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Achieving optimal outcomes for Australian wildlife

The Hon. Peter Garrett AM, MP
Minister for Environment Protection Heritage and the Arts
Parliament House
Canberra
ACT 2600

Dear Minister Garrett,

4th June 2010

On behalf of the NSW Wildlife Council, which represents the collective views of more than 20 wildlife rehabilitation groups and 30 independent Licence holders, I wish to express our dismay at your decision to grant approval to disperse the colony of Grey-headed Flying-foxes (GHFF) from the Royal Botanic Gardens Sydney (RBGS).

NWC understand that this was a difficult decision because some of the trees which have been damaged by flying-foxes in the Royal Botanic Gardens Sydney (RBGS) are irreplaceable. However, the species *p. poliocephalus*, or Grey-headed Flying-fox, is also irreplaceable and more; it is indispensable for the survival of many precious species of forest trees and is threatened with extinction if current human activities, of which the proposed dispersal is one, continue.

That many of the conditions of the approval are stringent is to be commended. Some of the conditions will offer limited protection to the flying-foxes; others will negate the benefits accorded them.

The NWC is disappointed also that this approval was given without opportunity for public comment on the conditions.

NWC believe that a precedent has now been set and that many more requests to drive flying-foxes from their campsites elsewhere in the State and beyond, will follow. We fear that if such requests are not granted, then illegal slaughter and habitat destruction will ensue. There are already examples of this kind of activity (Dulguigan, Dallis Park).

NWC believe that the approval will contribute significantly to the extinction of the GHFF, which some say will now be inevitable, for the following reasons:

1. Condition 4 d) which permits “3 non-consecutive 10 minute pre-dawn dispersals at the beginning of each hour from 3 am AEST to 1 hour before sunrise each day” is of great

concern. Flying-foxes which are pregnant or juveniles from the previous season will have less stamina/experience than older animals. They will be returning to the RBG tired after a night of active foraging from around 3am. They are unlikely to have the necessary speed, strength or *time* to fly out again and reach colonies or areas deemed suitable by BGT officials. These animals *must* find roosting sites before dawn. It is extremely likely that such animals will be caught out and forced to roost in unsuitable places. This will also expose them to danger eg from predators, vehicles, power lines.

2. NWC believe also that condition 4c) is extreme in that to disturb the animals hourly for the length of time stipulated is tantamount to cruelty. We believe that disturbance should not commence before midday.

NWC therefore urge you to reconsider these two conditions, as per condition 19, which permits revision of plans if the Minister so decides, in order to better protect the GHFF. These animals *must* be permitted a minimum of 2 hours pre-dawn to find alternative roosting sites.

3. We are greatly concerned about the actual and potential consequences of dispersing flying-foxes from their colony site:
 - i) The so-called “successful” dispersal of flying-foxes from the Botanic Gardens Melbourne (BGTM) a) was accomplished initially by shooting the animals behind barricades erected to avoid public scrutiny.
 - b) Yarra Bend was not the chosen location and that the flying-foxes retreated there was entirely serendipitous for the dispersers.
 - c) In 2009 during the Black Saturday disaster, up to 5,000 GHFF, including those in Yarra Bend, perished. Vast tracts of their foraging areas were destroyed. In 2010 722 GHFF, mostly juveniles, perished during extreme heat conditions. Heat events are now occurring annually throughout much of the GHFF range, resulting in mass deaths of Flying-foxes in most of their permanent camps. The species cannot sustain deaths of thousands of individuals annually. This far exceeds deaths which could be expected by natural attrition.
 - ii) It must be pointed out that with the exception of 400 deaths in RBGS in 2006, (subsequently, action has been taken to assist the animals) no mass die-off of flying-foxes has ever occurred in either the RBGM or RBGS, because of the dense tree cover available and in the case of Sydney, the availability of sprinkler systems and sea breezes which give relief to the flying-fox colonies. No such cover is available at Yarra Bend, where mass deaths can be expected to continue to occur.
4. Both Cabramatta and Parramatta colonies, which are possible sites for the dispersed animals, have experienced mass deaths as a result of recent heat events, where the heat remained at 38 - 42 degrees Celcius for two or more days. If these colonies are already crowded when hundreds or thousands more animals are driven into them from the RBG, it is inevitable that hundreds or thousands of animals must then be forced onto the periphery of these and other colonies, where tree cover is thinnest and exposure to the elements (and to predators) is greatest. It follows that we can expect thousands more deaths in situations of extreme weather conditions will ensue. One of the most devastating experiences for wildlife rehabilitators is to attend such a scene during a heat event. It requires a special kind of courage to try to rescue thousands of suffering and dying animals, to see thousands already dead. Flying-fox carers attend these nightmare

situations every year. Any action which has the smallest possibility of exacerbating such appalling circumstances is unconscionable.

5. Condition 7a) demands that “dispersal activity must cease immediately if within any calendar month there are GHFF deaths and/or multiple injuriesfound within 1 km of the dispersal and redispersal sites.”
While we agree with this strategy, we believe that a distance of up to 2 km from the dispersal site would give a more realistic picture of death/injury occurring as a result of dispersal activity.
6. It is difficult to understand why the approval will be in place for almost two decades. Surely if the animals keep trying to return after five years or more, the conclusion must be drawn that there is a compelling ecological reason for them to do so and that to persist in driving them away has the potential for harm to the colony in particular and to the species in general.

The NWC notes that there is an independent observer group and an independent expert panel to assist with the supervision of all activities and records pertaining to the dispersal of the GHFF. We believe that in order for the choice of these expert individuals to be truly independent, the BGT should not have had complete control over the membership of these two groups. The members of the Steering committee should, in their advisory capacity, have had input. We note that the opinions of experts like Drs Stefan Klose, Justin Wellbergen, whose contribution would have been valuable, have never been sought by the BGT with regard to this proposed dispersal. We believe that groups which participate actively in the rescue and care of flying-foxes should also have input into the choice of experts on the panel and the observers group or to have been appointed to it.

NWC know that GHFF numbers are fewer than 400,000 individuals; no one knows what the critical number is for the viability of the species. We know that the species is under threat of extinction. We know that there are many unpredictable variables which could increase this threat. We cannot afford to gamble. These animals have existed in the area now claimed by the BGT since the 1800s and no doubt for millennia before. We know that GHFF are vital for the health of our forests, we believe that the RBG campsite is crucial to their survival.

The NWC would welcome a meeting with you, Minister, to discuss the matter further. We thank you for your time and sincerely hope you will consider our requests.

Sincerely,

Audrey Koosmen
Chair NSW Wildlife Council