From: s.73 ehp.qld.gov.au]
Sent: Monday, 2 December 2013 3:48 PM
To:
CC: s.73
Subject: Changes to FFox roost management in urban areas

Dear s.73 please see link below which details changes to flying fox roost management.

http://www.ehp.qld.gov.au/wildlife/livingwith/flyingfoxes/roost-management.html

Local governments are now authorised as-of-right under the Nature Conservation Act to manage, including disperse, flying fox roosts in defined urban areas. Please refer to the Code of Practice on the web site:

http://www.ehp.qld.gov.au/wildlife/livingwith/flyingfoxes/pdf/cp-wl-ff-roost-management.pdf

As some of the dispersal activities that CTRC intend to use are outside the code (helicopter, water cannon), CTRC have been issued with a Flying Fox Roost Management Permit (FFRMP), which has the same conditions as in your DMP (WIMP13615113). Please note that this FFRMP, which will be issued shortly, will replace the DMP.

Regards

s.73
Wildlife Ranger
Wildlife Management Operations, Northern Region
Department of Environment & Heritage Protection
P.O Box 375
Garbutt East LPO
QLD 4814

Phone: s.73
Mobile: s.73
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Wednesday, 6 November 2013 8:53 AM
To: '
CC: s.73
Subject: RE: Charters Towers Flying Fox DMP
Attachments: NOD CHT S.pdf; Permit WIMP13615113.pdf

Dear s.73 please find attached the notice of decision and the amended permit to reflect the morning and afternoon times you requested.

There would be no dependent Little Reds in 3 weeks. It is hard to say whether there would be dependent Blacks. You would just have to monitor the situation.

However, this should not prohibit you from commencing dispersal activities as it is not a condition of the permit.

Thanks
s.73

From: s.73 @charterstowers.qld.gov.au]
Sent: Tuesday, 5 November 2013 3:17 PM
To: s.73
Subject: RE: Charters Towers Flying Fox DMP

Thanks

Is this likely to be the case in 2-3 weeks

Regards
s.73
Environmental Services Manager
Charters Towers Regional Council
ph s.73

From: s.73 ehp.qld.gov.au]
Sent: Tuesday, 5 November 2013 2:57 PM
To:
Cc: s.73
Subject: Charters Towers Flying Fox DMP

Dear s.73 based on the site assessment I conducted yesterday (Monday 4th Nov 2013) at Lissner Park

There were no dependent young observed in the Little Red flying fox population at Lissner Park. Birthing for Little Red flying foxes occurs April-May so any young would be at least 5-6 months of age.

There were young observed 'under wing' in the Black flying fox population at Lissner park. Birthing for Black Flying foxes occurs August-November.

According to the conditions of your DMP permit (WIMP13615113), the current situation does not prohibit commencement of dispersal activities.

I will contact you tomorrow with regard to the progress of the amendments you requested to be made to the DMP permit

RTI DL RELEASE - EHP

Regards

s.73
Wildlife Ranger
Wildlife Management Operations, Northern Region
Department of Environment & Heritage Protection
P.O Box 375
Garbutt East LPO
QLD 4814

Phone: s.73
Mobile: s.73
Email: s.73 @ehp.qld.gov.au

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

Charters Towers Regional Council - Email Disclaimer

You have received this email from an employee of the **Charters Towers Regional Council**.This e-mail message is privileged and confidential, and intended only for the recipient(s) to which it is addressed. Any views or opinions expressed within this e-mail are solely those of the author. The **Charters Towers Regional Council** makes no assurances either expressly or implied that the information provided within this e-mail is fit for any official purpose. If you are not the intended recipient, or the person responsible for delivering this e-mail to the intended recipient, please notify the sender of this message or send an e-mail to postmaster@charterstowers.qld.gov.au immediately, and delete all copies of this message.

This e-mail has been scanned and cleared by MailMarshall mail scanning software

RTI DL RELEASE - EHP

Permit[1]

This permit is issued under the following legislation:

S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13615113

Valid from: 01-NOV-2013 **to** 20-OCT-2014

Parties to the Permit

Role	Name	Address
Principal Holder	Charters Towers Regional Council 67 731 313 583	12 Mosman Street CHARTERS TOWERS QLD 4820
Person In Charge	s.73	70 Mosman Street CHARTERS TOWERS QLD 4820

Permitted Location Activity Details

Location (s)	Activity (s)
Lissner Park 230 DV444 CHARTERS TOWERS REGIONAL	Dispersal of wildlife

Permit Details

Species Details

Location		Activity	
Lissner Park		Dispersal of wildlife	
Common Name	***Scientific Name***	***Category***	***Quantity***
black flying-fox	Pteropus alecto	Live	Unlimited Animal/s
little red flying-fox	Pteropus scapulatus	Live	Unlimited Animal/s

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

RTI DL RELEASE - EHP

13-224 DL Documetns 4 of 100 Release

Conditions of Approval

Agency Interest: General

PG1 EHP staff may direct works not to commence or to cease at any time.

PG2 Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.

PG3 Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm. Dispersal activities must not occur during the day between these times.

PG4 The permit holder must ensure EHP officers can enter and remain at any location, at any time, during which dispersal activities are being undertaken.

PG5 If flying-foxes disperse to a location that is considered, on reasonable grounds, to be unsuitable by either EHP or Council, the permit holder must:
- Take reasonable actions to disperse the flying-foxes from the unsuitable location.
- Seek permission to enter the land from the relevant landowner(s) where entry to land, not owned by Council, is required to carry out the necessary dispersal activity.

PG6 A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are undertaken.

PG7 A helicopter may be used as a barrier during dispersal activities, only where CASA has given approval for its use.

Agency Interest: Biodiversity

PB1 The permit holder must notify EHP at least 48 hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.

PB2 Dispersal activities must immediately cease, and EHP notified, if:
- A flying-fox appears to have been killed, injured or harmed.
- A flying-fox appears to be suffering unnecessary or unreasonable stress.

RTI DL RELEASE - EHP

sch4p4(6) Personal information

Signed

s.73
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Notice of decision - Permit[1] transfer or amendment

This notice is issued by the administering authority to advise of a statutory decision.

Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Our reference: 381436

Dear s.73

Re: Decision made in relation to your application

The department has assessed your application received on 30-OCT-2013 and wishes to advise you of the following decision:

Permit Applied For	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13615113	Granted - level 2

Where the application has been granted, the permit has been re-issued and is attached. Where the application has been refused a Statement of Reasons is attached. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the new permit documentation. Please retain this approval documentation for your records.

Included with this Notice is advice on review and appeal processes available to you. Should you wish to seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information please contact s.73 on the telephone number listed below.

Yours sincerely

sch4p4(6) Personal information

s.73
Department of Environment and Heritage Protection
01-NOV-2013

Enquiries:
Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Tuesday, 5 November 2013 3:13 PM
To:
CC: s.73
Subject: RE: Urgent - Amendments to CTRC DMP
Attachments: Assessment memo signed.pdf; Permit WIMP13615113.pdf; NOD CHT S.pdf

Good afternoon

Original Permit and NoD is in the mail to the applicant.

Can s.73 please add to Ecotrack.

Thanks

s.73
Administration Officer, Business Support Services | Wildlife Management
Nature Conservation Services
Department of Environment and Heritage Protection
Level 5 | 400 George Street | BRISBANE
Tel s.73
www.ehp.qld.gov.au
ehp-email-signature

From: s.73
Sent: Tuesday, 5 November 2013 10:53 AM
To: s.73
Subject: PRINT Urgent - Amendments to CTRC DMP

s.73
Please make me sign this and send back via email.
Regards
s.73

From: s.73
Sent: Tuesday, 5 November 2013 8:26 AM
To: s.73
Subject: FW: Urgent - Amendments to CTRC DMP

s.73 can you please approve this ASAP.

Thanks
s.73

s.73

Operations Manager Northern
Wildlife Operations

RTI DL RELEASE - EHP

Ph: s.73
Mob: s.73
Email: s.73 @ehp.qld.gov.au
Department of Environment and Heritage Protection

From: s.73
Sent: Friday, 1 November 2013 12:18 PM
To: s.73
Subject: FW: Urgent - Amendments to CTRC DMP

s.73 can you read this and forward on if ok

Regards,
s.73

s.73
Senior Ranger – Wildlife Management Operations
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

From: s.73
Sent: Friday, 1 November 2013 8:18 AM
To: s.73
Subject: Urgent - Amendments to CTRC DMP

Dear s.73 please find attached amended CTRC Memorandum, DMP, and Notice of Decision.

Regards

s.73
Wildlife Ranger
Wildlife Management Operations, Northern Region
Department of Environment & Heritage Protection
P.O Box 375
Garbutt East LPO
QLD 4814

Phone: s.73
Mobile: s.73
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

Permit[1]

This permit is issued under the following legislation:

S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

RTI DL RELEASE - EHP

Permit number: WIMP13615113

Valid from: 01-NOV-2013 **to** 20-OCT-2014

Parties to the Permit

Role	Name	Address
Principal Holder	Charters Towers Regional Council 67 731 313 583	12 Mosman Street CHARTERS TOWERS QLD 4820
Person In Charge	s.73	70 Mosman Street CHARTERS TOWERS QLD 4820

Permitted Location Activity Details

Location (s)	Activity (s)
Lissner Park 230 DV444 CHARTERS TOWERS REGIONAL	Dispersal of wildlife

Permit Details

Species Details

Location	Activity
Lissner Park	Dispersal of wildlife

Common Name	*Scientific Name*	*Category*	*Quantity*
black flying-fox	Pteropus alecto	Live	Unlimited Animal/s
little red flying-fox	Pteropus scapulatus	Live	Unlimited Animal/s

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Release

13-224 DL Documetns 10 of 100

Conditions of Approval

Agency Interest: General

PG1 EHP staff may direct works not to commence or to cease at any time.

PG2 Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.

PG3 Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm. Dispersal activities must not occur during the day between these times.

PG4 The permit holder must ensure EHP officers can enter and remain at any location, at any time, during which dispersal activities are being undertaken.

PG5 If flying-foxes disperse to a location that is considered, on reasonable grounds, to be unsuitable by either EHP or Council, the permit holder must:
- Take reasonable actions to disperse the flying-foxes from the unsuitable location.
- Seek permission to enter the land from the relevant landowner(s) where entry to land, not owned by Council, is required to carry out the necessary dispersal activity.

PG6 A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are undertaken.

PG7 A helicopter may be used as a barrier during dispersal activities, only where CASA has given approval for its use.

Agency Interest: Biodiversity

PB1 The permit holder must notify EHP at least 48 hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.

PB2 Dispersal activities must immediately cease, and EHP notified, if:
- A flying-fox appears to have been killed, injured or harmed.
- A flying-fox appears to be suffering unnecessary or unreasonable stress.

RTI DL RELEASE - EHP

sch4p4(6) Personal information

Signed

s.73
Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Notice of decision - Permit[1] transfer or amendment

This notice is issued by the administering authority to advise of a statutory decision.

Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Our reference: 381436

Dear s.73

Re: Decision made in relation to your application

The department has assessed your application received on 30-OCT-2013 and wishes to advise you of the following decision:

Permit Applied For	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13615113	Granted - level 2

Where the application has been granted, the permit has been re-issued and is attached. Where the application has been refused a Statement of Reasons is attached. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the new permit documentation. Please retain this approval documentation for your records.

Included with this Notice is advice on review and appeal processes available to you. Should you wish to seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information please contact s.73 on the telephone number listed below.

Yours sincerely

sch4p4(6) Personal information

s.73
Department of Environment and Heritage Protection
01-NOV-2013

Enquiries:
Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

RTI DL RELEASE - EHP

Memorandum

Queensland Government

Department of **Environment and Heritage Protection**

Enquiries s.73
Telephone
Our reference

31 October 2013

sch4p4(6) Personal information

To: s.73 Director, Wildlife Management, Nature Conservation Services, Conservation and Sustainability Services, Environment and Heritage Protection.

Through: s.73 Operations Manager Northern, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection

Through: s.73 Senior Ranger Northern, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection

From: s.73 Ranger, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection.

Subject: Charters Towers Regional Council – Request to amend conditions in Flying Fox DMP - WIMP13615113

PTIDL RELEASE - EHP

1. RECOMMENDATION

- Director of Wildlife to approve the amended DMP for Charters Towers Regional Council (CTRC).
- Permit to be granted for the dispersal of Little Red and Black flying foxes
- Permit to be granted for remainder of current permit period (expiry: 20/10/14)

2. BACKGROUND

- The delegation for Damage Mitigation Permit (Flying fox dispersal) is held by Director of Wildlife.
- On the 30th of October 2013, DEHP received an amendment application from Charters Towers Regional Council to amend some conditions on their current DMP (WIMP13615113).
- Consideration was made for each amendment request. These are as follows:

- **Request 1:**

Allow dispersal activities to occur between 5:00am & 7:00am in the morning and between 5:00pm & 7:30pm in the evening.

The current condition (PG3) states "Morning dispersal activities must cease 1 hour after sunrise and that evening dispersal activities (if undertaken) cannot be commenced until 30 minutes prior to sunset."

Information considered:

A previous permit (WIMP05674308 issued 27 January 2009) allowed for dispersal activities to occur between the above mentioned times. Within the CTRC Flying Fox Management Plan 2011, or any other relevant documents, there are no specific time restrictions mentioned.

Recommendation:

Queensland Australia

Queensland Australia
Telephone 07 47967768
Facsimile 07 4796 7705
Website www.derm.qld.gov.au
ABN 46 640 294 485

I believe this request is reasonable, and further recommend that Condition PG3 in the current permit be amended as such:

PG3: "Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm."

- **Request 2:**

To conduct dispersal activities throughout the day at Lissner Park to prevent flying foxes returning.

The current condition (PG3) states "Dispersal activities must not occur during the day between these times."

Information considered:
Nature Conservation (Wildlife Management) Regulation 2006, Sections 185(d) and 186(b) of Damage Mitigation Permits, states 'the activity must not adversely affect the survival of the animal in the wild'. Many of the previous permits issued to CTRC have had this condition. This is because, from a welfare stand point, it could cause undue stress due to heat of day and constant harassment.

Recommendation:
I believe allowing dispersal activities to occur throughout the day at this time of year may cause undue stress to the animals and affect their survival. As such I recommend no further changes to be made to this condition.

- **Request 3:**

That EHP provides CTRC with information of the Little Red and Black flying foxes breeding season in order to plan dispersal activities more effectively.

Information considered:
CTRC want to avoid a situation in which EHP would shut down dispersal activities if females were determined to be pregnant or juvenile flying foxes present. In the current CTRC Flying fox Management Plan 2011, it is outlined that Flying fox camps in Lissner Park will only be disturbed/relocated to a new site if:

- No female flying foxes are observed to be in a late stage of pregnancy
- Juvenile flying foxes present are capable of independent flight

Recommendation:
EHP officers will provide CTRC with information on the mating and birthing seasons of both flying fox.

RTI DL RELEASE - EHP

Non-standard conditions apply:

1.
EHP staff may direct works not to commence or to cease at any time.
Statement of Reason: Condition stipulates EHP powers for governance over this permit in unforeseen circumstances, that could put wildlife or persons involved in the activity at risk.

2.
Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.

Statement of Reason: Condition stipulates activity guidance under the authorised Roost Management Plan and overriding permit conditions.

3.
Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm. Dispersal activities must not occur during the day between these times.

Statement of Reason: Condition stipulates time frames for authorised dispersal activities. Time frames are governed by potential stress associated with activity during the day.

4.

The permit holder must ensure EHP officers can enter and remain at any location, at any time, during which dispersal activities are being undertaken.

Statement of Reason: Condition stipulates EHP access for monitoring of compliance during dispersal activities.

5.
If flying-foxes disperse to a location that is considered, on reasonable grounds, to be unsuitable by either EHP or Council, the permit holder must:
- Take reasonable actions to disperse the flying-foxes from the unsuitable location.
- Seek permission to enter the land from the relevant landowner(s) where entry to land, not owned by Council, is required to carry out the necessary dispersal activity.

Statement of Reason: Condition provides direction for activities when flying foxes disperse to undesirable locations.

6.
A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are undertaken.

Statement of Reason: Condition in place for welfare of animals that may be found on the ground during dispersal activities.

7.
A helicopter may be used as a barrier during dispersal activities, only where CASA has given approval for its use.

Statement of Reason: This permit does not authorise the flying of a helicopter, only the use. A helicopter must operate under current aviation regulations and legislation.

8.
The permit holder must notify EHP at least 48 hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.

Statement of Reason: This condition stipulates a requirement for the department to be notified immediately prior to dispersal, allowing for final assessment of the colony prior to dispersal activities.

9.
Dispersal activities must immediately cease, and EHP notified, if:
- A flying-fox appears to have been killed, injured or harmed.
- A flying-fox appears to be suffering unnecessary or unreasonable stress.

Statement of Reason: Condition for monitoring animal welfare and unnecessary harm.

