Impact Analysis Statement

Summary IAS

Details

Lead department	Department of the Environment, Tourism, Science and Innovation
Name of the proposal	*Waste Reduction and Recycling and Other Legislation Amendment Regulation 2025*
Submission type	Summary IAS
Title of related legislative or regulatory instrument	*Waste Reduction and Recycling Regulation 2023*
Date of issue	November 2025

For proposals noted in table below, no further analysis is required.

Proposal type	Details
Minor and machinery in nature	The purpose of this regulatory proposal is to update the Waste Reduction and Recycling Regulation 2023 (Waste Regulation) to use the standard unit of measurement. The regulatory proposal amends the reference to microns in the Waste Regulation and replaces it with the standard unit of measurement micrometres (µm) No further regulatory analysis is required as this proposal is minor and machinery in nature and has zero/negligible regulatory costs and does not involve substantive change to regulatory policy or result in impacts to business, government, or the community.

Other proposals

What is the nature, size and scope of the problem? What are the objectives of government action?
Fly-ash produced by a power station The Queensland waste levy is payable on waste delivered to a levyable waste disposal site unless an exemption applies. A waste disposal site is a licensed waste disposal facility that accepts waste for disposal to landfill. However, if the facility only accepts waste that is prescribed as exempt waste under section 6 of the Waste Regulation, it is not considered a waste disposal site for the purposes of the waste levy. **Prescribed exemption:** When the waste levy was introduced in 2019, *fly-ash produced by a power station* was prescribed in the Waste Regulation as exempt from the waste levy under section 8, and as an exempt waste for the purposes of determining a waste disposal site under section 6, until 30 June 2029. The intent of these exclusions was to provide an exemption from all obligations relating to the waste levy for fly-ash produced by a power station, as distinct from incinerator bottom ash, until 30 June 2029.

Declared exemption: Some coal fired power stations in Queensland mix fly-ash with other ash waste (such as incinerator bottom ash) before disposal. The combined ash waste is excluded from the exemption for *fly-ash produced by a power station*. To minimise the impact of the waste levy on these operators, the chief executive declared power station ash (fly-ash combined with other ash waste) to be exempt waste under section 35 of the *Waste Reduction and Recycling Act 2011* (Waste Act) which provides for the chief executive to declare waste to be exempt waste in exceptional circumstances. This declaration has been applied from 1 July 2019 until 31 December 2024 and in 2024 it was extended to 31 December 2025.

EOW code: An End of waste (EOW) code has been developed for Coal Combustion Products (CCP) for use in bound and unbound applications, as feedstock in the manufacture of soil conditioner and soil products and direct land application. There is some demand for CCP in certain manufacturing processes, however there is an oversupply that needs to be managed. The department has been working with the industry to discuss other beneficial re-use options.

Economic impact: The effect of the prescribed exemption and the declared exemption is that all coal power station ash waste has been exempt from the waste levy since its inception in 2019, and no levy for this waste type has been paid to the State. The proposed amendment clarifies and streamlines the current arrangement and has no economic impact.

Power station industry stakeholders have expressed concern around the multiple waste levy exemptions for various forms of ash waste from power stations with different expiry dates, and the potential economic impact if these waste levy exemptions are not continued for power station ash waste.

Allowing the current declared exemption for power station ash waste (fly-ash combined with other ash waste) to expire on 31 December 2025 would result in a new and significant additional cost to coal fired power stations that combine fly ash with other ash waste.

The objectives of this action are:

- to provide greater clarity and certainty of the waste levy exemptions that apply to power station ash waste;
- simplify administration of the current waste levy exemptions; and
- to address the potential economic impact on coal fired power stations and electricity users as a result of the expiry of the waste levy exemptions for power station ash waste.

Waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland

In October 2021 the Queensland Government and the Australian Government signed an Intergovernmental Agreement on State Service Delivery to Norfolk Island (IGA) as a basis for a partnership to provide state-level services to Norfolk Island on an enduring basis. The IGA focuses on critical priorities including health and education services and supports the further exploration for service standards comparable with mainland remote communities. In consideration of the IGA partnership in exploring further state-level services to Norfolk Island, the Waste Regulation was amended in June 2022 to provide a waste levy exemption for *waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland* with an expiry date of 30 June 2026.

Between 24 June 2022 and 30 June 2025 there was approximately 1260 tonnes of waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland, which would have attracted a total of $132,165 in waste levies, had the exemption not been provided.

