Local Planning Policy

POL-LP-1.15 ~~Kangaroo~~ Native Fauna Management

1. PURPOSE

To provide guidance for the preparation and implementation of ~~kangaroo~~ a native fauna management plan that would be requested by the City to support:

- structure plans ~~or~~
- subdivision; and
- development applications for bulk earthworks, where the clearing of vegetation is proposed.

A ~~kangaroo~~ native fauna management plan should ~~be developed~~ address~~ing~~ the key management principles set out in Part 3.1 of this policy and include the management measures listed in the provision of Part 3.2.

This ~~management plan should comprise part of a fauna~~ native fauna management plan ~~to~~ should be submitted to the Department of Biodiversity, Conservation and Attractions for assessment.

"native fauna" – has the same meaning as "fauna" as defined under the *Biodiversity Conservation Act 2016*.

2. OBJECTIVE

The objective of this policy is to ensure the effective management of ~~kangaroos~~ native fauna by the landowners and/or developers of land proposed for urban development such that impacts arising for displaced ~~kangaroos~~ native fauna are minimised.

3. POLICY STATEMENT

The protection and management of ~~kangaroos~~ native fauna present on a site awaiting or undergoing development is the objective of this policy.

This policy only applies where the City has discretion to require the preparation and implementation of a native fauna management plan. It is not the intention of this policy to duplicate native fauna management required under any other legislation e.g. the Biodiversity Conservation Act 2016, Environment Protection and Biodiversity Conservation Act 1999 or subsidiary legislation.

To ensure this protection and management is undertaken, the following policy provisions apply.

3.1 Management Principles

3.1.1 The responsibility for the management of ~~kangaroos~~ native fauna exists solely with the owner of the land and not the community and/or the City of Swan.

3.1.2 ~~Kangaroos~~ Native fauna must be managed in a proactive manner by the developer or land owner prior to the removal of any vegetation or disturbance of habitat.

3.1.3 ~~Kangaroos~~ Native fauna must not be allowed to remain unmanaged within a developed area.

3.1.4 ~~Kangaroo~~ Native fauna management is to occur as early as possible in the planning and development stages before any development or clearing takes place. A ~~kangaroo~~ native fauna management plan is to be submitted by the landowner/developer to the City of Swan, for comment ~~to~~ by the DBCA (if required), prior to any site works commencing and cannot be ~~delayed~~ deferred to the final development stages.

3.1.5 'Directional clearing' (referring to the method of land clearing in a predetermined direction in order to displace ~~kangaroo~~ native fauna populations into surrounding habitat) will not be considered as an acceptable sole method of management; and

3.1.6 ~~Kangaroos~~ Native fauna shall always be managed in accordance with the *Biodiversity Conservation Act 2016*. Costs associated with the appropriate and humane management of ~~kangaroos~~ native fauna are considered to be a normal cost of development borne by the developer.

In considering the appropriate management of ~~kangaroos~~ native fauna, it should be noted that the City of Swan has a clear preference for the relocation of viable populations over other methods of management.

3.2 Management Measures

3.2.1 Prior to any disturbance or clearing of existing vegetation and/or habitat and/or provision of approvals to commence modification of a site, the following measures listed in POL-LP-1.15 ~~Kangaroo~~ Native Fauna Management ~~Local Planning Policy~~ must be included within the ~~kangaroo~~ native fauna management plan and are required to be undertaken by a suitably qualified contractor/consultant as determined by the DBCA on behalf of the landholders/landowners.

3.2.2 Utilising appropriate methods, survey the number of ~~kangaroos~~ native fauna contained on the site/property intended to be cleared and developed, and document appropriately including potential impacts to ~~kangaroos~~ native fauna and how those impacts will be avoided or minimised. The documentation must include discussion regarding the viability (or otherwise) of relocation as an option for the ~~kangaroos~~ native fauna present ~~(as a mob or individually)~~.

3.2.3 Where required ~~kangaroo~~ native fauna proof fencing should be installed to the satisfaction of the City of Swan prior to the disturbance of existing habitat where ~~kangaroos~~ native fauna are known to be present. The landowner/proponent must ensure that any fenced areas contain adequate food, water and shade to support the ~~kangaroo~~ native fauna population present. Fencing needs to encompass the entire perimeter of the landholding to be disturbed and needs to be in place for the duration of site works across all stages of development. Fencing will include signage at intervals of 75 metres or intervals as required by the City to direct all enquiries to the developer/landowner and the DBCA.

3.2.4 Consideration of all available options for effective and humane management must be demonstrated in the ~~kangaroo~~ native fauna management plan. If the satisfactory relocation of ~~kangaroos~~ native fauna is not possible, the advice of the DBCA and experienced wildlife management practitioners should be sought to develop alternative options for management.

3.2.5 In development areas with multiple landowners and where differing development timings arise, a collaborative management approach must be demonstrated to the City.

3.2.6 Advise the City accordingly ~~of the final management plan~~ prior to enacting the plan and when required, obtain appropriate authorisation and/or licences for the management of ~~kangaroos~~ native fauna from the DBCA.

3.2.7 Undertake the management program in accordance with applicable permits or licenses on advice from the DBCA.

3.3 Implementation and Monitoring

3.3.1 The standard monitoring period for a site that is subject to ~~kangaroo~~ native fauna management will be 3 years, unless otherwise agreed by the City. At the time of handover of a site to the City, this monitoring period may be extended until such time as ~~kangaroos~~ native fauna are adequately managed in accordance with the approved ~~kangaroo~~ native fauna management plan.

3.3.2 A final ~~kangaroo~~ native fauna management report is to be submitted by the developer to the DBCA and the City at the time of handover of the site. The report is to provide a reference for monitoring and improving future ~~kangaroo~~ native fauna management plans and is to include the success or otherwise of the management plan that was applied to the site.

Document Control

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2.			
3.			
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