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Forestry Corporation of NSW
(FCNSW)

Hunting Risk Assessment

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Distribution

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1. Executive Summary

1.1 Background

Forestry Corporation of NSW (FCNSW) appointed BDO Services Pty Ltd (BDO) to facilitate a Hunting Risk Workshop and to review the risk and control matrix for hunting risks in State forests. This Report includes the risk and control matrix that was developed as an outcome of the Workshop.

1.2 Objective

The objective of the engagement was for BDO to facilitate the annual Hunting Risk Assessment Workshop and the revision of the risk and control matrix based on the outcomes of the Workshop.

1.3 Scope

The scope of the Workshop was limited to the overarching risk of “hunting activities occurring in NSW State forests” The permissible types of hunting in NSW State forests are:

- Hunting with firearms;
- Hunting with a bow; and
- Hunting with hunting dogs.

Therefore, the overarching risks considered in scope for the Workshop were:

- A person is struck by a projectile (either from a gun or bow);
- A person is injured by a hunting dog; and
- The psychological impact of hunting activities on those who encounter hunters or the psychological impact of the perceived presence of hunters.

Any other risk factors pertaining to hunting were excluded from the scope of the Workshop. Illegal hunting was also excluded due to the fact that Illegal hunting activities are addressed through other risk assessment processes.

1.5 Risk Mapping

The following table outlines how these overarching risks have been split into sub-categories in the risk and control matrix:

Risk category	How the risk area is linked to overarching risk
Competency of hunters	If hunters are not fit and proper, there may be an increased risk of people being struck by a projectile or attacked by a hunting dog.
Hunters encountering other hunters or members of the public	The greater the level of interaction between hunters and other people, the greater the inherent risk of a person being struck by a projectile or attacked by a hunting dog.
Accidental discharge of firearms and Bows resulting in injury or death	Accidental or inappropriate discharge of a bow or firearm increases the risk of a person being struck by a projectile.
Injuries sustained from hunting dogs	A lack of control over hunting dogs could increase the inherent risk of a person being attacked by a hunting dog.
Hunting in adverse conditions	Hunting in adverse conditions increases the risk profile of the activity and as a result, increases the inherent risk of a person being struck by a projectile.
Psychological impact of hunting on others	People may experience psychological impacts from encounters with hunters in State forests or the perceived presence of hunters in State forests.

1.6 Report Clearance

We would like to take this opportunity to thank all the Workshop Participants for their contribution and collaboration.

Yours sincerely,



Matt Williams,
Partner, Risk Advisory

2. Risk and Control Matrix

2.1 Competency of Hunters

Sub-risk	Control Description	Control Detail	Control Ownership
<p>Licenced or unlicenced hunter unlawfully hunts in a State forest.</p>	<p>Hunters using firearms must have a firearms license</p>	<p>Hunters are not lawfully permitted to be in possession of a firearm without a Firearm Licence issued by the relevant state/territory authority.</p>	<p>State and Federal legislation</p>
	<p>In order to hunt in a State forest, hunters must hold an R-Licence</p>	<p>The <i>Game and Feral Animal Control Act 2002</i> states that: <i>“A person who hunts a game animal on any public land and who is required by Division 2 to hold a game hunting licence to do so is guilty of an offence unless—</i></p> <ul style="list-style-type: none"> <i>a. a declaration is in force under this Division that permits the person to hunt that game animal on that land at that time, and</i> <i>b. the person is the holder of a restricted game hunting licence.”</i> <p>The <i>Forestry Act 2012</i> states that: <i>“Offences relating to hunting and using firearms or other weapons (1916 Act, s 32C)</i></p> <p><i>(1) A person must not—</i></p> <ul style="list-style-type: none"> <i>a. possess or discharge a firearm in a forestry area, or</i> <i>b. possess, place or use a net, trap, snare, hunting device, poison or explosive in a forestry area, or</i> <i>c. discharge a firearm into a forestry area, or</i> <i>d. take, kill, hunt, shoot, poison, net, snare, spear, capture, lure or injure an animal in a forestry area, or</i> <i>e. cause or permit any of the things referred to in paragraphs (a)-(d) to be done.</i> <i>f. Maximum penalty—50 penalty units or imprisonment for 6 months, or both.</i> <p><i>(2) A person does not commit an offence under this section by reason of the person’s doing any of the things referred to in subsection (1)—</i></p> <ul style="list-style-type: none"> <i>a. under and in accordance with a forest permit or forest lease, or</i> 	<p>NSW Department of Primary Industries Hunting (DPI Hunting)</p>

