



Batemans Bay Flying-fox Camp

Dispersal Plan 2016-2019

Prepared for
Eurobodalla Shire Council

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Abbreviations

Abbreviation	Description
DoE	Commonwealth Department of the Environment
ELA	Eco Logical Australia
EPBC	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
GHFF	Grey-headed Flying-fox
LGA	Local Government Area
NIE	National Interest Exemption
NPW	NSW <i>National Parks and Wildlife Act 1974</i>
OEH	NSW Office of Environment and Heritage
POCTA	NSW <i>Prevention of Cruelty to Animals Act 1979</i>
TSC	NSW <i>Threatened Species Conservation Act 1995</i>
WIRES	Wildlife Information, Rescue and Education Service

Executive summary

This dispersal plan applies to flying-fox roost areas within the Water Gardens and Catalina at Batemans Bay on the south coast of NSW. The plan has been prepared on behalf of Eurobodalla Shire Council in response to the significant increase in adverse impacts to the community since March 2016 associated with noise, odour and faecal drop from more than 100,000 roosting and foraging flying-foxes. The substantial influx of flying-foxes to Batemans Bay has been linked to a heavy flowering of native trees in the region that are a seasonal source of nectar (food). Natural dispersal is currently underway with decreased numbers of flying-fox recorded in recent weeks, and this is expected to continue to occur as the heavy eucalypt flowering event that was experienced in late summer and autumn subsides and the cooler temperatures of winter commence.

Dispersal will involve trained personnel using loud noise and lights in target areas for up to 2.5 hours each morning as the flying-foxes return to roost around dawn. Secondary activities will include use of smoke and sprinklers at strategic locations, and this will be supported by selective vegetation removal within the existing camp so that there is a reduced area of roosting habitat available, and buffers created or existing buffers increased between roosting habitat and residential areas. Dispersal activities must cease temporarily or permanently if certain thresholds or triggers are met, and these relate to animal and community welfare.

Proposed dispersal activities aim to reduce conflict between people and the flying-fox camp at Batemans Bay in the long-term. However, the dispersal process itself is likely to result in a short-term increase in adverse impacts, such as human sleep disturbance resulting from additional noise around dawn. Dispersal of the camp will not address issues associated with foraging flying-foxes.

Dispersal is a high risk and expensive strategy, especially for the large and geographically challenging camp that currently exists at Batemans Bay. This plan provides the framework for the dispersal to be undertaken in accordance with conditions set by the Federal Environment Minister's National Interest Exemption, and the NSW Office of Environment and Heritage (OEH) guidelines and policies. The plan will apply from 2016 to 2019.

Funding for the dispersal will be provided by the NSW and Federal Government. Eurobodalla Shire Council will be responsible for implementation of the dispersal plan and will continue to liaise with the community, the OEH and Commonwealth Department of Environment on this issue.

1 Introduction

1.1 Purpose of this plan

This plan provides the framework for dispersing all of the Grey-headed Flying-foxes (GHFF) from the camp at Batemans Bay on the south coast of NSW. As highlighted in previous studies (Roberts and Eby 2013, Roberts et al 2011, ELA 2015, ELA 2016a, ELA 2016b, Ecosure 2016), dispersal action is high risk and high cost compared to other camp management options, and has a low likelihood of success based on previous attempts to disperse camps. However, dispersal is proposed at Batemans Bay by Eurobodalla Shire Council, with the support of the Federal and NSW Governments, because residents have recently been subject to high levels of noise, odour and faecal drop associated with the camp. In addition to the nuisance and loss of amenity associated with the flying-foxes, concerns have been raised by the community about possible impacts to health and the local economy.

This dispersal plan identifies:

- the existing location and extent of the camp where dispersal will be undertaken
- roles and responsibilities for implementation of dispersal actions
- the techniques that will be used to disperse the flying-foxes
- the triggers for when certain dispersal activities should temporarily cease
- the triggers / indicators of 'success' or when the dispersal program should be stopped
- requirements for follow-up actions and monitoring
- approval requirements before on-ground action can commence.

This plan incorporates strategies that aim to reduce the risks and costs where possible. Adaptive management is proposed that allows for a responsive and flexible approach to what are, and what are expected to continue to be, quickly changing circumstances. Further detailed planning and preparation of a cost schedule and works roster based on available resources will be developed once this plan has been approved.

1.2 Context

The flying-fox camp at the Water Gardens in Batemans Bay established in Spring 2012, although there have been reports of flying-foxes in the area in previous years. Numbers of flying-foxes in the camp have fluctuated with food availability in the surrounding area. Heavy flowering of *Corymbia maculata* (Spotted Gum) and *C. gummifera* (Bloodwood) in 2016 resulted in a substantial increase in the numbers of flying-foxes in Batemans Bay as the population migrated to the far south coast in search of nectar. The substantially increased flying-fox population has led to serious and ongoing conflict with local residents.

Management action taken by Eurobodalla Shire Council to date has been relatively low risk and low cost, and includes:

- clearing vegetation between the Water Gardens camp and adjacent residences in August 2015 to provide a buffer
- subsidised services (e.g. car and washing line covers, deodorisers, gurney hire) to eligible residents within 250 m of the camp, now including areas around Catalina
- removal of Cocos palm trees in the area, to reduce disturbance from night-time foraging and messy faecal drop associated with the fruit.

Council was provided a Section 95 Certificate approval on 20 May 2016 to clear approximately 5.3 ha of vegetation around the Water Gardens reserve, Catalina Lake and to the rear of properties along Bavarde Avenue, Batemans Bay. This action is intended to provide wider cleared buffers between roosting flying-foxes and nearby residences to reduce conflicts and encourage a smaller potential roost extent in these areas. Trees will not be removed while flying-foxes are roosting in them.

Council commissioned Eco Logical Australia (ELA) to prepare this plan because of ELA's extensive experience in flying-fox camp management, including involvement in dispersal of the Kareela camp on behalf of Sutherland Shire Council (noting that follow-up dispersal activities at Kareela are on-going).

2 Camp location and extent

2.1 Batemans Bay camp

Figure 1 depicts the extent of the Batemans Bay camp, which comprises areas at the Water Gardens and Catalina, when it was at its peak in April 2016. Weekly monitoring by the NSW Office of Environment and Heritage (OEH) indicates that the camp occupancy extent / flying-fox population has declined since April, and this reduction in the population size and camp extent is expected to continue in the short term. OEH will continue weekly monitoring of the camp size and extent throughout the dispersal period. A map, which is updated each week, showing the current extent of the camp compared to its recent historical extent is provided on Council's website.

The population at Batemans Bay was estimated at more than 100,000 GHFF in April 2016, which may be about 20-30% of the national population. However, it has not been possible to undertake an accurate total count. No dependent young, or lactating or late-pregnancy females are currently in the camp. The overall body condition of the flying-foxes appears to be good due to the availability of food in the area, although this would need to be confirmed by a specialist ecologist immediately prior to any dispersal activity commencing.