The objectives of this action is the continuation of the partnership principles of the IGA for the commitment of the Queensland Government providing state-level services for Norfolk Island.

What options were considered?

Fly-ash produced by a power station

Option 1 – Allow the current Waste Act section 35 declaration of exempt waste for fly-ash combined with other ash to expire on 31 December 2025

This option removes the waste levy exemption for fly-ash combined with other ash waste by allowing it to expire. Coal fired power stations that combine fly-ash with other ash waste would be required to comply with all waste levy obligations. The Waste Regulation waste levy exemption for fly-ash produced by a power station would remain in force until 30 June 2029.

Option 2 – Extend the Waste Act section 35 declaration of exempt waste for fly-ash combined with other ash

This option temporarily continues the effect of the Waste Act section 35 declaration of exempt waste for fly-ash combined with other ash waste. The Waste Regulation waste levy exemption for fly-ash produced by a power station would remain in force until 30 June 2029.

Option 3 - Amend the Waste Regulation to include all coal power station ash waste as exempt waste and remove the expiry date

This option amends the current Waste Regulation exempt waste type in section 6 and section 8 from fly-ash produced by a power station to include all coal power station ash waste. This option would also remove the expiry date for this waste type and provide an ongoing exemption from the waste levy for this waste.

Waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland

Option 1 – Allow the current waste levy exemption for waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland to expire on 30 June 2026

This option would remove the waste levy exemption for this waste and the applicable waste levy rate for this waste would apply.

Option 2 – Amend the Waste Regulation to extend the expiry date for the waste levy exemption for this waste until 30 June 2030

This option would provide an additional four years of the waste levy exemption giving certainty for Norfolk Island Regional Council to assist in implementing longer term waste management practices.

What are the impacts?

Fly-ash produced by a power station

Option 1 – Allow the current Waste Act section 35 declaration of exempt waste for fly-ash combined with other ash to expire on 31 December 2025

This option is considered the baseline option. Allowing the declaration of exempt waste for fly-ash combined with other ash waste to expire will require those coal fired power stations that combine fly-ash with other ash waste to comply with all waste levy obligations.

As this waste has been exempt waste since the introduction of the waste levy, this would be a new cost with significant economic impacts which could be passed on to electricity users in Queensland.

Option 2 – Extend the Waste Act section 35 declaration of exempt waste for fly-ash combined with other ash

This option continues the temporary waste levy exemption for fly-ash combined with other ash waste with no additional cost to industry for the period of exemption. This option does not improve clarity for industry as it continues the effect of multiple waste levy exemptions for coal power station ash waste with different expiry dates. This option also does not provide longer term clarity for industry or community on the application of the waste levy to this waste type.

Option 3 –Amend the Waste Regulation to include all coal power station ash waste as exempt waste and remove the expiry date

This option effectively combines the two current waste levy exemptions for various forms of ash waste from coal power stations by expanding the definition of the waste type in section 6 and section 8 of the Waste Regulation to include all coal power station ash waste. This would allow for the removal of the Waste Act section 35 declaration of exempt waste for fly-ash combined with other ash waste as this waste type would be included in the expanded definition in the Waste Regulation.

Removing the expiry date for this waste type provides an ongoing exemption from all obligations relating to the waste levy. This option effectively continues the status quo where all coal power station ash waste is exempt from the waste levy, removes the potential economic impact to business and community of the waste levy applying to coal power station ash waste, and provides longer term certainty regarding the application of the waste levy to this waste type.

Waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland

Option 1 – Allow the current waste levy exemption for waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland to expire on 30 June 2026

This option would require Norfolk Island Regional Council to pay the applicable waste levy rate for the waste imported into Queensland. As the waste levy has never previously applied to this waste this would be a new cost to Norfolk Island Regional Council. There is no direct cost effect to industry and community in Queensland as a result of this option. This option may be considered to not align with the principles of the IGA for Queensland to explore further state-level services to Norfolk Island.

Option 2 – Amend the Waste Regulation to extend the expiry date for the waste levy exemption for this waste until 30 June 2030

This option continues the current effect of the waste levy exemption for waste generated in Norfolk Island and imported by the Norfolk Island Regional Council and there will be no additional costs to Norfolk Island Regional Council. There is no direct cost effect to industry and community in Queensland as a result of this option. This option demonstrates Queensland's commitment to the Norfolk Island community and may be considered to align with the principles of the IGA for Queensland to explore further state-level services to Norfolk Island.