Thank you

s.73

Wildlife Ranger
Townsville
DEHP

RTI DL RELEASE - EHP

s.73

RTI DL RELEASE - EHP

From: s.73
Sent: Tuesday, 5 November 2013 11:59 AM
To: s.73
Subject: FW: Urgent - Amendments to CTRC DMP

From: s.73
Sent: Tuesday, 5 November 2013 10:53 AM
To: s.73
Subject: FW: Urgent - Amendments to CTRC DMP

s.73

Please make me sign this and send back via email

Regards

s.73

From: s.73
Sent: Tuesday, 5 November 2013 8:26 AM
To: s.73
Subject: FW: Urgent - Amendments to CTRC DMP

s.73 can you please approve this ASAP.

Thanks

s.73

s.73

Operations Manager Northern
Wildlife Operations

Ph: s.73
Mob: s.73
Email: s.73 @ehp.qld.gov.au
Department of Environment and Heritage Protection

From: s.73
Sent: Friday, 1 November 2013 12:18 PM
To: s.73
Subject: FW: Urgent - Amendments to CTRC DMP

s.73 can you read this and forward on if ok

Regards,
s.73

s.73
Senior Ranger – Wildlife Management Operations
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

From: s.73
Sent: Friday, 1 November 2013 8:18 AM
To: s.73
Subject: Urgent - Amendments to CTRC DMP

Dear s.73 please find attached amended CTRC Memorandum, DMP, and Notice of Decision.

Regards

s.73
Wildlife Ranger
Wildlife Management Operations, Northern Region
Department of Environment & Heritage Protection
P.O Box 375
Garbutt East LPO
QLD 4814

Phone: s.73
Mobile: s.73
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

Permit[1]

This permit is issued under the following legislation:

S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13615113

Valid from: 01-NOV-2013 **to** 20-OCT-2014

RTI DL RELEASE - EHP

Parties to the Permit

Role	Name	Address
Principal Holder	Charters Towers Regional Council 67 731 313 583	12 Mosman Street CHARTERS TOWERS QLD 4820
Person In Charge	s.73	70 Mosman Street CHARTERS TOWERS QLD 4820

Permitted Location Activity Details

Location (s)	Activity (s)
Lissner Park 230 DV444 CHARTERS TOWERS REGIONAL	Dispersal of wildlife

Permit Details

Species Details

Location	Activity
Lissner Park	Dispersal of wildlife

Common Name	*Scientific Name*	*Category*	*Quantity*
black flying-fox	Pteropus alecto	Live	Unlimited Animal/s
little red flying-fox	Pteropus scapulatus	Live	Unlimited Animal/s

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

13-224 DL Documetns 19 of 100 Release

Conditions of Approval

Agency Interest: General

PG1 EHP staff may direct works not to commence or to cease at any time.

PG2 Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.

PG3 Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm. Dispersal activities must not occur during the day between these times.

PG4 The permit holder must ensure EHP officers can enter and remain at any location, at any time, during which dispersal activities are being undertaken.

PG5 If flying-foxes disperse to a location that is considered, on reasonable grounds, to be unsuitable by either EHP or Council, the permit holder must:
- Take reasonable actions to disperse the flying-foxes from the unsuitable location.
- Seek permission to enter the land from the relevant landowner(s) where entry to land, not owned by Council, is required to carry out the necessary dispersal activity.

PG6 A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are undertaken.

PG7 A helicopter may be used as a barrier during dispersal activities, only where CASA has given approval for its use.

Agency Interest: Biodiversity

PB1 The permit holder must notify EHP at least 48 hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.

PB2 Dispersal activities must immediately cease, and EHP notified, if:
- A flying-fox appears to have been killed, injured or harmed.
- A flying-fox appears to be suffering unnecessary or unreasonable stress.

RTI DL RELEASE - EHP

Signed

s.73

Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Release
13-224 DL Documetns 21 of 100

This notice is issued by the administering authority to advise of a statutory decision.

Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Our reference: 381436

Dear s.73

Re: Decision made in relation to your application

The department has assessed your application received on 30-OCT-2013 and wishes to advise you of the following decision:

Permit Applied For	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13615113	Granted - level 2

Where the application has been granted, the permit has been re-issued and is attached. Where the application has been refused a Statement of Reasons is attached. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the new permit documentation. Please retain this approval documentation for your records.

Included with this Notice is advice on review and appeal processes available to you. Should you wish to seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information please contact s.73 on the telephone number listed below.

Yours sincerely

s.73
Department of Environment and Heritage Protection
01-NOV-2013

Enquiries:
Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

Department of Environment and Heritage Protection

www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

RTI DL RELEASE - EHP

13-224 DL Documetns 22 of 100 Release

Memorandum

Queensland Government

Department of **Environment and Heritage Protection**

Enquiries s.73
Telephone
Our reference

31 October 2013

To: s.73 Director, Wildlife Management, Nature Conservation Services, Conservation and Sustainability Services, Environment and Heritage Protection.

Through: s.73 Operations Manager Northern, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection

Through: s.73 Senior Ranger Northern, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection

From: s.73 Ranger, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection.

Subject: Charters Towers Regional Council – Request to amend conditions in Flying Fox DMP - WIMP13615113

RTI DL RELEASE - EHP

1. RECOMMENDATION

- Director of Wildlife to approve the amended DMP for Charters Towers Regional Council (CTRC).
- Permit to be granted for the dispersal of Little Red and Black flying foxes
- Permit to be granted for remainder of current permit period (expiry: 20/10/14)

2. BACKGROUND

- The delegation for Damage Mitigation Permit (Flying fox dispersal) is held by Director of Wildlife.
- On the 30th of October 2013, DEHP received an amendment application from Charters Towers Regional Council to amend some conditions on their current DMP (WIMP13615113).
- Consideration was made for each amendment request. These are as follows:

- **Request 1:**

Allow dispersal activities to occur between 5:00am & 7:00am in the morning and between 5:00pm & 7:30pm in the evening.

The current condition (PG3) states "Morning dispersal activities must cease 1 hour after sunrise and that evening dispersal activities (if undertaken) cannot be commenced until 30 minutes prior to sunset."

Information considered:

A previous permit (WIMP05674308 issued 27 January 2009) allowed for dispersal activities to occur between the above mentioned times. Within the CTRC Flying Fox Management Plan 2011, or any other relevant documents, there are no specific time restrictions mentioned.

Recommendation:

Queensland Australia

Queensland Australia
Telephone 07 47967768
Facsimile 07 4796 7705
Website www.derm.qld.gov.au
ABN 46 640 294 485

I believe this request is reasonable, and further recommend that Condition PG3 in the current permit be amended as such:

PG3: "Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm."

- **Request 2:**

To conduct dispersal activities throughout the day at Lissner Park to prevent flying foxes returning.

The current condition (PG3) states "Dispersal activities must not occur during the day between these times."

Information considered:
Nature Conservation (Wildlife Management) Regulation 2006, Sections 185(d) and 186(b) of Damage Mitigation Permits, states 'the activity must not adversely affect the survival of the animal in the wild'. Many of the previous permits issued to CTRC have had this condition. This is because, from a welfare stand point, it could cause undue stress due to heat of day and constant harassment.

Recommendation:
I believe allowing dispersal activities to occur throughout the day at this time of year may cause undue stress to the animals and affect their survival. As such I recommend no further changes to be made to this condition.

- **Request 3:**

That EHP provides CTRC with information of the Little Red and Black flying foxes breeding season in order to plan dispersal activities more effectively.

Information considered:
CTRC want to avoid a situation in which EHP would shut down dispersal activities if females were determined to be pregnant or juvenile flying foxes present. In the current CTRC Flying fox Management Plan 2011, it is outlined that Flying fox camps in Lissner Park will only be disturbed/relocated to a new site if:

- No female flying foxes are observed to be in a late stage of pregnancy
- Juvenile flying foxes present are capable of independent flight

Recommendation:
EHP officers will provide CTRC with information on the mating and birthing seasons of both flying fox.

RTI DL RELEASE - EHP

Non-standard conditions apply:

1.
EHP staff may direct works not to commence or to cease at any time.
Statement of Reason: Condition stipulates EHP powers for governance over this permit in unforeseen circumstances, that could put wildlife or persons involved in the activity at risk.

2.
Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.

Statement of Reason: Condition stipulates activity guidance under the authorised Roost Management Plan and overriding permit conditions.
3.
Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm. Dispersal activities must not occur during the day between these times.

Statement of Reason: Condition stipulates time frames for authorised dispersal activities. Time frames are governed by potential stress associated with activity during the day.

4.

The permit holder must ensure EHP officers can enter and remain at any location, at any time, during which dispersal activities are being undertaken.

Statement of Reason: Condition stipulates EHP access for monitoring of compliance during dispersal activities.

5.
If flying-foxes disperse to a location that is considered, on reasonable grounds, to be unsuitable by either EHP or Council, the permit holder must:
- Take reasonable actions to disperse the flying-foxes from the unsuitable location.
- Seek permission to enter the land from the relevant landowner(s) where entry to land, not owned by Council, is required to carry out the necessary dispersal activity.

Statement of Reason: Condition provides direction for activities when flying foxes disperse to undesirable locations.

6.
A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are undertaken.

Statement of Reason: Condition in place for welfare of animals that may be found on the ground during dispersal activities.

7.
A helicopter may be used as a barrier during dispersal activities, only where CASA has given approval for its use.

Statement of Reason: This permit does not authorise the flying of a helicopter, only the use. A helicopter must operate under current aviation regulations and legislation.

8.
The permit holder must notify EHP at least 48 hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.

Statement of Reason: This condition stipulates a requirement for the department to be notified immediately prior to dispersal, allowing for final assessment of the colony prior to dispersal activities.

9.
Dispersal activities must immediately cease, and EHP notified, if:
- A flying-fox appears to have been killed, injured or harmed.
- A flying-fox appears to be suffering unnecessary or unreasonable stress.

Statement of Reason: Condition for monitoring animal welfare and unnecessary harm.

Thank you

s.73
Wildlife Ranger
Townsville
DEHP

RTI DL RELEASE - EHP

File note of meeting/discussion

☐ Meeting/assessment

Date: 4-11-2013 **Time**: 9:30am

Between: s.73 (EHP 005 ranger Northern, Wildlife Management, Townsville) and s.73 Environmental Services Manager – Charters Towers Regional Council)

Subject: Assess whether there are dependent young in either the Little Red and Black flying fox populations that currently inhabit Lissner Park. Advise as to whether dispersal activities can commence, in accordance with current DMP permit (WIMP13615113).

Assessment: No dependent young were observed in the Little Red flying fox population. Birthing for this species occurs April-May. Young under the wing were observed in the population of Black flying foxes. Birthing for this species occurs August-November. According to the conditions of Charters Towers Regional Council Flying fox DMP permit (WIMP13615113), the current situation does not prohibit commencement of dispersal activities.

Action: email (see below) sent to s.73 advising on situation.

Dear s.73 based on our observations today, there were no dependent young observed in the Little Red flying fox population at Lissner Park. Birthing for Little Red flying foxes occurs April-May so any young would be at least 5-6 months of age.

There were young observed 'under wing' in the Black flying fox population at Lissner park. Birthing for Black Flying foxes occurs August-November.

According to the conditions of your DMP permit (WIMP13615113), the current situation does not prohibit commencement of dispersal activities.

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Friday, 1 November 2013 8:18 AM
To: s.73
Subject: Urgent - Amendments to CTRC DMP
Attachments: Amendments to CTRC Flying fox DMP WIMP13615113 memorandum.docx; CTRC Amend WIMP13615113 NOD.docx; CTRC Amend WIMP13615113.pdf

Dear s.73 please find attached amended CTRC Memorandum, DMP, and Notice of Decision.

Regards

s.73
Wildlife Ranger
Wildlife Management Operations, Northern Region
Department of Environment & Heritage Protection
P.O Box 375
Garbutt East LPO
QLD 4814

Phone: s.73
Mobile: s.73
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

Permit[1]

This permit is issued under the following legislation:

S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13615113

Valid from: 01-NOV-2013 **to** 20-OCT-2014

RTI DL RELEASE - EHP

Parties to the Permit

Role	Name	Address
Principal Holder	Charters Towers Regional Council 67 731 313 583	12 Mosman Street CHARTERS TOWERS QLD 4820
Person In Charge	s.73	70 Mosman Street CHARTERS TOWERS QLD 4820

Permitted Location Activity Details

Location (s)	Activity (s)
Lissner Park 230 DV444 CHARTERS TOWERS REGIONAL	Dispersal of wildlife

Permit Details

Species Details

Location	Activity
Lissner Park	Dispersal of wildlife

Common Name	*Scientific Name*	*Category*	*Quantity*
black flying-fox	Pteropus alecto	Live	Unlimited Animal/s
little red flying-fox	Pteropus scapulatus	Live	Unlimited Animal/s

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Release

13-224 DL Documetns 28 of 100

Conditions of Approval

Agency Interest: General

PG1 EHP staff may direct works not to commence or to cease at any time.

PG2 Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.

PG3 Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm. Dispersal activities must not occur during the day between these times.

PG4 The permit holder must ensure EHP officers can enter and remain at any location, at any time, during which dispersal activities are being undertaken.

PG5 If flying-foxes disperse to a location that is considered, on reasonable grounds, to be unsuitable by either EHP or Council, the permit holder must:
- Take reasonable actions to disperse the flying-foxes from the unsuitable location.
- Seek permission to enter the land from the relevant landowner(s) where entry to land, not owned by Council, is required to carry out the necessary dispersal activity.

PG6 A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are undertaken.

PG7 A helicopter may be used as a barrier during dispersal activities, only where CASA has given approval for its use.

Agency Interest: Biodiversity

PB1 The permit holder must notify EHP at least 48 hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.

PB2 Dispersal activities must immediately cease, and EHP notified, if:
- A flying-fox appears to have been killed, injured or harmed.
- A flying-fox appears to be suffering unnecessary or unreasonable stress.

RTI DL RELEASE - EHP

Signed

s.73

Delegate
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Release
13-224 DL Documetns 30 of 100

This notice is issued by the administering authority to advise of a statutory decision.

Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Our reference: 381436

Dear s.73

Re: Decision made in relation to your application

The department has assessed your application received on 30-OCT-2013 and wishes to advise you of the following decision:

Permit Applied For	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13615113	Granted - level 2

Where the application has been granted, the permit has been re-issued and is attached. Where the application has been refused a Statement of Reasons is attached. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the new permit documentation. Please retain this approval documentation for your records.

Included with this Notice is advice on review and appeal processes available to you. Should you wish to seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information please contact s.73 on the telephone number listed below.

Yours sincerely

s.73
Department of Environment and Heritage Protection
01-NOV-2013

Enquiries:
Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

Department of Environment and Heritage Protection

www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

13-224 DL Documetns 31 of 100

RTI DL RELEASE - EHP

Memorandum

Queensland Government

Department of **Environment and Heritage Protection**

Enquiries s.73
Telephone
Our reference

31 October 2013

To: s.73 Director, Wildlife Management, Nature Conservation Services, Conservation and Sustainability Services, Environment and Heritage Protection.

Through: s.73 Operations Manager Northern, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection

Through: s.73 Senior Ranger Northern, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection

From: s.73 Ranger, Wildlife Management, Conservation and Sustainability Services, Environment and Heritage Protection.

Subject: Charters Towers Regional Council – Request to amend conditions in Flying Fox DMP - WIMP13615113

RTI DL RELEASE - EHP

1. RECOMMENDATION

- Director of Wildlife to approve the amended DMP for Charters Towers Regional Council (CTRC).
- Permit to be granted for the dispersal of Little Red and Black flying foxes
- Permit to be granted for remainder of current permit period (expiry: 20/10/14)

2. BACKGROUND

- The delegation for Damage Mitigation Permit (Flying fox dispersal) is held by Director of Wildlife.
- On the 30th of October 2013, DEHP received an amendment application from Charters Towers Regional Council to amend some conditions on their current DMP (WIMP13615113).
- Consideration was made for each amendment request. These are as follows:

- **Request 1:**

Allow dispersal activities to occur between 5:00am & 7:00am in the morning and between 5:00pm & 7:30pm in the evening.

The current condition (PG3) states "Morning dispersal activities must cease 1 hour after sunrise and that evening dispersal activities (if undertaken) cannot be commenced until 30 minutes prior to sunset."

Information considered:

A previous permit (WIMP05674308 issued 27 January 2009) allowed for dispersal activities to occur between the above mentioned times. Within the CTRC Flying Fox Management Plan 2011, or any other relevant documents, there are no specific time restrictions mentioned.

Recommendation:

Queensland Australia

Queensland Australia
Telephone 07 47967768
Facsimile 07 4796 7705
Website www.derm.qld.gov.au
ABN 46 640 294 485

I believe this request is reasonable, and further recommend that Condition PG3 in the current permit be amended as such:

PG3: "Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm."

- **Request 2:**

To conduct dispersal activities throughout the day at Lissner Park to prevent flying foxes returning.

The current condition (PG3) states "Dispersal activities must not occur during the day between these times."

