

FACT SHEET

Control of deer on private property

Arrangements have been changed to help private landowners in Victoria control problem deer.

All deer species (except Hog Deer) are now unprotected on private land if they are causing damage, subject to certain conditions.

Deer in Victoria

Many deer species were introduced to Victoria by the Acclimatisation Society in the mid-1800s and some have become established. Others have established through illegal releases or as escapees from deer farms. Of these, Sambar, Fallow and Red Deer are well established in Victoria.



Status of deer

In Victoria, all deer are declared to be 'wildlife' for the purposes of the *Wildlife Act 1975* (the Act). 'Wildlife' are further considered to be 'protected wildlife' and may not be destroyed without authorisation, except where they are listed under the *Catchment and Land Protection Act 1994* (CALP Act) or where they are declared to be 'unprotected' under the Act.

Six deer species are listed as game for the purpose of hunting. These include the most established and widespread deer in Victoria.

Deer are appreciated for their aesthetics and are a valued hunting resource. There are over 36,000 licensed deer hunters in Victoria. Deer hunting supports industry and generates economic activity in regional areas. However, deer can cause damage to crops, fences and other infrastructure, as well as compete with livestock for feed on private properties.

Controlling deer on private land

Previously, deer causing damage on private property could only be destroyed after landowners had applied for and received an Authority to Control Wildlife (ATCW) or by using licensed deer hunters. This created an administrative burden and often delayed control.

All deer species (except Hog Deer) have been declared 'unprotected' wildlife on private land by way of a Governor in Council Order under section 7A of the Act.

The Order will be in place for a period of 10 years. This means that landowners will not be required to apply for and wait to receive an ATCW in order to destroy problem deer. Importantly, problem deer may be destroyed at night under spotlight which is one of the most efficient and effective ways to control deer.

People acting in accordance with this Order are only exempt from the spotlighting laws on the private land where the Order applies. When they are transporting spotlights and firearms through recognised deer habitat, they must still comply with the *Wildlife (Game) Regulations 2012*.

Changes do not apply to Hog Deer

Hog Deer are not declared unprotected as part of this Order. Landowners with problem Hog Deer will still need to apply for an ATCW to destroy them.



Conditions regarding the destruction of deer on private property

The Order imposes strict conditions regarding the destruction of deer on private property, including:

- any deer (except Hog Deer) may be destroyed where they are causing damage or injury to landowners' property, infrastructure (e.g. fences), vegetation (e.g. plantations, pasture, orchards) or livestock;
- only landowners on their own properties, their managers, permanent employees or agents may destroy problem deer;
- any person destroying, or in the pursuit of destroying, deer on a landowner's property must carry written permission signed and dated by the landowner of that property (a written permission form is available to assist landowners, and can be downloaded at: www.gma.vic.gov.au);
- written permissions are only valid for 12 months from the day they are signed and may be revoked in writing at any time by the landowner;
- all deer destroyed under this Order must only be destroyed with a firearm that meets the specifications contained in the table below;
- any person acting in accordance with this Order may destroy deer with the aid of a spotlight;
- when meat from deer destroyed under this Order is to be stored or transported, it must be accompanied by documentation or a tag on which the following

particulars are legibly written: the name and address of the landowner and property from which the deer was destroyed and the date on which the deer was destroyed;

- any person who contravenes or fails to comply with any part of this Order shall be guilty of an offence under the *Wildlife Act 1975*, which carries a maximum penalty of up to 50 penalty units.

Any person acting in accordance with this Order may possess and use any part of the deer for personal consumption.

Any commercial harvester acting in accordance with this Order may possess and use the deer for commercial purposes if it is handled in accordance with PrimeSafe requirements and the Australian Standard for the Hygienic Production of Wild Game Meat for Human Consumption or the Standard for the Hygienic Production of Pet Meat.

Landowners can use commercial harvesters or be commercial harvesters if they can comply with the requirements outlined above for commercial harvesting. Alternatively, they can take deer to a knackery/rendering plant for non-consumptive rendering (e.g. fertilizer).

Note: This Order does not remove the requirements for people to act in accordance with the *Firearms Act 1996* which is administered by the Victoria Police. This includes offences for discharging a firearm on or across private land without the owner's permission.

Table: Approved firearms, calibres and projectile weights

Firearm	Fallow and Chital Deer	Sambar, Rusa and Red Deer	Non-game Deer*
Centre-fire rifle	a minimum calibre of .243" (6.17 mm) with a minimum projectile weight of 80 grains (5.18 grams).	a minimum calibre of .270" (6.85 mm) with a minimum projectile weight of 130 grains (8.45 grams).	a minimum calibre of .270" (6.85 mm) with a minimum projectile weight of 130 grains (8.45 grams).
Muzzle-loading rifle	a minimum calibre of .38" (9.65 mm) with a minimum projectile weight of 200 grains (12.96 grams).	a minimum calibre of .45" (11.45 mm) with a minimum projectile weight of 230 grains (14.91 grams).	a minimum calibre of .45" (11.45 mm) with a minimum projectile weight of 230 grains (14.91 grams).
Smooth-bore firearm	a minimum bore of 20 and a maximum bore of 12, using a single solid projectile with a minimum weight of 245 grains (15.88 grams) and the firearm must be fitted with either: a front and rear iron sight (other than a beaded sight or sights); or a telescopic sight; or a reflex sight.		

*e.g. Sika Deer

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