



NPWS Policy

Management of Native Birds that Show Aggression to People

August 2003

NPWS Policy on Management of Native Birds that Show Aggression to People

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This policy was endorsed by the NPWS Executive in August 2003 and should be referred to as: NPWS (2003). NPWS Policy on the Management of Native Birds that Show Aggression to People. NSW NPWS. Hurstville.

Introduction

In several Australian native bird species, aggressive behaviour is associated with the protection of nest sites. Seasonal attacks, often during spring, by aggressive birds, can be intimidating and may result in injuries to people as a consequence of direct physical contact with the bird. Potential injuries can include a scratch on the scalp or face caused by the bird's beak or foot, or an accident such as a child falling off a bicycle, or a postman on a motorcycle running into a fence in reaction to a swooping bird.

The NPWS receives numerous phone calls and requests for assistance each year about interactions between people and aggressively acting native birds (including, but not limited to, magpies, butcherbirds, currawongs, kookaburras, magpie larks, and lapwings (plovers)).

The community has an expectation that the NPWS, as the State's wildlife agency will respond in situations where conflict occurs. Genuine effort by NPWS officers to deliver effective wildlife management provides a significant benefit to community relations and will enhance the public profile of this organisation.

While the NPWS is responsible for the management of wildlife interactions on NPWS estate, other entities such as Police, local council, wildlife carer groups, Zoological Parks and pest control companies receive similar requests for assistance. These entities also have a role to play in the management of interactions with aggressive birds and the management of community expectations and understanding.

The NPWS has the opportunity, along with these other groups, to further engage the community on this issue and develop positive attitudes to wildlife, principally through education and the provision of strategies to understand and cope with the behaviours and activities of wildlife.

There are four elements that should be considered in the development of a thorough management strategy for problem native wildlife. These are conservation, ecology, animal welfare and community expectations. The NPWS North Coast Region Seasonal Wildlife Project Progress Paper (2001), provides a more detailed review of these elements as they apply to aggressive native birds. A summary of each is provided in Appendix 1.

Objectives

The objective of this policy is to provide responding NPWS officers with a consistent departmental approach to managing interactions between native birds showing aggression and people. This policy will:

- ensure public safety is not compromised
- ensure compliance with animal welfare and conservation objectives
- reduce the extent to which people feel that interactions with these birds are negative
- reduce the number of negative interactions between people and native birds

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- engage relevant agencies and organisations in providing a joint approach to community support and resolution of these issues, and
- provide a variety of appropriate and reasonable strategies for both NPWS staff and the community to manage interactions.

Scope/Application

This policy applies to all protected native birds in NSW across all land tenures and will replace all previous Regional policies. The proposed management strategies identified in this policy do not compromise the conservation of any species.

Legislative Context

Under the *National Parks and Wildlife Act 1974 (NPW Act)* the Director-General has statutory responsibility for the protection and care of native wildlife both on and off park in NSW.

All native bird species are protected under the *NPW Act*. However, some may be considered locally unprotected fauna under s.96 of the Act.

The *NPW Act* contains provisions under which a licence may be issued which authorises the harm of protected native fauna under section 120 (General) licence (s120 licence) or section 121 (Occupier's) licence (s121 licence). Such licences may specify the number, location and species, which may be harmed.

Policy

1. Management strategies must consider the risk of injury to the public, conservation impacts and ecology of the species in question, animal welfare and community attitudes.

Proactive Approach – Developing Community Attitudes and Expectations

2. As part of a strategic approach to aggressive bird management, proactive measures will be implemented that:
 - increase public awareness and understanding of the issue and reasons for aggressive behaviour by wildlife
 - encourage appreciation of native fauna throughout the year by highlighting other non-threatening behaviours
 - give priority to strategies that build capacity in the community to interact positively with native birds and avoid negative interactions
 - provide ameliorative measures to improve the capability of communities experiencing, or likely to experience problematic interactions with wildlife, to avoid or manage such interactions
3. Such a strategy has been prepared by NPWS Education and Community Programs Directorate and will be implemented in partnership with NPWS Area offices and other agencies/organisations that share responsibility for addressing community needs and concerns. It may include provision of information to schools and to the general community through specific programs and campaigns and by the media.

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Response to interaction with an aggressive bird

4. The first response to an identified interaction with an aggressive bird is for an NPWS Area or Regional officer to assess the risk of injury to the general public (in accordance with the criteria specified in paragraph 47 of this policy).
5. In the majority of cases, a bird may swoop, or otherwise act aggressively, but is not considered a risk to public safety (as defined in section 47). In these instances, managers should focus on increasing the complainant's ability to avoid negative encounters with the bird e.g the provision of educational material and placement of warning signs.
6. Following an assessment of the risk, it may be determined that the identified bird(s) should be removed.
7. If removal of a bird is warranted, then destruction of the animal is the only option that will be considered.
8. Destruction of a bird must be undertaken humanely and by people with the appropriate authority. The NPWS does not recommend the removal of nests, except out of season, as removal during the breeding season may lead to re-nesting by the breeding pair, thus prolonging the swooping period or causing an increase of their aggressive behaviour.
9. Trapping is preferred in areas where the use of a firearm creates a risk to people or property.
10. Where the NPWS participates in the destruction of a bird, particularly when a firearm is used, a Job Safety Analysis must be completed in accordance with the NPWS OH&S Management System, prior to the act.
11. Relocation of an aggressive bird is not recommended due to the unacceptable suffering and stress on the animal. Relocation may simply translocate the problem.
12. The NPWS does not encourage feeding of wild birds under any circumstances.

NPWS Estate

13. The Director-General NPWS is responsible for the care, control and management of NPWS lands.
14. Where a bird is acting aggressively, appropriate action must be taken by the local NPWS Area office to ensure that visitors are aware of the presence of the bird and, where practical, take steps to avoid interaction and prevent injury.
15. Where a bird poses a threat to visitor safety, and cannot be dealt with by other means (e.g. excluding visitors from the site), it must be destroyed.
16. Any NPWS officer that undertakes to destroy an aggressive bird by shooting must hold the appropriate firearms licence, must have completed NPWS level 2 firearms training or equivalent and must act in accordance with NPWS Firearms Policy (2002).

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17. A suitably qualified and appropriately licensed contractor may be hired to shoot or remove a bird on NPWS Estate.

Other Land Tenures

18. The public often request advice on wildlife interactions and the NPWS has a role in providing useful information and effective referral to assist the community to understand the issue and avoid conflict wherever possible. However, the NPWS is not responsible for resolving all wildlife issues outside NPWS parks.
19. Other agencies and organisations also have a role to play in the provision of assistance with interactions involving native birds that show aggression to people e.g. Local Council, NSW Police, wildlife care groups and pest controllers. The local NPWS Regional and Area offices should develop appropriate partnerships with these key stakeholders so that a joint management strategy may be prepared and implemented by these stakeholders.
20. The NPWS will respond to requests for assistance with aggressive birds by providing education and support that improves peoples' abilities to live with these birds and assessing the risk to public safety, including a site inspection if necessary. Appropriate advice and information will include:
 - fact sheets explaining the ecology and behaviour of native birds, how to minimise negative interactions and promote positive community attitudes
 - advice that the caller should also notify the owner/occupier of the land where the attack has occurred
 - where permission has been received from the landholder, installation of signs warning people about the presence of potentially aggressive native birds in the area
 - contact details of other agencies, such as Local Councils or wildlife care organisations, who may be working in partnership with the NPWS on this issue if they are better placed to help manage the issue.
21. The responding NPWS officer may issue a s121 licence, upon request, where destruction of an aggressive bird has been determined as the appropriate management response (as per section 47) and provide information on how destruction may be carried out (e.g. provide a list of pest control agencies).
22. In cases where it is difficult to determine the relevant property owner and in the interest of public safety, an NPWS officer may authorise the destruction of an aggressive bird without the issue of a s121 licence, provided the individual who carries out the destruction is in possession of a s120 licence for that purpose.
23. The NPWS is under no obligation to arrange for the destruction of a bird in non-park areas and is not responsible for meeting the cost of a pest controller or licensed bird trapper.

Monitoring and Evaluation

24. Each Region/Area will maintain accurate records of problem native fauna interactions and provide an annual summary to the Coordinator Wildlife

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Management, BRMD (CWM). This information will be critical in assessing the scope of the issue at a local level, pin-pointing problem areas for future seasons, monitoring the success of management techniques and evaluating conservation concerns that may arise.

25. A statewide Wildlife Management Issues Database (WMID) will be developed and maintained by the CWM. This database will contain summary information from each Region/Area on interactions with problem species, such as aggressive birds, and will be used to assess the scope of issues across NSW, evaluate the success of management strategies and identify conservation concerns.
26. A system of information sharing should be established with other agencies and organisations that respond to wildlife concerns, so that all information on occurrences are available when management strategies are assessed and evaluated.
27. The NPWS CWM will encourage and support, where possible, research and monitoring initiatives on community attitudes toward wildlife, urban ecology and the management of problem wildlife such as aggressive birds.
28. All information, fact sheets and other educational resources provided to the public will be reviewed by NPWS Education and Community Programs Directorate when new information is available or at least every 3 years and will be amended accordingly.