Information considered:
Nature Conservation (Wildlife Management) Regulation 2006, Sections 185(d) and 186(b) of Damage Mitigation Permits, states 'the activity must not adversely affect the survival of the animal in the wild'. Many of the previous permits issued to CTRC have had this condition. This is because, from a welfare stand point, it could cause undue stress due to heat of day and constant harassment.

Recommendation:
I believe allowing dispersal activities to occur throughout the day at this time of year may cause undue stress to the animals and affect their survival. As such I recommend no further changes to be made to this condition.

- **Request 3:**

That EHP provides CTRC with information of the Little Red and Black flying foxes breeding season in order to plan dispersal activities more effectively.

Information considered:
CTRC want to avoid a situation in which EHP would shut down dispersal activities if females were determined to be pregnant or juvenile flying foxes present. In the current CTRC Flying fox Management Plan 2011, it is outlined that Flying fox camps in Lissner Park will only be disturbed/relocated to a new site if:

- No female flying foxes are observed to be in a late stage of pregnancy
- Juvenile flying foxes present are capable of independent flight

Recommendation:
EHP officers will provide CTRC with information on the mating and birthing seasons of both flying fox.

RTI DL RELEASE - EHP

Non-standard conditions apply:

1.
EHP staff may direct works not to commence or to cease at any time.
Statement of Reason: Condition stipulates EHP powers for governance over this permit in unforeseen circumstances, that could put wildlife or persons involved in the activity at risk.

2.
Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.

Statement of Reason: Condition stipulates activity guidance under the authorised Roost Management Plan and overriding permit conditions.
3.
Morning dispersal activities must cease by 7:00 am, and evening dispersal activities (if undertaken) cannot be commenced until 5:30pm. Dispersal activities must not occur during the day between these times.

Statement of Reason: Condition stipulates time frames for authorised dispersal activities. Time frames are governed by potential stress associated with activity during the day.

4.

The permit holder must ensure EHP officers can enter and remain at any location, at any time, during which dispersal activities are being undertaken.

Statement of Reason: Condition stipulates EHP access for monitoring of compliance during dispersal activities.

5.
If flying-foxes disperse to a location that is considered, on reasonable grounds, to be unsuitable by either EHP or Council, the permit holder must:
- Take reasonable actions to disperse the flying-foxes from the unsuitable location.
- Seek permission to enter the land from the relevant landowner(s) where entry to land, not owned by Council, is required to carry out the necessary dispersal activity.

Statement of Reason: Condition provides direction for activities when flying foxes disperse to undesirable locations.

6.
A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are undertaken.

Statement of Reason: Condition in place for welfare of animals that may be found on the ground during dispersal activities.

7.
A helicopter may be used as a barrier during dispersal activities, only where CASA has given approval for its use.

Statement of Reason: This permit does not authorise the flying of a helicopter, only the use. A helicopter must operate under current aviation regulations and legislation.

8.
The permit holder must notify EHP at least 48 hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.

Statement of Reason: This condition stipulates a requirement for the department to be notified immediately prior to dispersal, allowing for final assessment of the colony prior to dispersal activities.

9.
Dispersal activities must immediately cease, and EHP notified, if:
- A flying-fox appears to have been killed, injured or harmed.
- A flying-fox appears to be suffering unnecessary or unreasonable stress.

Statement of Reason: Condition for monitoring animal welfare and unnecessary harm.

Thank you

s.73
Wildlife Ranger
Townsville
DEHP

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Thursday, 31 October 2013 8:00 AM
To: s.73
Subject: FW: Charters Towers permit
Attachments: WIMP13515113 PERMIT.pdf; WICL13615113.pdf

FYI

Regards,
s.73

s.73
Senior Ranger – Wildlife Management Operations
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

From: s.73
Sent: Thursday, 24 October 2013 10:21 AM
To:
Cc: s.73
Subject: RE: Charters Towers permit

Attached

s.73
Wildlife Strategy
Department of Environment and Heritage Protection

From: s.73
Sent: Thursday, 24 October 2013 10:20 AM
To:
Cc: s.73
Subject: RE: Charters Towers permit

Signed permit attached. Original in the mail to the client.

s.73
Wildlife Strategy
Department of Environment and Heritage Protection

From: s.73
Sent: Tuesday, 22 October 2013 6:44 AM
To:
Cc: s.73
Subject: FW: Charters Towers permit

Hi s.73

Looking at this you are already aware of the permit conditions etc. Therefore I have sent it on with no changes. I have no issues or concerns to add.

For your approval.

RTI DL RELEASE - EHP

Thanks
s.73

s.73

Operations Manager Northern
Wildlife Operations

Ph: s.73
Mob: s.73
Email: s.73 @ehp.qld.gov.au
Department of Environment and Heritage Protection

From: s.73
Sent: Monday, 21 October 2013 2:24 PM
To: s.73
Subject: Charters Towers permit

s.73 can you have a look at this then if OK send on to s.73

Regards,
s.73

s.73
Senior Ranger – Wildlife Management Operations
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

Permit[1]

This permit is issued under the following legislation:

S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13615113

Valid from: 21-OCT-2013 **to** 20-OCT-2014

RTI DL RELEASE - EHP

Parties to the Permit

Role	Name	Address
Principal Holder	Charters Towers Regional Council 67 731 313 583	12 Mosman Street CHARTERS TOWERS QLD 4820

Permitted Location Activity Details

Location (s)	Activity (s)
Lissner Park 230 DV444 CHARTERS TOWERS REGIONAL	Dispersal of wildlife

Permit Details

Species Details

Location	Activity
Lissner Park	Dispersal of wildlife

Common Name	*Scientific Name*	*Category*	*Quantity*
black flying-fox	Pteropus alecto	Live	Unlimited Animal/s
little red flying-fox	Pteropus scapulatus	Live	Unlimited Animal/s

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

13-224 DL Documetns Release 37 of 100

Conditions of Approval

Agency Interest: General

PG1	EHP staff may direct works not to commence of to cease at any time.
PG2	Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.
PG3	Morning dispersal activities must cease 1 hour after sunrise. Evening dispersal activities (if undertaken) cannot be commenced until 30 minutes prior to sunset. Dispersal activities must not occur during the day between these times.
PG4	The permit holder must ensure that EHP officers can enter and remain at any location at any time during which dispersal activities are being undertaken.
PG5	If flying-foxes disperse to a location that is considered on reasonable grounds to be unsuitable by either EHP or Council, the permit holder must: - Take reasonable actions to disperse the flying-foxes from the unsuitable location. - Where entry to land not owned by Council is required to carry out the necessary dispersal activity, seek permission to enter the land from the relevant landowner(s).
PG6	A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities ae being undertaken.
PG7	A helicopter may be used as a barrier during dispersal activities only where CASA has given approval for its use.

Agency Interest: Biodiversity

PB1	The permit holder must notify EHP at least 48hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.
PB2	Dispersal activities must immediately cease and EHP notified if: - A flying-fox appears to have been killed, injured or harmed. - A flying-fox appears to be suffering unnecessary or unreasonable stress.

RTI DL-RELEASE - EHP

sch4p4(6) Personal information

Signed

s.73

Delegate
Department of Environment and Heritage Protection

Notice of decision - permit[1] application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Our reference: 381436

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 17-OCT-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WMP13615113	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact s.73 on the telephone number listed below.

Yours sincerely

sch4p4(6) Personal information

s.73
Department of Environment and Heritage Protection
Date

Enquiries:
Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment - Permit/Statement of Reasons

RTI DL RELEASE - EHP

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

From: s.73 @ehp.qld.gov.au]
Sent: Thursday, 31 October 2013 7:59 AM
To: s.73
Subject: FW: Damage Mitigation Permit - Flying foxes

Regards,
s.73

s.73
Senior Ranger – Wildlife Management Operations
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 ehp.qld.gov.au

From: s.73
Sent: Wednesday, 30 October 2013 9:33 AM
To:
Cc: s.73
Subject: RE: Damage Mitigation Permit - Flying foxes

Hi s.73

Yes s.73 s.73 has gone back to Brisbane and her substantive role. s.73 is the Senior ranger Townsville and should be your point or me of cause.

I will find someone to help you. s.73 can we get s.73 to look at this please. s.73 please discuss with me so we can help s.73 out ASAP.

Thanks
s.73

s.73

Operations Manager Northern
Wildlife Operations

Ph: s.73
Mob: s.73
Email: s.73 @ehp.qld.gov.au
Department of Environment and Heritage Protection

From: s.73 @charterstowers.qld.gov.au]
Sent: Wednesday, 30 October 2013 9:26 AM
To:
Cc: s.73

RTI DL RELEASE - EHP

Subject: FW: Damage Mitigation Permit - Flying foxes

Please refer email below s.73 s.47(3) s.47(6) Personal information can't find email for s.73 ?

Regards
s.73
Environmental Services Manager
Charters Towers Regional Council
ph s.73

From: s.73
Sent: Wednesday, 30 October 2013 9:21 AM
To: s.73
Subject: FW: Damage Mitigation Permit - Flying foxes

s.73

I very much appreciate the work that you have done for us but for Council to proceed with action on relocating flying foxes, we need everything to align, including having the Council on side. The estimated cost for our 28 day program is up to $180,000. This is very relevant because we only have 4,500 odd ratepayers in our region. In consultation with key staff and Councillors we have a few issues:

1. Condition PG3 states "Morning dispersal activities must cease 1 hour after sunrise. Evening dispersal activities (if undertaken) cannot be commenced until 30 minutes prior to sunset.". In effect, this means relocation activities must cease at 6:30am in the morning and cannot start until 6:15pm in the evening. This condition is more restrictive than a majority of the permits issued to Council previously. For example, Damage Mitigation Permit No. WIMP05674308 issued 27 January 2009 stated that we could operate between 5am & 7:00am and 5:00pm & 7:30pm. **These times would be more suitable.**

2. Also part of Condition PG 3 – "Dispersal activities must not occur during the day between these times". In theory this is OK, but in practise it is a problem. Council's best opportunity to relocate the flying foxes to one of the nominated sites is to step them out a few hundred meters at a time. In the past, we have managed to step them up to 500 meters in a day but when they ended up in a populated part of town the residents simply chased them back to Lissner Park **after the cease time** (which I assume should apply to the public as well). Therefore, from an operations perspective I believe we should be able to protect Lissner Park at all times of the day ONCE we have managed to start them moving.

3. Council has a concern, that we may outlay thousands of dollars in advertising and the like, only 2 have EHP stop us because of young.

Therefore, can EHP adjust Condition PG3 to reflect the comments in items 1 & 2 and can EHP highlight the likely breeding season for little reds in Lissner Park when relocation will not be possible.

Please advise ASAP.

There is a fourth item but it is a CASA issue beyond your control.

Regards
s.73
Environmental Services Manager
Charters Towers Regional Council
ph s.73

Charters Towers Regional Council - Email Disclaimer

You have received this email from an employee of the **Charters Towers Regional Council**.This e-mail message is privileged and confidential, and intended only for the recipient(s) to which it is addressed. Any views or opinions expressed within this e-mail are solely

RTI DL RELEASE - EHP

those of the author. The **Charters Towers Regional Council** makes no assurances either expressly or implied that the information provided within this e-mail is fit for any official purpose. If you are not the intended recipient, or the person responsible for delivering this e-mail to the intended recipient, please notify the sender of this message or send an e-mail to postmaster@charterstowers.qld.gov.au immediately, and delete all copies of this message.

This e-mail has been scanned and cleared by MailMarshall mail scanning software

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Thursday, 24 October 2013 1:10 PM
To: s.73 @charterstowers.qld.gov.au
CC: s.73
Subject: Damage Mitigation Permit and Notice of decision
Attachments: WIMP13515113 PERMIT.PDF; WICL13615113.pdf; Information notice-120619.pdf

Dear Charters Towers Regional Council

That you for your application Damage Mitigation (flying fox roosts) received 17th October 2013, I am pleased to advise your application for wildlife authority has been granted by the Chief Executive for a period of 1 year. Please find attached a signed copy of your Wildlife Authority, Notice of Decision, a copy of the departmental appeals information notice has also been attached for your information.

If you have any further questions or queries please contact the s.73 Townsville EHP Office on s.73

Regards,

s.73

s.73
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

Permit[1]

This permit is issued under the following legislation:

S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13615113

Valid from: 21-OCT-2013 **to** 20-OCT-2014

RTI DL RELEASE - EHP

Parties to the Permit

Role	Name	Address
Principal Holder	Charters Towers Regional Council 67 731 313 583	12 Mosman Street CHARTERS TOWERS QLD 4820

Permitted Location Activity Details

Location (s)	Activity (s)
Lissner Park 230 DV444 CHARTERS TOWERS REGIONAL	Dispersal of wildlife

Permit Details

Species Details

Location	Activity
Lissner Park	Dispersal of wildlife

Common Name	*Scientific Name*	*Category*	*Quantity*
black flying-fox	Pteropus alecto	Live	Unlimited Animal/s
little red flying-fox	Pteropus scapulatus	Live	Unlimited Animal/s

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

13-224 DL Documetns 44 of 100 Release

Conditions of Approval

Agency Interest: General

PG1	EHP staff may direct works not to commence of to cease at any time.
PG2	Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.
PG3	Morning dispersal activities must cease 1 hour after sunrise. Evening dispersal activities (if undertaken) cannot be commenced until 30 minutes prior to sunset. Dispersal activities must not occur during the day between these times.
PG4	The permit holder must ensure that EHP officers can enter and remain at any location at any time during which dispersal activities are being undertaken.
PG5	If flying-foxes disperse to a location that is considered on reasonable grounds to be unsuitable by either EHP or Council, the permit holder must: - Take reasonable actions to disperse the flying-foxes from the unsuitable location. - Where entry to land not owned by Council is required to carry out the necessary dispersal activity, seek permission to enter the land from the relevant landowner(s).
PG6	A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities ae being undertaken.
PG7	A helicopter may be used as a barrier during dispersal activities only where CASA has given approval for its use.

Agency Interest: Biodiversity

PB1	The permit holder must notify EHP at least 48hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.
PB2	Dispersal activities must immediately cease and EHP notified if: - A flying-fox appears to have been killed, injured or harmed. - A flying-fox appears to be suffering unnecessary or unreasonable stress.

RTI DL RELEASE - EHP

sch4p4(6) Personal information

Signed

s.73

Delegate
Department of Environment and Heritage Protection

Notice of decision - permit[1] application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Our reference: 381436

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 17-OCT-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WMP13615113	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact s.73 on the telephone number listed below.

Yours sincerely

sch4p4(6) Personal information

s.73
Department of Environment and Heritage Protection
Date

Enquiries:
Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment - Permit/Statement of Reasons

RTI DL RELEASE - EHP

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Information notice

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992* (the Act).

When assessing an application for a relevant authority, the chief executive must have regard to the following:

s25(1) *Nature Conservation (Administration) Regulation 2006*

(a) the impact the activities that may be carried out under the authority may have on the conservation of the cultural or natural resources of a protected area or native wildlife;

(b) the effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;

(c) any contribution the applicant proposes to make to the conservation of nature;

(d) any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;

(e) the precautionary principle;

(f) public health and safety;

(g) the public interest;

(h) for an application for a relevant authority other than a camping permit—whether the applicant is a suitable person to hold the authority, having regard to the matters mentioned in schedule 2;

(i) for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;

(j) any recovery plan for wildlife to which the authority applies;

(k) any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

s25(2) *Nature Conservation (Administration) Regulation 2006*

Without limiting subsection (1), the chief executive may have regard to anything else the chief executive considers appropriate to achieve the object of the Act.

s31 *Nature Conservation (Administration) Regulation 2006*

The chief executive can not –

(a) grant a protected area authority to a person if the Protected Areas Management Regulation states the chief executive can not grant the authority to the person or to any person; or

(b) grant a wildlife authority to a person if the Wildlife Management Regulation or a conservation plan states the chief executive can not grant the authority to the person or to any person.

Note – See also section 137 of the Act.

s34 and s40 *Nature Conservation (Protected Areas Management) Regulation 2006*

In considering an application for an Aboriginal tradition authority or Island custom authority for a cultural or natural resource of a protected area, the chief executive must have regard to—

(a) any advice given by the corporation named in the application for the authority on the significance, under Aboriginal tradition, of the activity the subject of the application; and

(b) whether there is a reasonable alternative to taking, keeping, using or interfering with the resource; and

(c) the extent to which the activity will interfere with the public use of the protected area, or the part of a protected area, to which the authority applies.

RTI DL RELEASE - EHP

Information notice

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992* (the Act).

s49 *Nature Conservation (Protected Areas Management) Regulation 2006*

In considering an application for an activity permit for a protected area, the chief executive must have regard to each of the following—

(a) the impact the activities that may be conducted under the authority may have on the character and amenity of the area and adjacent areas;

(b) the likely cumulative effect of the proposed use and other uses on the area;

(c) the orderly and proper management of the area.

s50 *Nature Conservation (Protected Areas Management) Regulation 2006*

The chief executive can not grant an activity permit for a protected area that is inconsistent with—

(a) the management principles for the area; or

(b) the interim or declared management intent, or management plan, for the area

s137 *Nature Conservation Act 1992*

(1) A licence, permit or other authority issued or given under a regulation or another Act to take, use, keep or interfere with a cultural or natural resource of a protected area must be consistent with—

(a) the management principles for the area; and

(b) the interim or declared management intent, or management plan, for the area.

