.

Domestic deer must not be released under the NRM Act.

On offshore islands, including Kangaroo Island, any sightings of any deer outside of captivity must be reported to the local NRM Board.

Reduce the number of deer escaping farms due to unforeseen circumstances

Deer that have escaped from deer farms must be recaptured or destroyed.

The following responsibilities currently apply under the *NRM (General) Regulations 2005*.

- Deer must carry a clearly visible ear tag with minimum dimension of 6 cm x 5 cm to ensure they are considered 'farmed deer' under the regulations of the *NRM Act*.
- Deer farmers must notify neighbouring landholders when farmed deer escape.
- For a period of 48 hours after they receive notification, neighbouring landholders cannot capture or destroy escaped farmed deer with a visible ear tag.

- If the deer farmer cannot capture the deer within 48 hours, neighbouring landholders can then destroy the deer.
- Immediate action can be taken by a landholder to capture or destroy deer when they are not carrying a visible tag.

The following change in responsibilities will be enacted under regulations for the proposed *Landscape South Australia Act*.

- Deer keepers should provide their phone number and email address to neighbouring landholders, so that any escaped deer with visible tags can be reported to the deer keeper.
- The tags of domestic deer must be visible from a reasonable distance if they are to be afforded any protection if they escape.
- Landholders or other people who see, or become aware of a tagged deer, must immediately make a reasonable attempt to notify all known local deer keepers or the relevant regional landscape board. The regional landscape board will notify all local deer keepers of the escaped deer. After deer keepers have been notified, any deer with a visible ear tag must not be captured or destroyed for 7 days, or a shorter period if instructed by an authorised officer.
- Once notified, the deer keeper has 7 days to recapture the deer, after which the deer will be classified as feral deer, which must be destroyed.
- Once notified, the deer keeper must immediately inspect and repair boundary fences.
- Deer keepers must immediately report any escaped deer to the regional landscape board.

Domestic deer, which are older than 12 months, must have visible ear tags, as determined by the Chief Officer (Appendix 2). Tags must display an identification code, which must be linked to the property registered to keep the deer. Ear tags must not be removed and tags that fall out must be replaced (*Livestock Regulations 2013*).

Regional implementation

Refer to the management plans of local NRM boards for details on culling programs.

Exclusions

This policy does not directly address the issue of hunting feral deer, nor the processing of meat from feral deer. Legislation relating to hunting is under the *National Parks and Wildlife Act 1972* and the *Firearms Act 1977*. When the numbers of feral deer numbers are substantially reduced, there will be less illegal hunting, and so landholders will not be impacted to the extent that they are now. The legislation relating to accreditation for processing feral deer for commercial use is outlined in the *Primary Produce (Food Safety Schemes) Act 2004*.

Declarations

To implement this policy, feral deer and domestic deer are declared under the NRM Act.

The following sections of the NRM Act apply to all feral chital (*Axis axis*), hog (*Axis porcinus*), red (*Cervus elaphus*), Javan rusa (*Cervus timoriensis*), sambar (*Cervus unicolor*) and fallow (*Dama dama*) deer in each of the areas shaded below.

Sections of Act	areas							
	AMLR NRM region	AW NRM region	EP NRM region	SE NRM region	NY NRM region	SAAL NRM region	SAMDB NRM region	All offshore islands including Kangaroo Island
175(1) Prohibiting entry of feral deer to area								
175(3) Prohibiting movement of feral deer within area								
176(1) Prohibiting possession of feral deer in area								
177(1) Prohibiting sale of feral deer								
179 Prohibiting release of feral deer								
180 Requiring notification of feral deer								
182(1) Landowners to destroy feral deer on their properties								

The following sections of the NRM Act apply to domestic chital (*Axis axis*), hog (*Axis porcinus*), red (*Cervus elaphus*), Javan rusa (*Cervus timoriensis*), sambar (*Cervus unicolor*) and fallow (*Dama dama*) deer in each of the areas shaded below.

Sections of Act	areas							
	AMLR NRM region	AW NRM region	EP NRM region	SE NRM region	NY NRM region	SAAL NRM region	SAMDB NRM region	All offshore islands including Kangaroo Island
175(1) Prohibiting entry of domestic deer to area (except by permit)								
175(3) Prohibiting movement of domestic deer within area (except by permit)								
176(1) Prohibiting possession of domestic deer in area (except by permit)								
177(1) Prohibiting sale of domestic deer (except by permit)								
179 Prohibiting release of domestic deer								
181(1) Deer keepers to comply with instructions of authorised officers								
182(3) Landowners to control domestic deer on their properties as per Regulations 26, 27, 28) , including fencing and tagging standards set in the Chief Officer's Determination under Regulation 26(2).								

