



Queensland  
Government

Department of  
Agriculture and Fisheries

Reference: CTS 06182/16

Mr Clark McGhie  
clarkmcghie@bigpond.com

Dear Mr McGhie

Thank you for your letter requesting further information on the *Biosecurity Act 2014* (the Biosecurity Act).

Under the Biosecurity Act, a deer contained within a deer proof fence whether for the purposes of farming or for a game ranch, is a kept deer and subject to all requirements pertaining to domestic stock and the duty of care provisions of the *Animal Care and Protection Act 2001*.

A feral deer on a property that is not enclosed in a deer proof enclosure is not an owned deer. Property owners do not own feral animals or native wildlife on their properties.

This means that while a landholder cannot sell feral deer, a landholder may charge a hunter to access their land for the purposes of hunting. A landholder may also capture, domesticate and sell deer provided the actions are done in accordance with provisions of the *Animal Care and Protection Act 2001*.

Under the Biosecurity Act, a dead feral deer is not restricted matter and can be moved provided it is not a carrier of restricted matter. A feral deer could act as a carrier of a small number of animal diseases (restricted matter) such as anthrax or Johne's disease. If you suspected that a feral deer carcass was infected with one of these diseases you would be obliged to report this to a Biosecurity Inspector.

Under the Biosecurity Act there is no impediment to a hunter selling a hide or antlers.

The Biosecurity Act provides a more flexible approach to the management of feral deer. Under current legislation, a landholder must take reasonable steps to control Class 2 declared pest animals (feral rusa and feral chital) on their land. Under the new legislation, the general biosecurity obligation will minimise the need for prescriptive regulation about what methods must be used to control feral deer. The local government Biosecurity Plan will provide information on the level of control expected in the area.

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Feral deer populations in some areas may pose a greater risk than in other areas and subsequently it would be reasonable and practical to expect management in those areas to be at a higher level. For example, if a person had a herd of feral deer on their land and it was next to a susceptible agricultural industry, then they would need to keep deer numbers at a lower level than might be acceptable elsewhere. In this example, if a person was not achieving an adequate level of control, an authorised officer could issue the occupier or the owner a biosecurity order requiring them to take specific steps to minimise the risks posed by feral deer.

With respect to operational matters relating to the *Food Production (Safety) Act 2000*, I have contacted Safe Food Production Queensland who have advised that there have been no changes to the *Food Production (Safety) Act 2000*. I encourage you to make direct contact with Safe Food Production Queensland directly with respect to *Food Production (Safety) Act 2000* matters.

If you require any further information, please contact me on telephone 07 3087 8072 or email [Salvo.Vitelli@daf.qld.gov.au](mailto:Salvo.Vitelli@daf.qld.gov.au).

Yours sincerely



**Salvo Vitelli**  
**Manager, Partnering and Engagement**  
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