Procedural Guidelines

Proactive Approach - Developing Community Attitudes and Expectations

29. Prior to the breeding season, an education and media campaign will be implemented by the local NPWS Area or Regional Office that alerts people to the potential issue of interactions with aggressive birds.
30. Information provided to the community during the campaign will:
 - emphasise the benefits of native wildlife
 - characterise native birds acting aggressively in a positive manner e.g. as parenting behavior to protect their territory and nestlings
 - recognise that these are wild animals that rely on strategies and behaviours for survival in the natural environment
 - emphasise that it is often an individual bird that becomes a problem and a specific level of behaviour should not be attributed to the entire species
 - present practical information and actions that will increase the individual's capacity to cope, provide a sense of control over the situation and address the need for safety and security in the community
 - present information that makes clear to people their options for seeking help to manage wildlife encounters including the roles and responsibilities of the relevant organisations in the area

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- emphasise that destruction of a bird is a last resort to be undertaken only when there is an identified risk to public safety
31. Educational resources should be made available to all key stakeholders for further distribution. Such information may be jointly developed with, and dispersed by, other agencies and organisations. (See Appendices 2 and 3 for specific information that may be included).
32. The target audience should be identified and information made available at the most effective location, e.g.:
- NPWS species fact sheets available to the public at information centres and the NPWS web-site
 - NPWS information assistance points where Head Office and Regional staff provide advice to the public via telephone
33. Materials will be sent to key stakeholders (e.g. local councils, Police and wildlife carer groups) for information and distribution prior to the problem season, to ensure a consistent approach to native wildlife is understood by all stakeholders and expressed to the public.
34. A communication strategy has been developed and will be implemented by NPWS Education and Community Programs Directorate to deliver information about native bird issues to the broader community (Appendix 4). This information should be delivered strategically, prior to and periodically throughout the breeding season.
35. Press releases must be forwarded to the Public Affairs Division or Public Affairs Officer in the relevant Directorate in August in preparation for the breeding season and repeated in September or October. (Appendices 2 and 3 contain information that may be included).

School Education Program

36. Resources will be developed for schools by Education and Community Programs Directorate. The benefits of specifically targeting the information needs of children are twofold. First, children are commonly the victims of attack and in many cases, can avoid birds if they have a better understanding of the issue and are prepared to respond and take preventative measures. Second, nurturing the wildlife values of children is effectively investing in community wildlife perceptions for the future.
37. School Education Programs will be supplied by NPWS Regions or presented to local schools prior to and/or early in the breeding season. The program may include:
- Posters for distribution to schools
 - Education packs for children including the magpie brochure, web address for the NPWS web-site, 'eye' stickers, etc
 - Activity sheets for different age levels (e.g. crossword puzzles, math exercises on nests and eggs, etc)

Operational Response

Notification of an Interaction on lands managed by NPWS

38. If the interaction with an aggressive bird has been reported on lands managed by NPWS, a NPWS officer from the relevant Area office must inspect the site and assess the risk to public safety. This will include an assessment of the proximity to populated areas and children and use of the area (e.g. is it a high use area or remote location).

A decision tree for receiving and responding to reports about birds showing aggression toward people on other land tenures is provided in Appendix 5. This should be provided to relevant officers in cooperating organisations.

39. Management options developed by the local NPWS ranger must take account of the possibility of further interactions and the likelihood that an attack will result in personal injury.

40. Management options may include elements such as:

- posting warning signs at the Parks entrance or around the perimeter of the bird's territory (if practical) to notify visitors of the situation and provide recommendations on how best to avoid conflict
- providing fact sheets and general information on seasonal wildlife problems at Park entry points and information areas
- a contingency plan for the destruction of the bird if necessary, and
- recording the interaction on an Aggressive Bird Report sheet (Appendix 6) or wildlife management database

41. Bird destruction is warranted where an animal has caused, and/or is exhibiting behaviour likely to cause personal injury in accordance with the criteria specified in section 47 below.

Notification of an Interaction with an aggressive bird on other Land Tenures

42. The initial management response should be provision of information to the complainant to assist them in understanding and coping with the situation. This may include explaining in detail or sending out fact sheets on bird behavior and strategies to avoid aggressive interactions and offering to provide warning signs to notify others of the situation. Such signs may be posted to the caller upon request. See Appendix 7 for a sample sign and letter.

43. Where arrangements have been made with the Local Council, a council officer may conduct a site visit and respond appropriately. The Local Council office will be immediately notified by the responding NPWS officer of the request and provided with a copy of all information on the interaction and contact details of the complainant.

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44. In some instances it may be necessary for a site visit by a NPWS ranger, e.g. where the interaction occurs adjacent to a National Park or where there is a need to confirm that a bird is indeed a risk to public safety. This will provide an opportunity to assess the bird and its behaviour and speak directly with the complainant.
45. Where appropriate, signs informing local residents of the presence of a potentially aggressive bird may be placed in an area to reduce the potential for a negative interaction with the animal. Permission from the landowner must be sought prior to placement of signs.
46. Where a bird is assessed as a risk to public safety
 - A s121 licence must be issued for destruction of the bird upon request
 - Authorisation for the destruction of the bird must be provided in cases where there is no relevant individual to whom an s121 licence may be issued
 - Information will be provided on the available options for bird destruction, in addition to information on avoiding future interactions with aggressive birds

Assessing Risk to Public Safety

47. When a bird is observed or reported doing any of the following, it should be determined to be a risk to public safety and approval given for its destruction upon request:
 - has caused actual personal injury or damage
 - attacks the head, striking from the ground upwards and from the front of the person
 - hovers above the head for a prolonged period, attacking the head and face
 - constantly swoops, or attacks in an area frequented by elderly and/or disabled persons and/or young children
 - constantly swoops, or attacks the head or face in a front or backyard, not allowing residents to safely leave or enter the premises or
 - swoops, or attacks in a location that might endanger the victim through their response (e.g. along a busy road)

Destruction of Birds Assessed to be a Risk to Public Safety

48. Where possible, alternatives to bird destruction (such as placement of signage) will be discussed with the complainant. However, where there is a demonstrated risk to public safety (as defined in section 47) the responding NPWS officer will grant consent for the aggressive bird to be destroyed. If in doubt, seek advice from more experienced staff or the Area Manager.
49. Where it has been confirmed by NPWS that removal of the bird is appropriate,
 - a person can apply for and will be issued with a s121 licence to harm native fauna on their property.

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- The NPWS will provide verbal authorisation for the destruction of the bird where there is no appropriate individual to whom a s121 licence should be issued.
50. Once approval has been given for destruction of the bird, as per 47 above,:
- a licensed pest controller/bird trapper may remove the bird
 - a local wildlife care group (if licensed) may remove the bird if it extends its community service to this field
 - the Police or Local Council (if licensed) may be contacted to destroy the animal
 - the NPWS may assist in bird removal, where appropriate and approved by the Area Manager
51. Where a situation warrants bird destruction, the complainant and if necessary local residents, will be made aware of the necessary actions required for bird destruction.
52. Where a female and male pair has been considered a risk to public safety and removed, the nest and eggs should be destroyed (where safely accessible). Where chicks have hatched, they must be humanely euthanased unless a wildlife care organisation is willing, and holds the appropriate licence, to hand rear the chicks.
53. NPWS officers will only undertake to destroy a bird that has been identified as a risk to public safety when no other suitably qualified people, eg Police, licensed pest controller etc, are available.
54. When an NPWS officer does undertake to destroy a bird, it must be conducted in accordance with the OH&S Management System, including completion of a JSA prior to the activity.

Licensing

55. A s120 licence may be issued by NPWS Head Office Wildlife Licensing to authorise an individual, with the appropriate Firearms Licence, to harm a specified number and species of native bird(s). A pest controller, a Council Ranger, the Police¹ or an individual in the community may hold such a licence (proposed s120 licence conditions are provided in Appendix 8).
56. A s121 licence may be issued to an individual to authorise the harm of a specified number and species of native bird(s) on their property (proposed application for and conditions of a s121 licence are provided in Appendix 9). If approval is given for destruction by shooting and the applicant does not hold the appropriate Firearms Licence, they will need to employ a qualified shooter who holds both the appropriate Firearms Licence and a NPWS s120 Licence.

¹ Note: A s120 licence has been issued to NSW Police to harm, when required, a protected species of native bird assessed as causing an immediate health or safety risk to humans

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57. The responding NPWS officer will make a licensee aware of the conditions attached to the licence.
58. A s121 licence is not necessary when the bird has been determined to present a risk to public safety and where there is no suitable authority or individual to whom such a licence should be issued.

Trapping

59. Trapping of aggressive birds is preferred in areas where there may be a risk to the general public from using firearms.
60. A list will be maintained in each Region of locally licensed trappers or pest controllers that have the ability to trap aggressive birds. A copy of this information must be provided to the CWM each year (no later than 1 August). The list will be made available on the intra net and will be updated annually by the CWM prior to each breeding season.
61. A Regional/Area office can, at its own discretion, take on the activity of trapping birds approved for destruction. One successful method known to trap magpies, uses a cage (containing a “caller” captive magpie) set with a spring-loaded trap. This method relies on the offending bird coming down to the trap to hunt away the trespassing bird. A preserved (taxidermied) decoy bird and a tape of a Magpie call placed inside the cage may be used. Other successful traps have lured the magpie using bait of seed or shredded cheese².
62. A captured bird must be euthanased by a veterinarian or licensed and approved wildlife carer.