Who was consulted?

Fly-ash produced by a coal power station

The Ash Development Association of Australia and members including representatives from coal fired power station companies in Queensland were consulted on the proposed amendments in relation to ash waste from coal fired power stations and are strongly supportive of the proposed amendments.

Waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland

Norfolk Island Regional Council has been consulted with on the proposal to extend the exempt waste expiry date and are supportive.

What is the recommended option and why?

Fly-ash produced by a power station

Option 3 –Amend the Waste Regulation to include all coal power station ash waste as exempt waste and remove the expiry date.

Amend sections 6 and 8 of the Waste Regulation to expand the definition of power station ash waste to include all coal combustion products from power stations in Queensland and remove the expiry date. This is recommended as it continues the current effect where all coal power station ash waste is exempt from the waste levy, removes the multiple current waste levy exemptions for various forms of ash waste from power stations, removes the potential economic impact to business and community of the waste levy applying to power station ash waste, and provides longer term certainty regarding the application of the waste levy to power station ash waste.

Provision of power to Queenslanders is considered an essential service and applying a waste levy which could be passed on to consumers is therefore not considered in the public interest.

Waste generated in Norfolk Island and imported by the Norfolk Island Regional Council into Queensland

Option 2 – Amend the Waste Regulation to extend the expiry date for the waste levy exemption for this waste until 30 June 2030

Amend section 8 of the Waste Regulation to extend the expiry date for the waste levy exemption for this waste until 30 June 2030 as this demonstrates Queensland's commitment to the Norfolk Island community and satisfies obligations under the IGA and provides longer term certainty for Norfolk Island in resourcing and implementing waste management practices.

Impact assessment

All amendments

	Full first year	**First 10 years****
Direct costs – Compliance costs*	Zero	Zero
Direct costs – Government costs	Zero	Zero

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Director-General
Department of the Environment, Tourism Science and Innovation

Date: 14.11.2025

Andrew Powell MP
Minister for the Environment and Tourism
Minister for Science and Innovation

Date: 18.11.2025

Impact Analysis Statement

Summary IAS

Details

Lead department	Department of the Environment, Tourism, Science and Innovation
Name of the proposal	*Waste Reduction and Recycling and Other Legislation Amendment Regulation 2025*
Submission type	Summary IAS
Title of related legislative or regulatory instrument	*Nature Conservation (Animals) Regulation 2020* *Nature Conservation (Plants) Regulation 2020*
Date of issue	November 2025

Proposal type	**Details**
Minor and machinery in nature	The purpose of this regulatory proposal is to update the conservation status of protected wildlife. The proposed amendments consist of the reclassification of protected wildlife listed under the Nature Conservation (Animals) Regulation 2020 of one fauna species and the Nature Conservation (Plants) Regulation 2020 of 10 flora species, which is a routine process to ensure species classifications are kept up to date with current scientific knowledge, including population size, trends, and risk of extinction. No further regulatory analysis is required as this proposal is minor and machinery in nature and has zero/negligible regulatory costs and does not involve substantive change to regulatory policy or result in impacts to business, government, or the community.

Amendments to continue allowing the lethal take of flying-foxes for crop protection purposes

What is the nature, size and scope of the problem? What are the objectives of government action?
Background to problem: Flying-fox damage to orchards in Australia has been a longstanding issue for both industry and government, particularly affecting crops like lychee, longan, rambutan, mangoes, and other fruits. However, quantifying the economic loss caused by flying-foxes is challenging due to a lack of clear data in Queensland and no clear correlation between flying fox present and yield loss in other regions. The impact of flying-foxes varies significantly depending on location, intensity, and frequency of damage. Under Queensland's *Nature Conservation Act 1992* (NC Act), it is illegal to harm flying-foxes or other protected wildlife without authorisation, with significant penalties for violations. However, the Nature Conservation (Animals) Regulation 2020 allows for damage mitigation permits (DMPs) to be issued for up to one year. These permits enable limited shooting of flying-foxes to protect commercial fruit crops, provided certain criteria are met. Applicants must demonstrate that flying-foxes are causing or may cause crop damage, reasonable preventative measures have been attempted, significant economic loss is likely without intervention, and the permit will not adversely affect the species' survival in the wild.

