

New South Wales

Game and Feral Animal Legislation Amendment (Conservation Hunting) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows—

- (a) to amend the *Game and Feral Animal Control Act 2002* to—
 - (i) abolish the Game and Pest Management Advisory Board and replace it with the Conservation Hunting Authority, and
 - (ii) recognise and make provision for a right to hunt, and
 - (iii) abolish restricted game hunting licences and replace those licences with conservation hunting licences, and
 - (iv) provide that national park estate land must not be declared as land on which hunting is permitted,
- (b) to amend the *Crown Land Management Act 2016* to establish the Crown land that is available for hunting and the mechanisms by which Crown land may be made available for hunting.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on 1 July 2025.

Schedule 1 Amendment of Game and Feral Animal Control Act 2002 No 64

Schedule 1[1] amends the objects of the *Game and Feral Animal Control Act 2002 (the Act)*.

Schedule 1[2] amends the definitions section of the Act, including to make provision for a Minister for Hunting and Fishing. **Schedule 1[9], [17], [18], [20] and [23]** make consequential amendments.

Schedule 1[4] and [11]–[13] rename restricted game hunting licences as conservation hunting licences and make consequential amendments.

Schedule 1[7] makes an amendment of a statute law revision nature.

Schedule 1[8] inserts proposed sections 4A–4C concerning the right of individuals to hunt and the obligation of public sector land managers to consider the right to hunt when making land management decisions.

Schedule 1[10] substitutes the Act, Part 2, abolishing the Game and Pest Management Advisory Board and providing for the establishment and functions of the Conservation Hunting Authority (the *Authority*). **Schedule 1[3], [21] and [22]** make consequential amendments.

Schedule 1[14] provides that national park estate land may not be declared under the Act as land on which hunting is permitted. **Schedule 1[5], [6] and [26]** make consequential amendments.

Schedule 1[15] and [16] make amendments concerning inspectors, including to provide that inspectors are not subject to the direction of the Authority.

Schedule 1[19] makes an amendment concerning the expenditure of money from the Game and Pest Management Trust Fund.

Schedule 1[24] makes an amendment concerning the appointment of the Chairperson of the Authority.

Schedule 1[25] makes an amendment to include camels on the list of non-indigenous game animals the hunting of which on public land requires a licence.

Schedule 1[27] makes transitional arrangements concerning the abolition of the Game and Pest Management Advisory Board and the conversion of restricted game hunting licences to conservation hunting licences.

Schedule 2 Amendment of Game and Feral Animal Control Regulation 2022

Schedule 2[1] and [2] make amendments consequent on Schedule 1[4].

Schedule 3 Amendment of Crown Land Management Act 2016 No 58

Schedule 3[1] inserts proposed Part 9A into the *Crown Land Management Act 2016* to establish the mechanisms by which Crown land may be made available for hunting, and the process to be followed by a licensed hunter who wishes to hunt on Crown land that is available for hunting. Proposed section 9A.4 is a Henry VIII provision.

Schedule 3[2] inserts proposed Schedule 5A into the *Crown Land Management Act 2016* to specify Crown land that will be available for hunting.

Schedule 4 Amendment of other Acts

Schedule 4.1[1] and [2] make amendments to the objectives of land managers under the *Forestry Act 2012* and require the land manager of a forestry area to consult with the Authority when reviewing a management plan or working plan for the area.

Schedule 4.2 amends the *Weapons Prohibition Act 1998* to provide that conservation hunting may be considered a genuine reason for the Commissioner of Police to issue a permit for the possession and use of a prohibited weapon.



