

## **A new threat to already threatened Flying-foxes under the proposed new “Flying-fox Camp Management Policy”**

The NSW State Government's draft Flying Fox Camp Management Policy summary informs us that: *“The overriding purpose of this policy is to minimise health impacts of flying-fox camps on people”*. Certainly, on reading it, the desire to appease a very noisy minority in the community, certainly “overrides” any protection previously provided to the animals.

It is ironic, in a week when more than 2000 Flying-foxes died on the Richmond River at Casino in a heat-wave, where temperatures as high as 44 degrees were reported, that I should be writing a submission on proposed changes to camp management policy that will allow the animals to be driven from their homes and even shot, simply because, in many cases, humans have chosen to build their homes alongside their colonies.



**The Flying-fox colony at Maclean variously contains a mix of three species, Red, Little Black, and the threatened Grey-headed Flying-foxes**

The intense heatwave, which in many areas broke previous spring temperature records, not only killed thousands of bats, but left more than five hundred orphaned 'pups' which, in a sign that not all humans are inhuman, are currently being cared for by wildlife care organisations all over the north coast, and even south to Sydney.

The sudden desire to protect human health from the supposedly deadly virus-carrying bats, cannot be justified by the statistics. In fact, levels of health-related incidents which have been attributed to Flying-fox camps, that have been recorded over the 200 years of recorded history in NSW, are extremely low. Even the deadly Hendra virus, which some Flying-foxes can carry, cannot be transmitted directly from the bats to humans.

We believe the main driver of the newly proposed Flying-fox camp management legislation is the result of pressure from a handful of State politicians who have received complaints from an equally minuscule number of constituents that are calling for Flying-fox colonies to be moved. In the Clarence Valley's case the local Member, the Hon. Chris Gulaptis, organised a petition in an on-going vendetta he has engaged in for decades, ever since he was a Councillor and Mayor with the Maclean Shire Council.



**The architecturally uninspired Maclean High School was first opened in 1960**

The focus of that vendetta is a well-known Flying-fox colony near the Maclean High School, that has been in residence off and on at the site since before white settlers arrived in the mid 1830s. Continued destruction of their rainforest habitat to make way for more school buildings, and even a sports oval, is the direct cause of the current conflict, with the Flying-foxes now spilling over into nearby residential areas, because there is simply nowhere else to go.

The new regulations focus on three strategies to deal with the problem, the creation of buffer zones between camps and human residences; allowing the shooting of animals outside the camps, and dispersal of flying-fox camps. In all three cases, not only do these actions overturn current laws protecting threatened species (the Grey-headed Flying-fox is a listed threatened species), but will see breaches of animal cruelty laws, laws relating to native vegetation and the Threatened Species Conservation Act, along with noise pollution and firearms legislation.

The Creation of Buffer Zones, while seemingly a good solution at first glance, means the removal and lopping of trees which are part of the Flying-fox's habitat. Loss of habitat is a key threatening process, identified as the main cause of the decline of native fauna across Australia. In fact it has been identified as the main reason why all land based threatened species are facing extinction, so the proposed creation of buffer zones is directly removing their habitat. By any stretch of the imagination, **this must be construed as an illegal act.**

It seems to us that the Office of Environment and Heritage has not thought through this proposal. Many of the existing Flying-fox camps in NSW are in rainforest. Rainforest is a protected ecological community, and damaging those communities **is an illegal act**, punishable by heavy fines and even imprisonment.

Also, consider this – a one hectare remnant rainforest housing a Flying-fox camp surrounded by suburbia. A decision to clear a 20m wide buffer all round the remnant, could actually reduce the camp's size by more than half. Hardly a brilliant idea.

Then there is the proposal to allow shooting of the animals to protect crops. In southern NSW the introduction of a similar law in relation to native ducks in rice crops, saw Victorian shooting clubs organising weekend hunting trips across the border.

Shooting of Flying-foxes, particularly at night which is when the animals leave their camp, will inevitably result in the wounding of animals and their young, and with little chance that the shooter will know if the animal is wounded, they will likely suffer a long and painful death, while their young will simply starve to death, a process that can take several days. This is a clear **act of animal cruelty**, again punishable by fines or imprisonment.