Current legislation:

In 2023, amendments to the Animals Regulation were made to move away from permitting shooting flying-foxes as a lawful fruit crop protection measure due to welfare concerns and that exclusion netting is the most effective measure to mitigate crop damage. On 1 July 2023, the three-year phase-out of DMPs commenced. The phase-out approach was intended to assist affected growers with the transition to fully non-lethal crop protection methods.

The phase-out provisions in the Animals Regulation allow growers who have previously held a DMP to shoot flying-foxes for crop protection to continue to apply for a permit up until 1 July 2026. Permit holders are also required to comply with the *Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection* (Code of Practice), which includes significantly reduced lethal take quotas for each species. As the spectacled flying-fox is listed as threatened (endangered) under the NC Act, DMPs cannot be issued for the species (**Table1**).

Table 1 – Lethal take quotas before and during phase-out period of DMPs

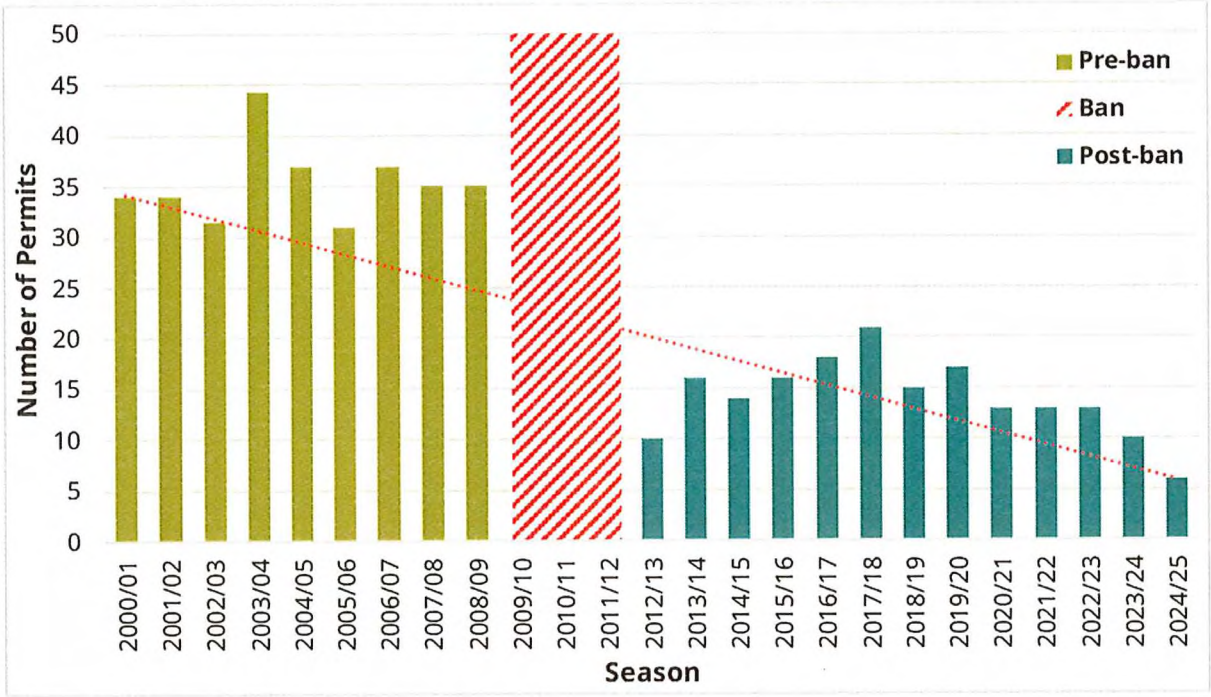
SPECIES	PRIOR TO PHASE-OUT PERIOD (2012 – 30 June 2023)		PHASE-OUT PERIOD (1 July 2023 – 30 June 2026)	
	Annual quota	Maximum per permit	Annual quota	Maximum per permit
Spectacled (NC Act – Endangered)	0	0	0	0
Grey-headed (EPBC Act – Vulnerable)	1280	60	130	8
Black	3500	90	700	45
Little red	4000	90	800	50

Industry progress:

Since the reintroduction of DMPs over 10 years ago, many commercial fruit growers have moved away from the lethal take of flying-foxes. Since 2020, no more than 13 growers needed a DMP, with only six DMPs granted in the 2024-25 growing season, down from a peak of 44 permits during the pre-ban period (2003-04), and 21 permits during the post-ban period 2017-18 (**Figure 1**). There is also a decline in the number of flying-foxes required to be lethally taken under a DMP. For the 5-year period (2018-19 – 2022/-23), on average approximately 5% (440 animals) of the total annual quota (8780 animals) was actually taken (shot) each year. During the phase-out period (2023-24 – 2024-25), approximately 6% (80 – 100 animals) of the total annual quota (1630 animals) has been actually taken (shot) each year.