Sub-risk	Control Description	Control Detail	Control Ownership
		<p>b. under and in accordance with a prescribed Crown tenure, or</p> <p>c. under the authority conferred by a restricted game hunting licence under the Game and Feral Animal Control Act 2002, or</p> <p>d. in carrying out the person’s duties as an employee of the land manager of the forestry area, or</p> <p>e. with the consent of the land manager of the forestry area, or</p> <p>f. in the case where the offence involves a snake—unless it is proved that there were no grounds on which the person could reasonably have believed at any time that the snake was endangering, or was likely to endanger, any person or property.</p> <p>(3) In this section—animal includes a bird or reptile but does not include a fish. firearm includes any weapon that is capable of propelling a projectile, whether by use of an explosive or by other means.”</p>	
	<p>R-Licence applicants make a self-declaration as part of the fit and proper assessment to be granted an R-Licence.</p>	<p>As part of the R-Licence application process, applicants are required to make a self-declaration of any offences that may deem them ineligible to hold an R-licence. DPI will assess the results of this in accordance with the Licence Policy. DPI will assess the applicant’s eligibility to hold an R-Licence prior to granting.</p> <p>When an R-Licence is renewed, applicants are required to reconfirm their eligibility.</p>	<p>DPI Hunting</p>
	<p>R-Licence applicants must meet eligibility requirements.</p>	<p>In order to be eligible for an R-Licence, the individual must:</p> <ul style="list-style-type: none"> • be over 12 years (parent or guardian approval required if over the age of 12 and under 18 years); • be a member of an Approved hunting Organisation; • become accredited for one or more of the R-licence categories: <ul style="list-style-type: none"> ○ Firearms ○ Bows ○ Dogs • pay the licence fee. <p>Applicants who have:</p> <ul style="list-style-type: none"> • been found guilty of any firearms offence in the past 10 years; 	<p>DPI Hunting</p>

Sub-risk	Control Description	Control Detail	Control Ownership
		<ul style="list-style-type: none"> • been found guilty of an offence in the past 10 years involving: <ul style="list-style-type: none"> ○ cruelty or harm to animals ○ personal violence ○ damage to property or unlawful entry into land; • been found guilty of an offence for releasing game animals for the purpose of hunting; • been deemed not a fit and proper person to hold the licence; or • been found guilty of an offence prescribed by the Game and Feral Animal Control Regulation 2022 in the past 10 years, <p>are deemed ineligible to hold an R-Licence.</p>	
	<p>Licensed hunters must gain permission to hunt in State forests.</p>	<p>The Permission Requirements: hunting in NSW State Forests, state that in order to lawfully hunt on public land in NSW, a hunter must first:</p> <ol style="list-style-type: none"> 1. Obtain a Restricted Game Hunting Licence (R-Licence); 2. Apply for written permission to hunt; 3. Download the current hunting maps showing hunting zones and exclusion zones to your GPS-enabled device (or use the Hunt NSW app, which automatically updates the maps attached to a written permission); 4. Carry either a physical or digital written permission with you while hunting; and 5. Read, understand and comply with all the conditions that apply to hunting in NSW. <p>As part of the process for gaining written permission to hunt, the license status of each applicant is checked in order to ensure they are permitted to hunt.</p>	<p>DPI Hunting</p>
	<p>Hunting activities may be further restricted for specific State forests or areas.</p>	<p>Although hunting with firearms, bows and with dogs are generally permitted, FCNSW will sometimes impose further restrictions on the permissible hunting activities within select State forests. For example, some forests only permit bow hunting. Further restrictions are considered based on factors such as; the terrain, proximity of the hunting area to other members of the public and how frequently the forest area is used by other members of the public.</p>	<p>FCNSW / DPI Hunting</p>