Use of Firearms

63. NPWS officers must use a .22 calibre rifle or 410 gauge shotgun when an aggressive bird requires destruction on NPWS Estate. A silencer for a .22 calibre rifle can be used when the appropriate licence and equipment are available. Firearms must be used in accordance with section 16 and with the NPWS Firearms Policy (2002).
64. Contractors hired to destroy a bird on NPWS estate must also have the appropriate permits, licenses and permissions as specified in the NPWS Firearms Policy (2002).
65. An NPWS officer may only undertake the shooting of a native bird off NPWS managed lands when all items below have been satisfied:
 - The bird has been identified as a risk to public safety,
 - The officer uses and transports the firearm in accordance with the NPWS Firearms Policy (2002)
 - The officer has and has Regional Manager approval
 - The officer has the consent of the Local Police.

² A method for trapping magpies is provided in Jones (2002)

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66. Approval must be sought from the Local Police prior to the operation and a request made for a Local Police Officer to attend the operation in order to approve the circumstances surrounding use of a firearm in public.
67. The NPWS officer must record all details of the operation, including conversation and comment by the attending Police Officer.
68. Where a Police Officer is unable to attend, the NPWS officer must provide a verbal report of the activity to the Police and record details of all conversations with the consenting Police Officer both before and after the operation.

Inter-agency Involvement

69. In the past, NPWS has relied on the assistance of a small network of agencies and organisations to address community concerns through information distribution and action. NPWS values the contribution of these key stakeholders and seeks to clarify the specific roles and responsibilities of these stakeholders for the benefit of future management.
70. Where possible joint strategies will be developed, including joint preparation of information, education programs, signs and response strategies. Reciprocal arrangements for information sharing should be made, so that all agencies have up to date and accurate records of interactions in their jurisdictions.

Police and Local Councils

71. Meetings may be held with the relevant agency representatives to arrange a coordinated, joint agency management strategy and to clarify the responsibility for removing dangerous birds. A Memorandum of Understanding may be prepared to appropriately formalise any inter-agency involvement.
72. Such arrangements must be made prior to the breeding season, so that public and agency expectations are understood and can be met, and a coordinated approach is presented to the community.

Wildlife Carer Groups

73. The involvement of wildlife care groups (e.g. WIRES) in seasonal wildlife issues is valued and supported by NPWS. Regional offices should maintain lists of local care groups and the extent of their involvement in seasonal wildlife issues to provide accurate information to the public. Such organisations should be encouraged to participate in community education and supplied with NPWS fact sheets and information for distribution.

Evaluation

74. Successful management requires review and evaluation of policy and procedures, so that management strategies may be amended and refined where necessary. The CWM will facilitate this task on a biennial basis.

Community Attitudes

75. The local NPWS Area or Regional Office will keep a record of all relevant media clippings so as to monitor the coverage the issue received.

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76. Feedback from schools, other stakeholder organisations and the community should be recorded and reviewed at the end of each season to evaluate the success of school programs and educational material. Where changes are recommended, the CWM should be notified as soon as practicable so that all educational material will be updated before the next season.
77. The CWM will biennially review current literature and scientific studies to keep abreast of developments in non-lethal removal techniques.
78. Communication should be established with Universities regarding opportunities for NPWS to contribute to research work (e.g. by collecting specific data, or providing experimental areas for comparison to existing studies on aggressive bird behavior).

Wildlife Management Issues Database

79. Each Region/Area will maintain a database of problem native fauna interactions that have required NPWS response (including distribution of information). This database will be critical to assessing the scope of each management issue, assist with identifying problem areas for future seasons and enable monitoring and evaluation of management actions.
80. The CWM will establish a standard spreadsheet format for the database, which will include the name of the complainant, general location, species, nature of problem, action recommended and taken, outcome and satisfaction of caller.
81. When addressing reported interactions with aggressive birds, the responding NPWS Area officer will either enter information directly into the NPWS Area database or complete a report sheet (Appendix 6) and later enter the information into the database.
82. The database should be reviewed at the end of each season to ensure that all warning signs are collected and to identify “hot spots” that may recur each season.
83. A summary of the database will be sent to the CWM no later than 1 March each year. The summary should be provided in the standard spreadsheet format established by the CWM.
84. The CWM will compile all Area information into a Statewide database and will conduct regular assessments of the database to identify problem wildlife species and areas, the success of management techniques and conservation issues.
85. Information should be sought from other organisations that respond to similar requests from the public so that the NPWS database contains all interactions and events within a given area.
86. Comments on this Policy, the database and report sheets and the success of management strategies should be forwarded to the CWM along with the annual report for consideration when reviewing the Policy.

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Legislative and Policy Context

- *National Parks and Wildlife Act 1974 (NPW Act)*
- *Prevention of Cruelty to Animals Act 1979 (PoCtA Act)*
- *Occupational Health and Safety Act 2000 (OHS Act)*
- *Firearms Act 1996*

Relevant Policy

- NPWS Firearms Policy 2002
- Occupational Health and Safety Policy Management System 2002

Other Documents

- Draft Urban Wildlife Response Policy: Procedures Manual (Hunter District)
- NSW NPWS North Coast Region Seasonal Wildlife Project Progress Paper, March 2001
- NSW NPWS North Coast Region Seasonal Wildlife Project Case Study: Draft Regional Magpie Strategy
- Magpie Response Policy, Queanbeyan District, NSW NPWS
- Magpie Policy, Far South Coast Region

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Relevant Literature

- Brown, E. D., Veltman, C. J. (1987). Ethogram of the Australian Magpie (*Gymnorhina tibicen*) in comparison to other Cracticidae and *Corvus* species. *Ethology* **76**: 309-333.
- Carrick, R. (1963). Ecological significance of territories in the Australian Magpie. Pp 740-753. In Proceedings of the XIII International Ornithological Congress. Ithaca, 1962, Ed. C. G. Sibley, AOU.
- Cilento, N. J. and Jones, D. N. (1999). Aggression by Australian magpies *Gymnorhina tibicen* toward human intruders. *Emu*. **99**: 85-90.
- Farabaugh, S. M., Brown, E. D. and Hughes, J. M. (1992). Cooperative territorial defence in the Australian Magpie, *Gymnorhina tibicen* (Passeriformes, Cracticidae), a group-living song bird. *Ethology* **92**: 283-292.
- Howard, P. and Jones, D. (2001). Wildlife and us: an investigation of knowledge, attitudes and practices associated with wildlife feeding in urban areas of southeast Queensland. Final Report. Griffith University Community Service Project 2000.
- Hughes, J. M. Hesp, J. D. E., Kallioinen, R., Lange, C. L. O., Hedstrom, K. E., Mather, P. B., Wellbourn, M. K. J. (1996). Differences in social behaviour between populations of the Australian Magpie *Gymnorhina tibicen*. *Emu* **96**: 65-70.
- Jones, D. N. (2002). Magpie alert. Learning to live with a wild neighbour. UNSW Press. Sydney.
- Jones, D. N. and Finn, P. G. (1999). Translocation of aggressive Australian magpies: a preliminary assessment of a potential management action. *Wildlife Research*. **26**: 271-279.
- Jones, D. N. and Thomas, L. K. (1999). Attacks on humans by Australian magpies: management of an extreme suburban human-wildlife conflict. *Wildlife Society Bulletin* **27**: 473-478.
- Jones, D. N. and Thomas, L. K. (1998). Managing to live with Brisbane's wildlife: magpies and the management of positive and negative interactions. *Proceedings of the Royal Society of Queensland*. **107**: 45-49.
- Robinson, A. (1956). The annual reproductive cycle of the Magpie, *Gymnorhina dorsalis* Campbell. *Emu* **56**: 235-236.
- Rowlye, I. (1975). Bird Life. Collins, Sydney.
- Thomas, L. K. and Jones, D. N. (1999). Management options for a human-wildlife conflict: Australian magpie attacks on humans. *Human Dimensions of Wildlife*. **4**: 93-95.
- Warne, R. M. and Jones, D. N. (2003). Evidence of target specificity in attacks by Australian magpies on humans. *Wildlife Research*. **30**, 265-267.

Appendix 1: Management Context

There are four elements that should be considered in the development of a thorough management strategy for problem native wildlife. These are conservation, ecology, animal welfare and community. The NPWS North Coast Region Seasonal Wildlife Project Progress Paper, (2001) provides a more detailed review of these elements as they apply to aggressive native birds. A summary of each is offered below.

All native bird species in NSW are protected species under the *NPW Act*. None of the species recognised as occasionally aggressive are currently listed under the Schedules of the *Threatened Species Conservation Act 1995*. Numerous native bird species have benefited from rural and urban development and flourished, despite the destruction of habitat and the loss of other native species. The conservation status of these bird species is not likely to be impacted by management activities that include the destruction of several individuals each season. However, bird activity and NPWS actions should be monitored and management strategies reviewed to identify any trends, problem areas or population changes.

There is extensive information on the behaviour and ecology of many native birds, which may be applied to their management. For example, magpies are a strongly territorial species with groups of between two and twenty resident birds occupying all-purpose territories, which they defend throughout the year (Hughes et. al. 1996). During the breeding season (August to December) aggression reaches a peak and male birds often attack human intruders during this time (Cilento and Jones, 1999). The seasonal and localised nature of territorial behaviour suggest that management techniques should include pre-seasonal information and education to gain community awareness and support, establishment of early warning systems when aggressive birds have been identified and a procedure to handle birds that are likely to cause injury.

