

Declared Animal Policy

This policy relates to natural resources management, as per section 9(1)(d) of the Landscape South Australia Act 2019 (the Act), enabling co-ordinated implementation and promotion of sound management programs and practices for the use, development or protection of natural resources of the State. Specifically, this policy provides guidance on the use and management of natural resources relating to the prevention or control of impacts caused by pest species of animals/plants that may have an adverse effect on the environment, primary production or the community, in accordance with section 7(1)(f) of the Act.

Feral deer

This policy summarises the requirements to manage feral deer under the following legislative instruments: *Landscape South Australia Act 2019* (the LSA Act), *Landscape South Australia (General) Regulations 2020* (the General Regulations), Chief Executive Control Notice (published in the Government Gazette on 20 August 2020 under section 192(3)(a) of the LSA Act and in accordance with regulation 25 of the General Regulations) (the Chief Executive Control Notice), and *Livestock Regulations 2013*. This policy also provides interpretation and recommended best practice on how legislative requirements can be met.

This policy applies to all species of deer within Classes 15, 16 and 21 of the List of Declared Animals, as declared by the Minister for Environment and Water under section 185(1)(a)(i) of the LSA Act.

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 LSA Act and the associated General Regulations apply.

The previous policy on feral deer aimed to reduce feral deer numbers, and 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 recommends control measures to reduce the number of feral deer, and fencing standards to stop domestic deer escaping.

Definitions

Feral deer are deer that are not kept in captivity.

- This policy summarises the legislative requirements for 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 the legislative requirements for 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 LSA 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.

Purpose

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

Objectives

- Ongoing reduction in 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 timorensis*), 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 Limestone Coast Landscape 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. In order for culling programs to be effective, the number of female deer culled each year must exceed the number of female fawns produced and feral populations cannot be regularly supplemented with farm escapees.

State level risk assessment

The [SA Pest Animal Risk 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

Management required for ongoing reduction in the numbers of feral deer

Under section 185(1)(a)(i) of the LSA Act, the Minister for Environment and Water has declared that section 192(1) of the LSA Act applies to feral deer, meaning public and private landholders are responsible for destroying feral deer on their land.

It is recommended that regional landscape boards educate landholders about their legislative obligation to destroy all deer and how landholders can improve their control techniques, such as by prioritising the culling of female deer.

Landscape Boards should undertake field-based monitoring, where seen as cost-beneficial, to indicate local trends in feral deer populations to direct control efforts and understand if the control measures being implemented by landholders are effective at reducing numbers.

Regional landscape boards should try to source external funding to assist the community in coordinating culling programs in the areas of greatest impacts. The effectiveness of culling programs should also 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*.

Management required to prevent feral deer being released illegally

Under section 185(1)(a)(i) of the LSA Act, the Minister for Environment and Water has declared that sections 186(1), 186(3), 187(1), 188 and 189 of the LSA Act applies to feral deer, meaning they must not be moved, sold, kept or released.

Management plan for domestic deer

Management required to prevent domestic deer from escaping

Under section 185(1)(a)(i) of the LSA Act, the Minister for Environment and Water has declared that sections 189, 191(1) and 192(3) of the LSA Act apply to domestic deer, meaning they cannot be released; a person in possession of them must comply with instructions of an authorised officer; and a person in possession of them must comply with the measures stipulated in the Chief Executive Control Notice.

South Australia has a productive deer farming industry. On the South Australian mainland, all domestic deer must be kept in captivity in an enclosure with security measures designed to ensure that the deer cannot escape. Security measures, as per the Chief Executive Control Notice, are specified in Appendix 2.

It is recommended that audits of all deer farm fences be conducted at least every two years by officers who are authorised under the LSA Act.

Landscape 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 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 deer cannot be kept, moved or sold without a permit under section 197(1) of the LSA Act which may be issued by the Kangaroo Island Landscape Board. Permit conditions include standards for enclosure construction and maintenance, and deer identification and annual reporting.

On offshore islands, including Kangaroo Island, any sightings of any deer outside of captivity must be reported to the regional landscape board.

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.

Management required to 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 apply under the *Landscape South Australia (General) Regulations 2020* and associated Chief Executive Control Notice:

- Landowners who find tagged domestic deer, which they do not own, on their land must, as soon as reasonably practicable, notify the relevant regional landscape board (including Green Adelaide), and must not capture or destroy the deer for a period of 7 days, or such earlier time as notified by the landscape board.
- Upon becoming aware of an escape of deer kept on their land, the deer keeper must immediately inspect and repair boundary fences.
- Deer keepers must immediately report any escaped deer to the regional landscape board.
- All deer over 12 months of age kept on the land, and all deer of any age being moved from the land, must carry a permanent ear tag which has an identification number linked to the deer keeper's property identification code.
- Ear tags must not be removed and tags that fall out must be replaced (*Livestock Regulations 2013*).