Table 1 indicates the tenure of lands that comprise the existing camp and where landholder agreement has been obtained for the dispersal. It also includes nearby areas of particular sensitivity that will be monitored closely during the dispersal to ensure that new camps do not establish (e.g. vegetation within school grounds). Landholder agreement would be obtained prior to access for any additional sites during the dispersal over the three year period.

Table 1: Tenure of lands subject to dispersal

Description	Lot	DP	Ownership
Existing camp			
Water Gardens	100	1001026	Private
Water Gardens	101	1001026	ESC
Water Gardens	334	72093	ESC
Water Gardens	332	72093	Private
Water Gardens	31	37507	Private
Water Gardens	LO ESC (drainage easement)		ESC
Water Gardens	LO ESC (drainage easement)		ESC
Water Gardens	333	72093	Crown
Water Gardens	1	518783	Private
Water Gardens	Road reserve		ESC
Catalina	386	248840	ESC

Description	Lot	DP	Ownership
Catalina	384	248840	ESC
Bavarde Ave	Road reserve		Crown
Reserve south from cemetery	7311	1164112	ESC
Cemetery and bushland to the west	7020	1019608	ESC
23 Gregory St, Batemans Bay	388	248840	ESC
Scout Hall Rd (behind Bavarde Ave)	344	821436	ESC
Heron Rd wetland	384	248840	ESC
Catalina Country Club	1	1036103	Private
Albatross Rd wetland (extends north past Hughes St)	386	248840	ESC

Other lands to be a focus for monitoring due to suitable habitat but inappropriate location

Catalina Country Club	1	1036103	Private
Sunshine Bay Public School, 423 Beach Rd	1	534152	Crown
Batemans Bay Public School	1	1044536	Crown
St Bernard's Primary School, 12-20 David Avenue, Batehaven	11	1112467	Private
Batemans Bay High School, 2 George Bass Drive, Batehaven	1	528523	Crown

2.2 Potential camp habitat for dispersed GHFF

It is not possible to accurately predict where the flying-foxes will move to once they have been dispersed from the existing camp. When it is dispersed, the Batemans Bay camp is likely to split into smaller groups ('splinter camps') rather than stay together, particularly given its large size. The dispersed flying-foxes may add to populations at other existing camps or establish new camps in similar habitat elsewhere.

Locations of other flying-fox camps on the NSW south coast are identified in **Figure 2**. Cockwhy Creek near East Lynne is the closest camp to the north, approximately 23 km from Batemans Bay. It comprises rainforest vegetation and is currently 'full' of flying-foxes, based on the available habitat, with a population roughly estimated to be more than 50,000. The Moruya Heads camp 22 km to the south is currently 'empty', and so flying-foxes dispersed from Batemans Bay may seek to roost there instead, although this is unlikely at present given the lack of available food and distance to the closest forest foraging habitat.

Figure 3 indicates areas within about 5 km of the existing camp that have potential GHFF camp habitat based on having a similar vegetation community to the existing camp. These sites are considered the most likely areas that the flying-foxes would move to during the initial dispersal, although this is extremely unpredictable, and they could travel much further or to other areas within 5 km that are not mapped.

Areas of potential habitat in **Figure 3** have been classified as:

- 'suitable' habitat i.e. similar vegetation communities to current camp habitat that are not close to built-up areas
- 'unsuitable' habitat i.e. suitable habitat in similar vegetation communities but at inappropriate locations due to close proximity to residences, schools, Botanic Gardens, Deep Creek dam water supply etc.

The potential habitat identified in **Figure 3** is approximate only. Site suitability and appropriateness will be investigated by ecologists if new camps form.

Sites deemed appropriate as alternative roost habitat will meet the following criteria (as per ARCUE 2009):

- the camp is unlikely to negatively impact on any threatened species, populations or ecological communities or their habitats
- the neighbouring landowners or managers are accepting of occupancy within their land or neighbouring areas
- there is a minimum 300 m buffer separating the camp from residential dwellings, schools, commercial premises etc, or if the buffer is less than this, only with neighbouring landowner's and manager's approval
- there is capacity to provide a large enough area of suitable roosting habitat (noting that the Batemans Bay camp was approximately 36 ha in April 2016)
- the area is considered by Council and OEH to be adequate to accommodate the number of animals present and to allow the camp to shift and occupy other areas within that area of suitable habitat in response to canopy degradation.

It is noted that flying-foxes often prefer to camp in areas that are near water, have a suitable vegetation structure, and the surrounding landscape offers some protection from predators and extreme weather (e.g. gully).

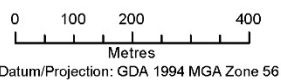
If the dispersal action at Batemans Bay results in the flying-foxes moving to inappropriate locations such as adjacent to other residential areas, further action would need to be taken by Council until the displaced animals are established in a suitable location, where possible. Council will liaise with OEH and DoE to determine if this can be covered under the existing dispersal or if additional approvals may be required.

Batemans Bay camp in April 2016



Legend

Approximate area of occupied flying-fox habitat



www.ecoaus.com.au

Prepared by:KM Date: 5/4/2016

Figure 1: Batemans Bay camp approximate extent in April 2016 (surveyed by OEH and ELA)