Industry's progress towards phasing out lethal take of flying-foxes is also demonstrated by the recent uptake of a Commonwealth netting program. In Queensland, $3.3 million funding was received by 60 lychee growers, the most impacted by flying-foxes, and resulted in exclusion netting installed on 415 hectares. Overall $11.1 million funding was provided to 158 growers resulting in netting installed on a total of 834 hectares.

Figure 1 – Number of lethal take permits issued each growing season since 2000/01



Current issues:

The Department of the Environment, Tourism, Science and Innovation commenced a review of the phase-out of Damage Mitigation Permits (DMPs) for shooting flying-foxes, 12 months before the 30 June 2026 deadline. Permanent netting has been identified as the main viable non-lethal option to exclude flying-foxes from crops. However, growers face significant challenges in implementing this solution, with the topography of some farms not suitable for this type of adoption. These challenges include high upfront costs, ongoing maintenance and repair expenses, and additional costs associated with relocating infrastructure and clearing productive trees to accommodate the netting. Insurance for netting is also limited and expensive, particularly in cyclone-prone areas, leaving growers financially vulnerable. Smaller farms are particularly affected due to their limited financial and operational capacity.

Shooting flying-foxes is regarded as inhumane, and a concern for animal welfare organisations. Conservation risks also exist and a balance is required. The spectacled flying-fox, listed as 'endangered' in 2019, cannot be targeted under DMPs, but there is a risk of killings due to misidentification.

Objectives of government action:

In response to recent industry feedback, the objective of government action is to balance the financial and operational challenges faced by growers with the welfare and conservation needs of flying-foxes.

To achieve this, the government proposes to maintain current arrangement and continue allowing controlled lethal take under DMPs in accordance with the Code of Practice only as a last resort. The reliance on lethal DMPs may be reconsidered during the statutory review of the Animals Regulation in 2030.

What options were considered?

Option 1 — Continue phase-out – 30 June 2026

Option 1 would continue phasing out the use of lethal take DMPs. This option allows previous DMP holders to continue to be granted permits up until 1 July 2026. Once the phase-out period ends, previous DMP holders will need to move to only non-lethal strategies to mitigate flying-fox damage to crops.

Option 1 does not address concerns of growers that need to retain the ability to shoot flying-foxes as a last resort measure, as transitioning to full-exclusion measures (i.e., netting) during the phase-out period is not a viable outcome due to current financial or operational constraints. For this reason, option 1 is not supported.

Option 2 — Extend phase-out period - 2029

Option 2 would extend the phase-out period of lethal take DMPs by an additional 3 years. This option allows previous DMP holders to continue to be granted permits during the extension period while continuing to transition to full non-lethal measures by 30 June 2029. As with option 1, once the phase-out period ends, previous DMP holders will need to move to only non-lethal strategies to mitigate flying-fox damage to crops.

Option 2 may encourage more uptake of full-exclusion netting as the primary non-lethal strategy as growers can better financially and operationally plan their transition. However, this option does not resolve the concerns of affected growers that need to retain the ability to shoot flying-foxes as a last resort measure, rather it delays consideration. In particular, transitioning to full-exclusion measures (i.e., netting) during the extension period is still not a viable outcome for operators due to current financial or ongoing operational constraints. For these reasons, option 2 is not supported.

Option 3 (preferred) — Restricted lethal take

Option 3 would repeal the expiry of lethal take DMPs (i.e., 30 June 2026) and allow continued controlled levels of shooting flying-foxes as last resort crop protection measure for the remaining statutory duration of the Animals Regulation, which expires in 2030. Although the phase-out timeframe would be revoked, current restrictions of the phase-out provisions would continue to apply. This means only previous DMP holders can continue to be granted lethal take permits as part of their crop protection strategy, and the Code of Practice and current annual take quotas remain in place.

Previous DMP holders include any commercial crop grower (landholder) that holds, or has held, a DMP for the licensed premises under current and repealed legislation since 2012. However, only one person (landholder) may hold a DMP per licensed premises. Option 3 does not cover circumstances where a new landholder purchases or takes over the property.