New South Wales

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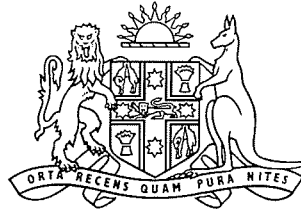
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This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Game and Feral Animal Legislation Amendment (Conservation Hunting) Bill 2025

No , 2025

A Bill for

An Act to amend the *Game and Feral Animal Control Act 2002* to establish the Conservation Hunting Authority, to recognise the role of hunting in the preservation of native species, the natural environment and cultural heritage and to recognise the right of citizens to hunt for cultural and recreational reasons; to amend the *Crown Land Management Act 2016* to establish the mechanisms by which Crown land may be made available for hunting; and for related purposes.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Game and Feral Animal Legislation Amendment (Conservation Hunting) Act 2025</i> .	3
	4
2 Commencement	5
This Act commences on 1 July 2025.	6

Schedule 1 Amendment of Game and Feral Animal Control Act 2002 No 64

[1] Section 3 Objects

Insert before section 3(a)—

- (a1) to recognise hunting on public and private land as a way to—
 - (i) encourage the conservation of the natural environment and native species, and
 - (ii) preserve the cultures of different groups, and
 - (iii) encourage engagement and connection with the natural environment, and

[2] Section 4 Definitions

Insert in alphabetical order—

Conservation Hunting Authority means the Conservation Hunting Authority established by section 7.

Department means the department in which this Act is administered.

Local Land Services means Local Land Services as constituted by the *Local Land Services Act 2013*, section 8.

Minister for Hunting and Fishing means—

- (a) the Minister for Hunting and Fishing, or
- (b) if the Governor has not appointed a Minister for Hunting and Fishing—the Minister administering this Act.

public sector agency means the following—

- (a) a Public Service agency,
- (b) a local council,
- (c) a State owned corporation,
- (d) a person or body prescribed by the regulations.

Secretary means the Secretary of the Department.

the Fund—see section 53B(1).

[3] Section 4, definition of “Game and Pest Management Advisory Board”

Omit the definition.

[4] Sections 4, definition of “game hunting licence”, 14(b), 15(2), 18(b), 19 and 28(2)

Omit “restricted game” wherever occurring. Insert instead “conservation”.

[5] Section 4, definition of “public land”

Omit paragraph (b1).

[6] Section 4, definition of “public land”

Insert after paragraph (d)—

- (e) national park estate land, or

[7] Section 4, definition of “Regulatory Authority”

Omit “of Regional NSW”.

[8] Sections 4A–4C	1
Insert after section 4—	2
4A Right to hunt	3
(1) Individuals have a right to hunt for—	4
(a) cultural reasons, and	5
(b) recreation, and	6
(c) the management of invasive introduced species of animals.	7
(2) An individual’s right to hunt is not absolute and may be constrained by decisions reasonably made under this Act or another law.	8
	9
(3) The right to hunt may be exercised—	10
(a) on private land with the consent of the landholder, and	11
(b) on declared public hunting land.	12
(4) An individual exercising a right to hunt under this Act must—	13
(a) comply with all relevant laws of the State and the Commonwealth, including the following—	14
	15
(i) this Act and regulations made under this Act,	16
(ii) a code of practice made under section 24, and	17
(b) not act in a way that poses a risk to—	18
(i) public safety, or	19
(ii) the rights or safety of other persons lawfully occupying land.	20
4B Obligations of land managers	21
(1) A land manager must consider the following when making a land management decision—	22
	23
(a) the existing rights of individuals to hunt on the land,	24
(b) whether or not it is practicable to facilitate hunting on the land.	25
(2) Before making a land management decision under this section, a land manager may consult the Conservation Hunting Authority.	26
	27
(3) This section does not apply to national park estate land.	28
(4) This section does not require or authorise action that is inconsistent with a statutory or other legal obligation of a land manager.	29
	30
(5) In this section—	31
<i>land manager</i> means a public sector agency that manages land.	32
4C Decisions not invalidated by right to hunt	33
The making of a decision or the exercise of a power under this Act or another Act is not invalid because the decision was made or the power exercised—	34
	35
(a) without considering the right to hunt, or	36
(b) in a way that is inconsistent with the right to hunt.	37
[9] Sections 5(2), 24(1) and (3) and 64(1)	38
Omit “Minister” wherever occurring. Insert instead “Minister for Hunting and Fishing”.	39

