Department of Environment and Heritage Protection

Code of Practice

Ecologically sustainable management of flying-fox roosts

Nature Conservation Act 1992

Great state. Great opportunity.

Queensland Government

Prepared by: Nature Conservation Services Branch, Department of Environment and Heritage Protection

Approved in accordance with section 174A of the *Nature Conservation Act 1992*

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This code of practice has been prepared by the Department of Environment and Heritage Protection in consultation with local government representatives, both elected and official, conservation groups, relevant government agencies, ecological consultants and members of the public.

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1. Purpose and operation of this code

1.1 The purpose of this Code of Practice— Ecologically sustainable management of flying-fox roosts **('the Code') is to ensure that the chance of *management actions* under this code resulting in harm to** flying-foxes is minimised and that appropriate welfare standards are upheld.

1.2 This code sets out how, in the course of undertaking *management actions* at flying-fox roosts in accordance with section 41A of the Nature Conservation (Wildlife Management) Regulation 2006, local government, may:

1.2.1 destroy a flying-fox roost

1.2.2 drive away, or attempt to drive away, a flying-fox from a flying-fox roost

1.2.3 disturb a flying-fox in a flying-fox roost.

1.3 This code also applies to persons or local governments operating under a flying-fox roost management permit, where the permit requires them to comply with this code.

2. Prescribed methods for management actions

2.1 The Department of Environment and Heritage Protection (EHP) must be notified at least two business days prior to commencing any *management actions* by completion of the flying-fox roost management notification form on the EHP website. However, management actions may be commenced earlier than two business days following completion of the flying-fox roost management notification form on the EHP website if an *authorised person* gives written notice to that effect.

2.1.1 This notification is valid for all dispersal activities conducted in relation to a roost within a two week timeframe from the date of notification, including dispersal activities conducted at a different location which are required to manage any impacts from dispersing the target roost.

2.1.2 If commencement or continuation of activities is delayed beyond this two week timeframe, a further notification advising the new proposed commencement date and time is required.

2.2 No roost tree may be destroyed or modified when there are flying-foxes in the tree, or when flying- foxes are near to the tree and likely to be harmed as a result of the destruction or modification.

2.3 All *management actions* must immediately cease, and EHP be immediately notified if flying-foxes appear to have been killed or injured.

2.4 During *management actions*, any attempt to drive away flying-foxes:

2.4.1 Must be properly coordinated to ensure all actions are lawful and in compliance with this code

2.4.2 May only commence after advice from a *person knowledgeable about flying-fox behaviour*, or with such a person present

2.4.3 May only occur in the early evening and/or early morning

2.4.4 When being carried out in the early evening, must commence immediately prior to dusk 'fly-out' at a roost and continue for no longer than 2 hours

2.4.5 When being carried out in the early morning, must commence immediately when flying-foxes start returning to a roost from foraging activities, and continue for no longer than 3 hours

2.4.6 Must be limited to the non-lethal deterrence methods of smoke, noise, light, foggers, BirdFrite and 'scarecrow' type devices only.

3. Definitions

Act— the *Nature Conservation Act 1992*.

Authorised person— means any of the following—

(a) the chief executive, performing functions under the Act

(b) a public service employee of the department performing functions under the Act for the chief executive

(c) a conservation officer who is not an employee of the department and who is performing functions under the Act for the chief executive.

Management actions— means non-lethal actions intended to stop flying-foxes from making use of a site or part of a site, and include destroying and/or modifying vegetation at a site, as well as coordinated action to drive flying-foxes away from a site.

Person knowledgeable about flying-fox behaviour— means a person able to demonstrate experience of, or a methodology for:

(a) classifying flying-fox species

(b) assessing flying-fox population numbers in particular roosts

(c) identifying flying-fox breeding cycles including evidence of breeding and rearing activity in particular roosts

(d) recognising signs of distress in, or harm to, flying-foxes.

Roost or **flying-fox roost**— means a tree or other place where flying-foxes congregate from time to time for breeding or rearing their young.