26th November 2014

Flying-Fox Camp Management Policy Review
PO Box A290
Sydney South, NSW 1232
email: flyingfox.policyreview@environment.nsw.gov.au

Dear Sir or madam,

I am writing this submission to express my concerns over aspects of the draft Flying-fox Camp Management Policy. I am pleased to see that this policy is not as overtly aggressive and one-sided as recent media reports have inferred. At the same time there are some aspects which need improvement if the policy is to deliver the stated objectives.

I am confused as to why the Minister for the Environment is writing a policy which seems to be more about protecting profits than protecting the environment. Be that as it may I have outlined below the issues which I found either unclear or which need improvement.

- The policy objectives include one that says "enable land managers and other stakeholders to use a range of suitable management responses to sustainably manage flying-foxes". I find this unclear as throughout the rest of the document only Land Managers are referred to as being authorised or licenced to take actions. For the purpose of clarity I suggest that you either remove "other stakeholders" from the objective or define who the "other stakeholders" are.
- On page15 you say that the health risks are very low, which is in keeping with statements by NSW Health. We know that Hendra Virus only impacts on horses. We know that Australian Bat Lyssavirus has claimed three victims in the past fifty years, and two of those were infected before medical authorities had discovered how to treat / prevent the virus. We have not seen evidence of any other serious health issues being caused by flying foxes. In fact in terms of disease, injuries and death, domestic dogs represent a bigger health risk than bats. Consequently it is difficult to understand why one of the main aims of the policy is about reducing health risks. As the risk is already less than that posed by dogs and other farm and domestic animals, it appears that one of the key reasons for this policy does not really exist.
- The policy will allow permits to shoot flying foxes for the purpose of crop protection. But a report by Qld Primary Industries - *Flying-fox control methods research findings (2009)* found that a significant amount of research in Australia and overseas 'failed to identify a deterrent method that has achieved the success rate of full canopy netting'. That report also said that crop losses are often still extensive with shooting, especially when there is a scarcity of native food . This demonstrates fairly comprehensively that shooting as a method of crop protection is ineffective, which seems to undermine the second key issue underlying this new policy.
- A 2009 report entitled *Report on deaths and injuries to Grey-headed Flying foxes, shot in an orchard near Sydney,* NSW found that at least 27% of flying-foxes that were shot (not including newborn pups who were on their mothers, but not directly injured) were alive hours and at times days after being shot. This report said that this is in contravention of the definition of "humane killing" in the guidelines defined by the Australian National Health and Medical Research Council (2004)". This shows that shooting flying foxes is animal cruelty according to Australian standards.

- The above mentioned report supports the finding of the Flying-fox Licensing Review Panel, which found that the animal welfare issues that result from shooting as a method of mitigating

crop damage caused by flying-foxes are “unacceptable ethically and legally”. It also said that the industry could rely solely on exclusion netting, as the means of Grey-headed Flying-fox crop damage mitigation.

- These expert opinions provided to the Government indicate that Shooting is ineffective and unethical. It should be removed as an option for Flying-fox management immediately.
- The policy should make it clear that a permit has been issued to complete a level 1 or level 2, does not allow land managers to harm, kill or disperse flying foxes. It should reiterate that anyone who harms a flying fox without approval will face fines.
- In regard to the dispersal actions, the policy should be enhanced to be consistent throughout the policy and worded to the effect that disruption and dispersal activity ***must not*** *be done from the time when the resident female flying-foxes are heavily pregnant until the young can fly independently (generally between August and May).* Creating stress for Flying foxes at this time may result in spontaneous abortions, premature birth, death of young and may also compromise their immune systems, leading to health issues that could spill over into the human environment.
- In regard to the dispersal actions, the policy should be changed to the effect that disruption and dispersal activity must never be undertaken when daytime temperatures are extremely high or expected to be extremely high (over 38 degrees Celsius). Creating stress for Flying foxes in these conditions will almost certainly result in fatalities for adult and juvenile flying-foxes within the roost.
- The suggestions in Section 5 and 6 are good, but they should be added into relevant NSW planning legislation and regulations for them to have any real effect.
- Fast-tracking applications should not lead to the approval process becoming a rubber-stamping exercise.
- In terms of community engagement it is important that community *opposition* to a camp management plan should be given equal consideration to community *support* for the plan.

Thank you for the opportunity to comment on this proposed plan. There are clear issues about the motivation for this policy, given that the health issues do not justify the potentially harmful level 3 actions. Neither do the stated risks to orchard crops justify the inherently cruel activity of shooting flying-foxes.

If the policy aims to be sustainable, it will be necessary to make adjustments in order to address the issues raised above. The policy needs to strengthen areas which offer only *optional* protection for flying-foxes, and replace them with obligatory conditions. There is indisputable evidence that shooting flying foxes is animal cruelty and it is completely unacceptable for the OEH to put in place policies or procedures which are intrinsically unethical.

Yours Sincerely,

Belinda Pietens