Sub-risk	Control Description	Control Detail	Control Ownership
	<p>The Written Permission form provides a link to the Permission Conditions: Hunting in NSW State Forest webpage that sets out the rules for hunters. Licenced hunters must gain permission to hunt in State forests.</p>	<p>The Permission Requirements: Hunting in NSW State Forest set out the rules associated with hunting in state forests, the rules cover topics such as:</p> <ul style="list-style-type: none"> • The mandatory use of GPS devices; • The need to wear an item of blaze orange clothing; • The use of vehicles; and • hunting exclusion areas. 	DPI Hunting
	<p>As part of application to hunt, hunters must confirm they are aware of and have read the conditions</p>	<p>When applying to hunt in a designated state forest area hunters must declare, via a check box, that they will abide by the conditions of their NSW Restricted Game Hunting Licence (R-Licence) as well as the conditions that apply to the public land they are booking.</p>	DPI Hunting
	<p>Hunters become aware of rules due to communication strategy elements Applicants must meet</p>	<p>Communication aims to engage hunters around the general and State forest specific conditions (which are tailored on a case-by-case basis). As part of meeting the eligibility requirements for an R-licence hunter must complete education around the rules for hunting in a State forest.</p>	DPI Hunting
	<p>Hunting under the influence of drugs and/or alcohol is prohibited</p>	<p>Section 64 of the Firearms Act 1996 states that:</p> <p>“A person must not handle or use a firearm while the person is under the influence of alcohol or any other drug.”</p>	State legislation - DPI Hunting are involved through patrolling activities.

Sub-risk	Control Description	Control Detail	Control Ownership
	Anyone is able to report suspected unlicensed hunters.	The Department of Primary Industries (DPI) website has a platform for reporting any suspected illegal hunting activity in state State forests. The website also provides some signs that may be indicative of illegal hunting activity. Claims of illegal hunting are recorded and investigated by DPI. Enforcement outcomes are recorded and assessed based on risk assessment.	DPI Hunting
Permitted hunters are not aware of the rules for hunting in a State forest	DPI conducts surveillance activity in State forests.	DPI hunting inspectors patrol State forests to ensure that hunters have all obtained written permission to hunt at that location and time. The patrols are risk based and target forest areas where illegal hunting is deemed a higher risk of occurring.	DPI Hunting
A person hunts under the influence of drugs and/or alcohol	DPI conducts surveillance activity in State forests.	DPI hunting inspectors patrol State forests to ensure that hunters have all obtained written permission to hunt at that location and time. The patrols are risk based and target forest areas where illegal hunting is deemed a higher risk of occurring.	DPI Hunting

