



Guide to applying for an Authority to Control Wildlife (ATCW)

This guidance will help you understand the application process and how to complete an application

All native birds, mammals, reptiles and frogs are protected in Victoria under the *Wildlife Act 1975*.

It is illegal to wilfully disturb, hunt, take, trap or kill wildlife without a permit and may result in a fine and/or imprisonment.

Landholders, occupiers or administrators may apply for an Authority to Control Wildlife (ATCW) to wilfully disturb or destroy wildlife once all reasonable options have been considered. For example, installing fencing to exclude wildlife from the area where they are causing damage.

You need to have an ATCW before:

- Shooting wildlife
- Wilfully disturbing wildlife (for example relocating wildlife)
- Removing nests with eggs and/or birds sitting on the nest
- Trapping wildlife.

You do not need to apply for an ATCW:

- To shoot Eastern or Western Grey Kangaroos if you are using an authorised harvester as part of the Kangaroo Harvesting Program.
- If you engage a DELWP licensed Wildlife Controller for reptiles that are posing a safety risk to humans
- To trap and release Common Brush-tailed Possums from buildings however you must abide by the conditions in the [Governor in Council Orders G27](#) published on 10 July 1997 (page 1718)
- To shoot deer (except Hog Deer) that are causing damage on private property, however you must abide by the conditions in the [Governor in Council Orders G9](#) (page 408) as published on 1 March 2018
- To shoot Sulphur-crested Cockatoos, Long-billed Corellas or Galahs causing serious damage to trees, vineyards, orchards, commercial crops or recreational reserves however you must abide by the conditions in the [Governor in Council Orders G26](#) published on 4 July 1996, page 1704 and amended on 25 March 1999 ([G12, page 738](#))¹.

When do I need an ATCW to disturb wildlife?

An ATCW is needed to wilfully scare, harass, disperse, trap or relocate wildlife. For example, a landholder using a scare gun to frighten native parrots from their orchard would require an ATCW, while a landholder using compliant netting to protect their crops would not.

¹ The GiC Order includes a condition which permits defined persons to take or destroy cockatoos using trapping and gassing equipment approved by DELWP. However, no such equipment is approved by DELWP. This option is thus effectively illegal.

Routine activities such as mowing, driving through paddocks to check on stock or other activities which may cause wildlife to be unintentionally disturbed do not require an authorisation under the Wildlife Act. However, removing a nest that is being used by birds (with or without eggs or chicks) or relocating wildlife require an authorisation.

If you would like more information about non-lethal control methods that do not require an ATCW please refer to the fact sheets at <http://www.wildlife.vic.gov.au> or call DELWP on 136 186.

The Kangaroo Harvesting Program

Under this program, landholders can use authorised harvesters to control Eastern and Western Grey Kangaroos on their property at no charge and do not need to apply for an ATCW. Unlike an ATCW, where landholders control and dispose of the kangaroos themselves, the harvesting program allows landholders to engage professional harvesters who will undertake the control and will remove the carcasses for commercial use.

To find out more about the KHP and how to contact an approved authorised harvester see <https://djpr.vic.gov.au/game-hunting/kangaroo-harvesting>.

New ways to apply

You can now apply for an ATCW using an online application form. The online form can be completed on your mobile device. Using the online form -

- will ensure that all required information has been included before you submit your application
- provide instant acknowledgement that your application has been received
- will email you a copy of your application form for your records
- help us process your application more efficiently.

Please note that if using the online form, you cannot save a draft – please make sure you have all required information before you start.

You can still apply by downloading a copy of the ATCW application form from the Conservation Regulator website and emailing it or posting to the address specified on the form.

All applications will still go through the same rigorous assessment to ensure they meet the requirements of the Wildlife Act.

Additional obligations to consider before applying for an ATCW

There are other requirements you might need to consider before controlling wildlife:

- Anyone shooting wildlife must also comply with the *Firearms Act 1996*.
- Depending on the location, you may need to obtain a Public Place Permit from Victoria Police before shooting wildlife in accordance with an ATCW. Penalties apply for non-compliance. For more information about matters regarding firearms please visit [Public place permits \(police.vic.gov.au\)](http://police.vic.gov.au) or call 1300 651 645
- It is your responsibility to check -
 - with your local councils' bylaws to see if any of your proposed control methods require approval or have conditions of use.
 - whether the proposed control methods or the disposal of any carcasses do not breach any restriction from the *Environment Protection Act 2017* or regulations made under the Act such as Environment Protection Regulations 2021.

1. Completing your application

All mandatory fields must be completed. Failing to provide this information will delay your application.

Permits will not be issued retrospectively.

There are offences for providing false or misleading information in the application.

Use the online application form to avoid delays.

1.1 Applicant details

These sections are needed for DELWP to identify and contact you to discuss your application and to notify you about the outcome of your application.

