

Policy

Wildlife Protection Areas

Version 2.0

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Minute No: 589

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Wildlife Protection Areas

Policy Objective

Through the declaration of Wildlife Protection Areas, Council will improve the conservation of public land by reducing threats to wildlife by prohibiting domestic dogs and cats.

The policy applies to public land with high nature conservation value that is considered at risk from the impacts of domestic dogs and cats.

Definitions

Companion/ Domestic animals - animals, specifically dogs and cats for the purpose of this policy that are cared for and live with humans. This relates both to animals that are confined on an owner's property or those that are allowed to roam outside of an owner's property.

High conservation value areas - have ecological significance at the global, national, regional or local level.

Wildlife Protection Area - Wildlife Protection Areas are public places set apart for the protection of native animals and their habitats under the *NSW Companion Animals Act 1998*.

Policy Background

There are 122 scheduled threatened fauna species in Tweed Shire, many of which are susceptible to the impacts of domestic dogs and cats. Wildlife Protection Areas are an effective and useful option for councils to help protect native fauna from domestic animals on public land.

Council manages significant areas of public land including habitat for threatened species that are impacted by domestic animals. Specifically, Council manages more than 2,000 hectares of bushland reserve whose primary use is nature conservation. Other areas of public land including headlands, coastal, estuarine or riparian areas managed by Council may also be appropriate for consideration.

Threatened species are identified by the NSW Threatened Species Scientific Committee and listed under the *Biodiversity Conservation Act 2016*. Many threatened species are known to occur throughout Council managed bushland reserves with the protection and improvement of their habitat a primary aim of land management actions.

Declaration of Wildlife Protection Areas is consistent with Council's Community Strategic Plan objectives in relation to protection and management of the natural environment and the core objectives identified in Section 36E of the *NSW Local Government Act 1993* for community land categorised as natural area:

- (a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
- (b) to maintain the land, or that feature or habitat, in its natural state and setting, and
- (c) to provide for the restoration and regeneration of the land, and
- (d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and

- (e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*.

A key outcome of the Tweed Coast Comprehensive Koala Plan of Management adopted by Council in 2015 is reducing the impact of dogs on koalas. Declarations of Wildlife Protection Areas consistent with the criteria identified herein address relevant provisions of this plan.

Council Rangers require clear legislative boundaries for issuing infringements to domestic animal owners and are familiar with the mechanisms of the NSW *Companion Animals Act 1998*.

Policy

Wildlife Protection Areas are public places set apart for the protection of native animals and their habitats under the NSW *Companion Animals Act 1998*. Council can prohibit cats and dogs from public lands for the purpose of wildlife protection.

Under the NSW *Companion Animals Act 1998*, Wildlife Protection Areas can be declared as one of two categories:

- Category 1 lands prohibit both cats and dogs as per S.30 c.1(b) and S.14 c. 1(h) of the NSW *Companion Animals Act 1998*.
- Category 2 lands prohibit cats as per S.30 c.1(b) of the NSW *Companion Animals Act 1998*. Dogs that are on a leash will be permitted on formed tracks, pathways or roads in Category 2 lands.

Areas of public land that are suitable for consideration as a Wildlife Protection Area will be proposed in accordance with this policy through a combined consideration of priority for wildlife protection and resources available to prepare and implement the proposal.

Criteria for the identification of candidate areas will include:

- Known records of relevant species (known to be susceptible to the impacts of domestic dogs or cats) or their habitat
- Evidence of the occurrence of domestic dogs or cats on the public land
- Ability to identify and signpost the declaration area in accordance with legislative provisions

Proposed declaration areas will be put forward to Council for consideration with relevant supporting information including:

- Detail of how the proposed declaration areas address the policy criteria
- A map identifying the proposed declaration areas
- Type of declaration proposed (Category 1 or Category 2)
- A cost estimate for the implementation of the proposed declaration

Upon endorsement by Council, proposals will be publicly exhibited for a minimum of 28 days.

Declaration

Following completion of public exhibition, a report on submissions received and a recommendation to proceed with a declaration or otherwise will be prepared for Council's consideration.

A Wildlife Protection Area, subject to formal adoption by Council, will not come into effect for 30 days from the date of adoption.

Declared Wildlife Protection Areas will be listed, including a map, on Council's website as pending and as declared following the 30 day period.

Part of the legislative requirements of implementing Wildlife Protection Areas is the installation of signage at entrances, track heads, informal tracks and at regular intervals on the boundary. Signs must identify the place as a Wildlife Protection Area and include the relevant restrictions, name of the Act, cost of fines and where possible, a map of the declared area.

Monitoring and evaluation

Declared Wildlife Protection Areas will be monitored for domestic dog and cat activity. Monitoring will be completed by the use of remote cameras through the bushland management and vertebrate pest animal management programs.

Related Legislation

- *NSW Local Government Act 1993*
- *NSW Companion Animals Act 1998*
- *NSW Biodiversity Conservation Act 2016*
- *Commonwealth Environment Protection Biodiversity Conservation Act 1999*

Compliance

Sections 30 and 14 of the *NSW Companion Animals Act 1998* give Council the authority to impose fines to non-compliant companion animal owners in Wildlife Protection Areas.

Compliance will be monitored by Compliance Services in accordance with the priorities and resources identified in Council's Delivery Program and Operational Plan.

Forms

Not applicable.

Review Period

This policy will be reviewed every five years or more frequently in the event of any legislative changes or change in circumstances.

Version Control:

Version History

Version #	Summary of changes made	Date changes made
1.1	Draft for consideration by Council	19 April 2017
2.0	Changes made in response to public exhibition of draft policy	12 October 2017
2.0	Adopted by Council at Minute No. 589	16 November 2017