

# FLYING FOX ROOST MANAGEMENT

## STATEMENT OF MANGEMENT INTENT

JULY 2019

**ISAAC**  
REGION   
*HELPING TO ENERGISE THE WORLD*

## PURPOSE

*This Statement of Management Intent defines the responsibilities and obligations of Isaac Regional Council and other landholders regarding the management of flying fox roosts in the Isaac region.*

## BACKGROUND

Two species of colonial flying-foxes are known to occur within the Isaac Regional Council area; the black flying foxes (*Pteropus alecto*) and little red flying-foxes (*P. scapulatus*). The grey-headed (*P. poliocephalus*) and spectacled flying-foxes (*P. conspicillatus*) also have the potential to occur. All are native species protected under state legislation. The grey-headed and spectacled flying foxes are also nationally vulnerable, affording them additional protection.

On 29 November 2013, the Queensland Government revised its approach to managing flying foxes. This includes an 'as-of-right' authority for local governments to manage and/or disperse flying fox roosts in Urban Flying-Fox Management Areas in accordance with a code of practice. It is important to note that this does not obligate local government to implement these revised approaches, and private landholders can also apply for permits under the relevant state and Commonwealth legislation.

The 2013 reform allows local governments to manage flying-fox roosts with a number of tools: The 'as-of-right' authority for local governments to manage and/or disperse flying-fox roosts in Urban Flying-Fox Management Areas in accordance with a code of practice without the need for a permit under the *Nature Conservation Act 1992*. The Code of Practice – Ecologically sustainable management of flying-fox roosts that sets out how local government may manage roosts within the Urban Flying-fox Management Areas. Specifically, the code outlines how Councils may:

- destroy a flying-fox roost
- drive away, or attempt to drive away, a flying-fox from a flying-fox roost, and
- disturb a flying-fox in a flying-fox roost.

The Flying-Fox Roost Management Permit for proposed management actions do not comply with the codes. All other landholders wishing to undertake the management of a flying-fox roost on their land must do so in accordance with the Code of Practice – low impact activities affecting flying-fox roosts or apply for a Flying-fox Roost Management Permit for proposed management actions that do not comply with the codes.

The Code of Practice – low impact activities affecting flying fox roosts sets out how a private landowner may undertake low impact activities at a flying fox roost anywhere in the State of Queensland in accordance with section 41B of the *Nature Conservation (Wildlife Management) Regulation 2006*. Operating outside of the Code of Practice – low impact activities affecting flying-fox roosts is not authorised and may have legal consequences.

Under this code, low impact activities are; mulching, mowing or weeding under or near roost trees, and/or minor trimming of roost trees, where the activities are not directed at destroying a flying-fox roost, driving away, or attempting to drive away, a flying-fox from a flying-fox roost, or disturbing a flying-fox in a flying-fox roost.

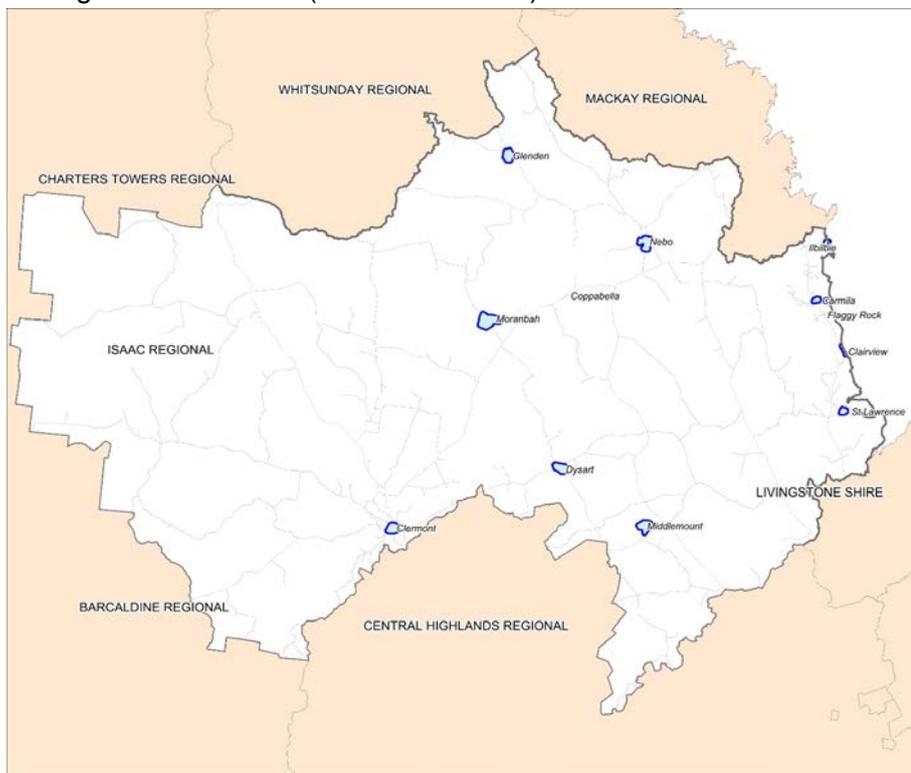
It is important to note that neither code provides exemptions to other legislation and provisions that are likely to be relevant to flying-fox management activities, such as the *Queensland Vegetation Management Act 1999*, *Fisheries Act 1994*, the *Federal Environment Protection and Biodiversity Conservation Act 1999* and various planning provisions.