The following sections of the NRM Act apply to all white-tailed deer (*Odocoileus virginianus*), wapiti/elk (*Axis canadensis*), sika deer (*Cervus nippon*), and Persian/Mesopotamian fallow (*Dama mesopotamica*, excluding hybrids) and any other deer species not listed in this policy, across the whole of the State.

	Whole of the State
Sections of Act	
175(1) Prohibiting entry of deer to area (except by permit)	
175(3) Prohibiting movement of deer within area (except by permit)	
176(1) Prohibiting possession of deer in area (except by permit)	
177 Prohibiting sale of deer (except by permit)	
179 Prohibiting release of deer	
180 Requiring notification of feral deer	
181(1) Deer keepers to comply with instructions of authorised officers	
182(1) Landowners to destroy deer on their properties (except by exemption)	

Review

This policy will be reviewed by 2024, including evaluation of:

- Whether the management plans were implemented
- Whether the numbers and distributions of feral deer changed between 2018 and 2024
- Unintended consequences

References

Australian Deer Association (2009). *Australian Deer: Forty years of ADA*, 34, pp 80.

[Australian Deer Industry Manual](#), Number 2, Fencing and Handling Yards, RIRDC Report 98/13 (as amended from time to time).

Davis, N., Bennett, A., Forsyth, D., Bowman, D., Lefroy, E., Wood, S., Woolnough, A., West, P., Hampton, J., and Johnson, C. (2016). A systematic review of the impacts and management of introduced deer (family Cervidae) in Australia. *Wildlife Research* 43: 515–532.

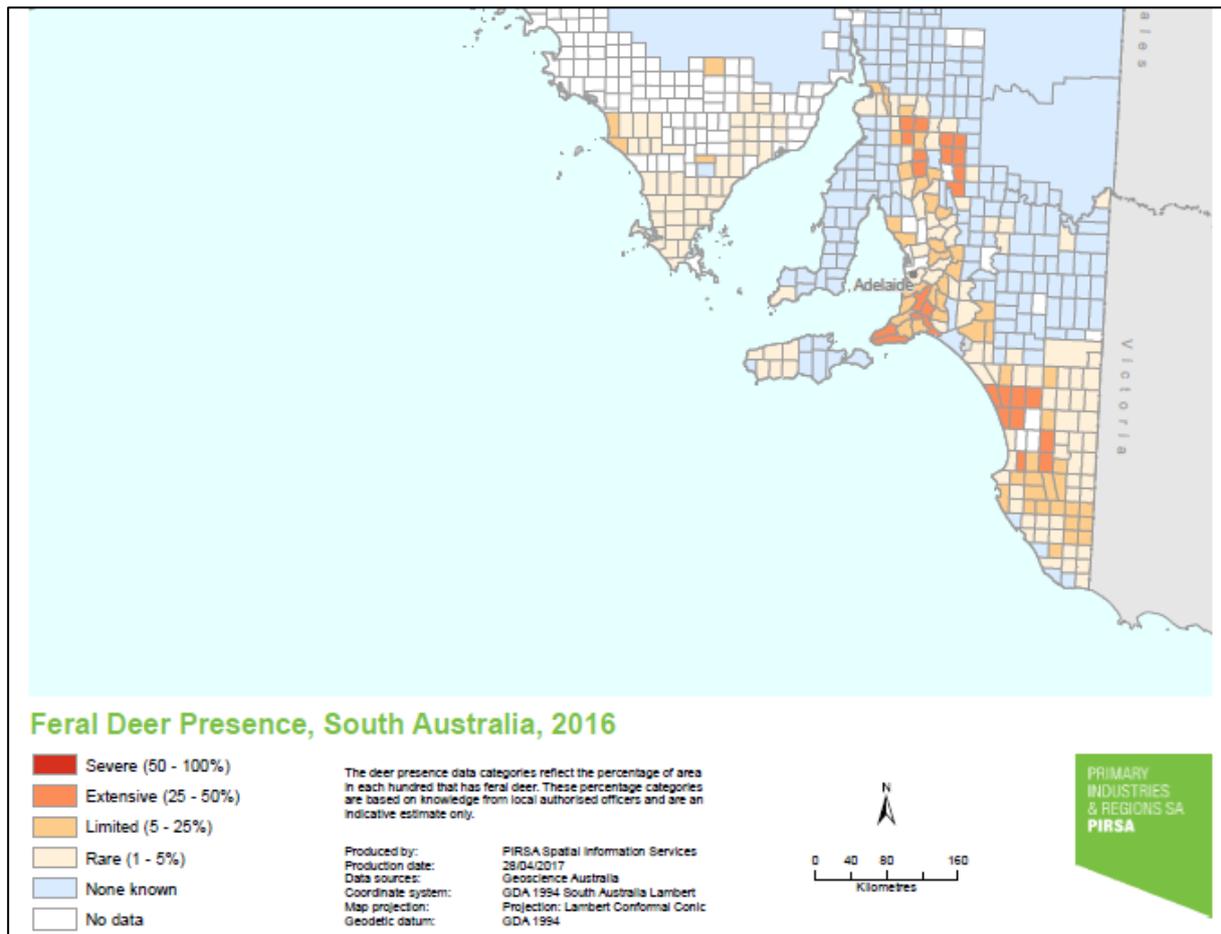
Harper, M (2017). *Fleurieu feral deer aerial control program 2017*. Report for Natural Resources Adelaide and Mount Lofty Ranges. 1-2.

