

Council Reference:
Your Reference:



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Office of Environment and Heritage

Via email: flyingfox.policyreview@environment.nsw.gov.au

Dear Sir/Madam

**Tweed Shire Council submission: NSW Government Flying-fox
Camp Management Policy 2014: Consultation Draft**

Tweed Shire Council (TSC) is pleased to have the opportunity to review the *NSW Government Flying-fox Camp Management Policy 2014: Consultation Draft* and offers the following as its submission to the consultation process.

TSC supports the intent for government agencies to work together towards appropriate outcomes for the complex issue of flying-fox camp management. Council also supports the hierarchical approach to identifying management strategies, although recommends that the policy is amended to include a standardised risk assessment to ensure objective, fact based categorisation of management actions that are directly related to public health and conservation risk.

TSC also notes that the policy will raise the expectation in the community that existing issues with flying-fox camps will now be able to be addressed and that Council are the responsible parties to do so. However many camps can cross a number of land parcels, both public and/or private, and any implementation of the policy implies that each land owner is receptive and collaborative and does not infer that a private land owner may also implement policy measures.

The community expectation with regard to Councils ability to address nuisance and/or genuine public health issues associated with flying-fox camps presents an additional burden on Council for which resources are not necessarily available. This burden is complicated through the juxtaposition of legislative responsibility for flying-fox management being with the state government whilst inferring responsibility for management to Council.

TSC generally support the objectives of the draft policy subject to the following points of clarification:

- The potential impacts of flying-fox camps on human health cannot be appropriately addressed without a standardised method for measuring the level of risk. This should be an integral element of the policy that underpins all management plan preparation and be inclusive of risks to conservation values as well as risks to human public health.
- Dot point 3 should read *...between the conservation significance of flying foxes and....*
- Sustainable management requires a detailed understanding of current status, ongoing standardised monitoring and evaluation and adaptive management

which does not currently underpin the management framework. There is also no long term commitment to maintaining the National Flying-Fox Monitoring Program (NFFMP), nor the monitoring of other species that are also subject to management through the policy.

- In addition to behaviour, habitat and food requirements, land managers need to consider the conservation significance and welfare of flying-foxes when assessing risk and developing and implementing camp management plans.
- Establishment of camp habitat in suitable locations is supported as a key long term strategy to achieve sustainable management. It is however noted that due to the level of risk with regard to likelihood of success that it should not be used to offset any management actions that have a direct impact.
- The statement - *camp dispersal can be a successful way to remove impacts on local communities* is not supported. This statement is not supported in evidence and does not present the entire picture relating to significant cost, potential for increased risk (at same or other site) nor the requirement to commit to management activities in perpetuity.
- Camps prepared for single camps are of limited value when compared to regional plans that account for the movement of flying foxes between sites. The known range and distances travelled by flying-foxes also requires that any management actions must be evaluated for impacts beyond the boundaries of any one local government area.
- It is recommended that detailed consideration of the outcomes of the introduction of similar policy in Queensland in 2013 be undertaken. Information available from practitioners in Queensland indicates that there have been significant cost and animal welfare implications associated with the implementation of this policy.

The following comments are offered in relation to the specific sections of the draft policy.

Section 2 - Policy objectives for flying-fox camp management

- Roles and responsibilities identified infers private land holders may not also apply the policy provisions.

Section 3 - Managing flying-foxes

- Just causing 'issues' (noise, odour etc) is not supported as sufficient means to justify the requirement for management. The trigger for intervention should rely on standardised risk based assessment that confirms a significant level of public health risk.
- Specific mention of mental health is spurious and insensitive to those who suffer from significant mental health issues.
- Modification of vegetation should also be included to Level 2 actions whereby buffers can be created without total vegetation removal.
- Disturbance of animals at the boundary of the camp is not supported as a Level 2 action. Any dispersal actions should only be included to Level 3 and appropriate measures to manage the risk to animals and public health incorporated accordingly.
- The list of challenges associated with camp dispersal should also include:
 - the requirement to maintain management actions in perpetuity;

- potential for increased disease prevalence in flying fox populations resulting from stress associated with dispersal (see Appendix 2 of <http://www.wildlife.org.au/news/2012/image/flyingfoxsubmission.pdf>)
- Information regarding general provisions of dispersal should specify the requirement to ensure that suitably qualified and experienced persons prepare the camp management plan - *'land managers should consider appointing a coordinator and working with other flying -fox experts'* - does not sufficiently represent the significance and level of risk associated with camp dispersal. This includes in relation to the practitioners undertaking the dispersal, the flying-foxes and the general community. A camp dispersal is a high risk activity and requires specialist management.
- 'Dispersal is not recommended' should be amended to 'dispersal is not permitted'
- More emphasis should be placed on early intervention (i.e. options to manage vegetation or undertake low risk dispersal in the very early phase of new camp establishment - where the site is assessed through standardised risk assessment as an inappropriate location

Section 4 - How to write a camp management plan

- Preparation of plans for sites in accordance with the policy where there are no current existing management issues is an unnecessary cost burden for land managers; therefore the intended proactive intent of the policy is negated. Whilst the policy elsewhere notes the recommendation to prepare camp management plans for contentious camps, this section establishes an expectation that plans will be prepared for all camps.

Section 9 - Roles and responsibilities

- The role and responsibility of OEH and the Australian Government to ensure the conservation of flying foxes under their respective legislation should be added to this section as the first item in each list.
- The contribution of OEH in coordinating the NFFMP in NSW is acknowledged though it is noted that the majority of actual monitoring is necessarily undertaken by volunteers, including Councils.
- The outcome of this work in the form of research into ecology of flying-foxes is not evident to those who contribute data or in the scientific literature and is a claim that should be validated or removed.

Appendix A - Process and timeframe for flying-fox camp management actions

- The process and timeframe flowchart highlights that the purported benefits of the policy are entirely dependent on the assessment of camp dispersal as of no significant impact. It would be justifiably difficult to argue that removal or dispersal of a camp that includes Grey-headed flying-foxes would not constitute a significant impact in accordance with a threatened species impact assessment under section 5A of the *Environmental Planning and Assessment Act 1979*.
- Therefore, all the draft policy achieves is raising a false expectation in the community that Councils can and will undertake dispersal activities wherever there is a nuisance issue.

Case studies

- A more balanced approach to the presentation of case studies is recommended, including at least one example of the many high cost, low success management

attempts (including noting cost details, timeframes, objective assessment of conservation and welfare outcomes and any unexpected/unwanted outcomes)

Thank you for the opportunity to provide a submission on the draft policy. If you require any further information in relation to Council's submission, please contact Scott Hetherington, Senior Program Leader Biodiversity, on (02) 6670 2561.

Yours faithfully



Jane Lofthouse

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