Option 3 highlights that government supports continuing last resort measures whilst the industry continue to progress towards effective use of non-lethal strategies by recognising the specific needs and circumstances of individual growers. This option is based on engagement with industry that the need for DMPs as a last resort is necessary, albeit that it may continue to decline overtime driven by industry adoption other methods. Although the Code of Practice aims to minimise the risk of inhumane practices occurring, this option does indicate that government has balanced industry needs with welfare concerns relating to shooting flying-foxes.

Option 3 may encourage more uptake of full-exclusion netting in the long-term by providing growers greater flexibility to plan and adjust business needs, considering specific operational and financial constraints of each grower. As with all provisions in the Regulation, the statutory expiry review of the Animals Regulation in 2030 may consider the ongoing need for these provisions.

For these reasons, option 3 is recommended.

What are the impacts?

Option 1 — Maintain phase out period to 2026

Impacts on business:

There are no new economic or compliance impacts under this option. However, as the phase-out period ends on 30 June 2026 there will be a cost to affected growers who are yet to transition to full non-lethal measures and will need to do so within the remaining period. Based on the maximum of 10 DMPs issued during the past 2 years of the phase-out period, the total cost to industry could range between $2.4 million – $5.4 million depending on netting type and requirements.

NETTING COST TO MEET PHASE-OUT PERIOD (1 JULY 2026)
(Based on installing permanent full-exlusion structures)

Grower type	Number	Average area (ha)	Cost per grower			Total / grower type		
			Standard (minimum) ($45,000/ha)	Standard (maximum) ($70,000/ha)	Tailored (average) ($100,000/ha)	Standard (minimum) ($45,000/ha)	Standard (maximum) ($70,000/ha)	Tailored (average) ($100,000/ha)
small	2	2.5	$112,500	$175,000	$250,000	$225,000	$350,000	$500,000
medium	5	5	$225,000	$350,000	$500,000	$1,125,000	$1,750,000	$2,500,000
large	3	8	$360,000	$560,000	$800,000	$1,080,000	$1,680,000	$2,400,000
					TOTAL	$2,430,000	$3,780,000	$5,400,000

Impacts on government:

This option does not impose any new administrative costs on government.

Impacts on community:

There are no new social, environmental or economic impacts under this option. Conservation and animal welfare groups supported the phase-out of lethal take DMPs.

Option 2 — Extend phase-out period

Impacts on business:

The impacts of option 2 are similar in the long term to those detailed in option 1. However, this option provides affected fruit growers more time to transition across to full non-lethal crop protection strategies. Ultimately, this extended period reduces the upfront costs of installing non-lethal measures (e.g., netting) by spreading the installation costs over multiple years, compared to option 1. Based on the maximum of 10 DMPs issued during the past 2 years of the phase-out period, the total cost to industry for netting could range between $600,000 – $1.35 million per year depending on netting type and requirements.

NETTING COST PER YEAR FOR 3-YEAR EXTENSION OF PHASE-OUT PERIOD (1 JULY 2029)

(Based on installing permanent full-exlusion structures)

Grower type	Number	Average area (ha)	Cost per grower			Total / grower type		
			Standard (minimum) ($45,000/ha)	Standard (maximum) ($70,000/ha)	Tailored (average) ($100,000/ha)	Standard (minimum) ($45,000/ha)	Standard (maximum) ($70,000/ha)	Tailored (average) ($100,000/ha)
small	2	2.5	$28,125	$43,750	$62,500	$56,250	$87,500	$125,000
medium	5	5	$56,250	$87,500	$125,000	$281,250	$437,500	$625,000
large	3	8	$90,000	$140,000	$200,000	$270,000	$420,000	$600,000
					TOTAL	$607,500	$945,000	$1,350,000

Impacts on government:

Option 2 continues the existing arrangements on government over an extended 3-year period. Based on the maximum of 10 DMPs issued during the phase-out period, the total administrative costs over the 3-year period will continue to be met by existing departmental resourcing.

Impacts on community:

The impacts of option 2 are similar to those detailed in Option 1, albeit with an extended phase out date.

Option 3 (preferred) — Restricted lethal take

Impacts on business:

The department does not expect any significant economic or compliance cost on business resulting from option 3.

Impacts on government:

The existing cost to government to continue assessment and management of flying-fox lethal take DMPs after 30 June 2026 will remain.

Impacts on community:

Removing the expiry (phase-out) provisions from the Animals Regulation may be seen by community groups as a permanent move to maintain the DMP framework to shoot flying-foxes resulting in welfare concerns. However, this option balances conservation of flying-foxes with crop protection.