[10] Part 2	1
Omit the part. Insert instead—	2
Part 2 Conservation Hunting Authority	3
7 Establishment	4
(1) The Conservation Hunting Authority is established.	5
(2) The Conservation Hunting Authority has the functions conferred or imposed on the Authority by or under this Act or another Act.	6 7
8 Membership and procedure	8
(1) The Conservation Hunting Authority consists of 8 members appointed by the Minister for Hunting and Fishing as follows—	9 10
(a) 4 persons nominated by prescribed hunting organisations,	11
(b) 1 person who, in the Minister for Hunting and Fishing’s opinion, has appropriate experience as a wildlife management scientist,	12 13
(c) 1 person who is not—	14
(i) a member of a hunting or shooting organisation, or	15
(ii) a public servant,	16
(d) 1 person nominated by the Minister administering the <i>Aboriginal Land Rights Act 1983</i> ,	17 18
(e) 1 person nominated by the Secretary.	19
(2) The person nominated by the Secretary under subsection (1)(e)—	20
(a) must be the person employed in the Department who, in the Secretary’s opinion, has primary responsibility for the regulation of hunting in accordance with this Act, and	21 22 23
(b) is a non-voting member of the Conservation Hunting Authority.	24
(3) The regulations may make provision about the appointment, or the nomination for appointment, of persons as members of the Conservation Hunting Authority, including the qualifications required for appointment.	25 26 27
(4) Schedule 1 contains provisions concerning the members and procedure of the Conservation Hunting Authority.	28 29
(5) In this section—	30
<i>prescribed hunting organisation</i> means a hunting organisation prescribed by the regulations.	31 32
9 Functions	33
(1) The Conservation Hunting Authority has the following functions—	34
(a) to represent the interests of licensed game hunters in matters arising under this Act,	35 36
(b) to make recommendations under section 20 to the responsible Minister,	37
(c) to liaise with public sector agencies on land management matters,	38
(d) to give advice to the Minister for Hunting and Fishing on game and feral animal management, whether at the request of the Minister or on the Authority’s own initiative,	39 40 41

	(e) to liaise with Local Land Services, and other bodies the Authority considers relevant, in relation to pest animal management,	1
		2
	(f) to promote research into—	3
	(i) game, feral and pest animal management issues, and	4
	(ii) the benefits of hunting, including for—	5
	(A) the development of regional economies, and	6
	(B) the conservation of the natural environment and native animals, and	7
	(C) the preservation of cultural practices,	8
		9
	(g) to promote, develop and deliver educational courses regarding game animals and animals that interact with game, feral and pest animals,	10
		11
	(h) to promote the objects of this Act.	12
(2)	In exercising its functions, the Conservation Hunting Authority must consider public safety.	13
		14
(3)	The Conservation Hunting Authority may make representations to the Minister for Hunting and Fishing about the expenditure of money from the Fund for the functions under subsection (1)(f) and (g).	15
		16
		17
(4)	The Conservation Hunting Authority cannot employ staff.	18
	Note— Staff may be employed in the Public Service under the <i>Government Sector Employment Act 2013</i> , Part 4 to enable the Conservation Hunting Authority to exercise its functions.	19
		20
		21
[11]	Section 15 Authority conferred by different classes of game hunting licences	22
	Omit “or restricted game” from section 15(1), note. Insert instead “game or conservation”.	23
[12]	Section 15(2), heading	24
	Omit “ Restricted licence ”. Insert instead “ Conservation hunting licence ”.	25
[13]	Part 3, Division 3, heading	26
	Omit “ restricted game ”. Insert instead “ conservation ”.	27
[14]	Section 20A	28
	Omit the section. Insert instead—	29
	20A National park estate land excluded	30
	A declaration under section 20 must not be made for national park estate land.	31
[15]	Section 33 Appointment of inspectors	32
	Omit “or local” from section 33(1)(b).	33
[16]	Section 33(4)	34
	Insert after section 33(3)—	35
	(4) An inspector is not subject to the control or direction of the Conservation Hunting Authority in the exercise of the inspector’s functions.	36
		37
[17]	Section 53B Game and Pest Management Trust Fund	38
	Insert “for Hunting and Fishing” after “of the Minister” in section 53B(2).	39