Both lethal and non-lethal methods of removing an aggressive bird have animal welfare implications. Techniques used to remove problem birds must be humane and must be properly employed. Dangerous birds are commonly shot, however in communities where this action does not meet with public approval, is not feasible or is not legally possible, agencies must select and implement alternative methods of removal. Although relocation is often raised as an option, it is not necessarily more humane as it leads to stress and trauma through trapping, transportation and treatment as an intruder at the release site (Jones and Finn 1999).

Positive and negative interactions that occur between humans and wildlife have a profound influence in molding the values humans attribute to those species. Supporting people dealing with aggressive birds is therefore very important to improving community attitudes toward wildlife in general.

Community expectations may be divergent around these issues and responses need to be sensitive to community attitudes. Where there is a division within the community on suitable techniques and humane methods, the NPWS must be able to justify its actions to all stakeholders. A management strategy is required that is equipped to detect, adapt to changes in and develop positive local community attitudes.

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Appendix 2: NPWS Educational Flyer and Fact Sheet on the Australian Magpie



Swooping magpies

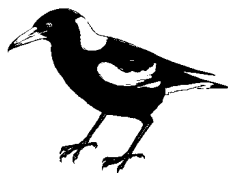
For most of the year the Australian Magpies are wonderful neighbours. Their carolling song is enjoyed by many in urban areas.

Magpie pairs breed in spring (August – October) and the magpies' natural behaviour is to defend the territory around their nesting site. This may result in magpies swooping either people, pets or other birds and animals they perceive as a threat to their nest. Only some birds see people as a threat. Most will not swoop you.

Swooping occurs for around 6 weeks, commencing when the adult pair is nesting and concluding when the young leave the nest.

Getting Help With Magpies

If you feel a swooping magpie has become a danger to people, it should be reported to the nearest National Parks and Wildlife Service office or the local council, and to the owner of the land on which it is swooping.



NPWS can provide warning signs for you to put up. In extreme cases, they will authorise you to have a dangerous bird destroyed.

Reduce your chances of being swooped!

STAY CALM. Serious accidents can occur when people, particularly children, panic.

- Do not deliberately provoke or harass the birds as this may make them more aggressive.
- Do not throw things or lash out at the magpies.
- Walk through the magpie's territory quickly – don't run.
- Avoid the swooping area by taking an alternative route.
- Protect your head with a large, wide brim hat or carry an open umbrella; you can place eyes on the back of hats and umbrellas which may reduce the likelihood of the bird swooping
- Wear glasses to protect your eyes.
- Watch the magpie while walking from the area. Magpies are less likely to swoop if you look at them.
- Make a temporary sign to warn others.

Bike Riders

- If possible take an alternative route.
- Get off your bike and walk through the bird's territory.
- Wear a helmet and sunglasses.
- Fit a bike flag to your bike.



FACT SHEET

The Australian Magpie

General features

The magpie is a common bird seen in parks and suburban gardens across many parts of Australia. It is easily recognised: its head, belly and tail tip are all black, and there are splashes of white on its wings, its lower back and tail, and the back of its head. Its beak is blue-grey in colour, its legs are black, and its eyes are brown.

The magpie's lack of shyness has made it popular with suburban gardeners and farmers both for its carolling song, and its appetite for insect pests.

Feeding habits

Magpies feed on small insects and animals that live on, or just under, the surface of the ground. A favourite is the scarab beetle, which is a major pest of garden lawns. Magpies will also eat frogs, small lizards, meat scraps and grain.

Family life

Being territorial birds, up to ten magpies will sometimes group together in a 'tribe' to defend their home. However, most territories are 'owned' by a male and female pair. A territory will have sufficiently reliable feeding and watering areas, and tall trees for shelter and nesting. Usually, the number of males in a group territory is less than the number of females.

Young magpies and other non mating birds band together in large flocks of up to several hundred birds. The areas that these birds live in are unsuitable as breeding territories because they lack permanent water or adequate food supplies. The flock must move from place to place in search of water. Individual birds in the flock will only breed and nest if they can replace a bird in a breeding territory.

Breeding

Magpies breed in their own territory, which they defend against other magpies. Nesting takes place between August and October. The female usually does all the work: selecting the nest site; building the nest; incubating the eggs (between one and six eggs will be incubated for around three weeks); and feeding the young. Once hatched, the young are fed in the nest for about four weeks.

Within two years, the young magpies are forced by their parents to leave the territory. They join a group until they can take over a territory as an adult breeding bird. However, many young birds die in the first months of life due to poor weather conditions, lack of food, road traffic hazards and natural predators.

Magpie attacks

For most of the year magpies are not aggressive, but for four to six weeks during nesting they will often defend their nest and territory, sometimes vigorously. People walking past may be seen as 'invaders' of the territory, prompting the magpies to fly low and fast over the person clacking their bills as they pass overhead.

The experience of a magpie attack can be quite alarming, but it is usually only a warning. Only occasionally will a bird actually strike the intruder on the head with its beak or claws. If this unusual behaviour persists, there are ways of reducing the risk of physical injury to humans. NSW National Parks and Wildlife Service can authorise destruction of the offending bird as a last resort, in the event that it is impossible to avoid the bird or to tolerate its behaviour during the 4-6 weeks of protective behaviour.

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If a magpie swoops at you:

- Walk quickly and carefully away from the area, and avoid walking there when magpies are swooping.
- Make a temporary sign to warn other people.
- Magpies are less likely to swoop if you look at them. Try to keep an eye on the magpie, at the same time walking carefully away. Alternatively, you can draw or sew a pair of eyes onto the back of a hat, and wear it when walking through the area. You can also try wearing your sunglasses on the back of your head.
- Wear a bicycle or skateboard helmet. Any sort of hat, even a hat made from an ice cream container or cardboard box, will help protect you.
- Carry an open umbrella, or a stick or small branch, above your head but do not swing it at the magpie, as this will only provoke it to attack.
- If you are riding a bicycle when the magpie swoops, get off the bicycle and wheel it quickly through the area. Your bicycle helmet will protect your head, and you can attach a tall red safety flag to your bicycle or hold a stick or branch as a deterrent.

Magpies and the law

Magpies are protected throughout NSW, and it is against the law to kill the birds, collect their eggs, or harm their young. If you feel a magpie is a serious menace, it should be reported to the owner/occupier of the land on which interactions are occurring or the nearest office of the NSW National Parks and Wildlife Service.

Appendix 3: Information on Native Bird Behavioural Ecology, Seasonal Problems and Preventative Measures

Species

The Australian Magpie

There are 3 Magpie races, *Gymnorhina tibicen*, found in Australia, however only one race, *G.tibicen tibicen*, is found in NSW.

The male has a black head separated from the black back by a wide collar; white markings are also found on the shoulders, wing band and undertail coverts, while the white tail feathers have a terminal black band. The female is similar but has a grey collar and lower back. Juveniles have a downy appearance with grey-brown feathers. Their bills are also dark, unlike the adults, which have a pale blue bill with a darker tip.

Butcherbird

There are four types of Butcherbird, however the two most commonly found in NSW are the Grey Butcherbird and the Pied Butcherbird.

Grey Butcherbirds are 28-32 cm in size with a grey back and white throat. The adult is grey with white collar, rump and tail tips, wings are black with white edges to feathers, and it has a black head. Immature birds are blackish brown, with a blue grey bill with black tip, dark brown eyes and bluish legs.

Pied Butcherbirds are 32-35cm in size. The adult is black throated whereas the juvenile has brown areas where the black is found on the adult.

The Grey Butcherbird lives in eucalypt woodland, forest margins and suburban parks and streets and has a preference for open habitats. The Pied Butcherbird requires an environment with fewer trees so therefore is less prevalent in urban areas.

The Grey Butcherbird feeds mainly on insects but will also forage for small reptiles such as lizards, mice, vegetable matter, seeds and berries. Butcherbirds are also thought to prey on the nests of other birds in their immediate territory. The bird hunts by sitting watchfully on a vantage perch and then diving to the ground or through trees after prey. Large items are carried to a perch in a bill and often wedged in the fork of a tree. Its legs are short and weak and it does not anchor prey with its feet.

The Butcherbird nest is an untidy cup shape, made of twigs, rootlets and vines lined with dead grass and roots, built in the fork of a tree from about two to fourteen metres or more above the ground. There are usually three to four eggs, greyish green, greyish blue, olive or light brown, marked with a dull reddish brown, purplish red or chestnut brown.

Seasonal Bird Behaviour

Territories are areas defended by birds in which courtship, mating, nesting and the raising of young as well as food gathering take place. During the breeding season (August to October) territories are actively defended from intruders that may threaten the territory, nest, mate or chicks.

Although people are not normally considered a threat to their territory, urban development has led to an increase in interaction between people and nesting birds and attacks on passersby are now commonly reported. Birds that attack humans tend to nest in developed areas and have regular exposure to people.

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Aggressive behaviour may include swooping at an intruder from behind occasionally resulting in physical contact such as clipping the ear or striking the head. These strikes can cause deep wounds and, in some cases, the impact of a bird against the head of its victim can have an almost stunning effect.

