

Tweed Shire Council responses to 'unanswered questions' as listed in 'the statement' submitted 3 May 2016 by Frangela Reserve Community Committee.

1. *Is there any time scale on submission of the Report that is mentioned in the Minutes of the April 21st Council Meeting?*

- A report addressing proposed immediate actions for the Frangela Drive Reserve Flying Fox Camp will be considered by Council at the June 2016 meeting. Further, an additional report will be brought forward to the October 2016 Council meeting to address Shire wide Flying Fox issues, including a Shire wide Camp Management Plan.

2. *What provision has been made for community input into the Report that will outline the challenges and opportunities provided by establishing a Camp Management Plan? In the interests of fair governance this statement needs to be included in the FF Report.*

- The report will be made available for community consideration with the business papers of the relevant Council meeting. Business papers are available from Council's website on the Tuesday week prior to Council meeting, ie, 10 business days prior to the meeting. The June Council meeting is scheduled to be held Thursday 16 June 2016. Members of the community are able to address Council at Community Access on the same day. This can be arranged by calling 66702400 and requesting an opportunity to address Council at Community Access.
- The statement and this response will be included as an appendix to the Council report.

3. *What valid argument can be advanced for denying the Frangela Reserve community their legal right to a Camp Management Plan, when the OEH specifically spells out that Council's address conflict through the establishment of such plans?*

- Council resolved to receive a report that addresses the option of preparing both a Shire wide Flying Fox Camp Management Plan and a site specific Management Plan for Frangela Reserve.
- This ensures that both the local and broader community can have all relevant information with regard to cost, resources and expected outcomes of the different management options.

4. *Given the paucity of open discussion and research on the successful dispersal programs at the Botanical Gardens in Melbourne, Albury and Sydney, why do a few council staff continue to quote outdated case studies of failure?*

- All information presented to date has been inclusive of scientific literature, direct experience and consultation with other experienced practitioners involved in flying fox camp management in Queensland and New South Wales.

5. *Why have the actions at Frangela Reserve, as promised by council staff on Wednesday 16 March, not yet been implemented? What does it mean such promises have been 'actioned' but not implemented?*
 - The actions referred to in this comment (development and installation of signs at the reserve, updating web information and development of information packs, investigating whether minor vegetation trimming may occur) are currently being implemented. This includes development, review and publication of information materials.
6. *Why has Council refused to engage in mediation with a resident who forwarded a complaint through the Community Justice Centre about the noise created by flying foxes in the neighbouring land at Frangela Reserve managed by council?*
 - Council has no dispute to resolve. The concerns of the community are acknowledged both through resolution of Council and actions underway by Council officers.
7. *Does Council accept that noise levels from the Frangela Reserve roost are unacceptable? Why does it ask residents to monitor the noise from neighbouring dogs but not from a Reserve that council itself manages?*
 - Council accepts that some members of the local community find the noise from the flying fox camp as unacceptable and has acknowledged this position through resolution of Council and actions underway by council officers.
8. *Are Council officers aware of the serious environmental issue that has developed in the Burdekin Park (central CBD) of the Upper Hunter Town of Singleton, where that Council failed to develop a management plan for a rapidly increasing flying fox camp?*
 - Yes, Council officers are aware of the Singleton situation.
9. *Is Council aware that their statistical counts of flying fox camp numbers are grossly underestimated? For example, look at the attached images from 7 March to 1st May on one small cross section of the roost.*
 - Council's ecologists undertake flying fox monitoring in accordance with the standardised methods of the National Flying-Fox Monitoring Programme. This data is vetted and incorporated to quarterly reports published by CSIRO. The May count result was 1330 flying foxes.
10. *Why has Council allowed the latest stage of the Metricon Development to go ahead in the Riva Vue estate that is adjacent to the FF roost?*
 - A 35 m set back was required of Stage 6 of the Riva Vue development (including dedication of Lot 601 to Council) to create an acceptable buffer between the roost and the proposed Lots.

11. Is Council aware of its obligation to protect Frangela Reserve whereby people have the right to access and use this public space without risk to health and safety? Ownership of this common parkland is vested in the local Council as a trustee for the benefit of people. Is Council aware that as a trustee, it is under a fiduciary duty to deal with this community property in a manner that is in the interests of the general public?

- Council is fully aware of relevant legislative provisions, including the *Local Government Act 1993* with respect to the management of community land. It is noted that this obligation is inclusive of the proper management of social, economic and environmental issues and values.

12. If Council is concerned about future changes to the Camp Management template requirements, why not get in early and use the existing template?

- Council resolved to receive a report that addresses the option of preparing both a Shire wide Flying Fox Camp Management Plan and a site specific Management Plan for Frangela Reserve.
- The NSW Office of Environment and Heritage has now released the revised template which will be applied to identify the requirements of camp management plans and best inform the Council report.

13. Has Council realised that Frangela Reserve residents are well organised and will not accept delaying tactics and inaction any longer?

- Council officers are progressing with implementation of the resolution of Council of 21 April 2016 and initial requests made by the community to update the Council webpage, install signage and provide community information packs.