(2) A licence, permit or other authority issued or given under a regulation to—

(a) take, use or keep protected wildlife; or

(b) abandon, release, keep, use or introduce international or prohibited wildlife;

must be consistent with—

(c) the management principles for the wildlife; and

(d) the declared management intent, or conservation plan, applicable to the wildlife.

Consideration for each of the above has been made and consequently some conditions have been imposed on your permit. Please take the time to familiarise yourself with these. Should you have any questions regarding any of these conditions please contact the Project Manager.

The *Nature Conservation (Administration) Regulation 2006* has internal and external reviews available to you should you be dissatisfied with any condition imposed on your permit. In summary these include:

- If you wish to apply for an internal review of the decision an application must be made in writing within 20 business days after being given this notice.
- The application must be supported by sufficient information to decide the application.
- The application for internal review does not stay the decision made. However you may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a stay of the decision.
- The Department of Environment and Heritage Protection must review the decision within 28 days of receiving the application and provide you with a decision within 14 days of making the review decision.
- If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT within 28 days of receiving the internal review notice.

RTI DL RELEASE - EHP

Information notice

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the *Nature Conservation Act 1992* (the Act).

– For further information you are directed to Part 4: Internal and External Reviews of the *Nature Conservation (Administration) Regulation 2006* and the Queensland Civil and Administrative Tribunal Act 2009 which can be found at www.legislation.qld.gov.au/OQPChome.htm

Internal and external rights under the *Nature Conservation (Administration) Regulation 2006* are located in Part 4 of the regulation. If you are dissatisfied with the internal review decision then you are able to file an application for an external review in the registry of the QCAT pursuant to the Queensland Civil and Administrative Tribunal Act 2009 within 28 days of receiving the internal review notice.

A copy of the regulation and the act can be accessed at www.legislation.qld.gov.au

Also note:

Should it be determined at some future date by any Court or Tribunal that native title exists over the subject land or waters, this permit may be terminated and the permit holder (or any subsequent permit holder) may be required to remove any works established under this licence at the permit holder's (or any subsequent permit holder's) own cost, expense and risk. In that event, no compensation for works, development costs or loss of income shall be payable to the permit holder (or any subsequent permit holder) by the State of Queensland.

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Thursday, 24 October 2013 10:21 AM
To: s.73
Subject: RE: Charters Towers permit

Hi s.73

Thank you very much for the speediness of this approval.

Regards,

s.73
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

From: s.73
Sent: Thursday, 24 October 2013 10:21 AM
To:
Cc: s.73
Subject: RE: Charters Towers permit

Attached

s.73
Wildlife Strategy
Department of Environment and Heritage Protection

From: s.73
Sent: Thursday, 24 October 2013 10:20 AM
To:
Cc: s.73 s.73
Subject: RE: Charters Towers permit

Signed permit attached. Original in the mail to the client.

s.73
Wildlife Strategy
Department of Environment and Heritage Protection

From: s.73
Sent: Tuesday, 22 October 2013 6:44 AM
To:
Cc: s.73
Subject: FW: Charters Towers permit

Hi s.73

Looking at this you are already aware of the permit conditions etc. Therefore I have sent it on with no changes. I have no issues or concerns to add.

For your approval.

Thanks

s.73

s.73

Operations Manager Northern
Wildlife Operations

Ph: s.73
Mob: s.73
Email: s.73 @ehp.qld.gov.au
Department of Environment and Heritage Protection

From: s.73
Sent: Monday, 21 October 2013 2:24 PM
To: s.73
Subject: Charters Towers permit

s.73 can you have a look at this then if OK send on to s.73

Regards,

s.73

s.73
Senior Ranger – Wildlife Management Operations
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Monday, 21 October 2013 2:19 PM
To:
CC: s.73
Subject: Charters Towers Permit for s.73 consideration
Attachments: Dispersal DMP permit 211013.pdf; Notice of Decision.pdf; ChartersTowers approved DMP memo.pdf

Hi s.73

Could you please forward this Permit, Notice of Decision and Approved Memo up the chain of command for s.73 consideration.

Regards,

s.73

s.73
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

Notice of decision - permit[1] application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Our reference: 381436

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 17-OCT-2013 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP13615113	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact s.73 on the telephone number listed below.

Yours sincerely

s.73
Department of Environment and Heritage Protection
Date

Enquiries:
Wildlife - Savanna - QPW
PO Box 5597
TOWNSVILLE QLD 4810

Attachment - Permit/Statement of Reasons

RTI DL RELEASE - EHP

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Release

Permit[1]

This permit is issued under the following legislation:

S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

Permit number: WIMP13615113

Valid from: 21-OCT-2013 **to** 20-OCT-2014

Parties to the Permit

Role	Name	Address
Principal Holder	Charters Towers Regional Council 67 731 313 583	12 Mosman Street CHARTERS TOWERS QLD 4820

Permitted Location Activity Details

Location (s)	Activity (s)
Lissner Park 230 DV444 CHARTERS TOWERS REGIONAL	Dispersal of wildlife

Permit Details

Species Details

Location	Activity
Lissner Park	Dispersal of wildlife

Common Name	*Scientific Name*	*Category*	*Quantity*
black flying-fox	Pteropus alecto	Live	Unlimited Animal/s
little red flying-fox	Pteropus scapulatus	Live	Unlimited Animal/s

RTI DL RELEASE - EHP

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

Release

13-224 DL Documetns 54 of 100

Conditions of Approval

Agency Interest: General

PG1	EHP staff may direct works not to commence of to cease at any time.
PG2	Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.
PG3	Morning dispersal activities must cease 1 hour after sunrise. Evening dispersal activities (if undertaken) cannot be commenced until 30 minutes prior to sunset. Dispersal activities must not occur during the day between these times.
PG4	The permit holder must ensure that EHP officers can enter and remain at any location at any time during which dispersal activities are being undertaken.
PG5	If flying-foxes disperse to a location that is considered on reasonable grounds to be unsuitable by either EHP or Council, the permit holder must: - Take reasonable actions to disperse the flying-foxes from the unsuitable location. - Where entry to land not owned by Council is required to carry out the necessary dispersal activity, seek permission to enter the land from the relevant landowner(s).
PG6	A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities ae being undertaken.
PG7	A helicopter may be used as a barrier during dispersal activities only where CASA has given approval for its use.

Agency Interest: Biodiversity

PB1	The permit holder must notify EHP at least 48hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.
PB2	Dispersal activities must immediately cease and EHP notified if: - A flying-fox appears to have been killed, injured or harmed. - A flying-fox appears to be suffering unnecessary or unreasonable stress.

RTI DL- RELEASE - EHP

Signed

s.73

Delegate
Department of Environment and Heritage Protection

Release

Memorandum

Approved & changes to permit conditions

could ask Norther to do up permit planner.

Enquiries
Telephone s.73
Email @ehp.qld.gov.au
Our reference

17 October 2013

s.73

To: s.73 Director, Wildlife Management, EHP s.73

Through:

From: s.73 Acting Senior Ranger, Wildlife Operations, Nature Conservation Services, EHP

Subject: **Application from Charters Towers Regional Council for a Damage Mitigation Permit to disperse a flying-fox roost from Lissner Park, Charters Towers.**

RTI DL RELEASE - EHP

Charters Towers Regional Council has applied for a Damage Mitigation Permit (DMP) to disperse a flying-fox roost from Lissner Park in Charters Towers.

This memorandum is the assessment report for the application and considers the relevant statutory elements of the legislation to assist with the decision making process.

Your decision on the application is sought

Background

- The Director Wildlife Management holds the required delegation to determine this application.
    - On the 16th October 2013 the Charters Towers Regional Council (CTRC) submitted a DMP application associated with the flying-fox roost in Lissner Park, Charters Towers. The application proposes to disperse flying-foxes from Lissner Park which is located in the heart of Charters Towers. Lissner Park historically has been used since 2002 by a small number of black flying-foxes (approx. 500 – 1000) and seasonally it has seen very large numbers of little red fling-foxes move in (up to 300,000).
    - Large spill-over events involving little red flying-fox have previously seen flying-foxes located throughout the neighbouring yards surrounding the park.
    - CTRC has previously been granted DMP's to disperse flying-foxes from Lissner Park (2002 to 2013) by noise, smoke and Bird Frite®.
    - Little red flying-foxes ordinarily:

- Conceive in October to November
- Give birth in May
- Have dependent young up until July
- These dates vary depending on climatic conditions, food availability and other factors.
- Black flying-foxes:
- Conceive in May to June
- Give birth in October to December
- Have dependant you up until March
- The little red and black flying-foxes are listed as a 'least concern' protected animals under the Nature Conservation Act 1992 (NCA) and is not listed in the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).
- On the 10 March 2013 an Inspection of the roost site was conducted by a Wildlife Ranger. At this time it was estimated that there were approx. 8,000 to 10,000 little red flying-foxes and 3,000 black flying-foxes present within the area designated as Lissner Park.
- On the 16 October 2013 under wing offspring were observed including two dead on the ground near the pool.
- Section 88C of the NCA prohibits: the destruction of a flying-fox roost; the driving away of a flying-fox from a flying-fox roost; and disturbing a flying-fox in a flying-fox roost unless the person or action is authorised under the NCA. A DMP is a suitable authority to approve these actions.
- The intent of the application is to disperse the flying-foxes with the use of water, noise, smoke, paint ball, helicopter and Bird Frite® with engaging the community for assistance if required. The applicant anticipates the flying-foxes will relocate to the nearby identified roost sites.
- Queensland Health have previously advised that any increase in risk to public health due to the roost is unlikely to be significant and that there are simple measures that can be taken that will reduce the already low risk to public health from a flying-fox roost.
- Biosecurity QLD has advised in the past that there is no scientific basis to support the dispersal of colonies out of concerns for the direct transmission of Hendra virus from flying-foxes to humans. Also advised, from recent research is that:
- There was no evidence of an association between dispersal/disturbance and Hendra virus excretion.

RTI DL RELEASE - EHP

- There was some evidence that dispersal/disturbance can cause stress, which is similar in magnitude and duration to 'natural' stress.
- There was no evidence that dispersal/disturbance associated stress results in Hendra virus excretion.
- There was no evidence that dispersal/disturbance changes the frequency or scale of flying-fox movements between colonies.

Assessment of Application

The documents listed in Appendix 1 were considered in assessing the application, and are available to the delegate for reference.

The application must be decided in a manner consistent with the statutory provisions outlined below.

Addressing the statutory elements for the application

1. Damage or loss has been caused or is likely to be caused by flying-foxes - NC(WM)R s.184(1)(a), s.185(a),(b)& (c):

The applicant has stated the following:

- •Council has received a number of complaints from local businesses in the vicinity of Lissner Park.
- •Businesses include sch3(8)(1) Information disclosure of which would found action for breach of confidence

sch3(8)(1) Information disclosure of which would found action for breach of confidence

- • Reports of up to 75% financial loss have been reported to council.
- •Council has suffered a big monetary burden from previous dispersal attempts over a large number of years.
- •Residents have complained over the removal of paint from cars from flying-fox faeces.

2. The applicant has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage - NC(WM)R s.185(b):

- Removal of trees not considered as the trees are heritage listed and restrictions are therefore placed on the ability for CTRC to modify or remove them.
- Pruning not considered as again they are heritage listed and it would reduce amenity in picnic area.
- Council refers residents to EHP information on its website

RTI DL RELEASE - EHP

- Council has previously dispersed flying-foxes from Lissner Park under damage mitigation permits since 2002. These managed to move flying-foxes for a period of time.

- Council has also received a permit to disperse flying-foxes from the vicinity of the swimming pool in Lissner Park.

3. There is a threat or potential threat to human health and wellbeing caused by the presence of flying-foxes – NC(WM)R s. 184(1)(b), s186(a):

- Council states that the health and wellbeing of residents has been dramatically affected by the colony.

- This has been expressed through Council forums and complaints.

- The following complaints have been registered by Council:

  - Excessive noise
  - Putrid smell
  - Flying-fox faeces stripping paint off cars
  - Loss of Lissner Park as a recreational park and meeting place for the community
  - Faeces in the town pool located in Lissner Park
  - Dangerous limbs hanging from trees
  - Contaminated water in rainwater tanks
  - Night shift workers living nearby not being able to sleep
  - Residents expressing anxiety and depression resulting directly from the colony
  - Bat flies and lice recorded in and around colony

- Council staff have received aggressive behaviour from the community, this includes:

  - Being threatened and even accosted by a resident in a remote location
  - Receiving empty shotgun shells in the mail
  - Various other death threats including assault with a deadly weapon

- The Environmental Protection Act 1994 specifically excludes non-domestic animal noise from the requirement to prevent or minimise environmental harm or nuisance. However, the noise level is a consideration in determining whether a roost is impacting human health and/or wellbeing.

- The world health organisation advises that excessive noise can lead to:

RTI DL RELEASE - EHP

- sleep disturbance
- cardiovascular effects
- damage to work and school performance
- hearing impairment including tinnitus

- However the threshold level for the onset of these effects is not easy to define.

4. The activity will not adversely affect the survival of the animal in the wild - NC(WM)R s.185(d) and 186 (b):

- •The application is intended to relocate the roost to an area that has a lower impact on residents and not to 'take' any animals.
- •The applicant has identified 3 potential roost sites within 10km of the existing roost predominantly along the Burdekin River and Gladstone Creek therefore the likelihood of the animals relocating to a suitable location is enhanced. There is also a 4th site approx. 30km from town.
- •The timing of the dispersal is proposed to be prior to the flying-foxes dependent young being left in the colony while the parent forages so is unlikely to significantly impact on breeding.
- •Both species of black and little red flying-foxes are listed as least concern under the NCA with the little reds being the widest ranging of four main species of flying-foxes in Australia.

5. The proposed actions will not result in a "take" of flying-foxes or cause unnecessary suffering to the animal - s.185(e) and s.186(c) of the NC(WM)R:

The applicant has proposed the following measures in the dispersal plan to minimise the likelihood of a 'take':

- The proposed method of dispersal is by sound, smoke, water and disturbance by movement in the trees by a paint ball gun.
- Bird Frite® will be used as a last resort by Council staff which will minimise undue stress.
- A wildlife carer and veterinarian will be on call if an orphaned or injured animal is found.
- Council has assured that the helicopter will be used only as a barrier to prevent flying-foxes from heading in an undesirable direction and will not be used to 'muster' the animals as previously described.
- In the event of a take dispersal activities will be ceased.

Other factors to consider in the preparation of this memorandum:

NC(Admin)R s.25(1)(a) - the impact the activities that may be carried out under the authority may have on the conservation of the cultural or natural resources of a protected area or native wildlife;

RTI DL RELEASE - EHP

Consideration of the potential impacts has been undertaken in accordance with this provision see sections 2, 3 and 4 above

NCAR s.25(1)(b) the effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;

Consideration has been given to this provision and it is recommended that it has no implications for this application.

NCAR s.25(1)(c) – any contribution the applicant proposes to make to the conservation of nature;

Consideration has been given to this provision and it should be noted that the applicant does not propose to make a contribution to the conservation of nature in relation to this application.

NCAR s.25(1)(d) - any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;

Consideration has been given to the relevant flying-fox policy documents in this assessment.

NCAR s.25(1)(e) - the precautionary principle;

Consideration has been given to this provision and it is recommended that there are no threats of serious harm or irreversible environmental damage.

NCAR s.25(1)(f) - public health and safety;

- Although not a key component of the dispersal activities this task will be undertaken by a council officer experienced in previous attempts when dispersing flying-foxes using Bird Frite®.
- Council will have its own procedures for ensuring public health and safety during its activities.
- Community consultation is to be performed prior to dispersal activities. This should address any safety issues (e.g. public not to touch flying-foxes).
- The use of a helicopter as a barrier will be conditional upon approval from the Civil Aviation Safety Authority (CASA).

NCAR s.25(1)(g) – the public interest;

During dispersal activities there is a possibility that flying-foxes will be displaced into areas that cause similar or worse conflict. However, the dispersal plan states that council will assess any areas where flying-foxes relocate to prior to further relocation.

Refer to sections 4 and 5 that address public interest concerns of survivability of the species and the take or welfare of individuals.

NCAR s.25(1)(h) - whether the applicant is a suitable person to hold the authority;

RTI DL RELEASE - EHP

Councils have the resources and are typically the most suitable organisation to undertake flying-fox roost management. CTRC has held this type of permit before.

NCAR s.25(1)(i) – for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;

It is recommended that this provision is not relevant.