Although such bird attacks are not fully understood, there is growing information on influencing factors:

- Birds are more likely to attack where they feel threatened or are provoked (e.g. do not throw sticks or stones at birds).
- Attempting to rescue a stranded chick may lead to attack as the adult bird tries to defend the chick.
- Males and females within a territory appear to share in its ownership and females match males in their aggressiveness towards territorial competitors and brood predators. However, females tend to concentrate on real predators and threats close to the nest whereas males are more likely to attack any intruder that enters a territory.
- During the breeding there is a 25-fold expansion in the size of the males' testes, caused by a massive increase in hormones. This appears to increase the birds' levels of aggression, which is particularly useful at a time when other males are desperately trying to steal their territories so they too can breed. The expansion and subsequent decline of the testes parallels the change in intensity of male aggression, and it is therefore highly probable that the behaviour is hormone-promoted.
- There are the many cases where some people are attacked and others are not, and in many of these, there appears to be some evidence for thinking the birds associate particular individuals with past maltreatment. However, there appears to be no definite rule or pattern regarding the aggressive behaviour. In many instances they have attacked school children, the elderly and bike riders. In others they have attacked strangers but not residents. Some callers believe hair colours can instigate an attack. Residents with nests in their yard have found no problems where passers by can be attacked.
- Increased urbanisation and the development of new estates appear to have increased the number of interactions reported. The development of wildlife corridors and natural bushland environments within urban contexts may mean that people are now interacting more closely with these environments and are more likely to come into contact with native wildlife.
- Patterns of attacks during the breeding season showed a peak in the late nestling phase, immediately before the fledglings leave the nest.
- Aggressive behaviour declines quickly once the chicks are able to survive beyond the protection of the nest.
- There appears to be a continuing pattern of aggressive behaviour from individual birds each year.

It is an offence to harm wildlife without the appropriate authorisation by NPWS.

Where a bird is considered dangerous (e.g. has caused or is likely to cause personal injury) the NPWS will issue a licence to have the bird removed and destroyed. The bird may only be removed and destroyed by someone with the appropriate authority and approval (e.g. pest controller, Police, local Council, wildlife care group).

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Preventive and protective measures

Advice to protect people

Swooping generally takes place for less than an 8 week period in spring (August – October), commencing when the adult pair is nesting and concluding when the young fledge (leave the nest).

Birds may swoop in response to direct or perceived harassment by people or animals, and do so as a defensive act, usually protecting their nest. Aggressive behaviour towards the birds may only result in the bird becoming hostile to humans.

If you are swooped don't panic, move away, and please be tolerant. When the young leave the nest after 6 to 8 weeks the swooping will stop.

The following measures may reduce the risk of personal injury during the period when birds are actively protecting their territory.

- Never provoke or harass the birds as this may make them more aggressive
- Try to avoid entering the territory of a bird that is showing aggression
- Erect warning signs outside the perimeter of the swooping area to warn others.

Walkers/Joggers

- Walk out of the bird's territory immediately
- Avoid the swooping area by taking an alternative route. Magpies are most aggressive within a 20-120 m radius of the nest tree. Maintain a distance of at least 120m from the vicinity of an aggressive bird. Continue using this alternate route through the breeding season (6-8 weeks)
- Wear a large, wide brim hat and sunglasses or carry an open umbrella; you can place eyes on the back of hats and umbrellas, which may reduce the likelihood of the birds swooping
- Keep an eye on the bird as this may discourage attack

Bike Riders

- If possible, take an alternative route
- Get off your bike and walk through the bird's territory
- Wear a helmet and sunglasses
- Fit a bike flag to your bike

Advice to protect the Birds

The NPWS Strategy advocates a living with nature approach towards managing wildlife. Swooping is a human/wildlife conflict issue, which cannot simply be brushed aside. Complainants requesting removal of a bird, either relocation or destruction, should be informed of the following:

- Removing a swooping bird will not necessarily solve the problem. As these are territorial birds, removal of a swooping bird may only provide an opportunity for another, equally aggressive, male to occupy the vacancy as the widowed female will recruit another mate for the breeding season. The female may also swoop herself in response to the removal of her mate.
- In many cases the length of the swooping season may be extended by human intervention, as the female may recruit another, potentially aggressive, male and lay a second clutch of eggs.

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- Relocation of aggressive birds is not a suitable option on animal welfare grounds as all areas of suitable habitat are presumed to be the occupied territory of another bird, or individual of another bird species. Birds removed and placed into another's territory are not tolerated. They are chased and attacked until they leave the area, possibly into another bird's territory where they will once again be attacked.
- Some relocated birds have been known to return to their original nesting territory, even from long distances (Jones and Finn 1999).

Appendix 4: Communication Strategy: Managing Native birds that show aggression to people.

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Background

NPWS has produced a statewide policy –The Management of Native Birds that Show Aggression to People (2003). The policy defines the role and responsibilities of the NPWS in managing these issues both on lands managed by NPWS and other tenures. The policy also acknowledges the roles and responsibilities of other stakeholders and recognises that improved management depends upon partnerships between NPWS and stakeholders.

Put simply, the policy intends to improve management of these issues so that people have fewer negative interactions with native birds that are showing aggression. This will be achieved by increasing community capacity to live in harmony with these native birds and by supporting people to resolve conflicts with birds during the breeding season. The majority of conflicts can be resolved when people modify their behaviour. In extreme circumstances, this may not be possible and a bird may need to be destroyed

The policy development process drew upon the experiences of NPWS staff, pre-existing regional procedures and guidelines in NPWS, an understanding of the birds' ecology, biology and behaviour, and an understanding of community needs, attitudes and behaviour regarding birds that show aggression. The policy was prepared in consultation with the Wildlife Issues Advisory Panel, a group of experienced individuals from a variety of organisations that are also involved in various ways in wildlife education, research and management. WIAP deliberations bring a realistic appreciation of the capacity among a variety of stakeholders to contribute to integrated management of the issues.

Importantly the policy reflects an understanding of the current capacity in NSW communities to live with native birds that show aggression. The policy is consistent with conservation objectives of NPWS, acknowledges the level of resources available within NPWS for managing this issue and has regard for the legal issues associated with managing wildlife issues.

The aims of the policy

The policy aims to

1. Develop and implement education and awareness strategies, particularly outside the breeding season that build a positive community attitude to living with native birds
2. Provide practical advice for people to avoid negative interactions and support people to deal with interactions when they occur, particularly during breeding season
3. Promote partnerships with other organisations, such as Local Councils who also provide assistance with these matters so as to improve management of these issues
4. Provide standard procedural guidelines for NPWS staff responding to incidents concerning native birds acting aggressively. These include criteria for determining when a bird is

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considered a risk to public safety and definition of differing roles and responsibilities on NPWS managed lands and on other tenures

5. Maintain an on-going record of response to wildlife management issues, including incidents with aggressive birds as a basis for monitoring and evaluating management

Current situation

A trial of the policy was implemented in the Central Coast and Hunter Range region during spring 2002. The policy has been finalised taking account of the feedback from officers involved in the trial and an evaluation of telephone interviews conducted with people in the trial area who were in contact with NPWS about aggressive birds during the trial.

This communication strategy has been developed as part of the implementation process for the Policy as outlined in s.3 and s.33. of the policy.

Objectives of the communication strategy

This communication strategy aims to assist NPWS officers with key communication tasks to be undertaken in meeting the objectives of the policy.

1. Inform key stakeholders of their roles and responsibilities in successful management of issues relating to native birds that show aggression.
2. Provide support through partnerships for those stakeholders to play an increasing part in successful management of the issues.
3. Raise public appreciation of native birds, including magpies, butcherbirds, and masked lapwings (especially outside of the breeding season), emphasising the enjoyment birds bring to people in and around their backyards.
4. Improve public understanding of the reasons that these birds naturally become aggressive during breeding season.
5. Raise public awareness of the practical behaviours that we can all adopt to reduce negative interactions between native birds and people and maximise the opportunity for people to live in safety and comfort, in the presence of birds that may show aggression during spring.
6. Ensure community confidence in terms of people's wellbeing, animal welfare and conservation outcomes.
7. Raise public awareness of the mechanisms that enable people to have a bird destroyed when the bird's behaviour represents an unavoidable and significant risk to people.
8. Increase stakeholder and public capability to identify and fulfil their own responsibility for resolving these conflicts.

Communication framework

The policy requires leadership and communication from NPWS in two distinct areas.

1. Stakeholder communication
 - to explain the policy and the implications and opportunities for stakeholders as managers of these issues
 - to develop a partnership approach to manage these issues.
2. Public communication
 - Positive communications (unrelated to the breeding season) about Native birds including magpies, butcherbirds and masked lapwings (plovers)
 - Communications that diminish the sense of alarm and increases capacity and confidence to avoid incidents and deal with them if they occur, (leading up to breeding season)

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-Communications that present the options available to people needing to resolve conflicts with native birds.

Stakeholders

- NPWS staff.
- Local Councils
- NSW Police
- Department of Education and Training.
- Wildlife Care Groups.
- Wildlife Issues Advisory Panel
- Organisations involved in wildlife management and community education and involvement.

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Strategies and key messages to address communication issues.