**Grey-headed flyingfox, female, brain exposed by gun shot, but still alive and able to fly**

Then we come to “dispersal”, and while the 'disturbance' of Flying-fox colonies to make them move on sounds to be a relatively benign process, the reality is it is anything but, and the case of the Maclean colony is a prime example.

As a direct result of the Gulaptis campaigns, hundreds of thousands of dollars have been expended attempting to move the Maclean Flying-foxes. This 'disturbance' has involved noise, using chain saws (with chains removed), banging of metal drums, and explosions, combined with smoke, squirting with water hoses, and spraying repellent substances onto the roost trees.

All this achieved was to deprive the Flying-foxes of sleep during daylight hours, leaving them exhausted to the point where the poor animals did not have the strength to forage for food the following night. Ultimately, they simply died from hunger and exhaustion. **Whichever way you look at this, it also constitutes cruelty to animals, and is therefore illegal.**

Decades on and the Flying-foxes are still there, and now the State Government's Draft Flying-fox Camp Management Policy plans to allow Councils to re-enact the failed policies of the past, in what we perceive to be a case of Government shifting the responsibility, for what is a very vexed and complex problem, to Local Government.



An injured Little Red Flying-fox being nursed back to health by wildlife carer group WIRES

### Case Study – Maclean Rainforest Population

The first record of the existence of the contentious Maclean Flying-fox camp was a local newspaper report in 1885. However, it is likely the camp had been occupied long before that, as the rainforest area was extensive at that time and the animals unlikely to have attracted much interest in what was, at that time, a relatively remote and unsettled area of the village (see Attachment A on the history of the below).



In 1889, a park was set aside for public recreation, which included the Maclean rainforest, and a year later Flying-foxes were reported as a pest. 200 were shot with ammunition supplied by the Government.

In 1950, all but the rainforest remnant at the Park was revoked to build a school, and for the next decade several changes were made, until in Sept 1959, the public recreation status was revoked for the entire park, and that land set aside as Reserve 81967 for the *“promotion of the study and preservation of native flora and fauna”*.

The Maclean High School was built in 1960 with the buildings set 80m away from the one hectare rainforest remnant. However classroom

extensions in 1970 reduced that distance to about 50m, and finally, in the 1990s, the new campus of TAFE was constructed, with classrooms as close as 10m from the rainforest, causing immediate conflict with the Flying-foxes.

In 1984 the Reserve's management was transferred from the Trust, to the Maclean Shire Council, which began culling under licence from the National Parks and Wildlife Service three years later. However, in 1990, Council undertook unlicensed culling, supposedly unknowingly, and management of the reserve was taken out of their hands in 1992 and handed over to a Sydney based organisation.

During the years of school expansion, the rainforest remnant remained untouched by the development, but many other trees were removed, including for a sports oval and a farm then, with an influx of large numbers of Little Red Flying-foxes in the 1980s, the rainforest canopy suffered major damage from over-population, and weed problems emerged as a direct result. However, a 1988 bicentennial grant of \$60,000 saw significant work undertaken, including weed removal, and by 1993, the canopy was reported to be in good condition (A.G. Floyd).

Then the deadly Hendra Virus emerged, a disease known to occur in Flying-foxes, which increased levels of paranoia about “bats” carrying killer diseases. Even though Hendra cannot be transmitted directly from bats to humans, this did not stop the loud calls from some parents and staff at the high school, which eventually led to the Government granting approval for Council to 'relocate' the colony using the various disturbance methods outlined above.

An intense program of disturbance over 7 years to 2006 was undertaken at an estimated cost of \$400,000, and achieved little more than forcing the population into an adjacent area of forest known as “the Gully”, close to residents, which has caused even more trouble for the authorities, with calls for “napalm like” solutions from some of the more radical elements in the community.

Clearly disturbance was not the solution, and while the Flying-foxes remained, they suffered a significant increase in stress levels which some experts claimed may have actually increased the occurrence of stress-related diseases such as Bat Lyssavirus.

At that point sanity appeared to prevail and a working group, consisting of key stakeholders and experts, was set up to formulate a management plan in a joint venture between Clarence Valley Council and the then Department of Environment, Climate Change and Water. That resulted in the Draft Maclean Flying-fox Management Strategy being presented in 2010.