NCAR s.25(1)(j) - any recovery plan for wildlife to which the authority applies;

There is no recovery plan for either the black or little red flying-fox.

NCAR s.25(1)(k) - any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

No other matter has been identified in this instance.

Proposed Permit Conditions

If a DMP is granted, conditions to the following effect to be considered:

- The permit holder must notify EHP at least 48hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment. ✓
- EHP staff may direct works not to commence or to cease at any time. ✓
- Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence. ✓
- Dispersal activities must immediately cease and EHP notified if:
- A flying-fox appears to have been killed, injured or harmed ✓
- A flying-fox appears to be suffering unnecessary or unreasonable stress ✓
- Dispersal must not occur if dependent young or visibly pregnant females are present. } No
- Morning dispersal activities must cease 1 hr after sunrise. Evening dispersal activities (if undertaken) cannot be commenced until 30 mins prior to sunset. Dispersal activities must not occur during the day between these times. ✓
- The permit holder must ensure that EHP officers can enter and remain at any location at any time during which dispersal activities are being undertaken. ✓
- Any dispersal method not mentioned in the dispersal plan must be approved by EHP prior to use. X not needed
- If flying-foxes disperse to a location that is considered on reasonable grounds to be unsuitable by either EHP or Council, the permit holder must:

RTI DL RELEASE - EHP

- Take all reasonable actions to disperse the flying-foxes from the unsuitable location

- Where entry to land not owned by Council is required to carry out the necessary dispersal activity, seek permission to enter the land from the relevant landowner(s)

- EHP will provide any further authorisations under the NCA required to carry out any further dispersals.

- Within the currency of the permit, Council must produce a management plan to address the seasonal influx of little red flying-foxes at Charters Towers

- A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are being undertaken.

- A helicopter may be used as a barrier during dispersal activities only where CASA has given approval for its use.

Other

Council should address any possible safety considerations e.g. people coming into contact with flying-foxes during the dispersal.

Appendix 1

Material Considered

- Application Form
- Roost Management Plan
- Flying-fox Management Plan

Please do not hesitate to contact me on s.73 if you require any further information.

RTI DL RELEASE - EHP

s.73
Acting Senior Ranger
Wildlife Operations,
Nature Conservation Services

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Friday, 18 October 2013 9:05 AM
To:
CC: s.73
Subject: CTRC flying-fox dispersal
Attachments: CTRC application assessment-131017.doc

Hey s.73

I've set up a folder at the location below with all the documents relating to the Charters Towers dispersal application, I wasn't sure where to put the files so please shift to a more suitable location if you need to. I've also done an assessment and have forwarded it to s.73 yesterday arvo, I've attached it here for your info as well.

Can't guarantee it's the final as s.73 might wish to change some things, she'll advise either way I assume.

G:\NQWildlife\Wildlife\Mammals\Bats\Flying Foxes\Roosts\Charters Towers\Charters Towers dispersal 2013

s.73

s.73
Acting Senior Ranger
Wildlife Operations
Department of Environment and Heritage Protection

s.73 @ehp.qld.gov.au

5 Marlow Street
Pallarenda Qld 4810

Ph: s.73

RTI DL RELEASE - EHP

To: s.73 Director, Wildlife Management

Subject: Application from Charters Towers Regional Council for a Damage Mitigation Permit to disperse a flying-fox roost from Lissner Park, Charters Towers.

Charters Towers Regional Council has applied for a Damage Mitigation Permit (DMP) to disperse a flying-fox roost from Lissner Park in Charters Towers.

This memorandum is the assessment report for the application and considers the relevant statutory elements of the legislation to assist with the decision making process.

Your decision on the application is sought.

Background

- The Director Wildlife Management holds the required delegation to determine this application.
- On the 16th October 2013 the Charters Towers Regional Council (CTRC) submitted a DMP application associated with the flying-fox roost in Lissner Park, Charters Towers. The application proposes to disperse flying-foxes from Lissner Park which is located in the heart of Charters Towers.
- Lissner Park historically has been used since 2002 by a small number of black flying-foxes (approx. 500 – 1000) and seasonally it has seen very large numbers of little red fling-foxes move in (up to 300,000).
- Large spill-over events involving little red flying-fox have previously seen flying-foxes located throughout the neighbouring yards surrounding the park.
- CTRC has previously been granted DMP's to disperse flying-foxes from Lissner Park (2002 to 2013) by noise, smoke and Bird Frite®.
- Little red flying-foxes ordinarily:
    - Conceive in October to November
    - Give birth in May
    - Have dependent young up until July

  These dates vary depending on climatic conditions, food availability and other factors.
- Black flying-foxes:
    - Conceive in May to June
    - Give birth in October to December
    - Have dependant you up until March
- The little red and black flying-foxes are listed as a 'least concern' protected animals under the *Nature Conservation Act 1992* (NCA) and is not listed in the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- On the 10 March 2013 an Inspection of the roost site was conducted by a Wildlife Ranger. At this time it was estimated that there were approx. 8,000 to 10,000 little red flying-foxes and 3,000 black flying-foxes present within the area designated as Lissner Park.
- On the 16 October 2013 under wing offspring were observed including two dead on the ground near the pool.

RTI DL RELEASE - EHP

- Section 88C of the NCA prohibits: the destruction of a flying-fox roost; the driving away of a flying-fox from a flying-fox roost; and disturbing a flying-fox in a flying-fox roost unless the person or action is authorised under the NCA. A DMP is a suitable authority to approve these actions.
- The intent of the application is to disperse the flying-foxes with the use of water, noise, smoke, paint ball, helicopter and Bird Frite® with engaging the community for assistance if required. The applicant anticipates the flying-foxes will relocate to the nearby identified roost sites.
- Queensland Health have previously advised that any increase in risk to public health due to the roost is unlikely to be significant and that there are simple measures that can be taken that will reduce the already low risk to public health from a flying-fox roost.
- Biosecurity QLD has advised in the past that there is no scientific basis to support the dispersal of colonies out of concerns for the direct transmission of Hendra virus from flying-foxes to humans. Also advised, from recent research is that:
    - There was no evidence of an association between dispersal/disturbance and Hendra virus excretion.
    - There was some evidence that dispersal/disturbance can cause stress, which is similar in magnitude and duration to 'natural' stress.
    - There was no evidence that dispersal/disturbance associated stress results in Hendra virus excretion.
    - There was no evidence that dispersal/disturbance changes the frequency or scale of flying-fox movements between colonies.

RTI DL RELEASE - EHP

Assessment of Application

The documents listed in Appendix 1 were considered in assessing the application, and are available to the delegate for reference.

The application must be decided in a manner consistent with the statutory provisions outlined below.

Addressing the statutory elements for the application

1. Damage or loss has been caused or is likely to be caused by flying-foxes - NC(WM)R s.184(1)(a), s.185(a),(b)& (c):

The applicant has stated the following:

- Council has received a number of complaints from local businesses in the vicinity of Lissner Park.
- Businesses include sch3(8)(1) Information disclosure of which would found action for breach of confidence

ch3(8)(1) Information disclosure of which would found action for breach of confidence

- Reports of up to 75% financial loss have been reported to council.
- Council has suffered a big monetary burden from previous dispersal attempts over a large number of years.
- Residents have complained over the removal of paint from cars from flying-fox faeces

2. The applicant has made a reasonable attempt to prevent or minimise the damage and the action taken has not prevented or minimised the damage - NC(WM)R s.185(b):

- Removal of trees not considered as the trees are heritage listed and restrictions are therefore placed on the ability for CTRC to modify or remove them.
- Pruning not considered as again they are heritage listed and it would reduce amenity in picnic area.
- Council refers residents to EHP information on its website
- Council has previously dispersed flying-foxes from Lissner Park under damage mitigation permits since 2002. These managed to move flying-foxes for a period of time.
- Council has also received a permit to disperse flying-foxes from the vicinity of the swimming pool in Lissner Park.

3. There is a threat or potential threat to human health and wellbeing caused by the presence of flying-foxes – NC(WM)R s. 184(1)(b), s186(a):

- Council states that the health and wellbeing of residents has been dramatically affected by the colony.
- This has been expressed through Council forums and complaints.
- The following complaints have been registered by Council:
    - Excessive noise
    - Putrid smell
    - Flying-fox faeces stripping paint off cars
    - Loss of Lissner Park as a recreational park and meeting place for the community
    - Faeces in the town pool located in Lissner Park
    - Dangerous limbs hanging from trees
    - Contaminated water in rainwater tanks
    - Night shift workers living nearby not being able to sleep
    - Residents expressing anxiety and depression resulting directly from the colony
    - Bat flies and lice recorded in and around colony
- Council staff have received aggressive behaviour from the community, this includes:
    - Being threatened and even accosted by a resident in a remote location
    - Receiving empty shotgun shells in the mail
    - Various other death threats including assault with a deadly weapon
- The *Environmental Protection Act 1994* specifically excludes non-domestic animal noise from the requirement to prevent or minimise environmental harm or nuisance. However, the noise level is a consideration in determining whether a roost is impacting human health and/or wellbeing.
- The world health organisation advises that excessive noise can lead to:
    - sleep disturbance
    - cardiovascular effects
    - damage to work and school performance
    - hearing impairment including tinnitus

  However the threshold level for the onset of these effects is not easy to define.

4. The activity will not adversely affect the survival of the animal in the wild - NC(WM)R s.185(d) and 186 (b):

- The application is intended to relocate the roost to an area that has a lower impact on residents and not to 'take' any animals.
- The applicant has identified 3 potential roost sites within 10km of the existing roost predominantly along the Burdekin River and Gladstone Creek therefore the likelihood of

RTI DL-RELEASE - EHP

the animals relocating to a suitable location is enhanced. There is also a 4th site approx. 30km from town.

- The timing of the dispersal is proposed to be prior to the flying-foxes dependent young being left in the colony while the parent forages so is unlikely to significantly impact on breeding.
- Both species of black and little red flying-foxes are listed as least concern under the NCA with the little reds being the widest ranging of four main species of flying-foxes in Australia.

5. The proposed actions will not result in a "take" of flying-foxes or cause unnecessary suffering to the animal - s.185(e) and s.186(c) of the NC(WM)R:

The applicant has proposed the following measures in the dispersal plan to minimise the likelihood of a 'take':

- The proposed method of dispersal is by sound, smoke, water and disturbance by movement in the trees by a paint ball gun.
- Bird Frite® will be used as a last resort by Council staff which will minimise undue stress.
- A wildlife carer and veterinarian will be on call if an orphaned or injured animal is found.
- Council has assured that the helicopter will be used only as a barrier to prevent flying-foxes from heading in an undesirable direction and will not be used to 'muster' the animals as previously described.
- In the event of a take dispersal activities will be ceased.

6. Other factors to consider in the preparation of this memorandum:

NC(Admin)R s.25(1)(a) - the impact the activities that may be carried out under the authority may have on the conservation of the cultural or natural resources of a protected area or native wildlife;

Consideration of the potential impacts has been undertaken in accordance with this provision see sections 2, 3 and 4 above

NCAR s.25(1)(b) the effect the grant of the authority will have on the fair and equitable access to nature, having regard to, in particular, the ecologically sustainable use of protected areas or wildlife;

Consideration has been given to this provision and it is recommended that it has no implications for this application.

NCAR s.25(1)(c) – any contribution the applicant proposes to make to the conservation of nature;

Consideration has been given to this provision and it should be noted that the applicant does not propose to make a contribution to the conservation of nature in relation to this application.

NCAR s.25(1)(d) - any relevant Australian or international code, instrument, protocol or standard or any relevant intergovernmental agreement;

Consideration has been given to the relevant flying-fox policy documents in this assessment.

NCAR s.25(1)(e) - the precautionary principle;

RTI DL RELEASE - EHP

Consideration has been given to this provision and it is recommended that there are no threats of serious harm or irreversible environmental damage.

NCAR s.25(1)(f) - public health and safety;

- Although not a key component of the dispersal activities this task will be undertaken by a council officer experienced in previous attempts when dispersing flying-foxes using Bird Frite®.
- Council will have its own procedures for ensuring public health and safety during its activities.
- Community consultation is to be performed prior to dispersal activities. This should address any safety issues (e.g. public not to touch flying-foxes).
- The use of a helicopter as a barrier will be conditional upon approval from the Civil Aviation Safety Authority (CASA).

NCAR s.25(1)(g) – the public interest;

During dispersal activities there is a possibility that flying-foxes will be displaced into areas that cause similar or worse conflict. However, the dispersal plan states that council will assess any areas where flying-foxes relocate to prior to further relocation.

Refer to sections 4 and 5 that address public interest concerns of survivability of the species and the take or welfare of individuals.

NCAR s.25(1)(h) - whether the applicant is a suitable person to hold the authority;

Councils have the resources and are typically the most suitable organisation to undertake flying-fox roost management. CTRC has held this type of permit before.

NCAR s.25(1)(i) – for an application for a relevant authority for a national park (Cape York Peninsula Aboriginal land)—the indigenous management agreement for the protected area;

It is recommended that this provision is not relevant.

NCAR s.25(1)(j) - any recovery plan for wildlife to which the authority applies;

There is no recovery plan for either the black or little red flying-fox.

NCAR s.25(1)(k) - any other matter stated in a management instrument as a matter the chief executive must have regard to when considering an application for the authority.

No other matter has been identified in this instance.

RTI DL RELEASE - EHP

Proposed Permit Conditions

If a DMP is granted, conditions to the following effect to be considered:

- The permit holder must notify EHP at least 48hours in advance of dispersal activities commencing, so that a conservation officer may conduct a site assessment.
- EHP staff may direct works not to commence or to cease at any time.
- Dispersal activities must be carried out in accordance with the Roost Management Plan submitted by CTRC on 16 October 2013. Where this document and the permit conditions conflict, the permit conditions take precedence.
- Dispersal activities must immediately cease and EHP notified if:
    - A flying-fox appears to have been killed, injured or harmed
    - A flying-fox appears to be suffering unnecessary or unreasonable stress

- Dispersal must not occur if dependent young or visibly pregnant females are present.
- Morning dispersal activities must cease 1 hr after sunrise. Evening dispersal activities (if undertaken) cannot be commenced until 30 mins prior to sunset. Dispersal activities must not occur during the day between these times.
- The permit holder must ensure that EHP officers can enter and remain at any location at any time during which dispersal activities are being undertaken.
- Any dispersal method not mentioned in the dispersal plan must be approved by EHP prior to use.
- If flying-foxes disperse to a location that is considered on reasonable grounds to be unsuitable by either EHP or Council, the permit holder must:
    - Take all reasonable actions to disperse the flying-foxes from the unsuitable location
    - Where entry to land not owned by Council is required to carry out the necessary dispersal activity, seek permission to enter the land from the relevant landowner(s)
- EHP will provide any further authorisations under the NCA required to carry out any further dispersals.
- Within the currency of the permit, Council must produce a management plan to address the seasonal influx of little red flying-foxes at Charters Towers
- A registered wildlife carer or veterinarian (inoculated against Australian Bat Lyssavirus) must be on call at all times that dispersal activities are being undertaken.
- A helicopter may be used as a barrier during dispersal activities only where CASA has given approval for its use.

Other

Council should address any possible safety considerations e.g. people coming into contact with flying-foxes during the dispersal.

RTI DL RELEASE, EHP

Appendix 1

Material Considered

- Application Form
- Roost Management Plan
- Flying-fox Management Plan

From: s.73 @ehp.qld.gov.au]
Sent: Wednesday, 16 October 2013 4:36 PM
To:
CC s.73
Subject: Charters Towers Regional Council Flying Fox Roost dispersal DMP application
Attachments: Charters Towers Regional Council Flying Fox Roost Dispersal DMPapp.pdf

Hi s.73

Please find attached a copy of the Charters Towers Regional Council Flying Fox dispersal DMP application. The original application has been save to the NQwildlife shared drive, and has also been submitted to Palm for entry into eco-track. This permit application requires expediting.

Regards,

s.73

s.73
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

Application form

S12(a) – Nature Conservation (Administration) Regulation 2006

Damage mitigation permit (flying-fox roosts)

OFFICIAL USE ONLY

DATE RECEIVED

FILE REF

PROJECT REF

COMPLETE FORM ☐ CORRECT AA ☐

COMPLETE FEE ☐

ADMINISTERING DISTRICT

ENTERED BY [SIGNATURE]

DATE

Important information for applicants

This form is to be used to apply for a Damage Mitigation Permit (DMP) for the purpose of management and dispersal of flying-foxes. Please note: Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process however; **a comprehensive and detailed application will assist officers in making a fully informed and prompt decision. If your application does not include all the required information, EHP will notify you in writing.**

Please return your completed application form to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001
Enquiries: **1300 130 372**
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Email to

RTI DL RELEASE - EHP

APPLICANT CHECKLIST

Please indicate if you have (circle the relevant response):

1.	Had a pre-lodgement meeting with EHP for this application[1]	(Yes) / No
2.	Completed Part A. Applicant information	(Yes) / No
3.	Completed Part B. Operator information	(Yes) / No
4.	Completed Part C. Purpose of permit	(Yes) / No
5.	Completed Part D. Roost management plan details	(Yes) / No
6.	Completed Part E. Applicant suitability	(Yes) / No
7.	Completed Part F. Applicant declaration	Yes / No
8.	Lodged notification with the Commonwealth Government[2]	Yes / No / (Not applicable)
9.	Attached a roost management plan	(Yes) / No

[1] A pre-lodgement meeting is not mandatory, but is strongly recommended. Pre-lodgement meetings will assist in ensuring applications are properly made, and will help in reducing assessment times.