Issues	Strategies	Key Messages
<p>People take for granted the good points about these birds. Aggressive behaviour of these bird species tends to dominate community perceptions.</p>	<ul style="list-style-type: none"> • Implement adult education campaigns during the summer to emphasise the pleasures of living with native birds including magpies, butcherbirds and lapwings. (s. 2, 30, 31, 32, 33) • Incorporate these positive key messages into NPWS Discovery Activities where possible. • Support school programs carrying positive messages during term four or term one that emphasise the positive contribution of native birds including magpies, lapwings and butcherbirds. (s. 2, 28, 31, 37) • Monitor and evaluate community attitudes to native birds, including magpies, butcherbirds and lapwings as a valued part of everyday life. (s. 28) 	<ul style="list-style-type: none"> • Australian cities and towns are nice places to live partly because of the diversity of native birds that can be seen and heard in backyards and parks. • Magpies and Butcherbirds are characteristic Australian Birds. Most people know and love the bird’s call/song. Many would miss it if it were gone. • Magpies and butcherbirds feed on insects and have a role to play in controlling insect pests in gardens. • Lapwings often adopt a park as a lifetime home. Couples are often seen milling about on the ground, content to come close to people where we can easily admire their distinctive looks. • These birds are often seen, easily recognised, and you can enjoy these birds in your backyard or park. Notice how many there are in your area throughout the year. • These birds are an established part of many Australian urban ecosystems.

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Issues	Strategies	Key Messages
<p>People have difficulty tolerating the (occasionally significant) negative impact of birds' behaviour during breeding season and tend to give priority to their own peace of mind and quality of life.</p>	<ul style="list-style-type: none"> • Help people identify their own “What’s in it for me” to live with native birds.(s. 2, 31, 33) • Present practical solutions that are compatible with everyday living. (s. 2, 5, 14, 20, 30, 31, 46) • Give people all the options available to avoid conflict, including destroying the bird in extreme circumstances. (s. 2, 5, 14, 20, 30, 31, 46) • Represent NPWS, and other wildlife managers, as helpful organisations that acknowledge peoples need for safety and security. (s. 2, 4, 46, 47, 49) 	<ul style="list-style-type: none"> • The birds are a great contribution to the Australian way of life throughout the year. • Many gardeners love these birds - they help control garden insect-pests. • The sounds of magpies and butcherbirds are an essential part of the Australian landscape. • Feeding the birds is not advised at any time of the year, it might even heighten territorial behaviour. • Birds only conflict with us during the short period of the breeding season. • They are acting naturally as protective parents, protecting their nests and nestlings. • There are a few simple things you can do that help you live with native birds that are showing aggression. • On rare occasions where there is a real risk to public safety from a bird’s behaviour, NPWS can authorise destruction of the bird. • NPWS is not responsible for meeting the cost of destroying a bird that is a risk except on NPWS land. • These birds are part of the Australian environment. They are a shared responsibility. • NPWS wants people to feel safe and confident during the spring nesting season, and enjoy living with these birds in their neighbourhood.

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Issues	Strategies	Key Messages
<p>People lack practical strategies to avoid conflicts with birds and doubt their own ability to cope in the event of an incident.</p>	<ul style="list-style-type: none"> • Implement separate education campaigns, distinct from the pro-active campaigns, to increase community capacity to avoid negative interactions and minimise the negative impacts of unavoidable interactions. (s. 2, 5, 20, 30, 32) • Diminish fear and panic about the issue and increase calm and confidence especially in mass media coverage leading up to season (s. 5, 35) • Support school programs in Term 3 to help kids develop practical strategies to avoid and deal with conflicts. (s. 36, 37) • Monitor and evaluate the effectiveness of education campaigns. (s. 28) 	<ul style="list-style-type: none"> • It is a natural behaviour for a bird to protect the nest and young from anything that they think is a threat. • A bird may perceive humans, animal and other birds as a threat. • Typically breeding season lasts about 6-8 weeks. • Avoiding the territory around the nest tree is the best way to avoid a problem • Every year local residents take a few simple precautions to protect themselves from injury. • Not all birds become aggressive. Only very few birds of the total local population actually show aggression • Only a few of the birds that become aggressive actually have attack behaviours that become a problem for people. • People sometimes make matters worse by throwing objects or waving sticks at the birds. • A land owner may erect warning signs to warn people about the presence of an aggressive bird. This helps other people avoid entering the defended territory or at least be forewarned of the bird's behaviour. • In extreme circumstances the owner or occupier of land can apply for a licence to destroy a bird that is a risk to public safety.

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Issues	Strategies	Key Messages
<p>In circumstances where there is a risk to public safety from a bird’s aggressive behaviour that is unavoidable by other means, it may be necessary for a land owner or occupier to obtain a permit or NPWS authorisation to destroy that bird.</p>	<ul style="list-style-type: none"> • Identify the owner/occupier of land and, in response to a licence application from that owner/occupier, apply the risk assessment criteria to incidents to determine application. (s. 4, 20, 21, 47) • Even when a licence is given provide information to the owner-occupier on a range of non-lethal strategies available to them to manage risk to the public such as warning signs. (s. 5, 44, 45) • If the risk is impossible to manage by other means encourage the owner/occupier to take action under the licence and provide information on licenced operators who can remove and destroy the bird. (s. 20, 21, 50) 	<ul style="list-style-type: none"> • The species is not aggressive as such. It is usually an individual bird that shows aggression to a level that presents a risk to people. • NPWS allows a bird to be removed and destroyed to reduce unavoidable and significant risk to people. • Relocating a bird is not acceptable as that bird will either return to home range or suffer upon release into territory occupied by other birds. • Nest destruction is not acceptable as it often leads to re-nesting combined with increased aggression. • It is common for a new bird to quickly move in to replace one that is destroyed. People should be aware that it might also show aggression, possibly greater. • For this reason, if it is possible to tolerate the level of aggression from one bird, it may be best to learn to “love the one you’re with”. • NPWS is not responsible for meeting the costs of taking action under a licence to destroy a bird that is not on NPWS land.

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<p>School children are often involved in incidents with birds that show aggression to people.</p>	<ul style="list-style-type: none">• Head office and regions collaborate to develop appropriate education materials for schools at a variety of levels.• Implement schools education to increase students' capacity to act responsibly in relation to birds, to avoid negative interactions with birds and to cope in the event of attack. (s. 36, 37)	<ul style="list-style-type: none">• The birds are pleasant neighbours in urban areas through most of the year.• It is a natural behaviour for these birds to act aggressively to humans and animals during their nesting season.• They are protecting their nests and young from anything that they think is a threat.• The season usually lasts about 6 weeks. Be patient.• Avoiding the territory around the nest tree is the best way to avoid a problem. You may need to go a different way to school.• There are a few simple things to do that help protect you from injury.• Not every bird of this type is aggressive. Only very few birds of the total local population actually show aggression• Only a few of these birds actually have attack behaviours that become a problem for children.• Children sometimes make things worse by throwing objects or waving sticks at the birds. This makes us a real threat to them and makes them more aggressive to us.• If you know a bird is becoming aggressive, or see warning signs avoid the area.• In extreme circumstances where people cannot avoid the bird, the NPWS can give permission for a bird to be destroyed.
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NPWS Policy on Management of Native Birds that Show Aggression to People

Issues	Strategies	Key Messages
<p>Councils and other stakeholders have opportunity to contribute to management of these issues.</p>	<ul style="list-style-type: none"> • Provide introductory briefing from NPWS to all councils in NPWS on the intent of the New policy and its implications for councils. • Provide detailed briefings from Regional or Area offices to relevant councils on the practical issues for managing these issues locally. • Initiate or extend working relationships with councils and other stakeholders to include a partnership to manage birds that show aggression on council land and other land not managed by NPWS. (s. 19, 26, 69, 70, 71, 72) • Include other organisations, such as wildlife care groups and local police in this partnership. (s 19, 26 72, 73) • Provide educational material, to councils and other organisations to assist them in proactive education. (s. 31, 33) • Provide educational material to councils and other organisations to assist with management during breeding season. (s. 31, 33) 	<ul style="list-style-type: none"> • NPWS has developed a new statewide policy that updates the approach to managing native birds that are showing aggression. • The new policy intends to improve people’s capacity to manage issues as a shared responsibility. • The new policy is based on developing an integrated approach among stakeholders to manage issues with native birds that are showing aggression. • Sometimes local council is a first point of contact for the public. NPWS is interested in supporting council with its service delivery in relation people requesting information and assistance. • NPWS can supply council information officers with information and guidance to assist in conducting phone conversations with callers concerned about native birds that are showing aggression. • NPWS can supply media and educational information to be distributed to people requesting assistance • Where incidents are occurring on council managed land the council needs to know and be involved in the management of such incidents. • NPWS cannot assume responsibility for incidents on land not managed by NPWS.

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Issues	Strategies	Key Messages
<p>NPWS cannot assume responsibility for managing the risk to people from native birds on lands other than those managed by NPWS.</p>	<ul style="list-style-type: none"> • Offer support via a partnership to help other land owner/ land occupiers to minimise risk to the people from native birds that are showing aggression. • Explain NPWS policy • Outline educational approach and encourage them to join in educational campaigns. • Explain risk assessment criteria and licencing mechanisms. • Refrain from erecting signage but encourage other landholders to do so, as it can be an effective strategy. 	<ul style="list-style-type: none"> • NPWS invites others to join in the proactive education campaign to build community appreciation of native birds outside the breeding season. Education materials can be sourced from NPWS. • NPWS invites others to join in the media and education campaigns to prepare people for practical action to avoid negative interactions • Signage can be a very effective method to help people avoid negative interactions with native birds that show aggression. • A land owner may apply for a licence to remove and destroy a bird if it is not possible to manage the risk to the public. Risk assessment criteria are applied to each case. Costs incurred in destroying a bird are not the responsibility of NPWS.
<p>Councils may need assistance and encouragement to manage the risk to people from birds nesting or swooping on council land.</p>	<ul style="list-style-type: none"> • Provide an explanation of the NPWS policy on native birds that are showing aggression especially the educational approach and the application of risk criteria. • Provide support via partnerships 	

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Issues	Strategies	Key Messages
<p>In many districts there is a lack of skilled and licensed contractors with appropriate firearms and equipment, that are able to remove and destroy birds in urban areas.</p>	<ul style="list-style-type: none"> • Work with local partners to stimulate commercial development of bird control services • Encourage council to develop in house expertise and equipment. • Develop in house expertise and equipment in NPWS. • Broker partnerships with local police 	<ul style="list-style-type: none"> • The policy aims to reduce the extent to which people experience interactions with birds as unacceptably negative. • Destruction of a bird may be required in extreme circumstances where there is significant and unavoidable public risk. • It will be important that this last resort can be used in a timely manner to give people confidence that people can feel safe in their own neighbourhood.