Who was consulted?

Industry stakeholders

In July 2025, the department commenced targeted consultation with industry as the primary stakeholder group impacted by the DMP phase-out provisions.

The department engaged with the Australian Lychee Growers Association and Bundaberg Fruit and Vegetable Growers Association to undertake four lychee and mango farm visits in the Bundaberg region to better understand grower needs and concerns, including the varying nature of horticultural practices.

The department also wrote to relevant industry peak bodies and local government bodies representing fruit growers seeking feedback on any implementation challenges during the phase-out period and to review current management practices. Industry consultation occurred over a four-week period from 8 July 2025 – 5 August 2025.

The department received feedback from six submissions and from the four site visits. The consensus from industry was that the variable nature of horticultural businesses means that operational, environmental and financial constraints make permanent full exclusion netting an unviable option for certain growers to address crop damage. The high cost and vulnerability of permanent netting structures in storm-prone areas were identified as key barriers, particularly for smaller farms. Permanent netting requires large and varied upfront investment and once installed, there is ongoing maintenance and repair costs and time to keep fully enclosed. In certain circumstances, there is also additional costs of relocating and upgrading existing infrastructure (powerlines, lighting, auxiliary buildings) and harvest machinery to accommodate netting parameters, and boundary constraints present a significant loss of yield and income as clearing of productive trees would be required to install netting. Netting insurance is also limited and costly– particularly for growers from central Queensland northwards (cyclone zone), which leaves growers exposed to significant financial risk.

Growers suggested that lethal take through DMPs is often a last-measure resort targeting only limited numbers of flying-foxes when other non-lethal measures fail, and as such, expressed the belief that rather than phasing out DMPs, use should be tightly controlled.

Growers with the ability to transition to non-lethal measures indicated that the three-year phase-out period was not long enough to make the required changes. This included several fruit growers who are still interested in netting but were unable to access the Commonwealth's netting program for varying reasons, including natural disaster recovery, cash flow limitations and operational timing misalignments. Industry bodies also advocated for more netting subsidy programs, alternative non-lethal options where permanent netting is not an option (e.g., frost fans and lighting), and insurance support/risk-sharing mechanisms for storm-damaged netting infrastructure.

Conservation and welfare groups

Consultation with other stakeholder groups did not occur given that conservation and welfare impacts are well established and unlikely to have changed since consultation on the phase-out provisions in 2023.

What is the recommended option and why?

The recommended option (**option 3**) is to continue controlled levels of shooting flying-foxes as last resort crop protection measure. This option is recommended as it maintains the current options for affected fruit growers; provides greater certainty to industry by supporting an industry-driven transition to non-lethal strategies; and minimises conservation and welfare concerns through continued access to DMPs only as a last resort and in compliance with the Code of Practice.

While the scale of the impact is considered to be minimal across business, government and community, the impact on individual growers who are constrained by certain conditions is considered significant. This is because the impact of having to fully transition away from lethal take of flying-foxes without being able to employ effective alternative strategies would likely cause significant loss of crops and therefore income. In considering the impact to commercial growers, it is also important to consider the flow-on effects to community as a result of crop damage. Due to the seasonality and sometimes variable weather conditions which already have potentially limiting impacts on fruit growing businesses, the additional impact of crop damage from flying-foxes can have devastating consequences for these businesses.

There has, across all other jurisdictions and within Queensland, been a transition towards non-lethal crop protection methods which have proven to be effective, noting that this process takes significant time and resources to do so. Conservation and welfare groups have also expressed concerns over the lethal take of flying-foxes, as protected species and critical pollinators, as well as animal welfare concerns. While these views have been considered and the department has weighed the impact on wildlife rescuers and carers across the State, there appears to be a significant impact to growers who are unable to transition away from lethal take. This impact is felt on an economic level, and has the potential to have detrimental effect on select businesses within the fruit growing industry.

Impact assessment

All amendments

	First full year	First 5 years**
Direct costs – *Compliance costs**	Zero	Zero
Direct costs – *Government costs*	N/A – maintains existing process	N/A – maintains existing process

Patricia O'Callaghan
Director-General
Department of the Environment, Tourism Science and Innovation

Date: 14.11.2025

Andrew Powell MP
Minister for the Environment and Tourism
Minister for Science and Innovation

Date: 18.11.2025