
POLICY REGISTER

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| Title: | MANAGEMENT OF AGGRESSIVE NATIVE BIRDS |
| MOSPLAN Reference: | 07.08 |
| Date Adopted: | 6 June 2005 |
| Date Reviewed: | |

Policy Details:

Policy Objectives

To limit the interaction between people and aggressive native birds and, as a last course of action, destroy and remove the identified problem bird/s.

Scope

This policy applies particularly to magpies however can include other aggressive protected native birds in Mosman. The proposed management strategies identified in this policy will not compromise the conservation of any species.

Stakeholders

NSW National Parks and Wildlife Services
Mosman Municipal Council
NSW Police
Residents and visitors to Mosman

Background

There are several species of native birds with Mosman that display aggressive behaviour in the protection of nest sites however the most prominent examples are magpies which nest in the trees bordering Allan Border Oval and the Council offices. In 2003 there were 22 recorded attacks on pedestrians and in 2004 there were 12 such recorded attacks.

The aggression is seasonal and may occur, but is not limited to the months of June to October each year. The aggression can be a swooping intimidating aggression on people or can be a direct attack resulting in injuries.

The National Parks and Wildlife Service (NPWS) also receives numerous phone calls and requests for assistance each year about interactions between people and aggressively acting native birds and the community has an expectation that the NPWS or Council will respond in situations where these attacks occur.

The NPWS have developed a policy, ***NPWS Policy on Management of Native Birds that Show Aggression to People***, which ***can be found on their website***

www.nationalparks.nsw.gov.au aims to:

- Develop and implement education and awareness strategies, particularly outside the breeding season that build a positive community attitude to living with native birds.
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- Provide practical advice for people to avoid negative interactions and support people to deal with interactions when they occur, particularly during breeding season.
- Promote partnerships with other organisations, such as Local Councils who also provide assistance with these matters so as to improve management of these issues.
- Provide standard procedural guidelines for NPWS staff responding to incidents concerning native birds acting aggressively. These include criteria for determining when a bird is considered a risk to public safety and definition of differing roles and responsibilities on NPWS managed lands and on other tenures.
- Maintain an on-going record of response to wildlife management issues, including incidents with aggressive birds as a basis for monitoring and evaluating management

This policy offers practical guidance to Council in assessing and implementing strategies to manage the interaction between aggressive birds and people.

Legislative Context

Under the *National Parks and Wildlife Act 1974 (NPW Act)* the Director-General of the NPWS has statutory responsibility for the protection and care of native wildlife both on and off national parks in NSW. All native bird species are protected under the *NPW Act*, however, some may be considered locally unprotected fauna under s.96 of the Act.

The *NPW Act* contains provisions under which a licence may be issued which authorises the harm of protected native fauna under section 120 (General) licence (s120 licence) or section 121 (Occupier's) licence (s121 licence). Such licences may specify the number, location and species, which may be harmed.

Procedure and response to reports or observations of an aggressive bird

1. Council staff will monitor and report incidents of aggression from native birds to the Manager Ranger Services.
2. The first response will be to assess the risk of injury to the general public in consultation with the local NPWS officers. Any assessment or management strategy will be prepared and implemented cooperatively with the NPWS.
3. In cases where it has been confirmed that the bird swoops but is not considered a risk to public safety Council will erect warning signs to advise the public to reduce the number of encounters with the bird.
4. When a bird has been reported doing any of the following:
 - Caused actual personal injury or damage on more than one occasion;
 - Attacks the head, striking from the ground upwards and from the front of the person;
 - Hovers above the head for a prolonged period, attacking the head and face;

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- Constantly swooping or attacking in an area frequented by elderly and/or disabled persons and/or young children;
- Swoops or attacks the head or face in a location that might endanger the victim through their response such as running onto a road;

and the aggressive behaviour is confirmed and documented by a Ranger it should be determined to be a public safety risk and Council will request an approval for its destruction.

5. If the behaviour of the bird(s) meets this risk assessment and it is determined that the bird(s) should be removed then destruction of the bird is the only option that will be considered.

Note: The relocation of an aggressive bird is not recommended by the NPWS due to the unacceptable suffering and stress on the animal and relocation may simply move the problem.

The NPWS does not recommend the removal of nests, except out of season, as removal during the breeding season may lead to re-nesting by the breeding pair and could prolong the swooping period or cause an increase in the aggressive behaviour.

6. The destruction of a bird must be undertaken humanely and by people with the appropriate authority, licence and skill.
7. Trapping will be used if possible and is preferred as the use of a firearm creates a risk to people or property.
8. The person contracted to carry out the trapping or destruction will submit a safe work method statement to Council before the work is carried out and be appropriately qualified and licensed and must notify the Police beforehand.

Reference(s): The National Parks and Wildlife Service Policy on Management of Native Birds that Show Aggression to People
www.nationalparks.nsw.gov.au

Responsible Department(s): Corporate Services