
MR16/003 GREY HEADED FLYING FOX CAMP

File Ref: E15.9191

EXECUTIVE SUMMARY

On Tuesday 26 April 2016, I tabled a Mayoral Report which led to the following resolution of Council.

THAT:

1. *Council note that professional advice has been sought to:
 - (a) Reassess the current situation inclusive of the Water Gardens, Catalina and surrounds where flying foxes are residing
 - (b) Provide advice on the current management options including dispersal
 - (c) Identify the costs, risks and likelihood of success of the suggested management options including dispersal to enable Council to consider and make a determination of what further action to take.*
2. *The scope of the works be expanded to include the preparation of a draft dispersal plan for consideration by Council.*
3. *Council expand the existing resident support of providing car covers, clothes line covers, access to pressure washers and removal of exotic palms to those residents within the Catalina area as identified in Attachment 1.*
4. *The budget impacts of the additional activities in addressing the issues associated with the Grey Headed Flying Fox camps, be considered as part of the quarterly financial review process.*
5. *Council continue to advocate the NSW and Australian Governments for a coordinated Statewide program and response to the management of the impacts of the Grey Headed Flying Fox, inclusive of financial assistance of impacted residences and councils.*

I would like to thank and acknowledge the support of councillors who passed this important resolution that enabled Council to move forward in finding ways to address the unprecedented situation being experienced by parts of our community.

The purpose of this Mayoral Report is to present to Council a draft Grey Headed Flying Fox Dispersal Plan resulting from the above resolution and to further advance Council's consideration and response to this unprecedented situation.

RECOMMENDATION

THAT:

1. Council progress with the following components of Stage 1 of the dispersal plan:
 - a. preparation of communication strategy;
 - b. completion of field investigation of existing and alternate camp habitats within 30km;
 - c. investigation and preliminary enquiries regarding the potential availability of personnel and resourcing options, vaccination, availability and procurement requirements for required equipment.

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2. Council place the draft Grey Headed Flying Fox Dispersal Plan (as attached) on exhibition to receive written submissions from the community and other relevant Agencies such as NSW Health, Local Land Services, Essential Energy by close of business on Friday 27 May 2016.
3. Council refer the draft Grey Headed Flying Fox Dispersal Plan to the NSW Office of Environment and Heritage and the Australian Department of Environment for their review and comment prior to receiving the final plan for assessment and approval.
4. Council engage Micromex to undertake a community survey to determine the broader community's understanding of the flying fox issue and level of support for dispersal.
5. The submissions received and the advice obtained from the NSW Office of Environment and Heritage, the Australian Department of Environment and other parties, be considered in finalising a draft Grey Headed Flying Fox Dispersal Plan for consideration by Council.
6. The independent professional advice being obtained from consultants Ecological and Ecosure on the management of the current Grey Headed Flying Fox camps, be provided to councillors and placed on Council's web site with the draft Grey Headed Flying Fox Dispersal Plan for the information of the community.
7. At the earliest possible time, a report be presented to Council for consideration, containing the results of the consultation and a final draft Grey Headed Flying Fox Dispersal Plan.
8. Council undertake emergency clearing works to the drain within the Batemans Bay Soldiers Club to improve the drainage and to remove the risk of the Grey Headed Flying Fox Camp expanding into this vegetation.
9. Council close the Water Gardens to the public in order to minimise the impact on the community and erect signage explaining the area is closed and that disturbing the Grey Headed Flying Fox camp increases the impacts on the adjoining residents.

REPORT

In response to Council's resolution of 26 April 2016, Ecological were engaged by Council to prepare a draft Grey Headed Flying Fox Dispersal Plan. I would like to thank and acknowledge Council staff along with NSW agency officers and the consultants, for the expedient manner in which this matter has been addressed, a draft Plan prepared and made available for consideration by Council, the community and other relevant authorities.

Having received the draft Grey Headed Flying Fox Dispersal Plan, it is appropriate to refer such Plan to the NSW Office of Environment and Heritage and the Australian Department of Environment for their review and comment. Each of these authorities has a statutory role in approving the implementation of dispersal actions. The referral of the draft Grey Headed Flying Fox Dispersal Plan will assist in ensuring that the approval process is as expedient as possible and provides opportunity for any issues or deficiencies in the draft Plan to be considered and addressed prior to lodging an application for dispersal.

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Similarly, it is appropriate to refer the draft Grey Headed Flying Fox Dispersal Plan to relevant agencies and authorities, such as NSW Health, Local Land Services and Essential Energy, who may be impacted by dispersal actions or may be able to assist in the implementation or response to dispersal actions. The early engagement with these parties will improve the Plan and facilitate improved planning, whilst minimising the potential for delays resulting from issues being raised after the Plan has been finalised.

This also provides the opportunity to refer the draft Grey Headed Flying Fox Dispersal Plan to other bodies such as Sutherland Shire Council and the Royal Botanic Garden who, whilst they have already been assisting and providing advice to Council, can provide invaluable assistance in reviewing the draft Plan given their past experience in dispersal attempts.