DELWP needs to confirm you are eligible to apply for an ATCW on the land associated with the application. You can apply in your own name, or as a business if the land is owned under the name of the business.

It is important to note that ATCWs for wildlife causing damage can only be issued for the property owned, occupied or administered by the applicant.

If you are not the owner, occupier, or person administering the property, you will need to attach a letter from the owner, occupier or person administering the property confirming that you have their permission to apply for an ATCW.

If you are seeking to control wildlife on Crown land (for example as a contractor) you will be asked to provide written permission from the Crown land manager.

If you list a business name on your application, your name and the business name will appear on the permit.

1.2 Property information

These questions enable DELWP to understand where the wildlife problem is occurring.

The description of the land where you plan to control wildlife needs to be as precise as possible. This information will be included in your ATCW should your application be granted, and control will only be allowed on the land described on the ATCW

The easiest way to identify land is to provide us with your Crown Allotment Number(s). You can find this on your Rates Notice, from the local council or shire, or you can look it up at:

- <https://www.propertyandlandtitles.vic.gov.au/property-information/property-information> or
- https://www.landata.vic.gov.au/tpc_specify_property.aspx .

Finally, the approximate area, land use zone and current land use are key pieces of information for DELWP to understand your wildlife problem.

1.3 Understanding your wildlife issues

This section is important for the assessment of your application, so make sure to provide as much detail as you can.

If your application covers more than one species, the issues caused by each species should be described separately.

If you are using the online form, click the box “Add another species to control?”.

If you are using the downloadable form and wish to include more than one species, you will need to re-print section 8 and include all relevant information for that species.

Species information

It is your responsibility to provide us with accurate species information. For example, if your issue is with ducks, please do not simply list “ducks” but identify what type of duck - Hardhead or White-eyed Ducks.

The online application form includes a drop-down list of wildlife native to Victoria – you can scroll through the list or start typing. For example, if you type “kangaroo” you will be able to select from Eastern, Western or Red Kangaroos. You can use the online form to apply for up to three species and/or control methods.

Number causing problems

DELWP needs to understand the number of animals at your property causing the impact to be able to determine the number of animals to be controlled in your ATCW.

Detailing how this estimation was obtained will provide DELWP with a better understanding of the wildlife issue. Population sizes can be estimated based on an actual count, observation of animals, observation of tracks or scats, or the scale of the damage you are experiencing.

Number requested for control

Applicants are invited to indicate how many animals you think should be controlled to reduce the impact to manageable or acceptable levels. Please note, only in very limited circumstances are applicants given permission to completely remove or destroy all animals.

It is important that your methods favour a holistic approach to living with wildlife – this may involve both non-lethal and lethal methods. More information can be found in the [Living with Wildlife Policy](#).

Wildlife impact

ATCWs can only be issued for specific reasons which are listed on the application form. Please select the primary or main reason why you are seeking to control wildlife.

If you are seeking an ATCW for a reason that is not listed, please contact DELWP on 136 186 for further information.

Description of impact

A clear description of the wildlife impact will enable a quicker assessment of your application, so please provide as much information as you can on the issue. Applicants are also encouraged to take photos of any damage caused by wildlife – you may be asked to provide these when your application is being assessed.

The following prompts can help guide you:

- What has been damaged? How has it been altered by the damage?
- Why does management, conservation, protection, or control of wildlife need to take place?
- What is the wildlife doing? Is other wildlife being affected? Is wildlife causing destruction to the environment?
- Is wildlife displaying aggressive behaviour? Is the wildlife causing issues with infrastructure such as power cables? Is the wildlife fouling the property?

Attempts made to reduce impact

This allows DELWP to understand how you are currently managing the wildlife issues. This information is crucial for DELWP to understand which control method/s you have used in the past, whether it has

been given sufficient time to work, and if there is any other non-lethal control method that could be recommended to resolve your wildlife issues.

The following prompts can help guide you:

- What steps have you already taken to stop the wildlife? i.e. Have you taken any steps to restrict wildlife access to the area damaged? Have you installed netting, wire or fences to stop wildlife gaining access?
- What was the intended effect of the control method you used? i.e. to stop wildlife having access to an area, prevent them landing on an area, prevent them eating or causing damage.
- Are you using any tactics to deter or alter the wildlife behaviour, i.e. for a wombat causing damage to fences you could consider installing a wombat gate?
- If you have not been able to take any further steps, why? i.e. financial reasons, recent events (bushfires), intensity of the wildlife issue, in the process of installing a long-term control method but need an immediate solution?

Requested control method

Applicants are invited to indicate how they propose to control wildlife. This information will help inform what conditions are included on any ATCW issued.

Please note that if you wish to use multiple control methods for the same species, you will need to complete these same questions (number causing problem, number requested for control etc) for each proposed control method.

If approved, you will be issued separate ATCWs for each species and for each control method. This approach provides greater flexibility and clarity in undertaking the approved controls.