Figure 2: Existing camps on the NSW south coast

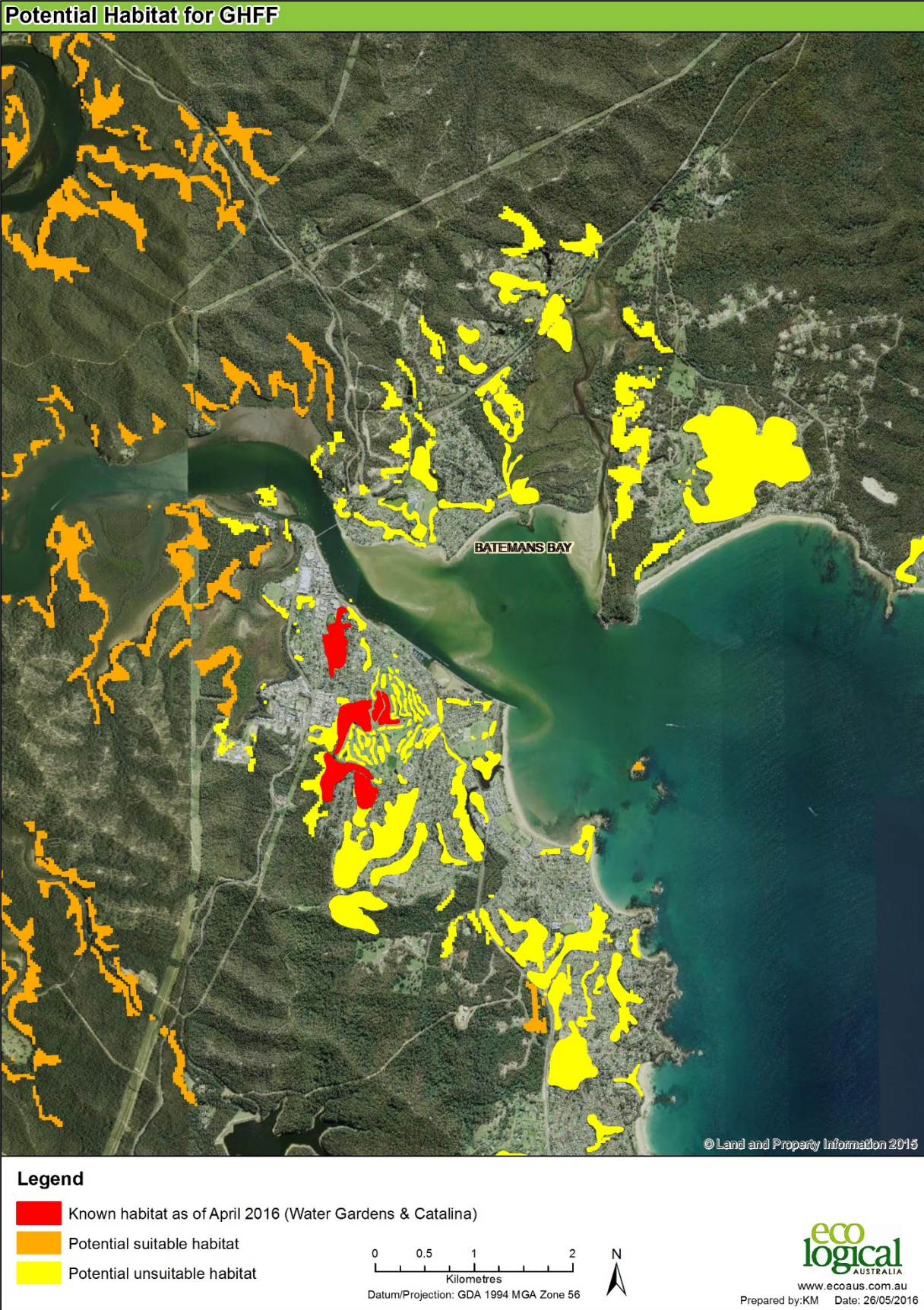


Figure 3: Potential habitat within approximately 5 km of the camp

3 Roles and responsibilities

3.1 Overall responsibility

Eurobodalla Shire Council will be responsible for all matters associated with the dispersal, including the commitment to monitoring and management of the current camp over at least three years, and managing adverse impacts at existing camps or new camps associated with the dispersal.

OEH and DoE officers will be consulted as needed throughout the dispersal and monitoring period. It is anticipated that contact details for a nominated representative from each of these agencies will be provided to Council to facilitate consultation, particularly in relation to potential stop work thresholds.

The NSW and Commonwealth Governments have committed more than \$2.5M funding for the dispersal program.

3.2 Communications and community engagement

Council officers will be responsible for all communications and community engagement regarding the dispersal. A communications plan is being developed and certain aspects have started to be implemented in the interim.

Due to the high risk nature of a dispersal activity, possible involvement of community volunteers would be generally restricted to certain activities within their own property and reporting any incidences of roosting flying-foxes outside of the existing camp. Some residents may become frustrated with the process and take unauthorised action, including dispersal activities outside of the specified time limits or prior to approvals being granted. This creates a negative effect that undermines the effectiveness of a targeted dispersal. It also would expose those who take unauthorised activities to legal action.

There is a risk of additional power outages caused by flying-foxes being electrocuted whilst being airborne for longer periods than normal. Council will liaise with relevant authorities (e.g. Essential Energy and Telstra) to minimise potential disruption if this occurs.

There is a risk that certain elements of the media may present misleading information about the risks of disease associated with flying-foxes. The ongoing education and communication program by Council and OEH can be supported by agencies such as Local Land Services and Department of Health, and the Australian Veterinary Association.

It is noted that some members of the community will not want the dispersal to proceed and this may lead to conflict. Open communication with the community will help to manage this risk.

It can be expected that the dispersal activities and compliance with consent conditions will be subject to close scrutiny by members of the community. All members of the team will therefore be fully briefed about these requirements before commencing work, and all works will be closely supervised by staff with experience in flying-fox dispersal.

3.3 Potential resources for dispersal team

Council does not have adequate in-house resources or expertise in dispersal management, so will need to engage additional personnel to assist from a number of sources including government agencies and specialist contractors. Sourcing suitable personnel and equipment has commenced.

A detailed roster will be developed and maintained throughout the three year dispersal program. The resourcing needs and roster will be reviewed and adjusted as required, subject to available resources and needs on the ground. At this stage it is estimated that the initial dispersal team will comprise approximately 20-30 personnel, including ecologists and personnel who have been vaccinated for Australian Bat Lyssavirus. The size of the team will be increased or decreased, subject to on-ground requirements for dispersal action and monitoring.

3.4 Dispersal team hierarchy

The dispersal team management and reporting hierarchy is depicted in **Figure 4**. The numbers of people at each level will be adjusted according to available resources, the types of dispersal activities to be undertaken, the response and behaviour of the flying-foxes, and the areas that need to be covered.

All personnel involved in the dispersal will be required to complete a Personnel Form prior to commencing on-ground work. The form will specify:

- name and contact details
- qualifications and relevant experience
- emergency contact details
- Australian Bat Lyssavirus vaccination status
- role and responsibilities in this dispersal.

The form will include provision for signing that the person has read and accepted the Safe Work Method Statement, which will include conditions from OEH and protocols for handling sick and injured animals. Each day, personnel involved in the dispersal will need to participate in a 'tool box talk', and sign that they have done so.

All personnel involved in the dispersal will have suitable protective clothing such as boots, long pants and long-sleeved shirt.

The dispersal team will at all times include at least one appropriately qualified and experienced ecologist to monitor the behavioural responses of the GHFF to the disturbance. This person will have knowledge and experience relevant to the biology and management of flying-foxes and their habitat. This person must make an assessment of the relevant conditions and advise the Dispersal Manager whether the activity can go ahead in accordance with the thresholds outlined in **Section 3.6**.

3.5 Care for sick, injured or orphaned flying-foxes

All personnel that may come into contact with the flying-foxes must have up-to-date Australian Bat Lyssavirus vaccination status.

At least one licenced wildlife carer should be in attendance on the days of the dispersal. However, if the carer determines their attendance is not required, they must be 'on call'. Representatives of wildlife rescue organisations such as WIRES and Mogo Zoo have kindly offered their support during the dispersal. A flying-fox care area will be established at Mogo Zoo for the duration of the dispersal.