It is also important that Council take the opportunity to consult the community on the draft Plan. Whilst there has understandably been a vocal request by many in our community to disperse the Grey Headed Flying Fox camp, it is important that these and other people in the community have the opportunity to review the Plan and offer their opinion including any ideas they may have which could assist in making the Plan as robust as possible. Further, the consultation enables any concerns to be considered by Council and where appropriate, amend the Plan to address such concerns. This is particularly important given the significant risks, impacts and costs to our community related to the management of the Grey Headed Flying Fox.

I propose that Council receive written submissions on the draft Grey Headed Flying Fox Dispersal Plan up to the close of business on Friday 27 May 2016. Whilst this is a relatively short timeframe compared with Council's normal consultation practices, the reduced period of approximately two and a half weeks is warranted given the circumstances.

Council has also liaised with Micromex regarding the possibility of undertaking a quantitative resident survey to gauge understanding of the issue and support for dispersal. Micromex are able to undertake the survey commencing the week of 23 May 2016 and provide a high level response within 24 hours of the survey being completed and a final report within a week. This timeframe will not compromise or delay Council's consideration of the draft Grey Headed Flying Fox Dispersal Plan and will provide valuable information for Council in considering and acting in response to the unprecedented problems being experienced by our community, especially given the limited timeframe to consult the community.

As we know the number of flying foxes decrease as the weather cools, and advice from OEH is that the natural reduction in numbers has already commenced and is likely to continue to decrease over coming weeks. It is therefore likely that we will see a natural dispersal before formal actions are able to commence.

The consultants have prepared the dispersal plan in response to Council's request, and in response to the significant community concern that exists. Rightly the plan highlights the significant logistical constraints in proceeding immediately to try to attempt dispersal this July and August. These constraints include the difficulty in recruiting the large number of suitably qualified personnel required and vaccinating those personnel (a six week process) that require vaccinating. Additionally, the scale of the dispersal at this time significantly increases the risk of failure and the cost due to the size and dispersed nature of the camp.

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The consultants have identified that an alternative is to undertake dispersal in February. This would allow time for detailed planning and preparation, align with when the numbers of flying foxes are low, increasing the likelihood of success and reducing the risks and costs.

All stakeholders, therefore, have to make a considered and informed decision as to when to undertake dispersal, where and when that action is most likely to succeed and offer sustainable relief for our community.

On 29 April 2016, the Director Planning and Sustainability, Mr Lindsay Usher and I met with the Chief Executive Officer, Batemans Bay Soldiers Club regarding the possibility of undertaking emergency works to manage vegetation in the drain which runs from the Water Gardens through the Batemans Bay Soldiers Club land. The removal of vegetation along and within the drain will assist in improving drainage efficiency and also remove the risk of the existing Grey Headed Flying Fox Camp expanding into this area. The Chief Executive Officer and the Board of the Batemans Bay Soldiers Club have since supported these actions. I therefore seek Council's support of these works to proceed as a matter of urgency.

On the afternoon of Friday 29 April 2016, a telephone conference call was held between the Hon. Andrew Constance MP, Minister for Transport and Infrastructure and Member for Bega, Ms Ann Sudmalis MP, Member for Gilmore, myself, representatives of Essential Energy, the Office of Environment and Heritage, NSW Health, Local Land Services and Council's Dr Catherine Dale, Lindsay Usher and Deborah Lenson to discuss a coordinated response to the unprecedented impacts arising from the current Grey Headed Flying Fox camps in the Batemans Bay area.

I thank the Hon. Andrew Constance MP for his facilitation of this meeting which has enabled the coordinated response between all three levels of government which has been supported by Council. I would also like to acknowledge and thank Ms Ann Sudmalis MP for her support and assistance in responding to the community's concerns.

Regular telephone conference calls will be held by this group to continue to coordinate the response, and to discuss and determine actions, where possible, to any new issues that may arise.

A taskforce has also been established which will be chaired by Mr Russell Schneider AM, and which will include Ms Ann Sudmalis MP, the Hon. Andrew Constance MP, General Manager Dr Catherine Dale and myself. The task force will also be supported by technical staff.

Unfortunately some people have been entering the Water Gardens and deliberately disturbing the Grey Headed Flying Foxes. This, we believe, is being done in an attempt to move the Grey Headed Flying Foxes on from the area. Unfortunately such ad hoc and unauthorised actions have no positive benefit. In fact they cause stress to the animals which results in increased adverse impacts on the adjoining community. To further minimise the impact on the community caused by disturbance of the Grey Headed Flying Fox camp, I propose to close the Water Gardens area.

The community and all stakeholders responding, are dealing with an unprecedented event which is clearly impacting adversely on our community. Taking into consideration all views is important in developing and implementing a response that has the best chance of success. I would therefore appreciate Council's support for the recommendations I have presented to

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enable this matter to be handled and progressed in a timely manner on behalf of our community.