It is recommended best practice that:

- 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.

Regional implementation

Refer to the management plans of regional landscape boards for details on culling programs.

Exclusions

Species of deer not included in Classes 15, 16 and 21 of the LSA Act List of Declared Animals.

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 LSA Act.

The following sections of the LSA Act apply to all feral chital/axis (*Axis axis*), hog (*Axis porcinus*), red (incl. elk/wapiti) (*Cervus elaphus*), sika (*Cervus nippon*), Javan rusa/Timor (*Cervus timorensis*), sambar (*Cervus unicolor*) and fallow (incl. Persian/Mesopotamian fallow) (*Dama dama*) deer in each of the landscape regions shaded below.

Sections of Act	Declared Area	Hills & Fleurieu	Green Adelaide	Alinytjara Wilurara	Eyre Peninsula	Limestone Coast	Northern & Yorke	South Australian Arid Lands	Murraylands & Riverland	All offshore islands including Kangaroo Island
186(1) Prohibiting entry of feral deer to area										
186(3) Prohibiting movement of feral deer within area										
187(1) Prohibiting possession of feral deer in area										
188(1) Prohibiting sale of feral deer										
189 Prohibiting release of feral deer										
190 Requiring notification of feral deer										
192(1) Landowners to destroy feral deer on their properties										

The following sections of the LSA Act apply to domestic chital/axis (*Axis axis*), hog (*Axis porcinus*), red (incl. elk/wapiti) (*Cervus elaphus*), sika (*Cervus nippon*), Javan rusa/Timor (*Cervus timorensis*), sambar (*Cervus unicolor*) and fallow (incl. Persian/Mesopotamian fallow) (*Dama dama*) deer in each of the landscape regions shaded below.

Declared Area									
Sections of Act	Hills & Fleurieu	Green Adelaide	Alinytjara Wilurara	Eyre Peninsula	Limestone Coast	Northern & Yorke	South Australian Arid Lands	Murraylands & Riverland	All offshore islands including Kangaroo Island
186(1) Prohibiting entry of domestic deer to area (except by permit)									
186(3) Prohibiting movement of domestic deer within area (except by permit)									
187(2) Prohibiting possession of domestic deer in area (except by permit)									
188(1) Prohibiting sale of domestic deer (except by permit)									
189 Prohibiting release of domestic deer									
191(1) Deer keepers to comply with instructions of authorised officers									
192(3) Landowners to control domestic deer on their properties, as per fencing and tagging standards set in the Chief Executive's Gazette Notice under Regulation 25(1).									

The following sections of the LSA Act apply to all white-tailed deer (*Odocoileus virginianus*), and any other deer species not listed in this policy, across the whole of the State.

	Whole of the State
Sections of Act	
186(1) Prohibiting entry of deer to area (except by permit)	
186(3) Prohibiting movement of deer within area (except by permit)	
187(1) Prohibiting possession of deer in area (except by permit)	
188 Prohibiting sale of deer (except by permit)	
189 Prohibiting release of deer	
190 Requiring notification of feral deer	
191(1) Deer keepers to comply with instructions of authorised officers	
192(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.