Hone, J., Duncan, R. and Forsyth, D. (2010). 'Estimates of maximum annual population growth rates of mammals and their application in wildlife management'. *Journal of Applied Ecology* 47, 507-514.

Lethbridge MR and Andrews LM, 2016, *Feral Deer Aerial Survey of Gum Lagoon Conservation Park and surrounds, 2016*. EcoKnowledge report to Natural Resources South-East, Department of Environment, Water and Natural Resources, South Australia.

Appendix 1

The distribution of feral deer in southern South Australia.



Appendix 2.

The minimum standards for fence construction and maintenance, and for the identification of domestic deer on the mainland, under the Determination of the Chief Officer are as follows:

Deer on land owned or occupied by the owner of the deer, or on land with the consent of the owner, must be secured or confined and permanently identified in the following manner:

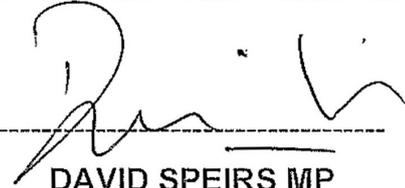
For properties owned by someone or a group or company that first registers with the Department of Primary Industries and Regions South Australia to keep deer after 1 February 2019:

- All boundary fences of deer enclosures must be constructed so that fences are a minimum of 1.9 m in height from the ground, and
- All boundary fences of deer enclosures must be constructed using pre-fabricated deer mesh that is 1.9 m in height that is attached securely to poles that are a maximum of 8 m apart, and
- All boundary fences must either have a bottom wire (high tensile, either barbed or not-barbed) running through staples on posts and attached to the prefabricated deer mesh, that can be tightened as needed, attached as low as practical but no more than 50 mm above ground, and
- All boundary fences must have a strainer wire at the top of fence, attached to the prefabricated deer mesh and posts.

For all deer farms:

- If an officer authorised under the NRM Act has the opinion that the ground level either side of the enclosure fence is raised enough to increase the risk of deer escaping, then sections of boundary fences must be increased to a height of up to 3 metres to stop deer from jumping over the fence; and
- All holes or gaps under boundary fences and gates into deer enclosures must be repaired or blocked with additional deer mesh (or equivalent material) in accordance with the minimum standard for size and strength and the fence must be pegged down so that the bottom horizontal wire of the fence or the bottom of the gate is not more than 50 mm distance in a vertical direction down to the ground level at any point; and
- If an officer authorised under the NRM Act has the opinion that the land under the enclosure fence is sandy, rocky or undulating enough to increase the risk of deer escaping under the fence, then sections of the boundary fence must have posts that are spaced less than 8 m apart; and

- The boundary fences of deer enclosures must be maintained so that they confine all deer; and
- The boundary fences of deer enclosures must be cleared of fallen trees and branches, which have fallen over or damaged the fence.
- Domestic deer over 12 months of age must carry a permanent, identifiable ear tag, which has an identification number linked to the deer keeper's property identification code. Domestic deer (including those younger than 12 months) that are moved from the property on which they are kept, must have an ear tag.



DAVID SPEIRS MP
Minister for Environment and Water
21 / 02 / 2019