[18] Section 53B(3)(a)	1
Insert “for Hunting and Fishing” after “Minister”.	2
[19] Section 53B(4)(c)–(e)	3
Omit “Game and Pest Management Advisory Board.” from section 53B(4)(c).	4
Insert instead—	5
Conservation Hunting Authority, including—	6
(i) the costs associated with the employment of staff in the Public Service to enable the Authority to exercise the Authority’s functions, and	7
(ii) the remuneration of members of the Authority,	8
(d) making grants for works or activities for conservation, particularly in connection with habitat maintenance and restoration,	9
(e) promoting, developing or delivering educational courses regarding game animals and animals that interact with game, feral and pest animals.	10
[20] Section 53B(5)	11
Insert “for Hunting and Fishing” after “The Minister”.	12
[21] Schedule 1, heading	13
Omit “Game and Pest Management Advisory Board”.	14
Insert instead “Conservation Hunting Authority”.	15
[22] Schedule 1, except as otherwise amended by this schedule	16
Omit “Advisory Board” wherever occurring.	17
Insert instead “Conservation Hunting Authority”.	18
[23] Schedule 1, clause 1	19
Insert in alphabetical order—	20
<i>Minister</i> means the Minister for Hunting and Fishing.	21
[24] Schedule 1, clause 3(1)	22
Omit the subclause. Insert instead—	23
(1) The Minister may, on the recommendation of the Conservation Hunting Authority, appoint a member of the Authority appointed under section 8(1)(a) or (c) as Chairperson.	24
[25] Schedule 3 Game animals	25
Insert at the end of Part 2—	26
Camel	27
[26] Schedule 3A National park estate land that cannot be declared as public hunting land	28
Omit the schedule.	29
[27] Schedule 4 Savings, transitional and other provisions	30
Insert at the end of the schedule, with appropriate part and clause numbering—	31

Part	Provisions consequent on enactment of Game and Feral Animal Legislation Amendment (Conservation Hunting) Act 2025	1
		2
		3
Definition		4
	In this part—	5
	<i>commencement day</i> means the day on which the <i>Game and Feral Animal Legislation Amendment (Conservation Hunting) Act 2025</i> commences.	6
		7
Dissolution of Game and Pest Management Advisory Board		8
(1)	The Game and Pest Management Advisory Board is dissolved.	9
(2)	Persons who were members of the Game and Pest Management Advisory Board immediately before the commencement day—	10
		11
	(a) cease to be members, and	12
	(b) are not entitled to remuneration or compensation due to the loss of membership, and	13
		14
	(c) are, if qualified, eligible to be appointed as members of the Conservation Hunting Authority.	15
		16
Restricted game hunting licences		17
	A restricted game hunting licence that was in force immediately before the commencement day is taken to be a conservation hunting licence.	18
		19

Schedule 2	Amendment of Game and Feral Animal Control Regulation 2022	1
		2
[1]	Section 4 Classes and types of game hunting licence	3
	Omit “a general class and restricted class of game hunting licence”.	4
	Insert instead “a general game hunting licence and a conservation hunting licence”	5
[2]	Sections 6 and 12(3) and Schedules 1, item 5 and 2, section 3(1)(b)	6
	Omit “restricted” wherever occurring. Insert instead “conservation hunting”.	7

Schedule 3 Amendment of Crown Land Management Act 2016 No 58

[1] Part 9A

Insert after Part 9—

Part 9A Hunting on Crown land

9A.1 Definitions

In this part—

Conservation Hunting Authority means the Conservation Hunting Authority established by the *Game and Feral Animal Control Act 2002*, section 7.

designated land means Crown land on which hunting is permitted under section 9A.2 or 9A.3.