[2] A Commonwealth Government notification is required if the permit relates to spectacled flying-fox (*Pteropus conspicillatus*) and/or grey-headed flying-fox (*Pteropus poliocephalus*).

Great state. Great opportunity.

Queensland Government

13-224 DL Documetns 73 of 100 Release

Part A. Applicant information

Note: A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland).

Complete ***EITHER*** Section A1 (for individual applicants) ***OR*** A2 & A3 (for corporations), then continue to Part B.

A1. Individual information

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE
TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE" IF SAME AS RESIDENTIAL ADDRESS)		POST CODE
PREVIOUS PERMIT NUMBER/S (IF YOU HAVE PREVIOUSLY HELD A PERMIT OF THIS TYPE IN QUEENSLAND OR ANOTHER STATE)		

A2. Corporation information

REGISTERED LEGAL ENTITIY NAME (NOT A BUSINESS TRADING NAME) CHARTERS TOWERS REGIONAL COUNCIL		
TRADING NAME/S (IF APPLICABLE)		
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 12 MOSMAN STREET, CHARTERS TOWERS QLD		POST CODE 4820
TELEPHONE (BUSINESS HOURS) 07 4761 5300	FACSIMILE 07 4761 5548	
EMAIL MAIL@CHARTERSTOWERS.QLD.GOV.AU	WEBSITE WWW.CHARTERSTOWERS.QLD.GOV.AU	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) PO BOX 189, CHARTERS TOWERS		POST CODE 4820
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 67 731 313 583		
PREVIOUS PERMIT NUMBER/S (IF YOU HAVE PREVIOUSLY HELD A PERMIT OF THIS TYPE IN QUEENSLAND OR ANOTHER STATE) WIMP11696412		
NAME OF PRINCIPAL OF CORPORATION		

RTI DL RELEASE - EHP

Release
13-224 DL Documetns 74 of 100

Application form

S12(a) – Nature Conservation (Administration) Regulation 2006

Damage mitigation permit (flying-fox roosts)

OFFICIAL USE ONLY

DATE RECEIVED

FILE REF

PROJECT REF

COMPLETE FORM ☐ CORRECT AA ☐

COMPLETE FEE ☐

ADMINISTERING DISTRICT ☐

ENTERED BY [SIGNATURE]

DATE

Important information for applicants

This form is to be used to apply for a Damage Mitigation Permit (DMP) for the purpose of management and dispersal of flying-foxes. Please note: Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process however; **a comprehensive and detailed application will assist officers in making a fully informed and prompt decision. If your application does not include all the required information, EHP will notify you in writing.**

Please return your completed application form to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001
Enquiries: **1300 130 372**
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Email to

RTI DL RELEASE - EHP

APPLICANT CHECKLIST

Please indicate if you have (circle the relevant response):

1.	Had a pre-lodgement meeting with EHP for this application[1]	Yes / No
2.	Completed Part A. Applicant information	Yes / No
3.	Completed Part B. Operator information	Yes / No
4.	Completed Part C. Purpose of permit	Yes / No
5.	Completed Part D. Roost management plan details	Yes / No
6.	Completed Part E. Applicant suitability	Yes / No
7.	Completed Part F. Applicant declaration	Yes / No
8.	Lodged notification with the Commonwealth Government[2]	Yes / No / Not applicable
9.	Attached a roost management plan	Yes / No

[1] A pre-lodgement meeting is not mandatory, but is strongly recommended. Pre-lodgement meetings will assist in ensuring applications are properly made, and will help in reducing assessment times.

[2] A Commonwealth Government notification is required if the permit relates to spectacled flying-fox (*Pteropus conspicillatus*) and/or grey-headed flying-fox (*Pteropus poliocephalus*).

Part A. Applicant information

Note: A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland).

Complete ***EITHER*** Section A1 (for individual applicants) ***OR*** A2 & A3 (for corporations), then continue to Part B.

A1. Individual information

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE
TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE" IF SAME AS RESIDENTIAL ADDRESS)		POST CODE
PREVIOUS PERMIT NUMBER/S (IF YOU HAVE PREVIOUSLY HELD A PERMIT OF THIS TYPE IN QUEENSLAND OR ANOTHER STATE)		

A2. Corporation information

REGISTERED LEGAL ENTITIY NAME (NOT A BUSINESS TRADING NAME) CHARTERS TOWERS REGIONAL COUNCIL		
TRADING NAME/S (IF APPLICABLE)		
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 12 MOSMAN STREET, CHARTERS TOWERS QLD		POST CODE 4820
TELEPHONE (BUSINESS HOURS) 07 4761 5300	FACSIMILE 07 4761 5548	
EMAIL MAIL@CHARTERSTOWERS.QLD.GOV.AU	WEBSITE WWW.CHARTERSTOWERS.QLD.GOV.AU	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) PO BOX 189, CHARTERS TOWERS		POST CODE 4820
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 67 731 313 583		
PREVIOUS PERMIT NUMBER/S (IF YOU HAVE PREVIOUSLY HELD A PERMIT OF THIS TYPE IN QUEENSLAND OR ANOTHER STATE) WIMP11696412		
NAME OF PRINCIPAL OF CORPORATION		

RTI DL RELEASE - EHP

Application form

S12(a) – Nature Conservation (Administration) Regulation 2006

Damage mitigation permit (flying-fox roosts)

OFFICIAL USE ONLY

DATE RECEIVED

FILE REF

PROJECT REF

COMPLETE FORM ☐ CORRECT AA ☐

COMPLETE FEE ☐

ADMINISTERING DISTRICT

ENTERED BY [SIGNATURE]

DATE

Important information for applicants

This form is to be used to apply for a Damage Mitigation Permit (DMP) for the purpose of management and dispersal of flying-foxes. Please note: Your application must be assessed and a permit granted by the chief executive before you can proceed with the proposed activity. Your application may take up to 40 business days to process however; **a comprehensive and detailed application will assist officers in making a fully informed and prompt decision. If your application does not include all the required information, EHP will notify you in writing.**

Please return your completed application form to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001
Enquiries: **1300 130 372**
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Email to

RTI DL RELEASE - EHP

APPLICANT CHECKLIST

Please indicate if you have (circle the relevant response):

1.	Had a pre-lodgement meeting with EHP for this application[1]	(Yes) / No
2.	Completed Part A. Applicant information	(Yes) / No
3.	Completed Part B. Operator information	(Yes) / No
4.	Completed Part C. Purpose of permit	(Yes) / No
5.	Completed Part D. Roost management plan details	(Yes) / No
6.	Completed Part E. Applicant suitability	(Yes) / No
7.	Completed Part F. Applicant declaration	Yes / No
8.	Lodged notification with the Commonwealth Government[2]	Yes / No / (Not applicable)
9.	Attached a roost management plan	(Yes) / No

[1] A pre-lodgement meeting is not mandatory, but is strongly recommended. Pre-lodgement meetings will assist in ensuring applications are properly made, and will help in reducing assessment times.

[2] A Commonwealth Government notification is required if the permit relates to spectacled flying-fox (*Pteropus conspicillatus*) and/or grey-headed flying-fox (*Pteropus poliocephalus*).

Part A. Applicant information

Note: A wildlife authority may only be granted to an individual or corporation (only if the corporation has an office within Queensland).

Complete ***EITHER*** Section A1 (for individual applicants) ***OR*** A2 & A3 (for corporations), then continue to Part B.

A1. Individual information

APPLICANT'S FAMILY NAME		TITLE
APPLICANT'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POST CODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE
TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADDRESS (WRITE 'AS ABOVE" IF SAME AS RESIDENTIAL ADDRESS)		POST CODE
PREVIOUS PERMIT NUMBER/S (IF YOU HAVE PREVIOUSLY HELD A PERMIT OF THIS TYPE IN QUEENSLAND OR ANOTHER STATE)		

A2. Corporation information

REGISTERED LEGAL ENTITIY NAME (NOT A BUSINESS TRADING NAME) CHARTERS TOWERS REGIONAL COUNCIL		
TRADING NAME/S (IF APPLICABLE)		
REGISTERED BUSINESS ADDRESS (NOT A POST OFFICE BOX) 12 MOSMAN STREET, CHARTERS TOWERS QLD		POST CODE 4820
TELEPHONE (BUSINESS HOURS) 07 4761 5300	FACSIMILE 07 4761 5548	
EMAIL MAIL@CHARTERSTOWERS.QLD.GOV.AU	WEBSITE WWW.CHARTERSTOWERS.QLD.GOV.AU	
POSTAL ADDRESS (WRITE 'AS ABOVE' IF SAME AS RESIDENTIAL ADDRESS) PO BOX 189, CHARTERS TOWERS		POST CODE 4820
ABN / ACN / AN, OR TITLE AND SECTION OF LEGISLATION UNDER WHICH CORPORATION HAS LEGAL STATUS 67 731 313 583		
PREVIOUS PERMIT NUMBER/S (IF YOU HAVE PREVIOUSLY HELD A PERMIT OF THIS TYPE IN QUEENSLAND OR ANOTHER STATE) WIMP11696412		
NAME OF PRINCIPAL OF CORPORATION		

RTI DL RELEASE - EHP

s.73	
SIGNATURE OF PRINCIPAL OF CORPORATION (OR PERSON AUTHORISED TO SIGN ON THEIR BEHALF) sch4p4(6) Personal information	DATE 16/10/2013

A3. Details of nominated person in charge where the licensed activity is to be undertaken

NOMINATED CONTACT PERSON'S FAMILY NAME s.73		TITLE MR
NOMINATED CONTACT PERSON'S GIVEN NAME/S s.73		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX) 70 MOSMAN STREET, CHARTERS TOWERS QLD		POSTCODE 4820
TELEPHONE (BUSINESS HOURS) s.73	MOBILE s.73	FACSIMILE 07 4761 5344
TELEPHONE (AFTER HOURS) sch4p4(6) Personal information	EMAIL s.73 @CHARTERSTOWERS.QLD.GOV.AU	
POSTAL ADRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL ADDRESS) PO BOX 189, CHARTERS TOWERS QLD		POSTCODE 4820

RTI DL RELEASE - EHP

Part B. Operator information

DMP project manager details

Is the person listed in **Section A1 or A3** going to manage/oversee the dispersal activities?

☒ Yes – Please continue to **Part C**.

☐ No – Please provide details of the project manager, operational manager or contact person who will be responsible for undertaking the permitted actions of the employees, contractors or other persons and entities conducting the management or dispersal activities, then continue to **Part C**.

NOMINATED CONTACT PERSON'S FAMILY NAME		TITLE
NOMINATED CONTACT PERSON'S GIVEN NAME/S		DATE OF BIRTH
RESIDENTIAL ADDRESS (NOT A POST OFFICE BOX)		POSTCODE
TELEPHONE (BUSINESS HOURS)	MOBILE	FACSIMILE
TELEPHONE (AFTER HOURS)	EMAIL	
POSTAL ADRESS (WRITE "AS ABOVE" IF SAME AS RESIDENTIAL ADDRESS)		POSTCODE

PREVIOUS PERMIT NUMBER/S (IF YOU HAVE PREVIOUSLY HELD A PERMIT OF THIS TYPE IN QUEENSLAND OR ANOTHER STATE)

Part C. Purpose of permit

C1. Reason permit is required

I am applying for this permit (tick the appropriate boxes):

☒ To prevent damage or loss to property caused, or likely to be caused, by flying-foxes

- Please attach evidence of monetary loss or damage to property where flying-foxes are the direct cause of the loss.

☒ To prevent monetary loss caused, or likely to be caused by flying-foxes

- Please provide evidence of monetary loss where flying-foxes are the direct cause of the loss.

☒ To prevent or minimise a threat, or potential threat, to human health or wellbeing caused by flying-foxes

- Please provide evidence where flying-foxes are the direct cause to human health or wellbeing e.g. statutory declaration or doctors certificate.
- Additional supporting information may be attached to this application.

REASON PERMIT IS NEEDED

Lissner Park: Lissner Park is a state heritage park complete with Boer war memorial, various amenities and 120 + year old fig trees. The Park was gazetted in 1891 and has been used for recreational activities ever since. The Boer War Memorial was completed in 1910. The park has always been a hive of activity for picnics, sporting events, visitors, recreational users, fetes, dog shows families, clubs and a variety of Council and privately run functions. The last eleven (11) years has seen a dramatic decrease in user participation, the childrens playground has seen a reduction in numbers. 80% of the park remains void of community participation/use.

Residents: Residents health and wellbeing has been dramitically affected by fluctuations in colony population numbers. This has been expressed though Council forums and complaints with the following dot points expressing the concerns:

- ☐ Excessive Noise
- ☐ Putrid Smell
- ☐ Flying Fox feces stripping paint off cars, causing thousands of dollars damage
- ☐ Loss of Lissner Park as a recreational park and meeting place
- ☐ Feces in Town Pool, deterring residing from utilizing the pool.
- ☐ Dangerous limbs hanging off trees (with one near miss as it fell)
- ☐ Contaminated water in rainwater tanks
- ☐ Night shift workers close to Lissner Park not being able to sleep
- ☐ Flying fox numbers causing anxiety and depression to residents living near a colony
- ☐ Bat flies and lice prevalent in and around a colony

Council staff have at times received community backlash relating to Council's management of the flying fox issue. These backlashes have been aggressive and unrelenting. This includs being accosted/threatened by a resident in remote locations, empty shotgun cartridges in the mail with a clear death threat, various other death threats and assault with a deadly weapon etc.

Business: Council has received a number of complaints relating to monetary loses from businesses in the vicinity of Lissner Park. Businesses included

RTI DL RELEASE - EHP
s48 s(8)(1) Information disclosure of which would found action for breach of confidence

(8)(1) Information disclosure of which would found action for breach of confidence

has previously reported financial loses of up to 75 percent relating to impacts of the flying fox colony in Lissner Park.

Residents and Council currently face destruction of trees within the Charters Towers Council Region and this results in a monetary burden to Council to maintain, trim etc.,for safety reasons.

C2. Methods used previously to alleviate effects of flying-foxes

Describe all of the actions you and/or others have taken to minimise the impacts or threats of the flying-foxes on property or health and wellbeing. Include information regarding the success or otherwise of these actions. For example: closing windows to avoid noise, putting car/equipment under cover to avoid mess.

Additional supporting information may be attached to this application.

PREVIOUS ACTIONS UNDERTAKEN

Noise

Council utilized sirens, horns, birdfrite, gas guns, mowers, whipper snippers etc.

Smoke

Council has two (2) black-hawk fogging machines and a fine spray misting machine.

Water

Council utilized two (2) small water units on the back of utilities and water mains when available at location.

Trees

Trees have been trimmed as a deterrent.

Guns

Council utilized Birdfrite as a last resort. There is only one appointed shooter and the use of firearms only proceded with the permission of the Queensland Police and the Department of Environment and Resource. Paint ball guns were utilised to put movement in the trees.

Other

In the past, Council has trialled kites, plastic snakes, liquid chilli solution, lighting, police sirens, firetrucks, ultrasonic sound, steam whistle, public forums including protest march, media statements, schools projects

RTI DL RELEASE - EHP

C3. Pre-lodgement consultation details

Describe any pre-lodgement consultation undertaken with EHP (if any) for this application.

NAME OF EHP OFFICER SPOKEN TO:

2 PRELODGE MEETINGS HELD

MEETING 1

COUNCIL CONSTITUENTS MEET WITH s.73 - OP MANAGER FOR WILDLIFE & s.73 s.73 - DIRECTOR FOR WILDLIFE MANAGEMENT

MEETING 2

COUNCIL'S ENVIRONMENTAL SERVICES MANAGER AND LOCAL LAWS OFFICER MET WITH s.73 s.73 WILDLIFE RANGER TOWNSVILLE) & s.73 SENIOR RANGER)

EHP OFFICER CONTACT DETAILS:

s.73

TOWNSVILLE WILDLIFE OFFICE - s.73

PRE-LODGEMENT CONSULTATION DETAILS

MEETING 1 - COUNCIL CONSTITUENTS INFORMED AND CURRENT ISSUES DISCUSSED AROUND FLYING FOX COLONIES

INFORMATION COVERED:

- Proposed relocation sites
- Historical and recent history
- Council expectations and obligations
- Current impacts
- Way forward
- Proposed Dispersal Methods

MEETING 2 - COUNCIL'S ENVIRONMENTAL SERVICES MANAGER AND LOCAL LAWS OFFICER

INFORMATION COVERED:

- Discussed in detail proposed relocation sites, including site visits
- Historical and recent history discussed during current colony inspection
- Council expectations and obligations
- Way forward - detailed dispersal methods including helicopter use
- Proposed Dispersal Methods

RTI DL RELEASE - EHP

Release

13-224 DL Documetns 82 of 100

Part D. Roost management plan details

D1. Flying-fox species

Detail the species and estimated population sizes of flying-foxes referred to in this application.