The Department of Environment and Science administers the *Nature Conservation Act 1992* and is responsible for the management and conservation of flying-foxes in Queensland. Flying-foxes and their habitat are protected under the *Nature Conservation Act 1992*. Significant penalties of up to \$11,385 apply for unauthorised disturbance of a flying-fox roost and up to \$113,850 or one year imprisonment for attempting to destroy a flying-fox roost, or drive flying-foxes away from a roost.

Typically the approach a local government adopts to the management of flying foxes in Urban Flying-fox Management Areas is set out in a Statement of Management Intent as a public record of the Council's intentions. It is usual for a Statement of Management Intent to be adopted following a community engagement process.

## URBAN FLYING FOX MANAGEMENT AREAS

The below map depicts the Urban Flying Fox Management Areas within the Isaac Regional Council local government area (indicated in blue).



## MANAGEMENT APPROACH

### Principle of ownership of land

#### State land and Privately owned land

In keeping with the general principles of land ownership the management of flying foxes on non-Council land would be regarded as the responsibility of the landholder. That would mean that Council would not have any involvement in the management of flying fox roosts that are located solely on private land or state land or a combination of the two. Anyone making an enquiry relating to flying fox roosts on non-Council land would be advised of Council's Statement of Management Intent in relation to flying fox roost management and directed to the Department of Environment and Science as a first point-of-call.

Council may still have a role to add value by providing basic advice and information to the public regarding the appropriate management of flying foxes on non-council land.

Residents could apply to the Department of Environment and Science for a permit to undertake management actions on Privately owned and State land. The landholders could also undertake low impact activities under the Code of Practice – Low impact activities affecting flying fox roosts.

#### Council land

Isaac Regional Council is responsible for the management of flying fox roosts only on the land owned and managed by Isaac Regional Council.

Council acknowledges the Queensland Government as a primary partner in managing flying fox roosts and would work in close partnership with the Queensland Government when undertaking any management actions. All management actions undertaken at flying fox roosts would comply with the prescribed methods outlined in the Code of Practice – Ecologically Sustainable Management of Flying- fox Roosts and within the legislative frame work of the Nature Conservation Act 1992 .

### Principle of special circumstances

Isaac Regional Council may consider providing assistance to landholders to manage flying foxes on privately owned land under the following special circumstances.

- Flying foxes have only been located at the roosts site for a short time, **and**
- The affected property is on land owned by a community organisation and is highly sensitive (kindergarten or child care centre), **or**
- Involves several intensively affected private residences, **and**
- Early intervention is needed before a Flying Fox Roost Management Permit application is made, due to health and wellbeing concerns or significant damage to private property.

If all the above special circumstances apply, then Isaac Regional Council may choose to use its "As-Of-Right-Authority Notification", subject to the following conditions:

- Any and all cost associated with managing flying foxes must be agreed in advance between Isaac regional Council and the landowners and paid by the landowners.