2.2 Hunters encountering other hunters or members of the public

Sub-risk	Control Description	Control Detail	Control Owner
Hunters encounter other people in a State forest, including; other hunters, members of the public, people working in the forest and people on property adjacent to the State forest.	Hunters are required to wear “Blaze Orange”	Permission Condition 15 of the Permission Requirements states that: <i>“blaze orange clothing: All Hunters to wear an article of blaze or clothing on their upper body so they can be easily identifiable by Forestry staff and contractors, other recreational users, including other hunters.”</i>	DPI Hunting
	Limit on hunter numbers	The hunting booking system is configured to restrict hunting capacity in each State forest to a predetermined, suitable capacity.	DPI Hunting / FCNSW
	The use of GPS devices	The Permission Requirements: Hunting in NSW State Forests require all hunters to carry a GPS device with up-to-date hunting maps at all times. The maps show any hunting exclusion zones currently in place. Hunters must be able to show their current position on the map any time while hunting.	DPI Hunting / FCNSW
	Hunting is restricted to particular areas of State forests	<u>Areas declared for hunting:</u> In order for a forest to be available for hunting, the Minister must declare the forest for hunting. FCNSW nominates forests that are suitable for hunting to the Minister for consideration. <u>Hunting Exclusion Zones:</u> On a quarterly basis, FCNSW identifies areas in the forest where hunting will be permitted. <u>Temporary Hunting Exclusion Zones</u> Hunting zones may be further restricted for a short period of time to facilitate other forest activities in a specified area. Exclusion zones also prohibit hunting around; occupied dwellings, fire towers and buildings that are within or adjacent to State forests.	FCNSW
	Hunting booking notices	FCNSW staff are able to apply to have access to the DPI booking system to see the number of hunters booked into each State Forest area.	FCNSW

Sub-risk	Control Description	Control Detail	Control Owner
	<p>Hunting zones are made known to the public</p>	<p>The areas in State forests that are open for hunting are marked with signage. Hunting Zones can also be viewed by the public on the DPI website.</p> <p>Hunting zones signs are maintained by FCNSW who display physical sign in accordance with quarterly review. DPI does the GPS mapping online using data from FCNSW.</p>	<p>FCNSW</p>

2.3 Accidental discharge of firearms and bows

Sub-risk	Control Description	Control Detail	Control Owner
A firearm or bow is accidentally discharged	Permission Requirements restrict how firearms are treated whilst not actively hunting	The Permission Requirements: Hunting in NSW State Forests state that: <i>“When not actively hunting and not in your immediate possession all firearms must be stored in accordance with the following provisions:</i> <ul style="list-style-type: none"> <i>Firearms must be locked away (either in a locked vehicle or other locked storage device) and not readily accessible.</i> <i>All reasonable precautions must be taken to ensure that firearms are stored in such a way so that they cannot be lost or stolen.</i> <i>Firearms must not be accessible to any person who does not have written permission to hunt using firearms in the State Forest.</i> <i>Firearms must not be accessible to any person who does not have a firearms licence or permit authorising them to be in possession of a firearm.</i> When transporting or conveying a firearm in a motor vehicle (including a motorbike): <ul style="list-style-type: none"> <i>Firearms must not be loaded with any ammunition (this includes any magazine that is fitted to the firearm).</i> <i>Firearms must not be visible from outside the vehicle.</i> <i>All ammunition (including any detachable magazine loaded with ammunition) must be stored in a locked receptacle, separate to the firearm.”</i> 	DPI Hunting
A firearm or bow is discharged whilst travelling in a vehicle			DPI Hunting
Unlawful access to a hunter’s firearm or bow			DPI Hunting
Unpermitted firing of a firearm or bow	Permission Requirements restrict how bows are treated whilst not actively hunting	The Permission Requirements: Hunting in NSW State Forests state that: <i>“When not actively hunting and not in your immediate possession all bows and hunting equipment:</i> <ul style="list-style-type: none"> <i>Must be locked away (either in a locked vehicle or other locked storage device) and not readily accessible.</i> <i>Must not be accessible to any person who does not have written permission to hunt using that equipment in the State Forest.”</i> 	DPI Hunting

2.4 Injuries sustained from hunting dogs

Sub-risk	Control Description	Control Detail	Control Owner
Hunters lose control of hunting dogs whilst hunting	GPS collars	GPS collars are required for hunting dogs to minimise the chance that dogs are lost during hunting activities and assist in retrieving out of control dogs	DPI Hunting
Injury is sustained from hunting dogs whilst dogs are not used for hunting.	Dogs are required to be controlled in accordance with the Companion Animals Act	Whilst not engaged in hunting activities, dogs are required to be controlled in accordance with the Companion Animals Act, the same conditions apply to all companion animals in State forests.	DPI Hunting

