

INFORMATION SHEET

Biodiversity Conservation Act 2016: Managed Fauna



Introduction

The Western Australian *Biodiversity Conservation Act 2016* (BC Act) received Royal Assent on 21 September 2016. When fully proclaimed it will replace the *Wildlife Conservation Act 1950* (WC Act) and the associated Wildlife Conservation Regulations 1970. Biodiversity Conservation Regulations (BC Regulations) are currently being developed. The Biodiversity Conservation Regulations are intended to commence on 1 January 2019.

This information sheet outlines the proposed approach that will be taken with regard to Managed Fauna under the BC Act. For further information on the BC Act and Regulations please see the Department's website: <https://www.dpaw.wa.gov.au/plants-and-animals/biodiversity-conservation-act>

Why are some animals classed as Managed Fauna?

The Government recognises that some species of fauna which are protected under the BC Act, can cause significant damage or can have major negative impacts on other native species, mostly because they have established outside of their natural range or are overabundant due to human influence. Managed Fauna under the BC Act are those species that can be managed or taken in specific areas and using specific methods without the need to get a BC Act licence.

Under the *Wildlife Conservation Act 1950*, such species were declared under 'Open Season' notices and the areas where they could be taken were defined as 'Open Season Areas'. Under the BC Act, the species are now referred to as 'Managed Fauna' and the areas where they can be taken are defined as 'Managed Fauna Areas.'

The Open Season species and areas were reviewed against a set of criteria. The criteria used to determine whether a species should be listed as Managed Fauna are:

- the species must be a recognised species or sub-species;
- the fauna must be able to be easily identified and distinguished in the areas designated in the schedule;
- the fauna must be able to be taken humanely;
- listing as a managed species must not affect its conservation status within or outside of Western Australia; and
- listing of the species should align with *Biosecurity and Agriculture Management Act 2007* s22(2) declared pests, where possible;

and the species must:

- be known to be causing, or is reasonably expected to cause, economic damage to property, agricultural activity or infrastructure; or
- be reasonably expected to have a potential impact on biodiversity or biodiversity values.

Restrictions on taking Managed Fauna

Similar to the Open Season notices, Managed Fauna may only be taken in accordance with the restrictions that apply in the schedule and in the Regulations. Specifically, Managed Fauna may only be taken:

- within the local government area specified in the schedule;
- by means of a firearm;

- in accordance with any restrictions on the times that they may be taken.

In all other circumstances where fauna is causing damage, landowners or occupiers must apply for a *Fauna taking or disturbing (fauna causing damage) licence*. This includes species listed as Managed Fauna that are causing damage outside designated Managed Fauna Areas.

The use of firearms is regulated under the *Firearms Act 1973* and any further restrictions on the use of firearms under that Act will apply.

Landowners and occupiers intending to take Managed Fauna should also be aware of their responsibilities under the *Animal Welfare Act 2002*. The taking of Managed Fauna must be done in a manner that is humane with respect to the individual animal, and any young which may be dependent on that animal.

The taking of kangaroos as Managed Fauna must be in accordance with the *Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Non-Commercial Purposes*. Note: please refer to *Information Sheet: Commercial taking of kangaroos* for details on the changes to the management of commercial kangaroo harvesting.

In many situations, other damage mitigation techniques, such as limiting access or visual deterrents, may be more effective or sustainable for reducing the impact of Managed Fauna in the longer term, and these should always be considered first. Advice on mitigation techniques can be found on the Department's website at: <https://www.dpaw.wa.gov.au/plants-and-animals/animals/living-with-wildlife>.

What is different under the new BC Act and Regulations?

Previously, Open Season Areas were defined using a combination of Local Government Area (LGA) boundaries and Land Division boundaries. Managed Fauna Areas are defined using only LGA boundaries. There are some minor changes to the areas that are covered where LGA boundaries and Land Division boundaries do not align.

For some Managed Fauna species, their area of impact has increased or changed and this is also reflected in the Managed Fauna Areas.

The following species that were previously the subject of Open Season notices are not considered to meet the criteria for listing as Managed Fauna:

- Red capped parrot (western king parrot) *Platycercus spurius*
- Australian crow *Corvus orru*
- Little crow *Corvus bennetti*
- Australian shelduck *Tadorna tadornoides*
- Australian wood duck (maned duck) *Chenonetta jubata*

A *Fauna taking or disturbing (fauna causing damage) licence* must be applied for where localised impacts from these species occur.

More Information

Maps showing the areas for Managed Fauna can be found on the Department's website: <https://www.dpaw.wa.gov.au/plants-and-animals/biodiversity-conservation-act>

Your feedback is encouraged:

DBCA is seeking your views on the proposed arrangements presented above. Please send your comments to: biodiversity@dbca.wa.gov.au.