9A.2 Land on which hunting is permitted—listed land

Crown land is designated as land on which hunting is permitted if the land is listed in Schedule 5A, clause 1.

9A.3 Land on which hunting is permitted—criteria compliant land

- (1) Crown land reserved for one or more prescribed purposes, whether a single lot or directly adjoining lots, is designated as land on which hunting is permitted if the land is a minimum of 400ha.
- (2) Crown land that is reserved for one or more prescribed purposes and directly adjoins land declared under the *Game and Feral Animal Control Act 2002*, section 20 (**declared land**) is land on which hunting is permitted if the area of the Crown land and the declared land, when considered as a single piece of land, is a minimum of 400ha.
- (3) For this section, Crown land does not include the following—
 - (a) land reserved without a specified purpose,
 - (b) land reserved for—
 - (i) one or more prescribed purposes, and
 - (ii) at least one purpose that is not a prescribed purpose,
 - (c) national park estate land,
 - (d) land that is not public land for the *Game and Feral Animal Control Act 2002*.
- (4) In this section—
prescribed purpose means a purpose set out in Schedule 5A, clause 2.

9A.4 Amendment of Schedule 5A

The Minister may, after consulting with the Conservation Hunting Authority, by order published on the NSW legislation website, amend or substitute Schedule 5A.

9A.5 Designation of land does not create right to hunt

- (1) Designated land is taken to be declared public hunting land for the *Game and Feral Animal Control Act 2002*.

- (2) The designation, under this part, of land as land on which hunting is permitted does not by itself create an entitlement to hunt on the land.

Note— The *Game and Feral Animal Control Act 2002* sets out further requirements to be met before hunting on public land, including possessing an appropriate game hunting licence and obtaining permission.

9A.6 Compliance with requirements of Minister

- (1) A person must not hunt on designated land unless the person—
- (a) holds a conservation hunting licence under the *Game and Feral Animal Control Act 2002*, and
 - (b) gets the written permission of the Minister before each instance of hunting on the land, and
 - (c) complies with an exclusion or other notice issued or erected by the Minister.
- (2) The Minister must not give permission if the plan of management for the land does not permit conservation hunting.
- (3) Subsection (2) does not apply to land listed in Schedule 5A, clause 1.
- (4) The Minister may give permission subject to conditions.
- (5) The Minister must not give permission subject to a condition if the condition would allow hunting on land at a time or in a way that is not permitted by the plan of management.
- (6) The Minister may delegate the exercise of a function of the Minister under this section.
- (7) In this section—
Minister, in relation to designated land that is reserved for travelling stock and for which the care, control and management is, under the *Local Land Services Act 2013*, vested in Local Land Services, means the Minister administering that Act.

9A.7 Plans of management

- (1) The responsible land manager of designated land for which a plan of management is required must, within 1 year after the designation of the land—
- (a) if there is no plan of management for the land—start preparing a plan, or
 - (b) otherwise—start reviewing the plan.
- (2) A plan of management prepared or reviewed under subsection (1) must be adopted within 2 years after the designation of the land.
- (3) In preparing or reviewing a plan of management under subsection (1), the responsible land manager must consider the use of the designated land for hunting, under the *Game and Feral Animal Control Act 2002*, as a way to encourage the conservation of the natural environment and native species.
- (4) A plan of management may, on reasonable grounds, prohibit or restrict the use of the designated land for hunting under the *Game and Feral Animal Control Act 2002*.
- (5) A plan of management that prohibits or restricts the use of the designated land for hunting must set out the reasonable grounds for the prohibition or restriction.
- (6) A responsible land manager of designated land must consult with the Conservation Hunting Authority before—