2.5 Hunting in adverse conditions

Sub-risk	Control Description	Control Detail	Control Owner
Firearms are discharged in poor light conditions	There are restrictions on when hunting activities are permissible	The Permission Requirements: Hunting in NSW State Forests state that: <i>“You may only hunt using a firearm or bow during daytime, being from 30 minutes before sunrise through to 30 minutes after sunset.”</i>	DPI Hunting
Firearms are discharged in poor light conditions	In order to discharge a firearm, hunters must be able to clearly identify the target	The NSW Game Hunting Guide states that: <i>“You must not fire at a game or pest animal unless it can be clearly seen and identified. The shot taken must not pose any discernible risk of injury to any person or damage to any property.”</i>	DPI Hunting
Firearms are discharged in poor conditions such as haze, smoke, or fog	It is not permissible to hunt game animals fleeing from fire or smoke	The NSW Game Hunting Guide states that: <i>“You must not hunt game animals that are fleeing from fire or smoke. You must not light a fire for the purpose of hunting or flushing out a game animal fleeing from fire or smoke, except if you are a professional Hunter.”</i>	DPI Hunting
Firearms are discharged from unstable ground	The use of tree stands is not permitted	The Permission Requirements: Hunting in NSW State Forests state that: <i>“You must not use a tree stand for hunting in a State Forest.”</i>	DPI Hunting
	Hunting from a vehicle is not permitted	The Permission Requirements: Hunting in NSW State Forests state that firearms must be locked and unloaded whilst inside a vehicle. As such, hunting with a firearm or bow from a vehicle is not permitted.	DPI Hunting

2.6 Psychological impact of encountering Hunters

Note: the majority of the controls pertaining to the risk of people experiencing psychological impact from interactions with hunters are preventative. Most of these preventative controls have been detailed sections 2.1- - 2.5 of this report. The controls that prevent adverse impact include:

- **2.1:** the controls ensuring the competency of hunters reduce the risk of psychological harm to FCNSW employees, contractors and any other persons working in State forests as it reduces the risk of a firearm being discharged in close proximity to people.
- **2.2:** the controls around hunters encountering other people in the forest reduce the risk of psychological harm to FCNSW staff. hunters are required to wear blaze orange and the GPS zones clearly identify what areas are open for hunting and where hunting is prohibited.
- **2.3:** while firearms are not in use, they are required to be stored in a safe and secure manner to reduce the risk of accidental discharge.
- **2.4:** GPS collars are required for hunting dogs, so they are not lost. Hunting dogs must be managed in accordance with The Companion Animals Act 1998 dogs whilst they are not hunting.
- **2.5:** The rules controlling hunting activities in adverse conditions mitigate the risk of psychological harm to FCNSW staff in such conditions.

In addition to the considerations above, the following controls have been designed to prevent and manage the psychological impact that encountering hunters may have on FCNSW staff.

Sub-risk	Control Description	Control Detail	Control Owner
Psychological impact of workers in State forests being proximate to / or perceiving an encounter with hunters.	Zoning of State forests	State forests are zoned so that any harvesting or other forest management activities are undertaken in different sections of the forests to hunting activities. The zoning minimises the frequency of interactions between hunters and FCNSW staff in State forests. Zoning is updated on a quarterly basis or more frequently as required	FCNSW

Sub-risk	Control Description	Control Detail	Control Owner
Psychological impact of FCNSW staff being proximate to / or perceiving an encounter with hunters.	FCNSW staff have access to zoning data via GPS.	FCNSW staff have access to up to date forest maps that detail the current hunting zones in the forest. Where feasible, staff can plan their work around hunting bookings in order to minimise the chance of encountering hunters in State forests.	FCNSW
Psychological impact of FCNSW staff being proximate to / or perceiving an encounter with hunters	Psychological support	FCNSW staff undertake training in managing “aggressive stakeholders”. Training is offered to staff who are required to interact with members of the public as part of their job.	FCNSW