

24 November 2014

Flying-Fox Camp Management Policy Review
PO Box A290
Sydney South NSW 1232

Dear Sir/Madam,

Re: Draft NSW Flying Fox Camp Management Policy

This is my submission regarding the draft Flying-fox Camp Management Policy. The draft policy does include positive aspects, but in my opinion some of the clauses which have been included as safeguards (from the conservation and animal welfare standpoint) are too weak and inconsistent.

It seems to me to be a contradiction to say that the policy aims to be sustainable, but the safeguards are written in such a way to infer that compliance with those aspects of the policy is optional. If left as is, this would clearly be nothing more than a token gesture. This is unacceptable as a policy coming from the Minister and department responsible for the protection of wildlife. Details follow:

1. One of the stated objectives is to provide options to obtain five year licensing. Surely the objective should be to provide options to continue a specific action for a period of time (not to exceed 5 years). My concern is that the policy is loosely worded and could potentially be used by a land manager within that five year period to 'manage' a situation substantially different to that for which the licence was granted. The wording should be tightened to make it clear that the licence applies to a particular situation and a particular location.
2. According to the draft policy proactive management is recommended where flying fox camps are causing issues through noise, odour, prevalence of flying-fox droppings or health impacts (including mental health). Will this be clarified so that there is some sort of scale or measurement? We all live with a certain ambient noise whether it is lorikeets, dogs barking, cattle mooing, or Harley Davidsons roaring up the street. Proactive actions should not be based on complaints about noise, odour or health impacts unless there is objective evidence that the noise or odour are at unacceptable levels or the health risks are genuine. (NSW Health, together with other state and commonwealth health agencies all say that proximity to flying fox roosts represents a low health risk).
3. I would prefer to see guidelines built in to the policy that say that neither level 1 actions nor level 2 actions permit harm to be done to the flying foxes, and cannot be used to initiate a roost dispersal. It should clearly indicate that unless a licence has been granted to harm the animals, anyone who does harm a flying fox will be committing an offence.
4. Along the same lines, the policy should clearly indicate that anyone who causes a flying fox to suffer pain will be committing an offence under the POCTA and may be subject to significant fines if found guilty. I raise these points as the media (and social media) have reported instances of animal cruelty directed towards bats –in and around locations where dispersals have been authorised.
5. In the section on Camp disturbances or dispersal, the draft policy recommends considering the appointment of a coordinator. It does not specify the role or skills needed, and infers that this appointment is optional. If the policy is genuine about being sustainable this must be a mandatory requirement. Not only would that improve sustainability, but it should improve the odds of success. This is particularly relevant given the analyses of dispersals over the past decade which indicates that most dispersals fail to achieve the desired results (even those where hundreds of thousands of dollars have been spent).

6. In my view the section on Camp disturbance and dispersal is the worst constructed part of the policy, the most open to interpretation and potentially the weakest part in terms of ensuring sustainable outcomes. At least two of the four conditions noted in the policy where dispersals are 'not recommended' are so severe that to undertake dispersal in any of those situations would be certain to incur negative outcomes in terms of animal welfare and sustainability. This loose wording is also different from that used in Appendix B (Standard conditions). The policy must be changed to ensure that dispersals and disturbances never occur under those circumstances.
7. It has been well documented in NSW and Queensland that shooting of flying-foxes for the purpose of crop protection is unacceptably cruel and it is ineffective in many situations. I am firmly opposed to any policy which allows shooting. It is nothing short of Government-endorsed animal cruelty and should be banned as a priority.
8. In the Dispersal Section the policy seems to assume that the Land Manager has access to information that they may or may not have. I refer to assumptions that the land manager will know:
 - a. "when uncharacteristic seasonal climatic conditions have resulted in a large proportion of the NSW flying-fox population temporarily occurring in one or a few local camps"
 - b. "when it is likely that, due to proximity, flying-foxes disturbed from a camp will join camps in nearby towns or form 'satellite' camps"
9. I note that the suggestions in Section 6 are positive in nature. In reality, only long-term approaches such as this – together with widespread use of netting will provide outcomes that are truly sustainable. It is a pity that these key items are not a more prominent part of the policy. I strongly suggest that the Government embed these suggestions into legislation and/or regulations that govern development and land zoning. Otherwise they will never be adopted as part of the planning process.

I hope you will reconsider the wording of this policy to make it genuinely sustainable. As it stands, this policy leaves too many important issues to the discretion of the land manager. In doing so the Government is not taking the steps necessary to honour its legal commitment to protect and preserve our native species.

I hope that you too strengthen the welfare and sustainability components of the draft policy and put an end to shooting flying foxes as soon as possible.

Yours faithfully,
Elizabeth Turnbull