

Wildlife Act 1975

WILDLIFE (CONTROL OF DEER ON PUBLIC LAND) ORDER NO. 1/2025

Order in Council

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council under section 28G(1) of the **Wildlife Act 1975**, on the recommendation of the Minister for Environment and the Minister for Outdoor Recreation, makes the following Order. This Order comes into effect on the day after it is published in the Victoria Government Gazette.

1. Title

This Order may be cited as the Wildlife (Control of Deer on Public Land) Order No. 1/2025.

2. Objective

The objective of this Order is to authorise classes of persons to carry out certain activities in relation to deer and to impose conditions under the **Wildlife Act 1975**.

3. Authorising provision

This Order is made under section 28G(1) of the **Wildlife Act 1975**.

4. Commencement

- (1) This Order comes into operation on the day after the day that it is published in the Government Gazette.
- (2) This Order is in operation for three years unless revoked earlier.

5. Revocation

The Order entitled the Wildlife (Control of Deer on Public Land) Order No. 1/2022, published in Government Gazette No. S 568 on 19 October 2022, is revoked.

6. Definitions

In this Order –

authorised activity means an activity authorised under Clause 7(2);

authorised officer has the same meaning as in the **Conservation, Forests and Lands Act 1987**;

authorised person means a person who is a member of a class of person authorised under Clause 7(1);

deer hunting dog has the same meaning as in the Wildlife (Game) Regulations 2024;

gundog has the same meaning as in the Wildlife (Game) Regulations 2024;

hound means–

- (a) a hound within the meaning of the **Wildlife (Game) Regulations 2024**; and
- (b) any other breed of dog that is permitted to be used to hunt or take deer by a person who is authorised to hunt or take deer with the use of hounds in accordance with any Order in force made under section 86 of the **Wildlife Act 1975**;

hunt has the same meaning as in the **Wildlife Act 1975**;

police officer has the same meaning as in the **Victoria Police Act 2013**;

public land has the same meaning as in the **Flora and Fauna Guarantee Act 1988**;

public land manager means–

- (a) the Secretary as defined in the **Conservation, Forests and Lands Act 1987**;
- (b) Parks Victoria as defined in the **Parks Victoria Act 2018**;
- (c) a Council as defined in the **Local Government Act 2020**;
- (d) a water corporation as defined in the **Water Act 1989**;
- (e) the Department of Defence of the Commonwealth established under the **Defence Act 1903** of the Commonwealth;
- (f) an Alpine Resort Management Board established under the **Alpine Resort (Management) Act 1997**;
- (g) a committee of management appointed under the **Crown Land (Reserves) Act 1978** or the **Forests Act 1958**;
- (h) Hancock Victorian Plantations Pty Ltd (ABN 20 084 801 132).

registered veterinary practitioner has the same meaning as in the **Veterinary Practice Act 1997**;

sell has the same meaning as in the **Wildlife Act 1975**;

spotlight has the same meaning as in the Wildlife (Game) Regulations 2024.

7. **Classes of persons authorised to carry out the activities of hunting, taking, destroying, disposing of, possessing, processing or sale of deer**
- (1) The following classes of person are authorised to hunt, take, destroy, dispose of, possess, process or sell deer under this Order –
 - (a) a public land manager;
 - (b) an employee of a public land manager in accordance with the terms and conditions of their employment;
 - (c) an agent of a public land manager in accordance with any terms and conditions of the authorisation or other permission of the public land manager;
 - (d) a police officer responding to public safety risks posed by deer in accordance with the terms and conditions of their employment;
 - (e) an agent of a police officer responding to public safety risks posed by deer, in accordance with any terms and conditions of the authorisation or other permission of the police officer;
 - (f) a registered veterinary practitioner.
 - (2) Subject to subclause (3) and Clause 8, a class of person under subclause (1) is authorised to carry out the following activities –
 - (a) the hunting, taking or destroying of deer on public land during the day or night, including under spotlight;
 - (b) the disposal of, possession, processing or sale of deer.
 - (3) A class of person under subclause (1) is not authorised to trap deer.
8. **Conditions imposed on the hunting, taking, destroying, disposing of, possession, processing or sale of deer by a class of person authorised under this Order**
- (1) Subject to subclause (2), an authorised person must not hunt, take or destroy deer unless the deer is on public land and –
 - (a) causing injury or damage to any building or other property, vineyard, orchard, crops, trees, pastures, grass, habitats or other vegetation, water quality, any taxon or kind of animal (including fish); or
 - (b) posing a risk to the health or safety of any person or class of persons.
 - (2) An authorised person must not hunt, take or destroy Hog Deer under subclause (1) unless –
 - (a) the authorised person is a person referred to in Clause 7(1)(a) to (c); and
 - (b) the Hog Deer are located in a park within the meaning of the **National Parks Act 1975**.
 - (3) When carrying out an authorised activity, an agent referred to in Clause 7(1)(c) or (e) must –
 - (a) possess written authorisation or permission that is signed and dated by the public land manager or police officer on whose behalf they are acting;
 - (b) carry the written authorisation or permission referred to in Clause 8(3)(a); and
 - (c) produce the written authorisation or permission on the demand of an authorised officer or a police officer.
 - (4) A person referred to in Clause 7(1)(d) or (e) must notify the relevant public land manager via phone or email within 48 hours after a deer has been hunted, taken or destroyed on the land managed by the public land manager.
 - (5) The taking or destroying of deer by aerial shooting from an aircraft must only be undertaken by an authorised person who is a person referred to in Clause 7(1)(a) to (c) and in accordance with the Interagency Aviation Operating Procedure SO 4.06 – Aerial Shooting Operations.