- The landowners will undertake intervention options under the coordination and direction of Isaac Regional Council and in accordance with the Code of Practice – Ecologically Sustainable Management of Flying Fox Roosts.

If none of the above special circumstances apply, then the landowner is responsible for managing the roosts and:

- Isaac Regional Council will direct the landowners to the Department of Environment and Science for advice.
- All landowners can undertake low impact activities at flying fox roosts, in accordance with the Code of Practice – Low Impact Activities Affecting Flying Fox Roosts.
- Landowners may apply to undertake higher impact activities through a Flying Fox Roost Management Permit.

### Principle of considerations

Due to the complex nature of Flying Fox management, Isaac Regional Council will consider the following factors to determine if the management of Flying Foxes in any specific situation is viable for interventions on Council owned land and when Special Circumstances exists.

- Proximity of the flying Fox Roosts to residential dwellings or sensitive areas (including schools, kindergarten, child care centres, parks and aged care centres)
- The number and species in the roosts.
- Whether the Flying Foxes are breeding or rearing young.
- The health status of the Flying Foxes.
- The number of years the flying foxes have used the roost site.
- The capability of Council to comply with legislative requirements.
- The level of risk to human health, safety or wellbeing.
- The cost to Council from management actions.
- If the roosts are not solely on Council land, consent to manage flying foxes must be provided by all landowners and cost recovery agreed.
- Likelihood of success of management options.
- Whether the flying foxes could be dispersed to another council owned site, without adversely impacting that site.
- Whether good outcomes can be achieved with low or medium intervention options.
- The likelihood of flying foxes relocating to another site which causes further community concern.

Any decision on the management of Flying Foxes will only be made based on a business case that address all the above factors.

## Principle of intervention options

Isaac Regional Council may utilise any combination of the intervention options in managing Flying Foxes. Isaac Regional Council is committed to “Best Practice” in the management of Flying Foxes and will consider all new science and technologies.

### Low intervention options

- Education and information sharing to residents.
- Monitoring of the roost and animals.
- Isolation of roosts to minimise disruption to flying fox roosts.