Care and housing of sick, injured or orphaned flying-foxes will be done in accordance with the Code of Practice for Injured, Sick and Orphaned Flying-foxes (OEH 2012). All vaccinated members of the dispersal team will be required to read this Code and sign that they have done so in case they are involved in care or handling of any sick, injured or orphaned flying-foxes. Record keeping will be in accordance with the Code of Practice of injured, Sick and Orphaned Protected Fauna (OEH 2011).

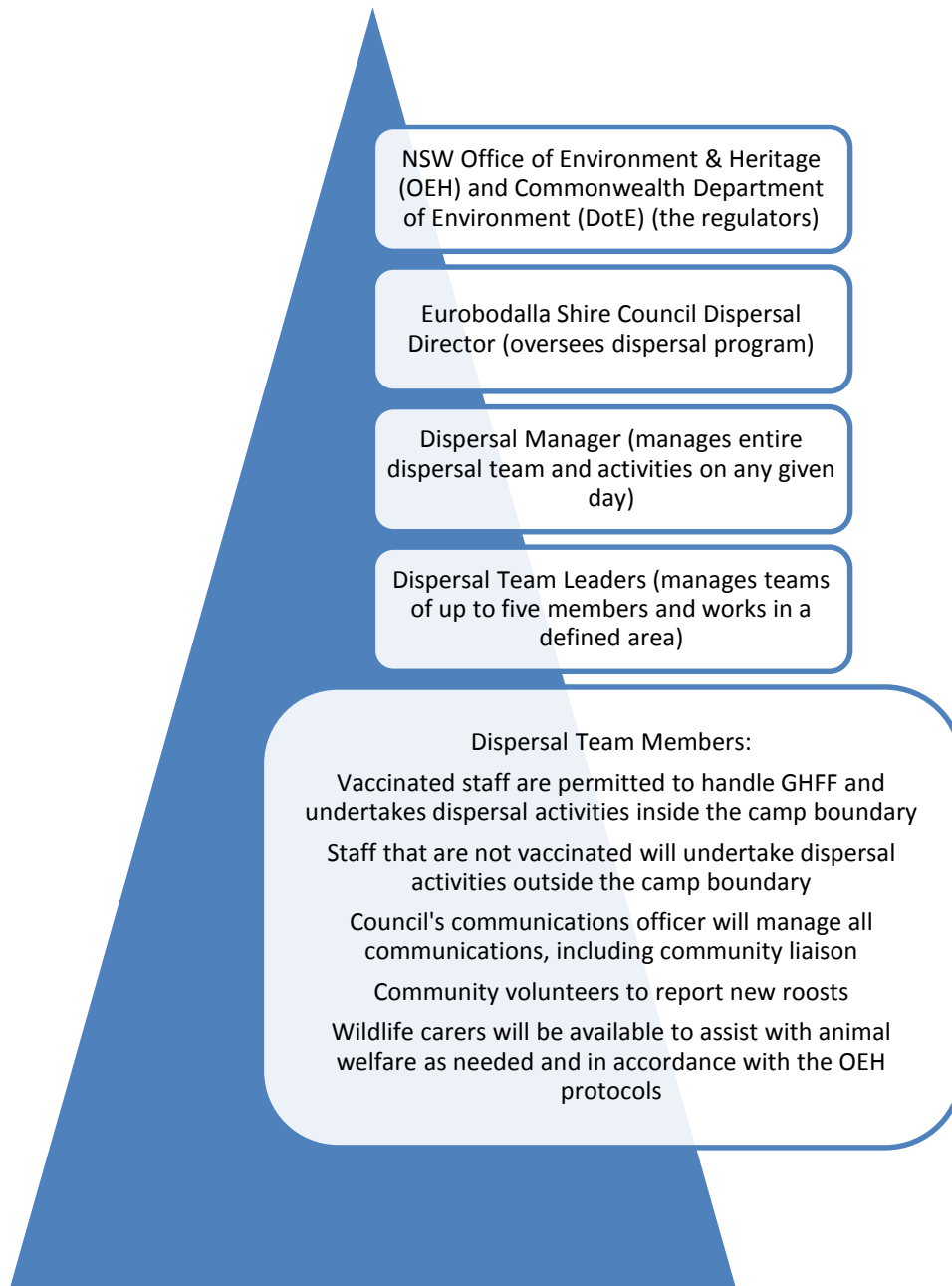


Figure 4: Dispersal team hierarchy

3.6 Related activities

OEH has approved tree clearing in selected areas of the Batemans Bay camp to reduce available roosting habitat. The Green Army and other personnel are involved in removal of weeds and rubbish in these areas to improve amenity.

3.7 Triggers to stop dispersal

This section defines the stop work triggers for dispersal based on the OEH Flying-fox Camp Management Plan Template 2016 and the DoE National Interest Exemption. These triggers remain applicable throughout the three year life of this plan.

3.7.1 Triggers to stop dispersal activities temporarily

Any decision to temporarily stop dispersal activities in accordance with the triggers identified below would be made by Council's Dispersal Director in consultation with the Dispersal Manager, OEH and DoE. If the triggers are met, the dispersal action must cease for at least one day – although this would be longer for certain triggers (e.g. third trimester pregnancy, extreme weather event). The dispersal action must not resume until an expert ecologist has assessed the condition and behaviour of the flying-foxes, and provided further advice to the Dispersal Manager and Dispersal Director that it is appropriate for the dispersal action to re-commence.

Dispersal actions (e.g. noise, lights) must not occur:

- if there are dependent young, or birthing, lactating or late-pregnancy females in the camp¹, or if individuals appear malnourished
- during or immediately after climatic extremes such as a heatwave >38°C, severe weather (as defined by the severe weather warnings issued by the Australian Bureau of Meteorology), or during a period of significant food stress
- if any of the animal welfare triggers occur on more than two days during the program, such as:
 - unacceptable levels of stress i.e. if any individual flying-fox is observed panting, saliva spreading or is location on or within 2 m of the ground
 - fatigue i.e. low-flying, laboured flight, settling despite dispersal efforts
- there is a flying-fox injury or death on site, or a death within 1 km of the dispersal site that appears to relate to the dispersal
- there is ongoing proliferation of splinter camps in inappropriate locations
- there appears to be potential for conservation impacts (e.g. reduction in breeding success identified through monitoring)
- unintended impacts are created for the community around the camp (e.g. if increased power outages due to flying-foxes being electrocuted after being airborne for longer periods than usual)
- allocated resources are exhausted or there are unacceptable personal safety risks.

3.7.2 Triggers to stop dispersal activities at particular locations

On any given day during the dispersal, the Dispersal Manager may redirect resources to or from particular areas in response to the behaviour of the flying-foxes. In particular, the Team Leaders will report any evidence of animal welfare issues (stress or fatigue) so that the Dispersal Manager can determine if dispersal activities should temporarily cease at that location and be redeployed to a different area / activity, or recommend to the Dispersal Director that the all dispersal activities should cease for the day.