### **Stakeholders**

**Maclean High School; TAFE and Department of Education and Training; Maclean High School Parents and Citizens Association; Community Members; Department of Environment, Climate Change and Water; Department of Environment, Water, Heritage and the Arts; Land and Property Management Authority; Country Energy; Clarence Valley Council; NSW Department of Health, Wildlife SOS, and Valley Watch.**

However, shortly before the completion of the Draft, the Department of Education and Training lodged an application to continue disturbance activities to prevent re-establishment of the camp in the rainforest area which, at the time the Draft Management Plan was completed, was being considered by the Environment Department. Then, shortly after the release of the Draft, and contrary to all the policies agreed to between all stakeholders, including the Department of Environment itself, the disturbance licence was granted.

To the best of our knowledge, none of the recommendations of the Management Plan were ever implemented, nor are we aware of what actions were taken to prevent re-establishment. However, 4 years on and some Flying-foxes are still roosting in the now highly degraded rainforest, which has remained neglected for over a decade, while the bulk of the animals are roosting in the Gully and school's car park area.

After years of perseverance, and hundreds of thousands of dollars in expenditure, it must be recognised that the attempted relocation program was a complete failure.

### **Shameful neglect**

In November 2014, the Clarence Environment Centre undertook an assessment of the Maclean High School, its grounds and surrounding forested areas. We found utter devastation, through neglect, in the rainforest itself, with introduced species out-competing the native species, with what canopy remaining festooned with exotic vines.



**The Maclean rainforest remnant, broken and barely recognisable under a mass of exotic vines**



**Micky Mouse Plant, one of the plethora of exotic plant species now invading the Maclean rainforest, providing great opportunities for activities surrounding Conservation Land Management courses.**

Among the largely non-native shrubbery, behind the exclusion fencing, the ground was littered with garbage, plastics, bottles and even discarded corrugated iron and other building materials.

The surrounding Eucalypt forests, though generally healthy at canopy level, also have under-stories that are largely dominated by exotic weed species such as Micky Mouse Plant, Tobacco Bush, Morning Glory, and Jacaranda trees.

## **A possible solution?**

It occurred to us that the site created the perfect study area for environmental science, and conservation land management courses, along with specific flora and fauna related studies, which would be ideally suited for both the High School and TAFE.

Here too was a reserve that in 1959, 55 years ago, had been dedicated for the *“promotion of the study and preservation of native flora and fauna”*. Also, it had received significant funding, \$60,000, to undertake rehabilitation work which had achieved great results but had been neglected for the past 20 years effectively seeing that funding totally wasted.

All of this we believe is a sad indictment on the Department of Education, the school's Principals, teachers, and parents, and the signs of their collective disinterest are everywhere.



**Maclean High School - tired, neglected, and dilapidated.**

Today, the school is run-down and tired. The architecturally uninspired buildings are sadly neglected and in need of urgent coats of paint, graffiti removal, and general cleaning up of the tons of rubbish that litter every corner. Outbuildings with loose corrugated iron sheets rattle in the wind, there are broken downpipes, sporting courts with torn nets and matting, mounds of garden waste, construction material (even though there does not appear to be any current construction), and the ever present garbage spread across untended playing fields, all combining to complete the picture.

## **A Recommendation.**

In a rapidly expanding area of the Lower Clarence, with two identified growth areas, Gulmarrad – James Creek, and West Yamba, it is clear that the Maclean High School, squeezed as it is between the river, a cemetery, and electrical substation (hardly the most inspiring surrounds), has nowhere to expand, and that a new high school will need to be built.

In 2010, the then Federal Member for Page, Janelle Saffin, made the suggestion that the current school be closed and a new one built in a more suitable position. We believe this idea has great merit and should be adopted. We also believe that the TAFE campus could remain and expand into classrooms vacated by the high school. That campus would have no need of the sporting ovals which could be regenerated back to rainforest which would triple the habitat available to the Flying-fox colony, ultimately alleviating the problems that currently exist in the Gully area.

TAFE courses in Conservation Land Management could make great use of the rainforest, a win win solution.

The CEC has included all this information and more in its submission to the Minister for the Environment, but this conservative government has a proven record of watering down environmental protection laws, so we doubt anything we have said will change their minds. But we live in hope.

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