

GAME AND FERAL ANIMAL CONTROL AMENDMENT BILL 2012

21 June 2012

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Second Reading

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [11.55 a.m.]: I move:

That this bill be now read a second time.

This bill is a sensible and practical augmentation of the State's existing conservation measures. With two good consecutive seasons now under our belt, conditions for animal breeding are excellent. However, the negative side of this is that the impact of feral animals across our landscape is great. Rarely a day goes by that I, in my capacity as Minister for Primary Industries, do not hear of the escalating problem of feral animals on public lands. Volunteer conservation hunters operating under the Game Council have been working in our State forests, on Crown lands and with private landowners to try to manage this escalation in feral animal numbers. As we all know, this initiative was introduced by the former Labor Government.

The Game Council NSW was established as a statutory authority by the New South Wales Parliament under the Game and Feral Animal Control Act 2002 and its associated Game and Feral Animal Control Regulation 2004. This model has also been utilised in other jurisdictions and is working well, notably in Victoria, Tasmania, Northern Territory and South Australia. The model is also used in the United States, and recreational shooting is also allowed on conservation lands in New Zealand. A statutory five-year review of the Game and Feral Animal Control Act 2002 was comprehensive and yielded a detailed assessment of that Act. The review group agreed that game and feral animals cause impacts to public health and safety, private property, agriculture and the environment, and that establishing a council to facilitate, promote and manage hunting has reduced those impacts. It concluded that the policy objective remained valid.

The Government agrees that this bill seeks to progress some of the recommendations for reform found in that statutory review. The principal features of this amending bill are as follows. The bill will allow the Minister responsible for the national park estate to declare that land, under the Game and Feral Animal Control Act 2002, available for the purposes of shooting feral animals by persons who hold a restricted game hunting licence. The bill makes a number of other amendments of an administrative or consequential nature to the Game and Feral Animal Control Regulation 2004 and to the Rural Lands Protection Act 1998. The bill ensures that the intent of the legislation is consistent with the Game Council objectives. These include the effective management of introduced species of animals and to promote the responsible and orderly hunting of those animals and of certain pest animals on public and private land.

The Game Council NSW is the agency within the Department of Primary Industries with responsibility for the licensing and regulation of conservation hunting in New South Wales. It provides a range of benefits for this great State's agricultural industries, our economy and, importantly, for the environment. Since the establishment of the Game Council, we have seen the introduction of the game hunting licence system, the production of a hunter education handbook and the declaration of around 400 State forests and Crown land areas for pest control by volunteer conservation hunting licence holders. I thank them for their community service. As I mentioned at the outset, the scale of the invasive animals threat is enormous and requires the concerted efforts of all levels of government working across tenures and departments and, importantly, with private landowners. As we are all acutely aware, the resources of government are constrained, and it is eminently sensible to use the resources of the Game Council and its licence holders to help address this problem on a tenure-neutral basis. Our pests do not recognise or respect borders, fences or lines on maps.

There are an estimated 7.2 million foxes throughout Australia. They kill enormous numbers of native fauna and farm animals annually. According to the report entitled "Counting the Cost: Impact of Invasive Animals in Australia, 2004" by the Cooperative Research Centre for Invasive Animals, the cost impact nationally of 11 feral animal species alone totals \$720 million per annum. As of March 2012 the Game Council NSW had issued more than 17,000 game hunting licences, and I am informed that that is expected to reach 20,000 by the end of the year. Since 2004 approximately 2.6 million game and feral animals have been removed from all lands—public and private—by those licensed game hunters alone in New South Wales.

The National Parks and Wildlife Service has estimated that in 2010-11 at least 24,000 feral game animals were destroyed on the national park estate. That included almost 10,000 feral pigs, 8,500 feral goats, 2,500 rabbits, 2,000 foxes, 600 wild dogs and more than 250 deer. As we all know, that is the tip of the iceberg and, unfortunately, all indicators suggest we need to increase our efforts and be more strategic in our allocation of available resources. Last year Game Council licence holders removed almost 800,000 game and feral animals on both private and public land. It is also important to acknowledge that, through the pursuit of their legitimate pastime, recreational hunters not only make a strong contribution to the management of invasive animals but also contribute to the economic activity of regional economies.

Schedule 1 [4] and schedule 1 [5] amend the definition of "public land" so that it includes, rather than excludes, as is the case at present, national park estate land that includes national parks and other land reserved under the National Parks and Wildlife Act 1974. The effect of this amendment is that under section 20 of the Act, the Minister responsible for national park estate land may declare any such land as suitable for feral animal control by shooting. Ministers responsible for other public lands may declare the lands under their respective control. The bill lists certain national park estate land that cannot be made available for the shooting of game and pest animals. Under the Act, hunting of game and pest animals on public land is permitted only if the land is declared to be available for hunting.

The amendments to schedule 1 [3] and [12] are consequential, and schedule 1 [2] inserts a definition of "declared public hunting land" for clarification purposes. Another aspect of the bill is the inclusion of other pest animals that may be controlled by shooting. Schedule 1 [6] recasts the provision of the Act that specifies those pest animals that may be shot in accordance with the Act so that the provision refers instead to a list set out in proposed schedule 3. The list of animals contains two separate parts. For example, the animals currently referred to in section 5 (2) of the Act will now be listed in parts 1 and 2 of new schedule 3. The list can be amended by ministerial order but must specifically exclude any animal that was native to Australia before European settlement from being added by such an order.

Amendments to schedule 1 [2], [15] and [16] are consequential. Schedule 1 [7] provides for exemptions from certain offences under the National Parks and Wildlife Act 1974, and the regulations under that Act, insofar as those offences would otherwise relate to lawful hunting by the holders of a game licence. It also provides that certain orders and notices under other legislation cannot prevent or interfere with hunting in accordance with a game hunting licence. Since the passing of the original Game and Feral Animal Control Bill 2002, licensed hunters have demonstrated a professional approach towards feral animal control. Schedule 1 [24] extends the existing offence of obstructing, hindering or impeding an inspector to include assaulting, threatening or intimidating an inspector. Schedule 1 [25] creates a new offence of not complying with a direction by an inspector to leave or not to enter declared public hunting land. Such directions may be given to a person if the inspector has reason to believe that the person is committing an offence under the Act.

Schedule 1 [26], proposed section 55B, prohibits commercial taxidermists from preserving or preparing the skin of certain game animals unless satisfied the animals have been hunted by a licensed game hunter or by a person with some other lawful authorisation; for example, under the existing National Parks and Wildlife Act 1974. Commercial taxidermists will be required to record certain information and to make those records available for inspection. The bill also makes a number of miscellaneous amendments. Schedule 1 [13] provides that a game hunting licence authorises the licence holder to possess the carcass or the skin or any other part of a game animal that the licence holder has harvested under the authority conferred by the licence.

Schedule 1 [14] contains a consequential amendment. Schedule 1 [21] provides that the power of an inspector to require a vehicle to stop may be exercised without the inspector being accompanied by a police officer. This brings the Act into line with similar provisions in the Fisheries Management Act 1994. Licensed hunters will pay the price if they do the wrong thing. Any breaches of the Act or regulations will potentially lead to court action and heavy penalties, including forfeiture of their hunting equipment. This incentivises hunters to operate appropriately. Schedule 1 [22] removes the limit on the value of a thing—"thing" is how it is described in the Act—that a Local Court may require to be forfeited in connection with an offence under the Act. All the proposed amendments have been drafted so they do not

compromise the principles and objects of the Game and Feral Animal Control Act 2002. The bill will provide real and measurable benefits to the State, the economy and the environment. I commend the bill to the House.