3.7.3 Triggers to stop dispersal of the current camp

Dispersal activities at the existing Batemans Bay camp will not be required if all of the flying-foxes have evacuated the area. However, the camp area will continue to be monitored for the duration of the approval in case flying-foxes return to roost, which could trigger the need for follow-up dispersal action. Monitoring and management of other affected sites will also be required to continue until there are no further adverse impacts associated with the dispersal.

If the dispersal program is stopped by Council's Dispersal Director it may be permanently abandoned and other strategies considered, or reassessed and resumed in consultation with OEH and DoE.

¹ If a small splinter camp establishes in an unsuitable location, and there are no heavily pregnant females, this splinter camp may be subject to dispersal activities under supervision of an ecologist

4 Actions

The table below sets out actions that will be taken to attempt to disperse the flying-foxes from the Batemans Bay camp. Monitoring requirements and actions related to management of splinter camps are also identified.

Table 2: Dispersal actions

Item	Task	Timing	Responsibility
Pre-dispersal			
1	<p>Assess baseline population, including:</p> <ul style="list-style-type: none"> • Total number • Species • Presence / ratio of dependent young (flightless and flying) • Presence / ratio of lactating or late-pregnancy females • Health (visual assessment) 	No more than two weeks prior to dispersal	Dispersal Director to engage an ecologist for this task
2	<p>There has been extensive consultation with the community to date. A communications plan will be developed to identify further communication tasks to be undertaken in relation to the dispersal. These include:</p> <ul style="list-style-type: none"> • Direct notification of landowners and landholders in the vicinity of the camp (e.g. letters) • Notification of people in the wider area by a range of traditional and social media • Online reporting of unusual flying-fox behaviour or roosting in new areas • Advice about how the community can assist • Information about the risks associated with dispersal activities (e.g. the main dispersal action will involve noise, smoke, lights near homes early each morning (pre-dawn / dawn) for a number of weeks). Some residents may experience disrupted sleep during this period. There is also likely to be additional risk of faecal drop as the flying-foxes will be airborne for longer • Explanation about issues associated with foraging flying-foxes (e.g. noise at night when they are feeding) 	Communications have commenced and will continue throughout the dispersal	Council's communication team, with support from OEH's Community Engagement Team

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Item	Task	Timing	Responsibility
	<ul style="list-style-type: none"> • Information from the protocol for sick and injured animals e.g. what to do if you see a sick, injured or dead flying-fox) • Notification of agencies e.g. OEH, LLS, Dept Health, Police, RFS, EPA, Essential Energy and Telstra • Notification of wildlife care organisations such as WIRES, Mogo Zoo, veterinary practices • Notification of medical centres and hospitals • Reporting results of monitoring to the regulators and community <p>The Communications Plan will include:</p> <ul style="list-style-type: none"> • Key messages and FAQs • Stakeholder groups / target audience • Communication channels and activities (with specific communication tasks, timing and responsibilities) <ul style="list-style-type: none"> ○ Notifications of activities ○ Educational material about health risks and flying-foxes ○ Signage ○ Traditional and social media ○ Website ○ Newspaper ○ Letters & emails ○ Hotline and email for complaints / concerns 		
3	Discuss the protocols for sick and injured animals with wildlife carers and establish a triage area at Mogo Zoo. A summary of the animal welfare protocol is provided in Appendix A .	Prior to commencing dispersal	Dispersal Director
4	Recruit the dispersal team, with roles to align with their skills, qualifications, experience, availability and vaccination status. Prepare a detailed roster and work schedule for the first week based on	Prior to commencing dispersal	Dispersal Director &

Batemans Bay Flying-fox Camp Dispersal Plan

Item	Task	Timing	Responsibility
	the available resources (this will be updated each week as required). Source equipment and organise other logistics.		Dispersal Manager
5	Dispersal team to undertake site familiarisation, including work health and safety briefing in accordance with the Safe Work Method Statement, and review of animal welfare protocols	Initial induction prior to starting on-ground work	Dispersal Manager
6	<p>Establish a 'base' for the dispersal that will provide an area for:</p> <ul style="list-style-type: none"> • tool box talks and debriefs for the dispersal team • equipment storage • where residents can be directed to if they have questions or concerns • first aid for the dispersal team <p>It is likely that the base will be at or near the Batemans Bay Community Centre, although this may affect other activities at the centre.</p>	Base to be established prior to dispersal commencing and to be maintained throughout the dispersal period	Dispersal Director
Dispersal of the existing camp, progressively targeting strategic locations			
7	Dispersal team to undertake daily tool-box talk so that the tasks to be undertaken and their work area is clearly understood, and any specific risks and requirements for that day can be discussed	Daily prior to starting dispersal activities	Dispersal Manager
8	<p>Dispersal team to undertake dispersal activities at strategic locations around the camp (noting that these locations may change each day), including:</p> <ul style="list-style-type: none"> • primary activities <ul style="list-style-type: none"> ○ noise played through directional speakers ○ spotlights ○ vaccinated personnel moving around within the camp ○ non-vaccinated personnel using light, noise etc along the outside edges of the camp • secondary activities 	<p>Six days per week (excluding Sundays) from the start of dispersal activities until stop work triggers (see Section 3.7) are reached or licence approvals expire</p> <p>Primary disturbance activities must be limited to a maximum of 2.5 hours timed to coincide with the fly-in period at dawn</p> <p>Secondary activities should be implemented periodically at strategic locations under</p>	Dispersal Manger / Dispersal Team Leaders

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Item	Task	Timing	Responsibility
	<ul style="list-style-type: none"> ○ 'waving man' inflatables ○ spray deterrent onto canopy when flying-foxes are not in the camp ○ sprinklers ○ smoke from small areas (pile or controlled burn) on days of suitable weather conditions 	supervision of an ecologist to follow up the primary activities throughout daylight hours	
9	Dispersal team debrief to discuss issues, how these were managed, and review what is effective and what isn't, so that methods can be adjusted accordingly	Daily at the end of dispersal activities	Dispersal Manager
10	Dispersal team to stop work if thresholds specified in Section 3.7 are reached	As required	Dispersal Manager or Dispersal Director
11	<p>Vegetation clearing and green waste management to be undertaken up to the maximum extent defined in the s95(2) Certificate under the TSC Act (Reference C0001889). This includes:</p> <ul style="list-style-type: none"> • selective removal of vegetation from around the Water Gardens, Catalina Lake and Bavarde Ave so that the flying-foxes cannot return to roost there in the longer term • transfer and stockpile of green waste, then reuse as mulch at suitable locations, or burn on-site under controlled conditions <p>It is understood that the 'Green Army' may assist with rubbish and weed removal as part of this program.</p>	Vegetation clearing commenced on 30 May 2016 and may continue until 31 July 2017 as per C0001889	Dispersal Director
Monitoring and potential management at other sites			
12	<p>Monitor / survey alternative unsuitable habitat areas:</p> <ul style="list-style-type: none"> • Daily check of high priority areas within ~5 km that would be especially problematic if a splinter camp forms e.g. school grounds • Within one day in response to community reports about roosting flying-foxes 	Prior to and during dispersal	Dispersal Manager