	(a)	for land that is subject to a plan of management under the <i>Local Government Act 1993</i> —	1
		(i) the responsible land manager cancels or alters a plan of management for the land in a way that affects hunting on the land, or	2
		(ii) the responsible land manager adopts a new plan of management for the land, or	3
	(b)	otherwise—	4
		(i) the Minister cancels or alters a plan of management for the land in a way that affects hunting on the land, or	5
		(ii) the Minister adopts a new plan of management for the land.	6
(7)		Local Land Services must adopt a plan of management for land that is a travelling stock reserve for which the care, control and management is, under the <i>Local Land Services Act 2013</i> , vested in Local Land Services.	7
(8)		Subsection (1) does not apply to designated land specified in Schedule 5A.	8
(9)		In this section—	9
		<i>Local Land Services</i> means Local Land Services established under the <i>Local Land Services Act 2013</i> .	10
		<i>plan of management</i> means a plan of management prepared under section 3.33.	11
		<i>responsible land manager</i> means—	12
	(a)	for land that is reserved for travelling stock and for which the care, control and management is, under the <i>Local Land Services Act 2013</i> , vested in Local Land Services—Local Land Services, or	13
	(b)	otherwise—the Crown land manager of the land.	14
9A.8	Review of part		15
(1)		The Minister must review this part to determine whether—	16
	(a)	the policy objectives of the part remain valid, and	17
	(b)	the terms of the part remain appropriate for securing the objectives.	18
(2)		The Minister must consult with the Conservation Hunting Authority when conducting the review.	19
(3)		The review must be undertaken as soon as practicable after the period of 5 years from the commencement of this part.	20
[2]	Schedule 5A		21
	Insert after Schedule 5—		22
	Schedule 5A Designated land		23
		sections 9A.2 and 9A.3	24
1	Listed land		25
	Reservation number	Gazettal	26
	R2978	17 July 1882, page 3742	27
	R55907	15 December 1922, page 6619	28

Reservation number	Gazettal
R72876	15 October 1948, page 2758
R74354	27 July 1951, page 2185
R74498	28 September 1951, page 2813
R79302	25 January 1957, page 280
R79648	31 May 1957, page 1723
R79838	30 August 1957, page 2810
R90547	22 November 1974, page 4511
R90716	25 February 1977, page 778
R91633	23 November 1979, page 5873
R93566	12 September 1980, page 4800
R93695	26 September 1980, page 5065
R95390	19 June 1981, page 3290
R96041	11 June 1982, page 2690
R130040	29 September 1989, page 7922
R750940	29 June 2007, page 4186
R750963	29 June 2007, page 4186
R750969	29 June 2007, page 4186
R751276	29 June 2007, page 4188
R752129	29 June 2007, page 4192
R755272	29 June 2007, page 4205
R1011188	16 December 2005, page 11028

2 Prescribed purposes

- The following are prescribed purposes for section 9A.3—
- (a) access,
 - (b) agriculture and grazing, but only if the land is managed by the Lands Administration Ministerial Corporation,
 - (c) environmental, environmental protection or nature conservation,
 - (d) future public requirements,
 - (e) heritage,
 - (f) travelling stock,
 - (g) water.

Schedule 4	Amendment of other Acts	1
4.1	Forestry Act 2012 No 96	2
[1]	Section 59 Objectives of land manager of forestry area	3
	Insert “, including by promoting the use of the forestry area for hunting” after “area” in section 59(1)(c).	4 5
[2]	Section 59(4) and (5)	6
	Insert after section 59(3)—	7
	(4) The land manager of a forestry area must consult with the Conservation Hunting Authority established under the <i>Game and Feral Animal Control Act 2002</i> when—	8 9 10
	(a) if the forestry area is a State forest—the land manager reviews the management plan for the forest adopted under section 21, or	11 12
	(b) if the forestry area is a flora reserve—the land manager reviews the working plan for the reserve approved by the Minister under section 25.	13 14
	(5) A contravention of subsection (4) does not invalidate a decision made or action taken by the land manager under this Act or otherwise in reliance on a management plan or working plan.	15 16 17
4.2	Weapons Prohibition Act 1998 No 127	18
	Section 11 Genuine reason	19
	Insert at the end of section 11(2), Table—	20
	<i>Reason: conservation hunting</i>	21
	The applicant must hold a conservation hunting licence issued under the <i>Game and Feral Animal Control Act 2002</i> .	22 23