COMMON NAME	SCIENTIFIC NAME	EST NUMBER	PRESENCE OF PREGNANT FEMALES OR DEPENDENT YOUNG (Y/N)
Grey-headed flying-fox*	*Pteropus poliocephalus*		
Spectacled flying-fox*	*Pteropus conspicillatus*		
Black flying-fox	*Pteropus alecto*	3,000	Early infant under wing
Little red flying-fox	*Pteropus scapulatus*	15,000	N

* IMPORTANT NOTE: Spectacled flying-fox (*Pteropus conspicillatus*) and grey-headed flying-fox (*Pteropus poliocephalus*) are subject to referral to the Commonwealth under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

D2. Activity location

Where will the activities be conducted? Provide the street address, real property description(s) of the land(s) in which the project is located and local government area. If you require more space, attach a separate sheet.

STREET ADDRESS	
LISSNER PARK - CHURCH STREET	
LOT AND PLAN	LOCAL GOVERNMENT AREA
LOT 230 ON DV444	CHARTERS TOWERS REGIONAL COUNCIL

If possible provide a specific location, a property name or an attached map with the location clearly delineated.

SPECIFIC LOCATION/PROPERTY NAME
LISSNER PARK - CHURCH STREET
GEOGRAPHICAL COORDINATES
-20.672004 146.261091

☐ Attach map outlining current roost area and proposed works as part of Roost Management Plan (RMP). Include the map name/details.

D3. Project time frame

What are the approximate start and completion dates of the project?

START DATE	FINISH DATE
ASAP	Ongoing

PART E. Applicant suitability

The permit may be only granted if the applicant is an appropriate individual or corporation to hold the permit, that is, if the applicant has the ability to carry out activities under the authority in a competent and ethical way.

RTI DL RELEASE - EHP

QUESTIONS		DETAILS
1. During the past 10 years have you ever (in Queensland or elsewhere) been found guilty of any criminal offence or entered a plea of guilty in a Court? If yes, provide details of the offence/s (Note: does not include simple traffic offences such as parking, speeding).	☐ Yes ☒ No	
2. Have you ever had an equivalent permit from another State, Territory or country that was suspended and/or cancelled? If yes, provide details about the permit, the date it was suspended and/or cancelled and reasons for suspension/cancellation.	☐ Yes ☒ No	

PART F. Applicant declaration

Note: If you have not told the truth in this application you may be liable for prosecution under the relevant Acts or Regulations.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

APPLICANT'S NAME	
s.73	
APPLICANT'S SIGNATURE sch4p4(6) Personal information	DATE 16/10/2013
IF THE APPLICANT IS A CORPORATION, PLEASE INDICATE YOUR POSITION IN THE CORPORATION CHIEF EXECUTIVE OFFICER	

RTI DL RELEASE - EHP

F6. Applicant checklist

- ☒ Application form completed, signed and dated
- ☒ Roost Management Plan attached
- ☒ Supporting information attached (if applicable)

Please return your completed application kit to:

Permit and Licence Management
Department of Environment and Heritage Protection
GPO Box 2454
Brisbane
Queensland 4001
Enquiries: **1300 130 372**
Facsimile: (07) 3896 3342
Email: palm@ehp.qld.gov.au

Attachment 1: Roost management plan (RMP)

1. Roost management plan details

Describe each proposed dispersal strategy, proposed methods for each activity, providing dates, starting times and time spans. You may wish to consider a phased approach beginning with the modification of the roosting vegetation followed by active dispersal techniques if required. You may wish to have a phased implementation of active dispersal by zones or specific areas.

Provide any other relevant information regarding the methods.

Date	Activity	Times
e.g. 20/06/2011	*Active dispersal techniques i.e. noise, intense lighting, 'Bird Frite', pruning of vegetation* *Vegetation modification I.e. lopping, pruning, trimming of trees*	*Approx: 3am - 7am* *Approx: 6pm – 10pm*
Day 1	Close Deane St from Anne St through to Bridge St, Jane St closed at intersection with Deane St. Fire hose set up at Deane St near motel, two fire hose set up in Lissner Park, fire hose set up on swimming pool fence line. At 4.30 pm two Ute with Blackhawks foggers on back to start fogging around child play area and swimming if windy, noise no fog . At 5pm commence dispersal activities with water, noise , paint ball and bird frite, with the two light fire units on standby. If Flying fox's lift and start to move in the direction they have been moving {EAST} along Anne and Mary St towards Enterprise Rd Railway station, Foggers in company with paint ball operator will move along with lead flying fox's to keep them in the air, as all utes will be fitted with air horns these units will have the three elements , movement, noise and fog. Light fire units will patrol Lissner Park and call for assistance if required, a debriefing will be held before and after each section.	4:00pm
Day 2	Close Deanes St as per Monday's schedule this will be done by fire fighting hose crews. At this time, foggers will be laying fog throughout Lissner Park, stopping the flying foxs from landing. All other crews to attempt to move the flying fox's towards Vulture and Craven St . The main aim is to keep flying foxs from returning to Lissner park and surrounding area, moving a little closer to less populated areas, so that helicopters can be utilised to direct flying foxs to Gladstone Creek (Young's block).	4:30am
	Day 2 Tuesday afternoon, hopefully the flying foxs will be in Mary and Anne Street around the Boundary St intersection. If this is the case, activities will commence at 5.30pm, so that flying foxs will continue moving in an easterly direction and not return to Lissner Park or surrounding areas.	5:00pm
Day 3 and onwards	Continue with activities described in Day 2. Activities will be reviewed daily and adjustments made where necessary to ensure successful	4:30am & 5:00pm

PTI DL RELEASE - EHP

Release
13-224 DL Documetns 85 of 100

	relocation.	
Following Relocation	Council to assess damge to trees and identify any safety related issues resulting from the flying foxes and relocation activities. Parks and Gardens crew to trim and remove dead, dying or unsafe vegetation in an attempt to disuade the flying foxes from returning. Monitoring of Lissner Park to occur relating to potential flying fox return.	

a. Detail regarding the activity methods to be used:

Method	Description
e.g. - smoke *- noise* *- intense lighting* *- vegetation modification or removal*	*e.g. - a smoke machine will be employed along with small low intensity burn-offs* *- a loud metallic noise will be deployed under the roost at (nominate) frequency* *- flood lighting will be deployed at compass points around the roost.* *- removal of the weed Chinese Celtis in roost area after colony has departed for the night*
NOISE	Sirens, horns, birdfrite, gas guns, mowers, whipper snippers etc.
SMOKE	2 black-hawk fogging machines and a fine spray misting machine. The smoke is to lift the flying foxes into the air and create barriers behind them once they start to move.
WATER	2 small water units on the back of utilities, water mains.
FIREARMS	Birdfrite as a last resort. There will only be one appointed shooter and the use of firearm will only proceed with the permission of the Queensland Police and the Department of Environment and Heritage Protection. Paint ball guns will be used to help get the flying foxes into the air by putting movement into the adjacent branches
TREE TRIMMING / PRUNNING	Trim Trees in Lissner Park to maintain a safe working environment for Council Staff and the community at large. Trimining will only occur when flying foxes are not present in the trees being trimmed.
HELICOPTER	Proposed Helicoper use to create a sound mitigating barrier. Sound Barrier to mitigate flying foxes dispersing in undesirable directions during proposed activities. Helicopters use will only be undertaken with CASA approval.

b. Vegetation removal or modification:

Where applicable, please include details outlining the extent of the proposed vegetation modification.

The plan should clearly identify:

- *the different work areas and proposed works within each work area,*
- *the species and approximate numbers and/or percentage cover of canopy and mid-story vegetation proposed for removal within each work area,*

RTI DL RELEASE - EHP

- *the methods and equipment to be used for removing/trimming the vegetation in each work area,*
- *the number of trees or amount of area of vegetation to be removed at one time in each work area,*
- *details on the proposed working distance from the flying-foxes,*
- *the timing of work within each work area and where possible the provision of a work plan outlining each days proposed activities,*
- *an outline of the equipment/method of removing cleared vegetation from the site (i.e. an onsite chipper, removal of vegetation off site).*

Please check one of the following boxes:

☐ **No vegetation removal or modification to occur**

FURTHER INFORMATION

☒ **Vegetation modification** *e.g. trimming/pruning or destroying small % of trees*

FURTHER INFORMATION

Trim Trees in Lissner Park to maintain a safe working environment for Council Staff and the community at large. Trimining will only occur when flying foxes are not present in the trees being trimmed. Trimming of trees would include the Ravenswood Roost Site on Elphinstone Creek. Tools to used will include but not be limited to pole saw, hand saw, chainsaw and battery operated chainsaws. Trimming will be conducted in conjunction with other dispersal methods to help maintain a safe work and community environment.

☐ **Total vegetation removal** *e.g. destroying 100% of roost trees*

FURTHER INFORMATION

c. Communications:

Provide a communication strategy and identify all interested and affected parties. Describe when and how information will be conveyed to them with regard to the proposed dispersal, informing them about their potential role (if any) in the proposed activity e.g. media, residents, emergency services and police.

FURTHER INFORMATION

Police - Notify Police 12 hours before commencement of operations

Fire Brigade - Notify 12 hours before commencement of operations

Newslimited (Northern Miner) - Media release notifying of dispersal activities, including dates, times, locations. Media release will include safety message on injured flying foxes and invite community involvement.

Council - Notification of all of above on Council's Web page and Council's Community Page in the local paper

Radio - Notification of dispersal activities (as above) at least 12 hours prior to relocation activities.

Deaprtment of Environment and Heritage Protection - Notification at least 12 hours prior to relocation activities.

RTI DL RELEASE - EHP

Release

13-224 DL Documetns 87 of 100

d. Activity participants:

*This should include those people listed in section **B2** of the Application Form, along with other officers e.g. contractors, supervisors, EHP officers and media.*

Personnel	Duties
e.g. council technical services staff	*Noise, intense lighting, 'Bird Frite', pruning of vegetation*
s.73	Co-ordination, Smoke & Birdfrite
Ranger staff	**Operational Activities authorised under permit**
Parks & Graden staff	Operational Activities authorised under permit
Helicopter Pilot	Operate Helicopter in accordance with permit approval

Observers	Reason for attending
e.g. media	*e.g. newspaper report*
Media	Newspaper and Radio
DEPH Staff	Compliance issues
Community	Dispersal Satisfaction

RTI DL RELEASE - EHP

2. Flying-fox considerations

a. Flying-fox welfare and human health:

To 'take' an animal under the *Nature Conservation Act 1992* is any act or attempt to hunt, pursue, kill, injure, capture or otherwise harm an animal.

Explain how the proposed non-harmful management methods will not result in a take, and if there is an unintentional take that the taking of a flying-fox will be humane and not likely to cause unnecessary suffering to the animal. Detail whether, for example, licensed flying-fox carers will be in attendance.

Describe whether these proposed methods have been used elsewhere and their known impacts on flying-fox health and wellbeing. Are the methods included in any EHP or other government guidelines?

Describe measures that will be in place to minimise risks to flying-foxes during dispersal and describe what actions will be taken if harm or stress is shown during the activities?
e.g. vegetation modification works will only take place at night after the last flying-fox has left the roost site or after dispersal has occurred. *e.g. stop works immediately if a flying-fox appears to have been killed, injured or harmed or appears to be showing unnecessary or unreasonable stress or appears to be moving outside the general boundaries of the roost site*
• *Limitation of hours - as per permit conditions or specific advice from EHP officers.* • *Vegetation Works - tools such as quite battery operated chainsaws or handsaws to be used when operating within 50 meters of roosting flying foxes.* • *Media Advice - Provide directions to Queensland Health fact sheets on possible diseases / issues concerning flying foxes.*

13-224 DL Documetns 88 of 100 Release

Describe measures that will be in place to avoid the take of flying-foxes and if there is a take, detail the methods in place to minimise the unnecessary suffering to the animal/s.
e.g. veterinarian on site to manage suffering of flying-foxes during dispersal activities.
• *Local veterinarian to be on cal during dispersal activities.* • *Dispersal activities ready to be deployed as soon as animals attempt to return to the roost, this will avoid potential take of flying foxes.* • *Local Wildlife carers available if required.*

Describe measures that will be in place to minimise risks to human health during dispersal.
e.g. strictly no personnel to come into direct contact with a flying-fox, observe general WH&S
• *Staff will be inducted on workplace helath and safety.* • *Only authorised persons will be involved with firearms.* • *Correct PPE will be provided.* • *Only helicopters with the correct approvals from CASA will be involved with dispersal activities* • No non vacinated staff will be authorised to touch or handle flying foxes in the event of injured or sick flying foxes being found.

Note: Dispersing a roost is a complex process and dispersed flying-foxes have been known to relocate to undesirable and unpredictable locations which may have an equal or greater impact on members of the public than the current roost site.

Prior to any proposed dispersal operation, consideration should be given to the possible relocation to nearby sites and the impacts to other local community members.

b. Alternative roost site/s

Alternate roost site/s within 20km of proposed dispersal site	***Land uses***	***Issues or potential issues***
	e.g. regional ecosystem, land tenure, current land use, surrounding uses	
Gladstone Creek	*Council owned - Vacant Land*	*Requires minor vegetation management and bore installment*
Mosman Creek	*Leased to Council as a Flying Fox Sanctuary*	
Charters Towers Weir	*Council Reserve - Towns Water Supply*	*Issue of increased distance for dispersal (13.5km). Potential for public concern RE: Water supply issues*

Further information
Additional site 4 (6) Personal information has been identified and verbal approval from landowner given. This site is located 30km from Charters Towers, therefore has not been included in the abovementioned alternate roost sites.

RTI DL RELEASE - EHP

Attach map showing alternate roost sites and current known roosts located within 20 kilometres
Attached as Appendix A - INDEX MAPS

c. Current known roost sites

Current known roosts within 20km of proposed dispersal site	*Land uses*	*Issues or potential issues*
	e.g. regional ecosystem, land tenure, current land use, surrounding uses	
Nil	*na*	*na*

d. Site monitoring

Please provide details on how you intend to monitor the dispersal activities to determine whether the flying-foxes have relocated to the suggested alternative sites, or to another site, and if it is another site, the suitability of that site for both the flying-foxes and the community.

If the flying-foxes are successfully relocated, please detail how you intend to discourage the return of the flying-foxes to the current roost site.

Please provide details of the actions you propose to take if the flying-foxes relocate to a site where there is a likelihood of an equal of higher level of concern from members of the public regarding their presence.

FURTHER INFORMATION
Dispersal activity monitoring will be conducted by s.73 during active dispersal activities. If flying foxes start relocating to undesirable locations, staff will be deployed to these locations to continue with dispersal activities. Media statements released prior to dispersal activities will encourgae community participation.

If Council is successful in relocating flying foxes to a desirable location, the trees in Lissner Park will be trimmed to discourage flying foxes from returning. In addition the park will be monitored weekly for any new incursions. In the event of flying fox return Council will immediately commence active dispersal activities.

3. Cessation of activity:

FURTHER INFORMATION
Dispersal activities will continue until the flying foxes have been successfully relocated or an acceptable site is agreed upon by affected stakeholders.

You will need to cease activity should it be evident that the animals are being subjected to an unacceptable level of stress, are harmed or a safety breach has occurred.

EHP may assist in providing assessment during the activity and may halt the activity if it's considered necessary.

4. Risk management

The Applicant or his agent must take all reasonable steps to ensure that damage to property, animals and personal injury is minimised while undertaking the flying-fox management actions.

Please advise whether there is adequate public liability insurance cover for the project activities.

Risk Matrix:

RTI DL RELEASE - EHP

Release

13-224 DL Documetns 90 of 100

Risk Category	Risk Description	Probability	Impact	Treatment Actions (Accept/Avoid/Mitigate/ Transfer)
e.g. community and public safety	*e.g. smoke may cause health issues to those who have respiratory issues*	*e.g. possible*	*e.g. marginal*	*e.g. avoid & mitigate – advise of this risk during public briefing. Support individuals with respiratory problems to move away from the site during the use of smoke.*
Community Concerns	Flying Foxes may roost in peoples back yards	Possible	Critical	Stop and re-assess dispersal methods / goals and act accordingly in the communities best interest
Animal Welfae	Large numbers of dead or injured flying foxes	Unlikely	Critical	Monitor occurences and take the appropriate action
WH & S issues	All Workplace Health and Safety related issues. Operations may include helicopter use	Rare	Critical	All activities conducted in accordance with WH & S guidelines including activity inductions. Helicopter operations conducted in accordance with CASA legislation

Other examples could be personal injury, flying-fox welfare or safety, virus load, unsuitable relocation site.