- (6) An authorised person who hunts, takes or destroys a deer must do so by the use of any of the following –
 - (a) a firearm that meets the specifications contained in Table 1;
 - (b) a captive bolt gun;
 - (c) a tranquilliser gun; or
 - (d) lethal injection.
- (7) In addition to the means of hunting, taking or destroying deer contained in subclause (6)(a) to (d), if a firearm that meets the specifications contained in Table 1 is not readily available and there is an imminent public safety risk, a police officer who is an authorised person under Clause 7(1)(d) may use a firearm that meets the following specifications to control any deer (except Hog Deer) –
 - (a) a firearm with a calibre of .223" (5.7 mm) with a minimum projectile weight of 62 grains (4.21 grams); or
 - (b) a firearm with a calibre of .40" (10 mm) with a minimum projectile weight of 165 grains (10.69 grams).
- (8) If an authorised person takes or destroys a deer by using a gun referred to in subclause (6)(b) or (c), the deer must, as soon as reasonably practicable before the deer regains consciousness, be destroyed.
- (9) An authorised person who carries out an authorised activity that injures a deer, must make all reasonable efforts to locate and destroy the injured deer as soon as reasonably practicable.
- (10) An authorised person must make reasonable efforts to locate and destroy young-at-foot or dependent young deer before shooting any adult deer, unless an imminent risk to public safety or damage to property exists.
- (11) An authorised person referred to in Clause 7(1)(a) to (c) may use a dog specified in column 1 of Table 2 for the purpose specified in column 2 of Table 2, subject to the conditions specified in column 3 of Table 2, to assist with an authorised activity.
- (12) An authorised person must control a dog, other than a hound, used to carry out an authorised activity.
- (13) An authorised person who is using a dog to assist with the hunting, taking or destroying of deer must ensure that the dog does not attack, bite or maim any animal and does not pursue, rush, or chase native wildlife.
- (14) An authorised person who uses a dog to carry out an authorised activity must, if the dog bites or maims wildlife, immediately cease using the dog for any authorised activity.
- (15) An authorised person who hunts, takes or destroys a deer and possesses or transports that deer carcass, must ensure the deer carcass or any part of the carcass is accompanied by a document or a tag, which legibly displays the following information –
 - (a) the name and address of the person or body corporate that destroyed the deer; and
 - (b) the name of the authorised person referred to in Clause 7(1)(a), (b) or (d) on whose behalf a person was acting; and
 - (c) the location at which the deer was destroyed; and
 - (d) the date on which the deer was destroyed.

Table 1: Firearm types that can be used to hunt, take or destroy deer under this Order

Firearm	Fallow, Chital and Hog 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.		

Table 2: Dogs that can be used to assist for specified purposes in the hunting, taking or destroying of deer under this Order and conditions of use

Column 1	Column 2	Column 3
Approved dogs for hunting	Purpose	Conditions
Hound	Trailing Sambar Deer only	<ol style="list-style-type: none"> 1. A person operating alone or in a team must not use (a) more than 5 hounds; or (b) not more than 8 hounds, of which 3 hounds must be less than 12 months old and must be used for the purpose of training those hounds to trail Sambar Deer. 2. The hound must be wearing a satellite tracking collar to which is securely attached a permanent tag or label on which is legibly printed the full name of the hound owner.
Gundog	Locating, pointing or flushing any deer	A person operating alone or in a team must not use more than 2 dogs in total (including 2 gundogs, 2 deer hunting dogs, or 1 gundog and 1 deer hunting dog)
Deer hunting dog	Locating or flushing any deer	

Dated: 14 October 2025

Responsible minister:

STEVE DIMOPOULOS

Minister for Environment

Minister for Outdoor Recreation

ANGELA SMITH
Clerk of the Executive Council