### Medium intervention options

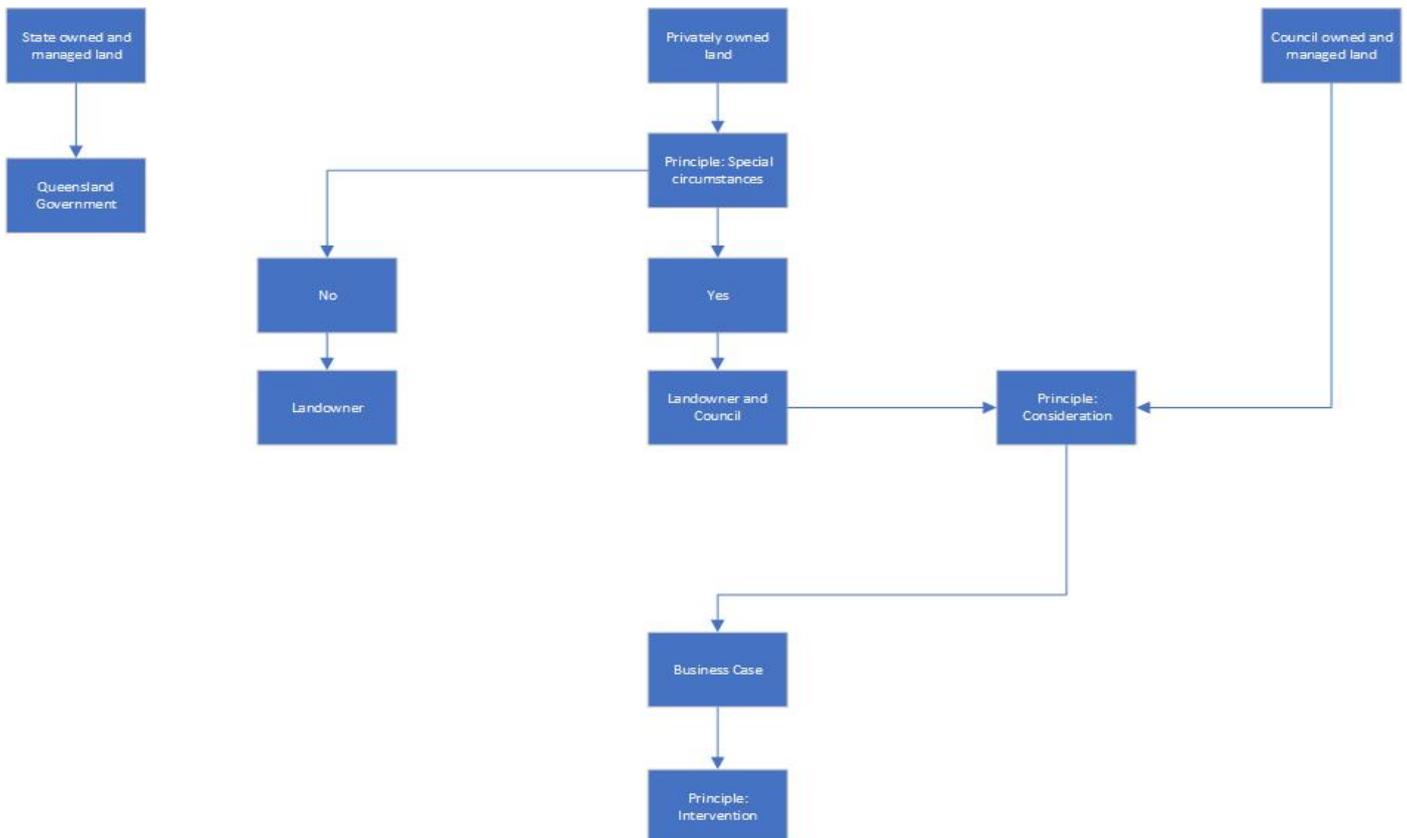
- Creating buffers and Nudging lying foxes away from part of the roost in accordance with the Code of Practice – Ecologically Sustainable Management of Flying- Fox Roosts.

### Medium-high intervention options

- Dispersal by removing vegetation concern in accordance with the Code of Practice – Ecologically Sustainable Management of Flying- Fox Roosts.

### High intervention options

- Dispersal by creating disturbance in accordance with the Code of Practice – Ecologically Sustainable Management of Flying- Fox Roosts



## FURTHER INFORMATION FOR RESIDENTS

Residents are invited to note that activities that result in the disturbance of flying fox camps can result in prosecution under the *Nature Conservation Act 1992*, *Environmental Protection and Biodiversity Conservation Act 1999* and/or *Animal Care and Protection Act 2001*. Low impact activities (such as mulching, mowing or weeding) can be undertaken near flying fox roosts where the activities are not directed at destroying the roost or disturbing the animals. These activities must be undertaken in accordance with the Code of Practice – Low impact activities affecting flying fox roosts *Nature Conservation Act 1992*. For further information see [http://www.ehp.qld.gov.au/wildlife/living\\_with/flyingfoxes/roost-management.html](http://www.ehp.qld.gov.au/wildlife/living_with/flyingfoxes/roost-management.html)

You can learn more about Hendra virus by visiting the following websites: Biosecurity Queensland - <http://www.daff.qld.gov.au> or Queensland Health – <http://access.health.qld.gov.au>.

Management of roosts on privately owned land remains the responsibility of the land owner. If a resident is concerned about a roost that is on private land or falls outside of Isaac Regional Council Urban Flying Fox Management Areas, residents can apply for a roost management permit. For further information go to <http://www.ehp.qld.gov.au/wildlife/livingwith/flyingfoxes/roost-management-permits>.

Anyone approved by the Department of Environment and Heritage Protection to undertake roost management actions must do so in compliance with the *Code of Practice – Ecologically sustainable management of flying fox roosts*, which is available at the following webpage: <http://www.ehp.qld.gov.au/wildlife/livingwith/flyingfoxes/pdf/cp-wl-ff-roost-management.pdf>

Should residents wish to find out more, they can browse the Department of Environment and Heritage Protection website – [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) or contact Council directly with any questions or concerns in relation to the above information.