Risk Matrix as follows:

Impact: / Probability	Negligible	Marginal	Critical	Catastrophic
Certain	High	High	Extreme	Extreme
Likely	Moderate	High	High	Extreme
Possible	Low	Moderate	High	Extreme
Unlikely	Low	Low	Moderate	Extreme
Rare	Low	Low	Moderate	High

RTI DL RELEASE - EHP

Release
13-224 DL Documetns 91 of 100

Figure B – Charters Towers Weir (Historical Roost)

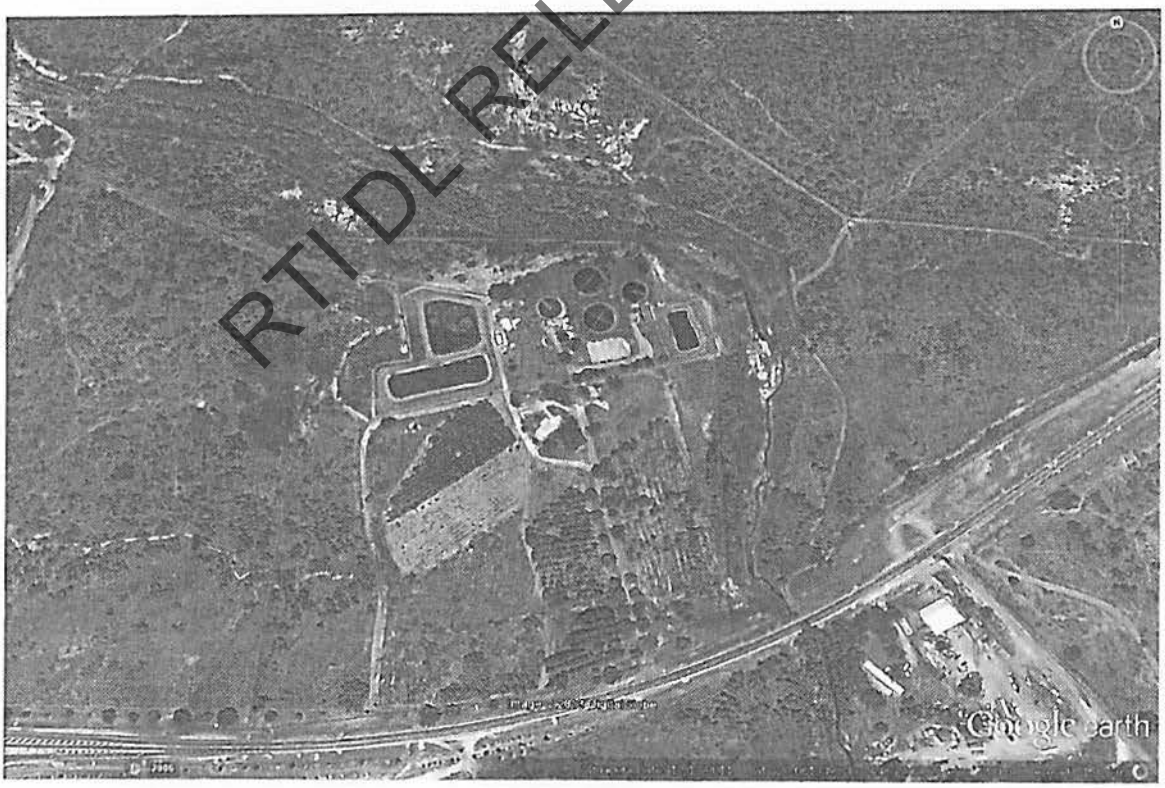
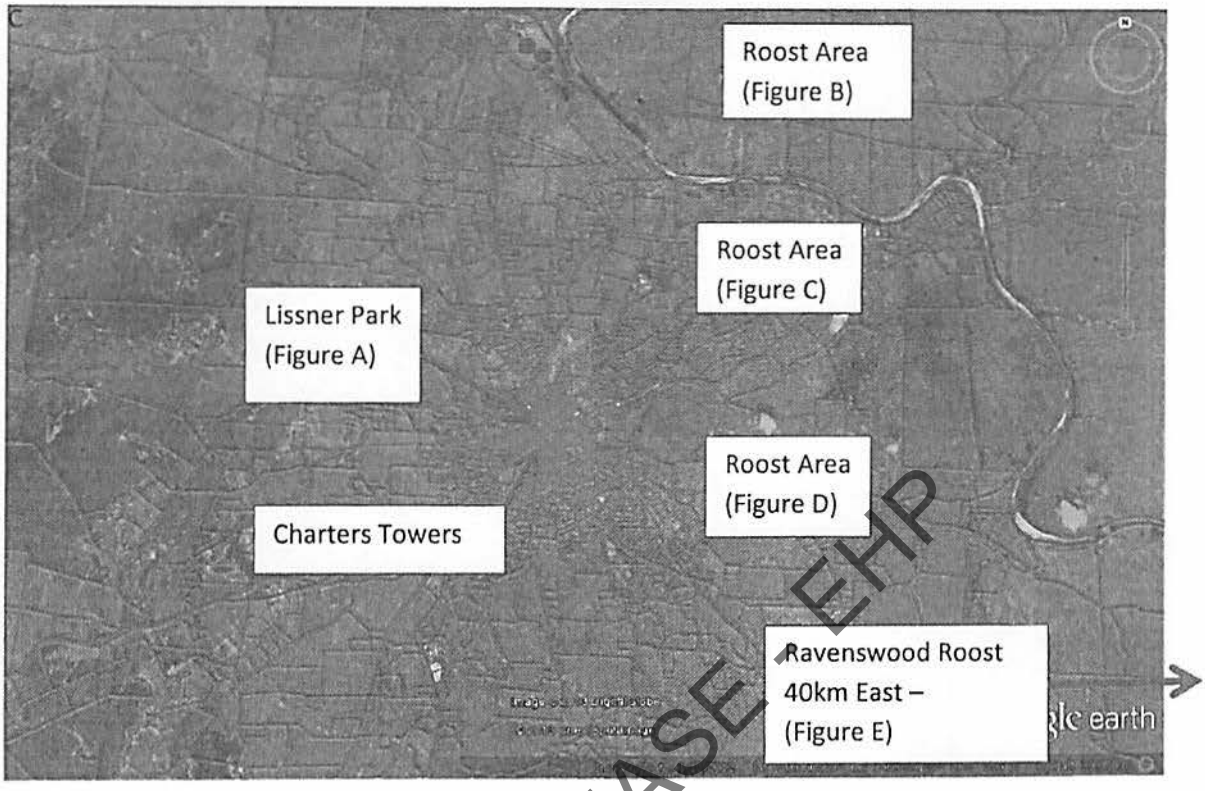


Figure C – Charters Towers Sewerage Treatment Plant (Historical Roost)

RTI DL RELEASE - EHP

Release

APPENDIX A – INDEX MAP (Charters Towers and Beyond)



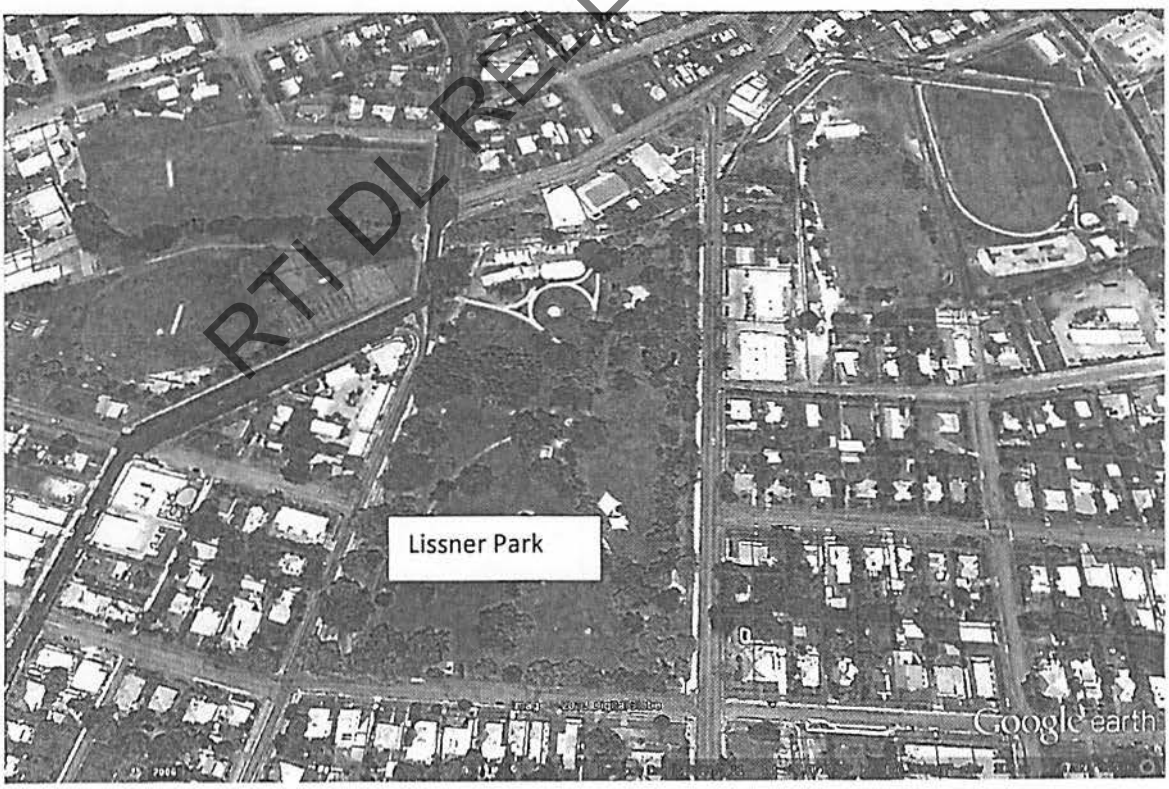


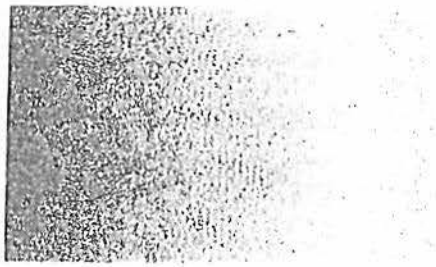
Figure A – Lissner Park

RTI DL RELEASE - EHP

Figure D – Gladstone Creek (Historical Roost)

Figure E – Ravenswood Roost Site

RTI DL RELEASE - EHP



Permit[1]

This permit is issued under the following legislation:

S12(A) Nature Conservation (Administration) Regulation 2006

Damage Mitigation Permit

RTI DL RELEASE - EHP

Permit number: WIMP11696412

Valid from: 30-AUG-2012 **to** 28-FEB-2013

Parties to the Permit

Role	Name	Address
Principal Holder	Charters Towers Regional Council 67 731 313 583	12 Mosman Street CHARTERS TOWERS QLD 4820
Person In Charge	s.73	12 Mosman Street CHARTERS TOWERS QLD 4820

Permitted Location Activity Details

Location (s)	Activity (s)
Lot 230 on DV444	Dispersal of wildlife

Conditions of Approval

Agency Interest: Biodiversity

PB1	The permittee must notify EHP on the day prior to dispersal activities commencing, so that a conservation officer may conduct a site assessment if required.
PB2	Dispersal activities shall not commence if dependent young or heavily pregnant flying-foxes are present in the area to be dispersed (to be determined on the day prior to dispersal).
PB3	Dispersal activities must be carried out in accordance with the Dispersal Plan submitted by Charters Towers Regional Council on 24 January 2012, and only in the area designated on the map submitted with permit application. The timing of the dispersal may be adjusted provided it

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

commences prior to flying-foxes returning from nightly foraging
Any deviations must be approved by EHP prior to being implemented.

PB4 Dispersal activities must immediately cease, and EHP must be immediately notified if:
- a flying-fox appears to have been killed, injured or harmed;
- a flying-fox appears to be suffering unnecessary or unreasonable stress; or
- flying-foxes disperse to another area that is not an appropriate alternative roost site.

PB5 EHP may direct works not to commence or to be ceased at any time.

PB6 A registered wildlife carer or qualified veterinarian (inoculated for Lyssavirus) must be on call at any times that dispersal activities are being undertaken.

PB7 The permittee must carry out further dispersal activities if the flying-foxes move to a location that is determined by EHP to be an unsuitable location.

PB8 Charters Towers Regional Council must develop a flying-fox management plan to address longer term management of the species within 6 months of the commencement of this permit, prior to the issuing of any subsequent DMPs.

RTI DL RELEASE - EHP

sch4p4(6) Personal information

Signed

s.73

Delegate
Department of Environment and Heritage Protection

Notice of decision - permit[1] application

This notice is issued by the administering authority to advise of a statutory decision on a permit application.

Charters Towers Regional Council
PO Box 189
CHARTERS TOWERS QLD 4820

Our reference: 391223

Dear Sir/Madam

Re: Decision made in relation to your application

Your application received on 13-AUG-2012 has been assessed and the decision in regard to your application is specified below:

Permit applied for	Permit Number	Decision
Damage Mitigation Permit under Nature Conservation (Administration) Regulation 2006	WIMP11696412	Granted - level 2

For the permit applied for that has been granted, the conditions of approval are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for the approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

Included with this notice is advice on review and appeal processes that may be available to you. Should you seek a review or appeal, you are advised to seek independent advice before taking such action.

If you require more information, please contact s.73 on the telephone number listed below.

Yours sincerely

sch4p4(6) Personal information

s.73
Department of Environment and Heritage Protection
Date 30/08/2012

Enquiries:
Conserv, Strat & Plan - Wildlife
PO Box 15155
CITY EAST QLD 4002

Attachment - Permit/Statement of Reasons

1 Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

RTI DL RELEASE - EHP

From: s.73 @charterstowers.qld.gov.au]
Sent: Tuesday, 8 October 2013 11:12 AM
To:
CC: s.73
Subject: RE: Charters Towers Regional Council Flying Fox Management Plan

9:00am is fine by me.

Regards

s.73
Environmental Services Manager
Charters Towers Regional Council
ph s.73

From: s.73 @ehp.qld.gov.au]
Sent: Wednesday, 2 October 2013 3:37 PM
To: s.73
Subject: Charters Towers Regional Council Flying Fox Management Plan

Hi s.73

As discussed during our conversation this morning s.73 A/Senior Ranger and myself wish to arrange a site inspection of both the proposed roost site at Gladstone Creek and the currently active roost site at Lissner Park. It would be beneficial if both yourself and s.73 could be present during the site inspections to aid with identification and understanding of the proposed roost site and management thereof. Following these inspections it is desired that we allocate time to discuss the proposed 'Flying Fox Management Plan'.

This meeting provides an opportunity for s.73 and Myself discuss amendments and additional information that is required with the proposed 'Flying Fox Management Plan'.

I propose that we meet beside the duck ponds in Lissner Park at 9am on Thursday the 10th October 2013. If you or s.73 have any issues with this proposed meeting time or place please let me know and we can re-schedule.

Regards,

s.73

s.73
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

- -

Charters Towers Regional Council - Email Disclaimer

You have received this email from an employee of the **Charters Towers Regional Council**.This e-mail message is privileged and confidential, and intended only for the recipient(s) to which it is addressed. Any views or opinions expressed within this e-mail are solely those of the author. The **Charters Towers Regional Council** makes no assurances either expressly or implied that the information provided within this e-mail is fit for any official purpose. If you are not the intended recipient, or the person responsible for delivering this e-mail to the intended recipient, please notify the sender of this message or send an e-mail to postmaster@charterstowers.qld.gov.au immediately, and delete all copies of this message.

This e-mail has been scanned and cleared by MailMarshall mail scanning software

RTI DL RELEASE - EHP

From: s.73 @ehp.qld.gov.au]
Sent: Wednesday, 2 October 2013 12:19 PM
To: s.73
Subject: Contact with Charters Towers Regional Council regarding Flying Fox Management Plan

Hi s.73

As per our conversation this morning, I spoke with s.73 from the Charters Towers Regional Council. s.73 is currently assisting s.73 (Environmental Services Manager) CTRC whilst s.73 sch4p4(6) Personal information was enquiring if we had already been out to Charters Towers to have a look or if we intended to travel out. I advise s.73 that we intended to contact s.73 and in this case himself to arrange a meeting and travel to Charters Towers next Thursday to conduct onsite inspections of the proposed relocation site, and the current roost site before sitting down to discuss that current draft of the Flying Fox Management Plan.

I advise s.73 that following a discussion with yourself I would email both himself and s.73 to confirm a Thursday morning inspection and meeting.

Are you happy with myself providing this email to confirm and advise of our intended inspection schedule.

Regards,

s.73

s.73
Ranger - Wildlife
Department of Environment and Heritage protection

PO Box 5597
Townsville, QLD 4810
Phone: s.73
Fax: (07) 4796 7705
Email: s.73 @ehp.qld.gov.au

RTI DL RELEASE - EHP