1.4 Submitting your application

The declaration ensures that the information you have provided in your application is correct and reminds you that it is an offense under the Wildlife Act to provide misleading information.

It also details DELWP policy on collection, use and disclosure of personal information in accordance with the *Privacy and Data Protection Act 2014*.

To make sure your application is processed as quickly as possible –

- Make sure your application is complete and all mandatory fields have been completed
- Provide as much detail as possible in each field
- If applying for more than one species or more than one control method for the same species, make sure to provide information for each instance
- Use the online application form;
- If you don't have access to the online application form, email your completed application to the email address for your region (as indicated on the form)
- Provide an email address so any approved ATCW can be emailed to you – this will reduce delays associated with the post.

Please allow up to six weeks for your application to be processed.

2. How your application will be assessed

Incomplete applications will not be assessed.

Applications may be refused.

2.1 Application assessment

Your ATCW application will be assessed by a DELWP officer who may inspect your property to confirm the damage being caused by wildlife.

The officer will look at the following points in detail:

- Are you eligible to apply for an ATCW?
- Is the wildlife issue significant (for example in terms of cost or risk to human health)?
- Have you tried all possible non-lethal control methods, and given them time to work? See below for more information.
- Are you proposing adequate control methods?

All practical non-lethal control methods must be considered before you apply for an ATCW for lethal control. DELWP will assess what is practical on a case-by-case basis, considering what is achievable for individual landholders. These include, but are not limited to:

- The nature of the operations conducted on the applicant's property.
- The likelihood of the non-lethal control resolving the alleged damage e.g. fence improvements are unlikely to prevent kangaroo impacts, unless the fence is designed for complete exclusion.
- The impact of the proposed control on non-target species and neighbours, including noise disruptions and disruptions of wildlife corridors.
- The time it would take to install/implement a control method i.e. some non-lethal control may be implemented over a longer period of time (longer than 6 months, e.g. for installation of orchard fruit netting or deterrent lines over fish farms) and while installation or integration of the non-lethal methods occur, lethal control may be considered to assist the applicant with damage mitigation.
- The extent the method will be modifying the behaviour of the wildlife. For example, is there anything else on the property that is attracting the wildlife which can be altered or removed in any way? Fencing off water, moving roosting sites, scaring away from roosting sites can also alter wildlife behaviour. Can the scaring activities be conducted when the wildlife is most active?

2.2 Can my application be refused?

Not all applications result in an ATCW being issued. In some cases, applications may be refused, for example if:

- Non-lethal control methods have not been considered prior to making the application
- Your application is not needed anymore because wildlife is no longer having an impact
- Your application does not meet one of the four reasons for an application
- Your application is not recommended – this may be due the conservation status of a species or the impact on the broader population, animal welfare, or human safety.

If you are not satisfied with the decision made by the Conservation Regulator, you can apply to the Victorian Civil Administrative Tribunal (VCAT) for a review within 28 days. You may also apply if you believe that a decision has not been made within a 'reasonable time', or if your ATCW is suspended or cancelled.

For more information, see <https://www.vcat.vic.gov.au/>

3. Once you have your ATCW

Breaching a condition of your ATCW may result in severe penalties under both the Wildlife Act and the *Prevention of Cruelty to Animals Act 1986*.

ATCWs expire and are not able to be renewed. You will need to apply for a new ATCW if you continue to have wildlife issues.

3.1 Understanding the ATCW conditions

All ATCWs include strict conditions to ensure that animals are controlled humanely. You, and anyone acting on your behalf, are required by law to comply with the ATCW conditions. If you don't comply, your authorisation may be suspended or cancelled, and you may be required to appear in court and fined.

DELWP recommends that you and/or your agent undertake firearm competency training prior to shooting wildlife.

DELWP also recommends that you read the National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-Commercial Purposes before shooting kangaroos. For a copy of the code visit the Commonwealth Department of Environment website: [National code of practice for the humane shooting of kangaroos and wallabies for non-commercial purposes \(environment.gov.au\)](http://www.environment.gov.au/national-code-of-practice)

3.2 Use of agents or service providers

The holder of an ATCW may engage others to carry out the activities authorised by the ATCW. This person is known as your agent and you are legally responsible for their actions.

You must give a copy of the ATCW to your agent to carry whilst controlling wildlife on your behalf. It is also recommended that you specifically discuss the conditions of the ATCW with your agent.

3.3 ATCW expiry and renewal

Authorities to Control Wildlife have an expiry date and are not renewable. Each application is individually assessed against many factors, including the local and broader environmental context. If you have been issued an ATCW in the past, keep in mind that your application for a similar activity will not be automatically approved.

For more information

Should you have any questions, please consult www.conservationregulator.vic.gov.au or call the Customer Service Centre on 136 186.

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ISBN 978-1-76105892 (pdf/online)

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