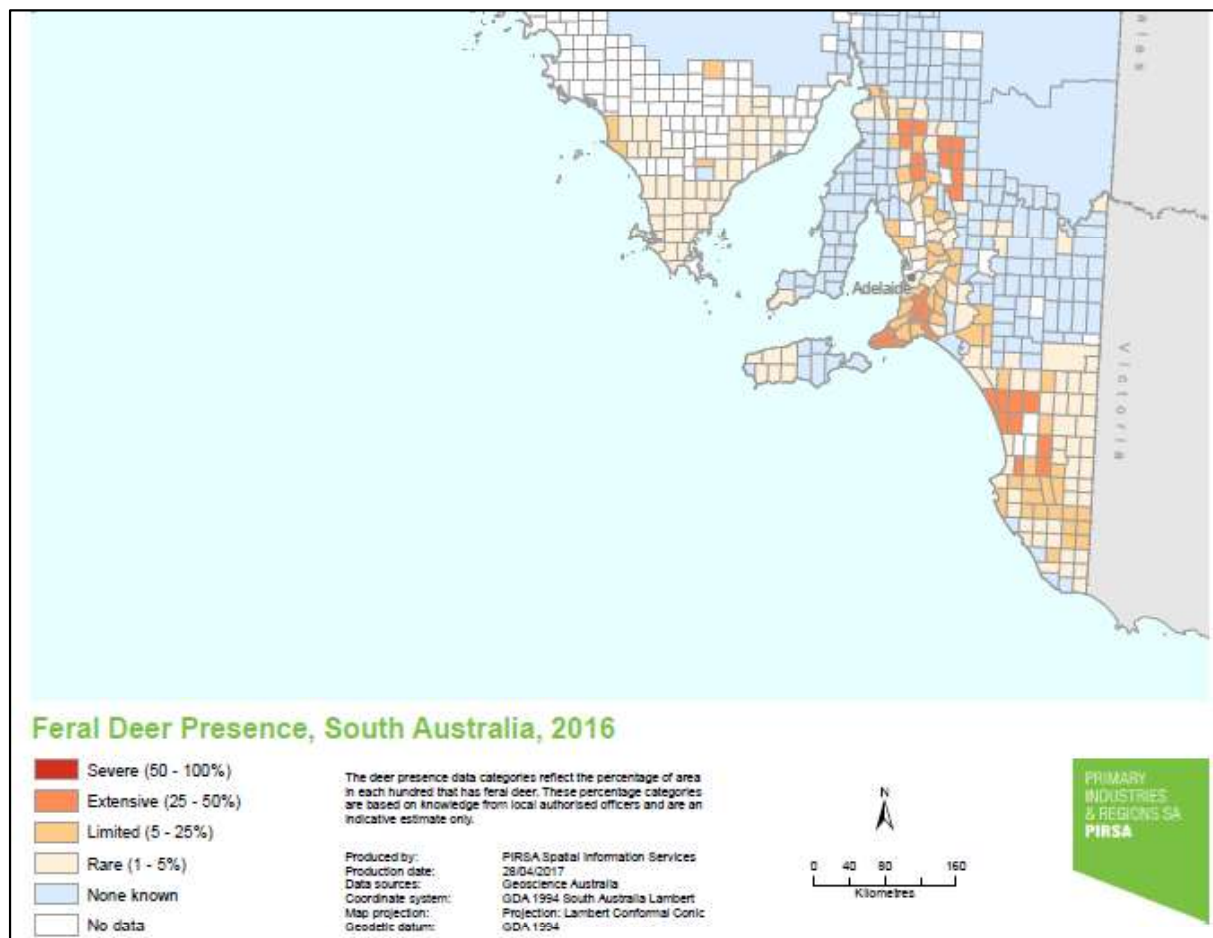
Harper, M (2017). *Fleurieu feral deer aerial control program 2017*. Report for Natural Resources Adelaide and Mount Lofty Ranges. 1-2.

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.

Wording of the Chief Executive Control Notice, published in the Government Gazette on 20 August 2020:

For the purposes of Section 192(3)(a) of the Landscape South Australia Act 2019 and in accordance with Regulation 25 of the Landscape South Australia (General) Regulations 2020, I, John Schutz, Chief Executive, hereby notify that an owner of land within the declared area of mainland South Australia must take the following measures to control and keep controlled any domestic deer on their land:

1. In the case of deer kept by, or with the consent of an owner of land who first registered with the Department of Primary Industries and Regions South Australia to keep deer after 1 February 2019, the deer must be kept on that land within enclosures with boundary fences that:
 - are constructed (including gates) to a minimum height of 1.9 m from the ground on either side of the fence; and
 - are constructed (including gates) using pre-fabricated deer mesh attached securely to poles that are a maximum of 8 m apart; and
 - have a bottom wire (high tensile, either barbed or not-barbed) that:
 - runs through staples on posts; and
 - can be tightened as needed; and
 - is attached to the prefabricated deer mesh as low as practical, but no more than 50 mm above ground; and
 - have a strainer wire at the top of the fence, attached to the prefabricated deer mesh and posts; and
 - are maintained (including gates) in a state of good repair in accordance with these specifications, free from any gaps, holes or damage; and are kept free from fallen trees or branches.
2. In the case of all deer kept by, or with the consent of, the owner of land (irrespective of when the owner registered to keep deer):
 - the deer must be kept within enclosures with boundary fencing (including any gates) constructed and maintained at all times to a standard sufficient to prevent the escape of any deer, taking into account the particular terrain;
 - any extensions, replacements or alterations made to the fencing after the date of publication this notice must comply with the specifications in paragraph 1 of this notice;
 - all deer over 12 months of age kept on the land, and all deer of any age being moved from the land, must carry a permanent ear tag which has an identification number linked to the deer keeper's property identification code.
 - Immediately upon becoming aware of an escape of deer kept on their land, the owner of the land must:
 - inspect and repair any damage to, or means of escape from, the deer enclosure fences;
 - report the escape of deer to the regional Landscape Board (including Green Adelaide) and provide detail as to the number and type of escaped deer, the date, time, location and cause of the escape (to the best of their knowledge).

3. Owners of land who find tagged domestic deer, which they do not own, on their land must, as soon as reasonably practicable, notify the relevant regional landscape board (including Green Adelaide), and must not capture or destroy the deer for a period of 7 days after notifying the landscape board, or such earlier time as notified by the landscape board.



DAVID SPEIRS MP

Minister for Environment and Water

27/07/2021