Operating Context

- In some NPWS Areas the issue of people being attacked by birds that show aggression absorbs a lot of time and effort. Time is spent conducting site inspections; providing education, advice and support; coordinating bird control work.
- Previously, in the absence of an NPWS policy Regions have developed their own procedures and materials to manage this issue and some regions have devoted significant resources to systematic management of the issue.
- It has been difficult to measure improved community capacity to deal with the issue.
- Recent statewide social research indicates a baseline on community attitudes regarding Magpies
 40% of people living in urban areas of NSW said they would not like at all to have Magpies in their backyard or around their home.
 31% said they would “like a lot” to have Magpies in their backyard or around their home.
 The remaining 29 percent said they would “like a little” to have Magpies.
- While the birds are a protected species, removal of birds that represent an unmanageable risk to people is unlikely to conflict with conservation outcomes.
- Increasing public capacity to deal with the issues is a positive conservation outcome.
- In many NPWS Areas the community expects that NPWS is most responsible to manage native birds that are showing aggression (wherever they occur).

NPWS Policy on Management of Native Birds that Show Aggression to People

Briefing councils and other stakeholders.

The intended outcome of briefing councils and other stakeholders about the policy is to prepare stakeholders for the opportunity to work in partnership with NPWS to improve management of issues arising from native birds that show aggression at a local level. It will also be important to indicate that NPWS takes responsibility on land managed by NPWS but cannot assume responsibility for managing risk to people of council land.

Briefing of stakeholders aims to provide information about the policy, including background, research, consultation and rationale for the policy. This includes the identification of key issues that need to be considered in implementing the policy.

NPWS intends to provide a briefing from a corporate level about the policy.

Councils will be contacted directly through

- A letter from NPWS to the General Managers of councils and
- A Follow up notice published on the LGSA weekly circular which is read by many officers and managers in council

to inform them of the release of the policy and provide a brief overview of how councils can become involved in improved management. This briefing will invite councils to contact their local NPWS to discuss opportunities for integrating management at a local level.

Organisations represented on the Wildlife Issues Advisory Panel will receive notification of the policy.

- NSW Police will be informed at a corporate level.
- Carer groups will be informed at a corporate level.

A briefing package for use by NPWS Regional Managers will be distributed to follow up the NPWS corporate briefings.

Access to Policy and supporting Information

- The policy and supporting information will be available on the National Parks and Wildlife Service website :www.nationalparks.nsw.gov.au and on the National Parks and Wildlife Service Intranet.

NPWS Policy on Management of Native Birds that Show Aggression to People

Community Information Plan

The following documents will be available to the NPWS staff and stakeholders for distribution to the community as part of everyday management of the issues:

- Factsheet - living with nature- native birds.
- Factsheet - living with nature - Swooping Magpies
- Factsheet - living with nature - When Masked lapwings Nest
- Factsheet - living with nature – Swooping Butcherbirds
- Key messages available for information officers of NPWS.
- Key messages available for information officers in related organisations.

The information will be available on the NPWS website at www.nationalparks.nsw.gov.au,

Schools Education

The objectives of the Schools Education:

- To provide school teachers with access to well designed teaching resources that enable them to teach about the benefits of native birds while meeting learning outcomes of school curricula.
- To develop positive attitudes and behaviours towards living with native birds.
- To provide school teachers with access to well designed teaching resources that enable them to teach about living with native birds that are showing aggression while meeting learning outcomes of school curricula.
- To develop positive attitudes and behaviours in students regarding living with native birds that are showing aggression.
- To streamline the work of National Parks and Wildlife Service in supporting education about these issues in schools.

Monitoring and Evaluation

It will be constructive to monitor and evaluate the effectiveness of partnerships.

Consider the number of partnerships with stakeholders.

Track numbers of calls fielded by Stakeholders and by NPWS

Monitor numbers of publications distributed

Evaluate the effectiveness of community education among a sample of those who have received support during the season.

Monitor media coverage for successful inclusion of key messages. Monitoring and reporting of media not only provides the opportunity to respond to media stories, it also provides a benchmark on the success or otherwise of this plan.

The number of Ministerials on the issue is another indicator of the success or otherwise of the plan.

NPWS Policy on Management of Native Birds that Show Aggression to People

Appendix 5 - Decision Tree for receiving and responding to reports about birds showing aggression toward people.

The attached Decision Tree relates to The NPWS Policy – Birds that Show Aggression to People (2003).

The policy promotes an integrated approach to management, applied at a local level. The decision tree indicates a role for NPWS and for other organisations in supporting the community to manage interactions with birds that may show aggression. The policy is supported in a local area by NPWS staff and by a range of educational materials that have been adopted at a local level.

The policy emphasises a background campaign of proactive strategies to develop community capacity to enjoy living with these birds. Proactive strategies are best undertaken in partnership during the non-breeding season, thereby avoiding reacting to issues as they arise.

During any breeding season, people require more direct support to learn to manage their own interactions or to resolve problems they may experience with birds that are showing aggression.

The decision tree provides an overview of how NPWS and other organisations interact to support local communities.

The following criteria used in the NPWS policy to assess risk to public safety may assist other organisations managing these issues.

Assessing Risk to Public Safety

(s.47 of the policy).

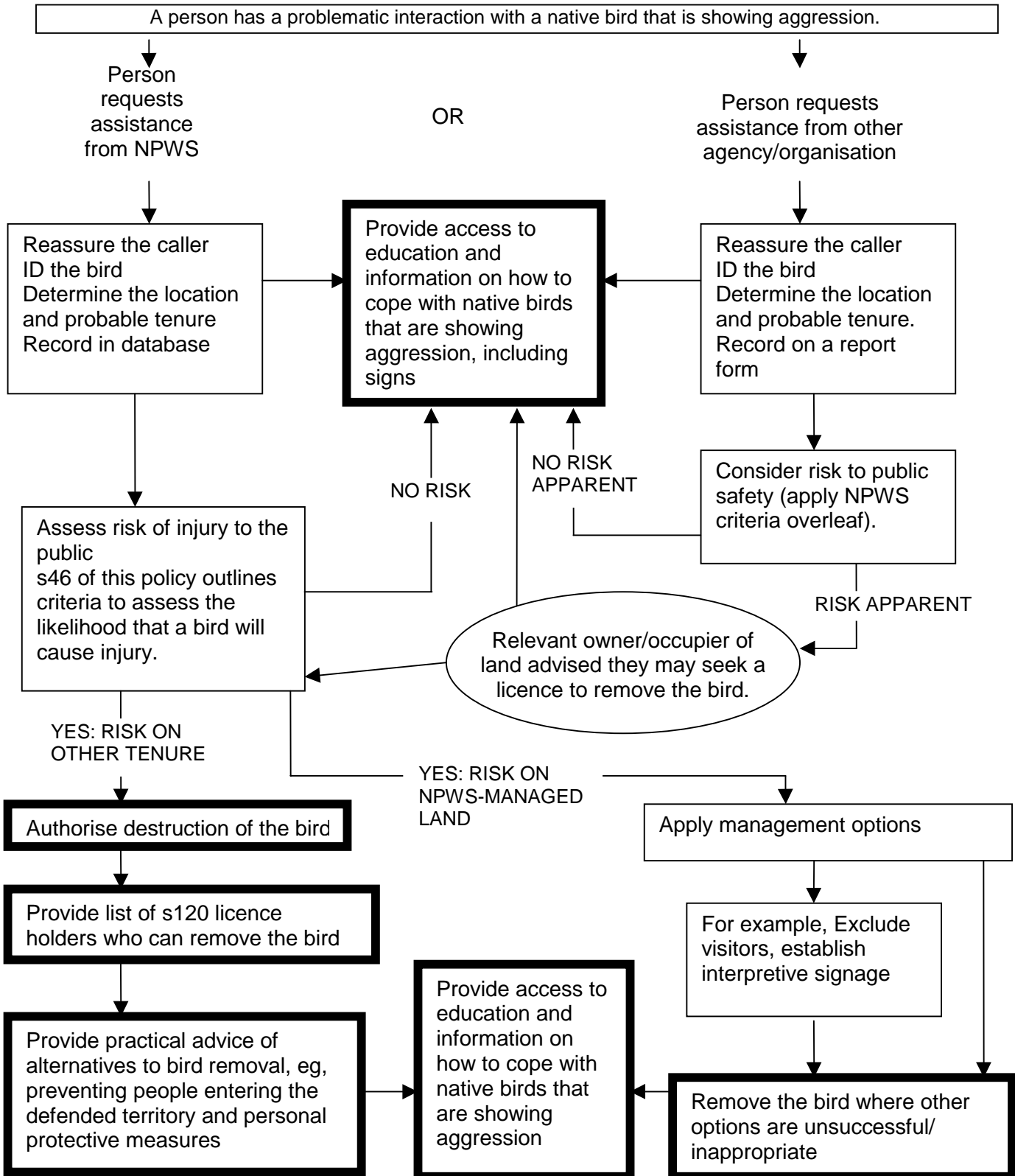
When a bird is observed or reported doing any of the following it should be determined to be a risk to public safety and approval given for its destruction upon request:

- has caused actual personal injury or damage
- attacks the head, striking from the ground upwards and from the front of the person
- hovers above the head for a prolonged period, attacking the head and face
- constantly swoops or attacks in an area frequented by elderly and/or disabled persons and/or young children
- swoops or attacks the head or face in a front or backyard, not allowing residents to safely leave or enter the premises or swoops or attacks in a location that might endanger the victim through their response (e.g. along a busy road)

For more information on your role in managing the interactions between people and birds that may show aggression, contact the senior ranger at your local area office of NPWS.