Batemans Bay Flying-fox Camp Dispersal Plan

Item	Task	Timing	Responsibility
	<ul style="list-style-type: none"> Weekly counts at other existing camps on the south coast (by OEH) 		
13	<p>Undertake dispersal activities at a splinter / new camp if it is deemed inappropriate (refer to criteria in Section 2.2), provided:</p> <ul style="list-style-type: none"> More than 50 GHFF have settled at the site for more than three consecutive days (unless the GHFF expert ecologist is satisfied that the site is unlikely to be a temporary refuge that may be naturally abandoned), in which case the action can be undertaken if fewer than 50 GHFF are present, or in less than three days Stakeholders (including landowners and land managers) have agreed to the timing and duration of disturbances <p>The dispersal activities will be consistent with actions identified in Item 8 of this table. Further OEH and/or DoE approval may be required, particularly if other threatened species or populations could be at risk from the camp or from potential dispersal activities.</p>	As required	Dispersal Director
14	<p>If there is an influx at another existing camp that results in adverse impacts and OEH considers it likely that these impacts have been caused by the dispersal at Batemans Bay, but a further dispersal is not considered appropriate, then Council may provide assistance to the relevant land manager to ameliorate impacts of the displaced GHFF on amenity issues, and impacts on the displaced GHFF. Details of this assistance are to be developed in consultation with OEH.</p>	As required	Dispersal Director
Reporting and further approval			
15	<p>Reports to be prepared and submitted to OEH that include:</p> <ul style="list-style-type: none"> Dispersal activities e.g. location, team, types of activity An assessment of the outcome of the action, including reactions of the GHFF Results of pre and post-action population monitoring Information about new camps e.g. location, extent, numbers A summary of community feedback Financial expenditure 	<p>Daily records of the dispersal activities and outcomes, including photos and video evidence where possible</p> <p>Brief weekly report to OEH that summarises key issues from the past week, including a map of camp extent and splinter camps</p>	Dispersal Director

Batemans Bay Flying-fox Camp Dispersal Plan

Item	Task	Timing	Responsibility
	<p>Monitoring records should be completed consistent with the templates in the OEH <i>Flying-fox Monitoring Data Sheet</i>. Examples of monitoring data to be recorded for roosting flying-foxes (at the existing camp and new camps) are given below, with all data sheets to include the date the record was made and the person who made the record:</p> <ul style="list-style-type: none"> • Camp location (address and GPS coordinates) • Estimated numbers of flying-foxes present • Breeding status (e.g. third trimester pregnant females, dependent young) • Condition and behaviour of flying-foxes (e.g. signs of stress, injury, death) • Other notes and observations 	<p>Quarterly summary reports, with the first report due 1 September 2016</p>	
16	<p>In accordance with the National Interest Exemption (Appendix B), develop and seek DoE approval for a Conservation Agreement for maintenance (follow-up) dispersal activities consistent with this plan</p>	<p>By 31 December 2016</p>	<p>Dispersal Director</p>

5 Health and safety

Health risks associated with flying-foxes have been discussed in previous reports such as ELA (2015, 2016a, 2016b) and have been provided to the community via fact sheets and websites by Council and agencies such as the Department of Health. Potential health and safety issues relevant to a flying-fox camp dispersal action are summarised below.

5.1 Disease associated with flying-foxes

Potential health issues associated with flying-foxes include infections from viruses borne by flying-foxes. Human infections with these viruses are extremely rare. However, the risk of flying-foxes carrying disease may increase if the animals are stressed during dispersal activities.

People should not handle flying foxes unless they are vaccinated and trained to do so. If a person is bitten or scratched by a flying-fox the wound should immediately be washed gently but thoroughly with soap and water for at least five minutes, an antiseptic, such as povidone-iodine should be applied, and a doctor should be consulted as soon as possible.

There is no evidence that disease transmission occurs through contact or exposure to flying-fox faeces, urine or blood. Living, playing or walking near bat roosting areas also poses no risk of disease as long as flying-foxes are not handled. Using soap and water to wash hands after accidental touching of flying-fox faeces, urine or blood is an adequate hygiene standard.

As a precaution, the local hospitals, medical centres and veterinary practices will be advised of the upcoming dispersal of the Batemans Bay camp.

5.1.1 Australian Bat Lyssavirus

Australian Bat Lyssavirus can only be transmitted through contact of mucous membranes (including the eye) or broken skin with the saliva or neural tissues of a bat. To date there have only been three confirmed cases of Australian Bat Lyssavirus in humans, all in Queensland. The only cases of human infection with the virus have been caused directly by flying-fox bites and scratches during handling of infected animals.

A vaccine is available for Australian Bat Lyssavirus. Some members of the dispersal team and all wildlife carers will have up-to-date Lyssavirus vaccination status.

5.1.2 Hendra virus

Hendra virus infection in horses and humans is a rare disease. Vaccination is the most effective way of reducing the risk of Hendra virus in horses.

There is no evidence of human-to-human, bat-to-human or human-to-horse transmission of Hendra virus.

It is thought that horses may contract Hendra virus infection from eating food recently contaminated by flying-fox urine, saliva or other body fluids. All confirmed cases of human infection to date have been caused by exposure to high levels of virus in body fluids from infected horses, including performing necropsies on horses without adequate personal protective equipment and nasal mucous spray from live horses during handling and examination. There have been seven confirmed cases of Hendra virus in humans, all in Queensland.

One dog in Queensland (2011) and one dog in NSW (2013) have tested positive from Hendra virus. Both cases were on properties where Hendra virus infection had been confirmed in horses and followed close

contact between the horse and dog. Cats, pigs, guinea pigs and ferrets have also developed infection with Hendra virus in laboratory conditions only. None of these species have become infected with the Hendra virus naturally.

Recent research by Edson et al (2015) suggests that transmission of the Hendra virus to horses occurs when there is direct contact with the naturally infected urine of Black and Spectacled Flying-foxes (not GHFF).

5.1.3 Menangle virus

Menangle virus was first identified in 1997 after a piggery in NSW experienced a high number of stillbirths and deformities during farrowing. Two workers at the piggery became ill with serious flu-like symptoms, but subsequently recovered. They later tested positive for Menangle virus antibodies. This is the only reported incidence of Menangle virus in Australia.

5.1.4 Other

Histoplasmosis is an airborne fungus contracted from breathing dust in enclosed areas which contain infected bird or bat guano. Histoplasmosis has not been reported in Australian flying-foxes.

Nipah virus is closely related to Hendra virus but has not been found in Australia.

Serological surveys indicate that flying-foxes have been exposed to Ross River virus and Murray Valley encephalitis, however they do not appear to act as a reservoir host for these viruses.

5.2 Other health and safety risks

5.2.1 Mental health

A number of Batemans Bay residents have expressed concern about the mental health impacts of the flying-foxes because they feel they have been 'trapped' indoors by the strong odour and noise around the camp which discourages outdoor activity. While the dispersal aims to ameliorate this situation, there will be additional risks to mental health in the short term that are associated with dispersal activities. These include disruption to sleep as some dispersal activities will involve loud noise and lights pre-dawn over a number of weeks / months.

5.2.2 Compromised immune and respiratory systems

There has been community concern that the flying-foxes are triggering or exacerbating poor health conditions for people with compromised immune systems or chronic respiratory problems. This has not been reported in relation to other flying-fox camps. Robust health studies would be required to investigate possible links between the flying-foxes and these types of human health experiences.

5.2.3 Drinking water

Flying-fox faeces on roofs will be washed into rainwater tanks when it rains. NSW Health recommends against drinking water from rainwater tanks where there is public drinking water available. Advice on safely managing rainwater for drinking purposes where there is no alternative supply is available on the NSW Health website at <http://www.health.nsw.gov.au/environment/water/Pages/rainwater.aspx>

Water from the tank should be used for the garden, toilet flushing and car washing. However, the water will contain the faeces, including any fruit-colouring, unless a 'first-flush' system prevents the first portion of roof run-off from entering the tank.

There is no evidence that a flying-fox camp has any impact on publicly available drinking water provided by local authorities. The water continues to be treated and this eliminates any contamination from additional flying-fox faeces in the catchment.

5.2.4 Power outages

Essential Energy has advised that customers in the areas between Batemans Bay and Narooma including Tomakin, Rosedale, Malua Bay and Surf Beach have experienced a number of power supply interruptions during April caused by flying foxes contacting the local electricity network. Essential Energy has implemented a number of operational changes in an attempt to mitigate the frequency of power outages caused by the flying fox activity near the network. This included:

- re-configuring a section of the local electricity network that has been susceptible to outages to supply power from an alternative direction to try to minimise the number of customers affected
- crews patrolling the affected powerlines several times a day as well as carrying out night time patrols to identify any network issues caused by the flying fox activity and complete repairs as necessary
- altering Essential Energy's local on-call roster arrangements to increase the geographic area covered by its local fault and emergency teams to improve response times to power outages caused by the flying foxes
- Essential Energy will continue to monitor the situation, respond to any unplanned power outages and implement measures to mitigate the frequency of outages where possible.

Telstra and Optus have recently improved back up supply in response to lack of telephone services during power failure.

There is a risk that power outages will occur during the dispersal due to the increased period when flying-foxes are airborne in the vicinity of the camp as they try to return to roost. Council will continue to closely liaise with Essential Energy and other utilities throughout the dispersal period as needed.

5.2.5 Slips, trips and falls

To minimise the risk of slips, trips and falls during the dispersal activities, all members of the dispersal team will have a site induction during daylight hours so that they can become familiar with the terrain, which includes steep slopes, bushland vegetation, and boggy and open water areas. Members of the team will be required to wear personal protective equipment such as boots and suitable clothing, and carry torches when working in the dark / dawn. A first aid station will be available during the dispersal activities.

5.2.6 Other matters

The dispersal team will be working in wetland and bushland areas around dawn when insects such as mosquitoes and sandflies are active. Ticks and leeches may also be present in these areas. All members of the team will be required to wear protective clothing and use insect repellent to minimise the risks. Best practice management of these risks will be incorporated in the safe work method statement and induction training material.

6 Required approvals

The GHFF is currently protected under the NSW *National Parks and Wildlife Act 1974*, and listed as vulnerable to extinction under the NSW *Threatened Species Conservation Act 1995* (TSC Act) and Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The GHFF is also listed as vulnerable on the International Union for the Conservation of Nature (IUCN) Red List of Threatened Species.

6.1 Federal Government

The Federal Minister for Environment has indicated that a National Interest Exemption will apply to the dispersal in accordance with section 158 of the EPBC Act. The terms of the NIE are outlined in **Appendix A** and include:

- the NIE will apply until 31 December 2016
- the substantive dispersal action is to be taken by 1 August 2016
- the dispersal will be by non-lethal means, and can include associated vegetation management
- the dispersal can occur at all times other than when the GHFF females are heavily pregnant or with dependent young
- Council will enter into a long term conservation agreement under the EPBC Act for the dispersal of GHFF camps at Batemans Bay by 31 December 2016.

6.2 NSW Government

6.2.1 Threatened Species Conservation (TSC) Act

A section 91 licence application will be required under the TSC Act because the dispersal may result in harm to the GHFF and damage to its habitat, some of which may constitute threatened ecological community vegetation or threatened species habitat. Council has been liaising with the NSW Office of Environment and Heritage (OEH) during development of this dispersal plan to streamline the approval process. In considering the s91 licence application, OEH could:

- determine that the proposed action is not likely to significantly affect threatened species, populations or ecological communities, and could issue a certificate to this effect under section 95 of the TSC Act, with or without conditions that need to be met
- grant a licence under section 91 of the TSC Act, if the proposed action is likely to have a significant effect on threatened species populations or ecological communities, in which case a species impact statement will be requested when making a licence application determination
- refuse the application.

6.2.2 Prevention of Cruelty to Animals (POCTA) Act

The POCTA Act is the core legislation in protecting the general welfare of animals. The objectives of the Act are to:

- prevent cruelty to animals
- promote the welfare of animals by requiring a person in charge of an animal to:
 - provide care for the animal
 - treat the animal in a humane manner
 - ensure the welfare of the animal.

Section 91 licence conditions will take into account the welfare of flying-foxes so there is no approval requirement under the POCTA Act.

The Department of Primary Industries (DPI) is responsible for administering the Act, but officers from the DPI do not have enforcement powers. Therefore, complaints associated with acts of animal cruelty are directed to the Royal Society for the Prevention of Cruelty to Animals (RSPCA) or the NSW Police.

6.2.3 Rural Fires Act 1997

Where the works are consistent with the NSW Rural Fire Service Bush Fire Environmental Assessment Code 2006 (BEAC), the NSW Rural Fire Service can apply a streamlined environmental assessment process and issue Council a Hazard Reduction Certificate under the *Rural Fires Act 1997*. In regards to the actual burning, the Rural Fire Service could be approached to undertake the burning and prepare the associated prescribed burn plan.

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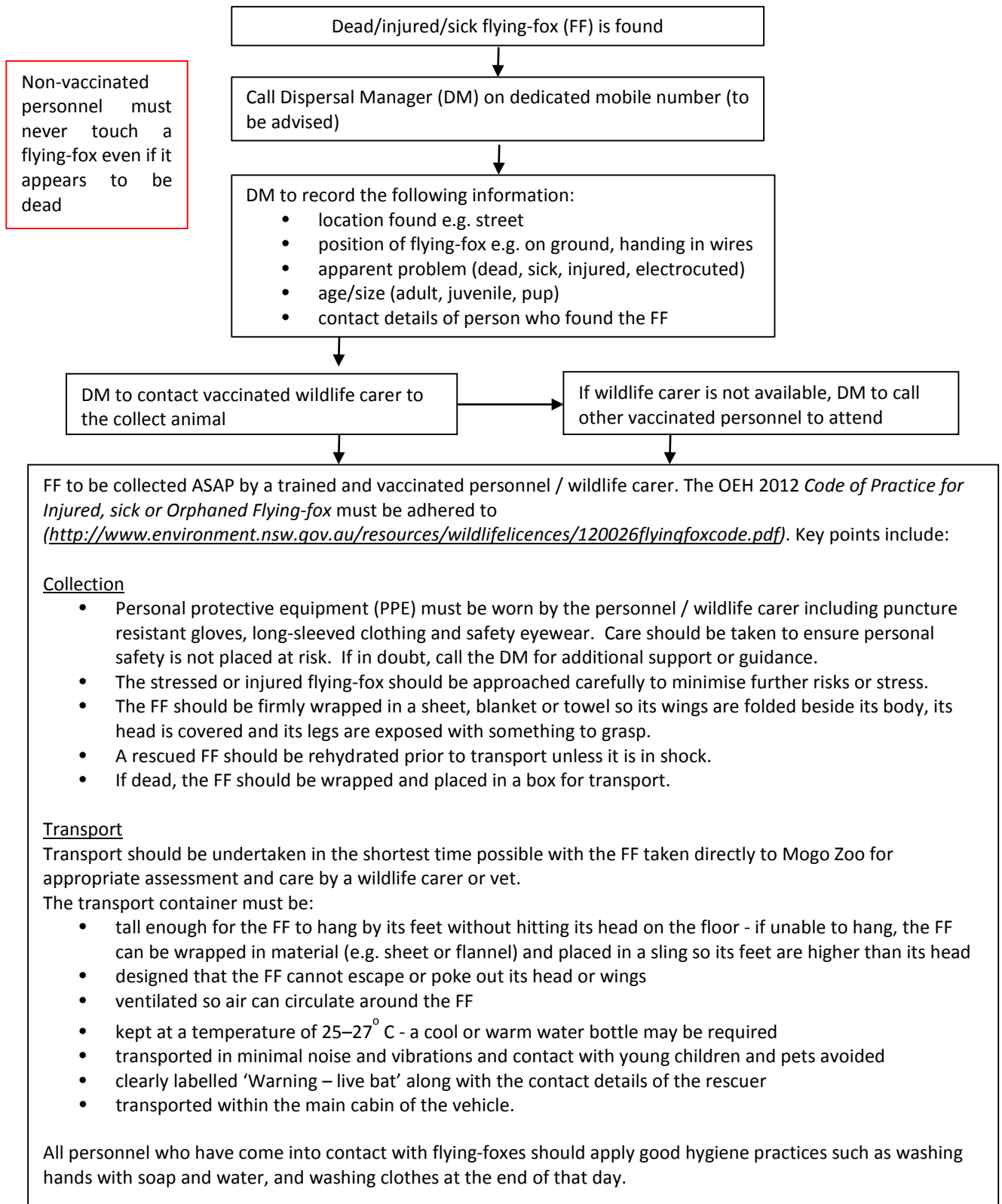
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Appendix A Flying-fox care protocol summary



Appendix B National Interest Exemption



The Hon Greg Hunt MP

Minister for the Environment

Councillor Lindsay Brown
PO Box 99
MORUYA NSW 2537

PDR: MB16-000319

17 May 16

Dear Councillor Brown

I refer to your letter of 17 May 2016 concerning a national interest exemption in relation to Grey-headed Flying-fox camps in the Batemans Bay area.

I understand that my Department wrote to the Council on 13 May 2016 indicating that the Eurobodalla Shire Council could take action in line with its draft dispersal plan as it was not inconsistent with the Department's Referral Guideline for management actions in Grey-Headed and Spectacled Flying-fox camps.

In response to your request of 17 May 2016, and in line with my commitment to the Batemans Bay Community of 16 May 2016, I have granted a National Interest Exemption under s158 of the Environment Protection and Biodiversity Conservation Act (EPBC Act) until 31 December 2016, with substantive dispersal action to be taken by 1 August 2016. The exemption also determines that dispersal can occur at all times other than when the Grey-headed Flying-Fox females are heavily pregnant or with dependent young. This period will run from 1 August 2016 until such time as there is notification by Commonwealth Department of the Environment appointed experts that the general population's period of dependency has been completed.

My determination is conditional, based on the Shire of Eurobodalla seeking in good faith to enter into a long term conservation agreement under the EPBC Act for the dispersal of Grey-headed Flying-Fox camps at Batemans Bay by 31 December 2016. This exemption will expire when such a conservation agreement is reached or on 31 December 2016, whichever is sooner.

The Department is committed to working with your shire to develop an ongoing conservation agreement to provide longer term certainty, similar to one which has been successfully developed with the Sunshine Coast Council in Queensland, as well as looking to support the Council in the medium term through the Green Army programme.

Thank you for writing on this matter.

Yours sincerely

Greg Hunt



Commonwealth of Australia

Exemption under section 158 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth)

I, Greg Hunt, Minister for the Environment, being satisfied that it is in the national interest to do so, under section 158 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**) grant an exemption for the Shire of Eurobodalla, and those acting on behalf of the Shire of Eurobodalla, from the application of all of the provisions of Part 3 and Chapter 4 of the EPBC Act:

1. until 31 December 2016, in relation to the dispersal of the Grey-headed Flying-Fox camps at Batemans Bay, New South Wales, by non-lethal means, and associated vegetation management; and
2. until 31 December 2016, in relation to vegetation management associated with the dispersal of the Grey-headed Flying-Fox camps at Batemans Bay, New South Wales (but not in relation to dispersal activities themselves).

It is a condition of the exemption in paragraph 1 that dispersal can occur at all times other than when the Grey-headed Flying-Fox females are heavily pregnant or with dependent young (the period of vulnerability). This period of vulnerability will run from 1 August 2016 until such time as there is notification by Commonwealth Department of the Environment appointed experts that the general population's period of dependency has been completed.

A further condition is that the Shire of Eurobodalla seeks in good faith to enter into a long term conservation agreement under the EPBC Act for the dispersal of Grey-headed Flying-Fox camps at Batemans Bay by 31 December 2016. This exemption will expire when such a conservation agreement is reached or on 31 December 2016, whichever is the earliest.

This exemption takes effect on the date of this notice.


Minister for the Environment

Dated the 17th day of May 2016

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