

The Code of Practice - Ecologically sustainable management of flying-fox roosts

Dear Mr Manchon,

Thank you for receiving my submission regarding the codes of practice and guidelines that underpin the Queensland flying-fox roost management framework.

I would like to begin by highlighting that we are still very disappointed that the Labor government has not honored the election commitment made to repeal these laws.

'Repeal changes to the flying fox management regulations and return to a modern framework of protection.'

It was clear and simple and has not been honored. We have highlighted in the past, and I will reiterate the need for public consultation.

I have attached the relevant documents with comment. I have also included our previous submission, as many of our comments have not been included, I thought it may be beneficial for you to review it once again. With particular attention to the following;

Totally missing:

- **Threatened Species is the key priority and should not be ignored**
 - Any *Management Actions* where threatened species listed under the Nature Conservation Act or Environmental Protection and Biodiversity Conservation Act are involved must be referred to the relevant act by the *Person in Charge* for assessment under the relevant act and the *Management Action* can not be commenced until approval under the relevant act has been granted.
 - There must be public notification of any *Management Actions* referred to the Nature Conservation Act or Environmental Protection and Biodiversity Conservation Act.
- At a minimum, State government need the ability to intervene and prevent actions under 41A in exceptional circumstances such as recent population stress, and revoke as-of-right-authorities where the local government have failed to demonstrate consideration and management of cumulative impacts or adequately consult with the community and/or address their concerns

Comments on current draft

- **2.1** Two business days notification should only be relevant to low-impact activities. Anything other than low-impact activities should give 1 week notification, with a 1 week wait period so that DES can ensure it is considering the impact of the proposed activities properly.
- **2.2.2 What is the definition of Health and Safety?** - this must be defined and specific, if not we may see *management actions* taking place under the guide of 'health and safety' where this may not be the primary motivation. **Additionally** there has been no previous permit for

direct relocation of Flying foxes unless they have been injured or killed. There is no precedent for this and we shouldn't be actively moving flying foxes unless it is absolutely necessary. Even if this was added to the code, what qualifications and vaccinations should this person have?

- **2.6** There needs to be stronger language. CHANGE: The person in charge **must not implement management actions at certain periods of the year**. Otherwise there is no clear definition of 'consider' and proponents can simply say that considered that option but decided against it.
- **3**
 - **Appropriately Trained Person:** No and/or. The appropriately trained person should, as the name implies, be trained.
 - **Person knowledgeable about flying-fox behaviour** Take away the or - the person need st demonstrate experience. This can not rely on the book knowledge of a person

The Code of Practice - Low impact activities affecting flying-fox roosts

Very similar points to listed above, see the attached pdf of low impact code with comments for consideration.

Flying Fox roost management guideline

See attached guideline with comments.

- The code of practice needs to set clear restrictions and process for Threatened Species
- Management Actions should not occur during breeding and rearing seasons, unless under the low-impact code
- Monitoring recommendations should also include monitoring of human spectator/enjoyment/recreation. Many people come to see/photograph/watch the flying foxes. Council's should be aware of this and monitoring. It will help provide a full picture of how much the community value the species.
- Positive community education should be mandatory for any council's who are performing management actions – otherwise that can inadvertently contribute to the negative attitudes towards these important animals
- The description of Flying Foxes seed dispersal role should be explicitly described in species information. Particularly for the Spectacled Flying Fox who is a key seed disperser for the Wet Tropics World Heritage Area.
- Destroying roosts should not be an option where threatened species are involved
- Drone Disturbance should not be included as a management action - There is not enough evidence for this to be included in the guideline. There are other laws that exist for drone pilots and we should not be encouraging this without serious guidelines and the reflection of those laws

Flying Fox roost management permit

Should require permit applicants to refer themselves to the EPBC Act where threatened species are involved.