NPWS Policy on Management of Native Birds that Show Aggression to People

ONGOING CAMPAIGN OF PROACTIVE STRATEGIES.
Partnerships delivering ongoing proactive programs among the community to build a positive attitude to living with native birds that may show aggression and to increase capacity in the community to cope with them.



Appendix 6

Aggressive Native Bird Report Form

Date: _____ Location: _____

Contact Name: _____

Postal Address: _____

Suburb: _____ Post Code: _____

Phone No: _____

Species: _____

Nature of Complaint: _____

Type of Location: _____

People affected: _____

Frequency of attacks: _____ If injuries occur, nature of injuries: _____

Previously reported?: _____ If Yes, no. of reports: _____

Actions

Responding Officer: _____

Information provided: _____ Warning signs sent: _____

Site visit conducted: _____ Officer: _____ Date: _____

Other Organisation notified: _____

Signs posted by NPWS: _____ Location: _____

Removal of animal requested: _____ Licence issued: _____

Licence Number: _____ Date: _____

Bird Removed: _____ Removed by: _____ Date: _____

Method: _____ Other: _____

Veterinarian (if euthanased): _____

This report form is available on the intranet and may be printed and filled in for each query/complaint on native birds. Alternatively, the information may be entered into a spreadsheet database using the microsoft excel form which includes drop down lists for easy data entry. Any queries, please contact the Coordinator Wildlife Management on 9585 6576.

NPWS Policy on Management of Native Birds that Show Aggression to People

Appendix 7: Sample Warning Sign (Courtesy of Hunter Region)

WARNING ... WARNING

Birds swooping!

**Magpies are nesting in this area.
If you come too close they
may attack.**

Magpies defend their nesting territory by attacking people or animals. Because they hesitate to attack if they think they are being watched, they usually swoop from behind.

- ✓ Try a different route next time
- ✓ Protect your head and eyes.
- ✓ Wear a hat or carry an open umbrella
- ✓ Walk your bicycle
- ✓ Don't run leave promptly



NSW National Parks and Wildlife Service
For further information contact 02 XXXX XXXX



NPWS Policy on Management of Native Birds that Show Aggression to People

Appendix 8: Example of s120 and s121 licence conditions to harm native birds

The following are conditions that may be attached to a s120 licence allowing a pest controller, Council Ranger, Police officer or other person to harm a native bird considered to be a risk to human safety. Note there are general conditions and those appropriate for harm by trapping the bird and arranging for its euthanasia, or by shooting. The relevant conditions should be included on the licence as appropriate to the situation.

General

1. Prior to harming of any bird, the licensee shall liaise with the local National Parks and Wildlife Service Area Office.
2. The licensee shall only harm fauna on behalf of an occupier/land owner if the National Parks and Wildlife Service has issued an Occupier Licence under section 121 of the *National Parks and Wildlife Act 1974* to that occupier/land owner.
3. The licensee shall maintain a true, accurate and up-to-date record of all fauna harmed under the terms of this licence. Each record shall include the number and species of fauna harmed, name and contact details of the person or organisation who has contracted the licensee's services, the s121 license number under which the harm has been authorised by the National parks and Wildlife Service, the address of the harming activity and whether or not police officers were present during the harming (in the case of shooting birds).
4. A copy of the record, referred to in condition 3, and a summary report on the activities authorised by this licence shall be received by the Director General, National Parks and Wildlife Service, on expiry or prior to any renewal or termination of this licence.
5. A copy of the record, referred to in condition 3 shall be provided on request for inspection by an authorised officer of the National Parks and Wildlife Service.
6. The licence holder must comply with any direction given by an authorised officer of the National Parks and Wildlife Service.
7. The licensee shall ensure the bird is harmed humanely and discretely.
8. The licensee shall advise clients, before attempting to cull a problem bird that it is their responsibility to make arrangements for the rescue of any nestling and/or dependent juvenile birds which will be orphaned by the harming of their parent and for the subsequent transfer to a licensed wildlife carer organisation.
9. The National Parks and Wildlife Service policy "*Native birds that show aggression to people*" provides guidance as to best practice management of aggressive native birds.

Trapping

1. Each bird is to be transported immediately to a licensed veterinarian for euthanasia.

Shooting

10. The licensee shall at all times comply with the provisions of the *Firearms Act 1996*.
11. Whenever possible, harming of birds is to be undertaken in the presence of an officer of the NSW Police Service.
12. The licensee shall remove the carcasses of destroyed birds for appropriate discrete disposal.

Appendix 9: Sample Application form and s121 Licence to harm a native bird, which presents a risk to human safety (prepared by Hunter Region).



NSW National Parks and Wildlife Service

**Application for a
Licence to Remove an Aggressive Native Bird**

I, (name in full).....Date of Birth
of (postal address).....Postcode.....
Residential addressPostcode
Business name (if applicable).....
Business address (if applicable).....
.....Postcode.....
Telephone No: ()..... Mobile: Fax No:
Email address:

do hereby apply for a Licence under Section 121 of the National Parks and Wildlife Act, 1974 to authorise me to arrange for the capture and destruction of protected native birds that are behaving aggressively, as defined in the NPWS Policy 'Management of Native Birds that Show Aggression to People'. I provide the following information in support of this application:

1. Common name of bird acting aggressively:.....

2. Issue: (Please outline what the bird is doing, swooping, making physical contact, causing injury etc. Who is being attacked or being affected by the aggressive bird actions. Please provide examples).

.....
.....
.....
.....
.....
.....
.....
.....

3. Actions taken to attempt to minimise the problem (ie. have you tried to avoid the area, wear protective clothing, hats etc):

.....
.....
.....

4. Verification of the problem. Please provide names, addresses and telephone contact details for two other persons who can verify the problem.

.....
.....
.....
.....

5. Location of aggressive bird nest site (exact location of where bird is nesting ie. tree in middle of Brown Street, adjacent house no.12 etc)

.....
.....
.....

Address of where bird is nesting and name/telephone number of landholder:.....

.....

Rural Lands Protection District:

Local Government Area:

6. I declare that all information provided by me in this application is true and correct and have read and understand the points below.

- Aggressive behaviour occurs on a seasonal basis as birds protect their nests.
- There are a number of strategies to assist people to avoid conflict with aggressive birds.
- The licence will permit the removal of the bird by humane destruction only.
- The cost for and arrangement of destruction is the responsibility of the licensee.
- Where a nest is present and both adult birds are destroyed under the licence, it is the responsibility of the licensee to ensure that any eggs or nestlings are humanely destroyed or turned over to a licensed wildlife care organisation.

Signature of applicant: Date:

Forward completed application to:
(insert Area Office details)
NPWS XXXX Region Office

Fax: (02)

- OFFICE USE ONLY -

INSPECTION REPORT (if applicable):

RECOMMENDATION:

Inspecting officer's name & signature: _____ Date: _____



LICENCE NO:

**NATIONAL PARKS AND WILDLIFE SERVICE
NATIONAL PARKS AND WILDLIFE ACT, 1974**

SECTION 121 LICENCE

AUTHORITY is hereby given in accordance with the provisions of Section 121 of *the National Parks and Wildlife Act 1974* (the "Act") for the person named below to arrange for a person holding an appropriate licence under Section 120 of the Act to harm the fauna specified below, on the land nominated and subject to any conditions listed.

Licence issued to:

Land nominated:

Fauna that may be harmed:

Common Name of Species	Scientific Name of Species	Maximum number

Conditions:

- To arrange for the removal the offending bird/s, the holder of this licence must contract a person holding the appropriate NPWS Section 120 Licence, to either trap the bird/s and transport them to a registered veterinarian for euthanasia or shoot the bird/s, using an appropriate firearm. Contact the NPWS Office issuing this licence for the details of licensed individuals/organisations.
- The licensee shall arrange for the rescue and care (by a licensed wildlife rehabilitation organisation) of any dependent chicks that are orphaned by the activity authorised by this licence
- The holder of this licence must provide his/her licence number (located on the top right side of this licence) to the licensed individual who is contracted to remove the bird.
- The action authorised by this licence will be carried out at no cost to the National Parks and Wildlife Service.

Date licence commences:

Date licence expires:

Authorised Officer:

Date of issue: