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AGRICULTURE, RESOURCES AND ENVIRONMENT COMMITTEE

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Members present:

Mr IP Rickuss (Chair)
Mr JN Costigan MP
Mr SV Cox MP
Mr DF Gibson MP
Mr S Knuth MP
Mr JM Krause MP
Ms MA Maddern MP
Ms J Trad MP

Staff present:

Mr R Hansen (Research Director)
Mr M Gorringe (Principal Research Officer)

INQUIRY INTO THE LAND PROTECTION LEGISLATION (FLYING-FOX CONTROL) AMENDMENT BILL 2012

TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, 31 OCTOBER 2012

Brisbane

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Committee met at 8.59 am

BEARD, Dr Frank, Senior Medical Officer, Communicable Diseases Unit, Queensland Health

CLARE, Mr Geoff, Executive Director, Nature Conservation Services, Department of Environment and Heritage Protection

DEVERY, Mr Michael, Manager, Wildlife Operations, Department of Environment and Heritage Protection

FIELD, Dr Hume, Principal Scientist, Biosecurity Queensland, Department of Agriculture, Fisheries and Forestry

MACLEOD, Mr Nick, Science Leader, Horticulture and Forestry Science, Department of Agriculture, Fisheries and Forestry

CHAIR: Welcome, ladies and gentlemen. I declare the meeting of the Agriculture, Resources and Environment Committee open. I would like to acknowledge the traditional owners of the land on which we meet today. I am Ian Rickuss, the member for Lockyer and chair of the committee. I would like to introduce the other members of the committee here today: Jackie Trad, the member for South Brisbane and our deputy chair; Jason Costigan, the member for Whitsunday; Sam Cox, the member for Thuringowa; David Gibson, the member for Gympie; Jon Krause, the member for Beaudesert; and Anne Maddern, the member for Maryborough.

The committee is meeting today to receive departmental briefings and to conduct a public hearing for our work on the Land Protection Legislation (Flying-fox Control) Amendment Bill 2012. This bill was introduced into the parliament on 21 June by the member for Dalrymple, Shane Knuth. Mr Knuth will also address the committee today about the bill. It is a bit unusual for Shane, who is also on the committee, to be a witness so that will be something a bit different. Please note that this meeting is being broadcast live via the Parliament of Queensland website. The meeting will also be transcribed. Would the department like to start off and give us a short briefing?

Mr Clare: I am the Executive Director of Nature Conservation Services within the Department of Environment and Heritage Protection. My responsibilities include the management of protected wildlife. Beside me is Mark Devery, the Manager of Wildlife Operations within the Department of Environment and Heritage Protection. We also have with us Dr Hume Field, from the Department of Agriculture, Fisheries and Forestry, and Dr Frank Beard, from Queensland Health. If the committee wishes, I could briefly summarise the jurisdiction of my department in this matter and the other representatives can do the same.

CHAIR: That would be good.

Mr Clare: EHP administers the Nature Conservation Act, or more specifically the wildlife provisions of the Nature Conservation Act, and that is its primary jurisdiction in relation to flying foxes. The act has a number of objects, and one of those objects includes the ecologically sustainable use of protected wildlife. All four species of flying foxes that inhabit mainland Queensland are protected wildlife under the Nature Conservation Act.

To achieve that objective, the act and its regulations establish a permit and licensing system that can authorise the take, the use and the keeping of protected wildlife in various circumstances. The term 'take' includes, but is not restricted to, killing protected wildlife. In the case of flying foxes, there are also specific provisions in the legislation that relate to their roosts—that is, the areas where they congregate to breed and raise young.

One of the circumstances where permits can be issued under the legislation is where wildlife is causing damage to property or constitutes a threat to human health and wellbeing. In this case, the legislation provides for a permit called a damage mitigation permit, or DMP, to be issued. Such permits are issued in circumstances in relation to both roosts that may be causing issues, particularly in urban areas, and crop protection. I would add here that there are a range of things that can be done by people to reduce the impacts of flying foxes without needing authority under the Nature Conservation Act. But where a permit is required, there are various matters in the legislation that are required to be satisfied before a permit can be issued. I would be happy to expand on this later if the committee wished. At this point, I would like to clarify for the committee's benefit that those considerations extend beyond the areas in which Brisbane

the Department of Environment and Heritage Protection is expert. An example of that would be human health, which is clearly the property of Queensland Health. Hence, when we are assessing applications for permits under that legislation, we rely on and utilise relevant expert opinion including opinion from government agencies such as DAFF and Queensland Health. I will pass over to Hume to expand on his role.

Dr Field: I am the Principal Scientist with the Queensland Centre for Emerging Infectious Diseases. That is an agency within Biosecurity Queensland but straddles Queensland Health and Biosecurity Queensland aspects. The primary focus of that group is to investigate emerging diseases that threaten or potentially threaten livestock and human health, so Hendra virus specifically has fallen within our remit from that point of view. Our group has been involved over the years in looking at the drivers for infection in flying foxes and the factors that associate with spillover and transmission to horses, and that all goes towards risk management strategies for horse owners and the livestock industry. So I can talk about aspects of infection dynamics, transmission et cetera in relation specifically to Hendra virus, Australian bat lyssavirus and, to a lesser extent, some other diseases.

Dr Beard: I am Senior Medical Officer in the Communicable Diseases Unit of Queensland Health. I am a specialist in public health medicine with a particular expertise in communicable diseases. I have chaired national working groups that have developed national guidelines for public health units on managing Hendra virus and Australian bat lyssavirus infection. I note that Queensland Health has been providing advice to the community, local councils and other government agencies for many years now on the public health risks posed by flying fox roosts. Our advice over time has been consistent—that is, we believe that, while living near roosts can obviously be noisy and smelly, the public health risks are generally low and they can be reduced further by a range of simple measures, including avoiding handling sick or injured flying foxes. I would be happy to expand on that or take questions from members of the committee in due course.

Mr Macleod: I am a Science Leader within the Department of Agriculture, Fisheries and Forestry looking after the area of vegetable and deciduous fruits R&D. My background is a broad range of experience in tropical fruit industries, and my main role in this is to do with flying fox impacts on horticultural growers, particularly lychee producers, stone fruit producers and mango producers. They are probably the main crops impacted. So that is my background. I had a previous role with a flying fox working group back in 2009 when they were discussing issues to do with a particularly bad period when flying foxes were causing a lot of damage to a range of fruit crops.

Mr Devery: I manage wildlife operations within the Department of Environment and Heritage Protection. I am involved with delivering the operational services of the department in relation to protected wildlife. I have a significant background in wildlife management. I guess my principal interest in wildlife management, particularly in flying foxes, is as a delegate or assessing officer, depending on the circumstance, for determining applications for damage mitigation permits. Where a particular action is approved—be it a dispersal or a roost modification as provided under the act—my role is facilitating our EHP staff to work with the permit holder to ensure that the outcomes are achieved in a way that is appropriate with the Nature Conservation Act.

CHAIR: Can I start by asking a question of Dr Beard and Dr Field. I imagine you work together. Do you liaise on a regular basis on the issues you would see with regard to developing diseases and human health diseases? Would that be right?

Dr Field: Yes. There are interagency interactions at many levels. From a policy development point of view there is a task force that informs best science, if you like, that is incorporated into policies that are then common across departments from the point of view of risk of transmission.

Dr Beard: We have had regular six-monthly meetings at the agencies for a number of years. Following the Hendra virus incidents in 2008 in Redlands, there was an increase in activities and a lot of interagency work, specifically around Hendra virus, which is continuing.

CHAIR: The Hendra virus started with the Vic Rail incident at Hendra. If you look back through history, was there something before then? We have had flying foxes and horses for a long time, but what made it appear all of a sudden in the nineties?

Dr Field: I think that is a good question, and it informs something of the background of the disease. Hendra virus is very sporadic in its occurrence. That might seem somewhat at odds with the clustering of cases we had in 2011, but if you look at it over time we had incidents in 1994—with one of them involving the Hendra stable when the virus was first identified—and then we had nothing for five years, then we had another one in Cairns and then we had nothing for five years, then we had another one et cetera. So it has gone on. I think underreporting was a significant part of not having identified Hendra virus cases prior to that. It may be that there were previous incidents that had not been identified, had not been reported, but it was a large-scale event that happened at the Vic Rail stable where not just one horse but 20 horses became cases and 14 of them died. I think that was a seminal point in actually identifying the disease.

Having said that, it does appear that there are some factors, and it is argued that they are largely ecological factors—disruption to a flying fox ecology in the broader sense, if you like—that have underpinned emerging diseases from not just flying foxes and bats but wildlife in general, and not just in Australia but globally. So there is an increasing acceptance that impacts on environmental habitats, Brisbane

increased opportunities for contact with wildlife species et cetera have got something to do with the emergence of diseases from wildlife, and Hendra is an example of that. It is a very long answer to the question.

CHAIR: That is very good. Can I just ask one more of you, Geoff, and Mike can add if he wants to. You talked about roosts and breeding and raising young. When do you class a roost as a permanent roost? I know in my area that a roost started to form probably five or six years ago. Is it a roost when they have actually bred young there, or is it a roost when they start to form there as a bit of a group? They have been there now for five years so I can understand it is a roost, but when do you actually class a roost as a roost?

Mr Clare: It does take some years, so I might ask Mike to elaborate on how we have applied that.

Mr Devery: The way we interpret the legislation is that, if the animals turn up and they commence a breeding cycle and they raise their young there, then that is a roost. If they turn up and they have not done any of that, then it is not a roost. Of course, as I just indicated in the general outline, there are some things that people can do. For example, provided they do not harm them, they can scare them away. But once they start breeding or raising young, then it is considered a roost for the purpose of the act.

CHAIR: Just for clarity, there were some on a creek and an old lady used to go out at about four every morning as they were starting to arrive and chase them before they ever settled, and she managed to keep them from settling there properly as a roost. So that is not classed as a roost then?

Mr Devery: The key thing about the legislation and the animal is that they are cyclic in how they use roosts across the landscape. So once an area is used for breeding and raising young, then the animals will generally come back to it but they might not come back until next year so the question is whether an event has occurred. For example, if the animals came once, bred and raised their young and you did not see them for a couple of years, then it is likely that it is not being used as a roost. So there is an element of the initial event and some history. The precautionary approach is that, if they are there and breeding and raising their young, then they have formed up to becoming a roost.

Mr KNUTH: Mike, I have a question in relation to the roost and when it becomes a roost. I will use the example of Oleander Drive, where there is a roost there in front of residents—

CHAIR: Is that in Charters Towers?

Mr KNUTH: No, this is at Yungaburra. There has been a roost there for five years. The residents did their best to try to remove them, and there are letters here from the department threatening them with fines of a hundred thousand dollars. If a roost does arrive to an area, can residents do everything in their power at this present moment? Or are you advising the minister to allow the residents to move those bats on before they become a roost in that area?

Mr Devery: All I can respond to is what I believe the law provides. The example at Yungaburra is a good one. After Cyclone Larry the animals moved to that location possibly because their other habitat was destroyed by the cyclone. They have bred and raised their young there on a number of occasions. It is a roost. It is an offence to disturb the flying fox in a roost or to drive them away or to obviously destroy the roost.

As I said a little earlier, if it is a new location the situation is different. For example, if flying fox turned up in a residential area and they have never been there before, they have never bred or raised their young there before, they do not have young under their wing—because often females will fly with young under their wing and other times they will just come in there without young. You can get juvenile male camps where the young males will form up and stay there for some time and then move off. If the scenario is that they have turned up, there is no history of breeding, they are not carrying young, they are not engaging in breeding activities then people can, providing they do not harm them, scare them away as you can with anything else that might be bothering you in your backyard.

Mr KNUTH: I have a question to Dr Beard. I want to look at the health side of it. Many people have come out in the papers and said with regard to the roost at Oleander Drive that they have suffered from different health issues, particularly asthma. We have nursing mums with newborn babies who are very close to that vicinity. Do you feel that the priority should be the people there rather than the roost or whether they are carrying young?

Dr Beard: I cannot comment on actual individual medical conditions that people may be attributing to living near the flying foxes. However, I can say that our view is that the public health risks posed by living in proximity to flying foxes are generally low. There are a lot of simple measures that can be taken to reduce them. People often have a level of anxiety about the health risks related to flying foxes that is disproportionate to the actual risks involved. This is sometimes contributed to by inaccurate media reporting that exaggerates the risks.

Our general advice, from a precautionary principle, is that it is better to mitigate the known and low risks to health associated with living near a flying fox colony because when it comes to dispersing the colony there are some uncertainties and unknown factors involved such as where they will go and the potential for increased interaction of flying foxes with humans from the dispersal process. There is a lack of clarity about where they will end up and there could be a resultant increase in public health risks from dispersal.

Mr KNUTH: There is obviously stress associated with this because they are hearing about dogs dying, they are hearing about horses dying. Likewise they have heard of human deaths as well. Last year a number of vets were under observation due to the fear that they may have contracted Hendra virus. You would have to agree from the health side of things that it is not a good thing to have humans and bats living together?

Dr Beard: Bats can carry a number of different viruses and bacteria, but the risk of people catching any of those is low. The disease of most public health interest is Australian bat lyssavirus infection which is a rabies like infection which is usually fatal. However, there have only been two documented cases of Australian bat lyssavirus infection and the last of those was in 1998. It is a very rare infection. It can only be caught from direct contact with bats, so a bite or scratch. We do regular education and have a number of fact sheets available on that.

Most bites and scratches from bats are due to intentional handling by people who find a sick or injured bat and try to do the right thing. So the public education is that people should not handle bats. They should call EHP or the RSPCA or their local wildlife carer. If people are unavoidably bitten or scratched by a bat, which is very rare—that is a bat attacking a person—then there are very effective preventative measures. A course of vaccine will effectively prevent any infection.

Mr KNUTH: From your side of things with Queensland Health, and it plays a big role, we educate to try to manage the stress levels of those residents who are suffering with this. Do you feel that it might be good to stress the bats for a while and have them move, save money and resolve the problem—that is, the stress and the threat of health issues—by moving the bats on very quickly?

Dr Beard: As I said, we believe that from a precautionary principle approach it is better to mitigate the known low risks and educate people rather than moving them on and having unknown and unpredictable effects which could lead to an increased risk in public health either in that vicinity or elsewhere.

Dr Field: Could I just comment on a couple of aspects that have come up? Is that appropriate? It may help.

CHAIR: Yes.

Dr Field: I will let my environment colleagues elaborate on the dispersal issue, but I think one of the challenges with the dispersal of flying foxes is that you do not know where they are going to go. It is not relocation because relocation implies that you are going to put them from here to there. Dispersal just means that you are going to send them away. It may well be that they end up in an equally inappropriate or a more inappropriate place. I think that is fundamentally one of the challenges with dispersal. There are finesses of dispersal that can address some of those issues, but I will let those guys talk to that. If I could just say a little about the transmission of viruses et cetera.

We will break down Australian bat lyssavirus and Hendra virus and separate them. There is often a lot of confusion between the two. Australian bat lyssavirus is a rare infection in flying foxes. Something less than one per cent of flying foxes that are flying around in the air have Australian bat lyssavirus at any time. It is typically a fatal infection in flying foxes so it tends to be self-limiting. There is a low level of infection in flying foxes. As Frank said, there are pre and post exposure treatments for it and transmission is by direct contact with typically saliva via a bite from an infected flying fox.

Frank said that there have been two cases of Australian bat lyssavirus, and that is correct. One of them was attributed to an insectivorous bat and one of them was attributed to a flying fox. So in reality—

CHAIR: You have lost us with the bat description.

Dr Field: There are broadly two groups of bats. Flying foxes are part of the fruit bat group. They are large animals that we see and that I think most of the focus is about. Insectivorous bats are small bats that live in caves. They can also have Australian bat lyssavirus but not Hendra virus. It gets confusing very quickly.

Of the two human cases, one has been attributed to a flying fox and one to an insectivorous bat. That is since 1996 when we had known of this virus. That helps to give some kind of perspective to the potential impact. That is not to say that for the individuals involved it is not a tragic situation. In the context of the bigger picture, there has been one case of Australian bat lyssavirus attributed to a flying fox since 1996.

Hendra virus is a different story. There is a variable level of infection in flying foxes with Hendra virus and it varies typically from zero to 10 per cent, but sometimes it does peak higher. So what that means is that not all flying foxes and not all flying fox colonies are infected with Hendra virus at any one time. It is a bit like measles, I guess, in the human population. It comes and goes in waves in various locations. It is mostly excreted where we most easily detect it in the urine of flying foxes. That is evidently at least one of the routes of transmission to horses. Infections material from flying foxes contaminates pasture or feed and horses get infected. One of the main management strategies that we have recommended as a part of our work is that if we are able to exclude horses from immediately underneath trees where flying foxes are feeding then that is the single most effective method of reducing that contact with horses and the risk of a human case.

The other important thing to note is that there is no suggestion of transmission of Hendra virus directly from flying foxes to humans. Horses act as an amplifying immediate host. To manage infection in horses is the best way to mitigate infection in humans.

In closing, I know I am going on a bit, I think 2011 demonstrated that we have actually done that quite well. 2011 was a year when we had more cases in horses than we had seen previously and yet there were no human cases in that year. It may well be that the message of risk management both at the horse level and the horse-human level has gotten through. That is an effective way of managing the risk of human infections of Hendra virus. With the Hendra virus vaccine for horses rolling out, I think before Christmas but certainly in the near or immediate future, that will provide another avenue of preventing infection in horses and thus limiting infection or preventing infection in humans directly.

CHAIR: Will that actually stop the horse from getting it or is it a bit like the flu vaccine where you do not get it as badly?

Dr Field: No, it will absolutely stop the horse from not only becoming infected but also becoming subclinically infected as, I think, you are suggesting. If it just stopped the horse from getting sick, but the horse still got infected and excreted the virus that would not solve the human risk issue. That was one of the major considerations for the vaccine developers. A vaccinated horse the trials have shown not only does not get infected but does not excrete virus.

Ms TRAD: Mr Clare, you said in your earlier statement that all four species of the flying foxes were protected under the legislation. Has the Department of Environment and Heritage Protection got information or data in relation to populations of all four species in Queensland and what is the movement in their populations? Are they declining, are they stabilising, are they increasing?

Mr Clare: There is information resulting from surveys for two of the four species.

Ms TRAD: Which two?

Mr Clare: The spectacled flying fox and the grey-headed flying fox. I can provide for you the estimates of the populations and the years that they were taken. In 2000 the estimated national population of spectacled flying foxes was 80,000. In 2005 the estimated national population of grey-headed flying foxes was 674,000. There have been no comparative surveys—there is one commencing this month—since those surveys were taken. So trend information based on those figures is not available.

Ms TRAD: So there was not any data collection before those two dates—2000 and 2005—on these two species and there has been no data collection on the other two species?

Mr Devery: No, nationally, because it is such a major undertaking. The grey headed, the blacks and the little reds cross state borders. The only one that stays in Queensland is the spectacled. They are in North Queensland. So you need to coordinate a national survey. Queensland has over 300 roosts. They have to be done over the same time frame. As you can imagine, it is a fairly significant undertaking. The last national figures for the spectacled were in 2000 and the grey headed in 2005. In November we are about to embark on the first stage of a national survey for the two federal species. I just need to add, those two species—the grey headed and the spectacled—are threatened species under the Commonwealth Environment Protection and Biodiversity Conservation Act. So they have separate layer of protection as well. Hence the Commonwealth interest in a national survey.

We hope that once the next national survey occurs we will have a fresh baseline to work off. Then it will need a number of years of subsequent survey before we can look at trends. What we know is how many there appears to be now, but it will not give us information until we do subsequent surveys about whether the numbers are up, down or remain the same.

Ms TRAD: And how long do you think that process will take? It will take many years, won't it?

Mr Devery: That project is still being settled, but I think it is looking at three to five years to get some reasonable figures.

Ms TRAD: Mr Devery, you said earlier that you were responsible for assessing applications for damage mitigation permits.

Mr Devery: Signing them, yes.

Ms TRAD: So since the government announced that damage mitigation permits would be allowable in Queensland again on national threatened species, how many applications have you had?

Mr Devery: Since the government—

Ms TRAD: Made the decision.

Mr Devery: I think we have had—

Mr Clare: Is your question in relation to the changes to the ability to shoot flying foxes?

Ms TRAD: Yes, to move on flying foxes under damage mitigation permits.

Mr Devery: Sorry. You were talking about shooting—lethal DMPs—not roosts?

Ms TRAD: Yes, shooting.

Mr Devery: There have been 11 applications to date—two have been approved and one has been refused to date.

Ms TRAD: And generally where are they?

Mr Devery: Southern Queensland, but we would expect applications from—

Ms TRAD: East to west Southern Queensland?

Mr Devery: Bundaberg, Childers and the Darling Downs—those sorts of areas.

Ms TRAD: Do we know what population of flying foxes they are? Are they spectacled flying foxes?

Mr Devery: No. The ones that we have applications for are grey-headed and blacks at the moment. Basically, the little reds are the species that arrive in large numbers. They are highly migratory species but they are a specialist nectar feeder. Generally, unless they are really hungry, they will not take fruit. So you are talking about spectacled flying foxes in North Queensland and grey-headed and blacks who predate on fruit.

Mr KNUTH: Just to follow on from that question, you mentioned the population of spectacled flying foxes was 80,000 and grey-headed was 674,000. But do you have a figure for the blacks and reds? Has there been an explosion in numbers in regard to blacks and reds?

Mr Devery: No. We do not have any accurate figures on blacks and reds. The focus has been driven by the federal listing of the species. They will be picked up in the subsequent survey. As far as explosions in numbers are concerned, no, we cannot comment on that. Unlike, for example, rodents, flying foxes only have one young a year. So it is not as if they can go through a natural explosion. Plus, in the history of the state and the nation, there has been progressive pruning of vegetation. Flying foxes are primarily nectar feeders—so impact on native forests, impact on flying foxes. I do not know the answer to your question other than there is probably no immediate clear indicator that there would be potential for these animals to have a vast increase in numbers.

Mr COX: Nick, could you give the committee an idea of the costs in netting orchards which I guess does not just include the cost of the net. In that costing do you include the time and labour costs to manage that ongoing net? I know there are various types of nets—some are thrown over and some are put up on stands. The second question is to you, Mike. When you take into account damage mitigation permits, does it include the economic situation from the farmer's point of view?

Mr Macleod: The fruit growers who have issues with flying foxes undertake a range of management practices. Netting is a common one for commercial producers. The range of netting goes, as you are aware, from throwover nets to full canopy nets and all sorts of tailored netting in between. Certainly there is a significant cost in that depending on how full-blown you go.

The full canopy netting is quite expensive to do now because the cost of materials has certainly gone up, with posts and wires and netting. I am not up to date with the latest costings, but you are going to be looking at well over \$20,000 a hectare for full canopy netting. The profit margin for a lot of crops makes it quite marginal to invest that sort of money, so people look for cheaper options. So they look for either throwover netting or lights or a combination of management techniques to manage the flying fox. Obviously another potential option, as discussed, is damage mitigation permits, which is another management technique put into the mix.

I think historically, 10 or 15 years ago, there were probably better profit margins in cropping which made it more economic or easier to justify full canopy netting. But now the situation is that, where the profit margin is tougher, people have had to look at finetuning the best type of netting structure, be it a throwover net plus other add-on combinations.

Mr Devery: In respect of the question about consideration of economic impacts, when a damage mitigation permit is being assessed, and that is for dispersal of roost or modification of roost vegetation or for fruit crop protection—and it applies to all species, not just flying fox; it could be rainbow lorikeets—there is a statutory requirement that the delegate of the department be satisfied that, if it is not about health issues, the animals are causing loss or damage which results in significant economic loss.

Mr COX: Thank you. That is all I needed to know.

Mrs MADDERN: I have a couple of questions. The first one is probably pretty simple. How long do flying foxes normally live. What is their life span?

Dr Field: In the wild I would think that 10 years would be a maximum. There is a scale. There is a high level of mortality in the younger years. Most flying foxes that you see are probably four to five to six years and then there is a tailing off into old age as well. In captivity they have certainly lived much longer than that.

Mrs MADDERN: That helps with population growth. They have one baby a year for how many years? How do they even replace the population? So that was the purpose of that question. Can I go back to the health issues and this is not so much about illness. In my previous life I was a property valuer and I went out to a property which was right next to a bat roost. The smell was atrocious. My nose and eyes just watered, and these people lived beside that every day. The bat droppings were everywhere. You are not going to get lyssavirus or Hendra, but you are living with bat droppings and smell. I am wondering whether Queensland Health have taken into account the psychological issues of the impact of living next door to a roost.

That property (a) was basically unsaleable from a property valuer's point of view—nobody wants to buy it because nobody wants to buy next to a bat roost; (b) you are living with the smell and the noise and the bat droppings all the time; and (c) those people did not want to invite their family and friends and, frankly, I do not think the family and friends wanted to come and visit either. So there is this whole psychological issue for those people. Has the department taken any of that into account in their health related issues with bats?

Dr Beard: My area of expertise is mainly in communicable diseases. So the comments I have made about the risk to public health being generally low are mainly focused on the disease risk.

Mrs MADDERN: Yes, I understand that.

Dr Beard: Obviously in circumstances like that there can be a reduction in amenity of people living in that area which is separate to the actual health risk. Mike or Geoff may be able to comment on whether dispersal or modification can be approved from an amenity point of view as opposed to direct human health risks.

Mr Clare: I will ask Mike to expand on this, but I think it might be pertinent to the earlier question as well. The legislation that we administer and the permits we administer do provide a capacity for the dispersal or the removal of roosts where there is a demonstrable impact on human health and wellbeing. There have not been any cases brought to us with sufficient evidence to approve on the basis of the impacts that you are speaking about, but it is not precluded by the legislation. I wanted to clarify for the committee's benefit and to add to Mike's earlier evidence that the legislation that exists at the moment does provide the capacity for those sorts of dispersals where there is sufficient evidence of those impacts. I might pass to Mike.

Mr Devery: As the member as pointed out, yes, there are certainly some impacts for people living next to flying fox roosts in relation to smell, noise and other factors. For example, in Southern Queensland there are 200 roosts—some are close to residential areas and some are not. I think the architecture of the Nature Conservation Act contemplates that if the bar was low and it was something less than a significant impact then people would want to move flying foxes all the time. If you dismiss the conservation consideration, it goes back to one of the core issues that has been raised earlier in this discussion that if you were to disperse flying foxes all the time on that basis they are going to go somewhere.

So what you will potentially have, and almost certainly have in Southern Queensland where there are a lot of roosts, is that moving flying fox roosts somewhere else may not only create new issues but it may exacerbate the issues, because if you have 50,000 or 30,000 flying foxes move into an existing roost—which in Southern Queensland and in the greater Brisbane area there may often be six roosts within 20 kilometres—the animals will most likely add to the issues. So what we try to do, in terms of that broader public interest issue, is look for opportunities to mitigate the impacts.

So when people apply for dispersals, we also consider and discuss with them whether there is some other way to reduce the impact—for example, strategic trimming or clearing that does not push the flying foxes into another location but creates a buffer. The Commonwealth have the same procedure for grey-headed and spectacled flying foxes, and it is generally called nudging. It is modifying the vegetation without causing the animals to disperse but putting a greater buffer or distance between them and the individuals who are affected by them.

Mrs MADDERN: The circumstance that I was talking about is a real case at Hervey Bay and it is right in a residential area. What information would those people need to provide to you in order to ask you to give them permission—in this particular instance a buffer is not going to work because they are right on top of each other—to have them dispersed?

Mr Devery: There are two things and it is all about, as I indicated earlier, the law. There has to be demonstration of loss or damage which constitutes a significant economic loss. While obviously for the people who live in a flying fox flight zone there will be droppings and other things, but generally it will not cost them a significant economic loss. The other one is human health and wellbeing. So obviously as Environment and Heritage Protection officers we are not qualified to determine whether or not flying foxes in a given circumstance are affecting a person's health and wellbeing and that would be a matter that we would defer to the appropriate authorities like Health. That would be premised on the applicant providing evidence that would allow the delegate with input from the appropriate authorities to be satisfied to the appropriate level that the flying foxes were causing human health and wellbeing issues, because it does not contemplate annoyance and those sorts of issues that are obviously real.

Mr GIBSON: What evidence would need to be provided? I understand you saying that you would need to defer to Queensland Health. But if an application is going to be made, what evidence do they need to put together for it to be considered?

Mr Devery: Each one is looked at on its merit and there is no set theme. But the sort of thing that would be helpful if someone was of a view that their health and wellbeing was impacted is evidence from someone like a specialist in that area who could provide evidence to say the person is suffering some identifiable health and wellbeing issue and equally importantly that the causation is flying foxes. In our normal lives there are many causes for stress and so there has to be a nexus between the flying foxes and whatever the appropriately qualified person can provide evidence on what the person is suffering.

CHAIR: Frank, would you like to come in on that?

Dr Beard: In addition to that, in terms of Queensland Health's responsibilities, it is more providing advice on the disease risks. If people have individual medical conditions, physical or psychological conditions, which they believe are related to flying foxes, then the most appropriate thing for them, in the first instance, would be to see their general practitioner to assess them and refer them appropriately. Obviously, the public health system can also provide assessment through the usual processes, through the local hospital and health services.

CHAIR: Jonathon?

Mr KRAUSE: Mike, you mentioned that removal permits might be granted if there is a threat to human health and/or wellbeing. Is that set out in the legislation or in the regulations?

Mr Devery: Yes, there are two initial drivers. One is loss or damage which results in significant economic loss, or there is the flying fox causing a threat to human health and wellbeing. They are the two—

Mr KRAUSE: And or?

Mr Devery: It is 'and'. It is conjunctive.

Mr KRAUSE: Thank you for that. I wanted to ask a question of Frank, as well. You mentioned before that the threat to health from flying foxes or bats was generally low. Can you give us some information about circumstances where the risk is not low?

Dr Beard: All circumstances would need to be assessed on a case-by-case basis. It is generally low. That is just a caveat that there may be circumstances where it is slightly higher, but there is usually still mitigating measures available. For example, EHP has been asking us to comment on a number of applications over the past two years. There have been some instances where roosts have been over the drinking water intakes of various town water supplies. We still consider, in those situations, obviously, it is better not to have animal faeces of any sort in your drinking water, but if you have appropriate treatment processes in place to treat the water effectively, then the risk is still extremely low.

Mr KRAUSE: Is there any other specific circumstances that you could give the committee for our information about when the risk is greater than generally low?

Dr Beard: Nothing specific. We usually have a fairly cautious wording, but in the vast majority of cases, the risk is low.

Mr COSTIGAN: I have a question to Mr Devery. You talked earlier about scaring them off. In terms of dispersal, I have read up on, for example, the Sydney Botanic Gardens and the playing of loud music, industrial noise, fireworks and so forth. In your opinion, what is the best way of dispersal?

Mr Devery: I have certainly seen animals being dispersed. Those techniques are pretty similar to those employed in the Sydney Botanic Gardens and the Melbourne Botanic Gardens, that is, loud noise, bright lights, pyrotechnics, anything that whizzes, bangs, crashes and makes a lot of noise and does not harm the animal is effective in scaring them away. Then it is a matter of discouraging them from coming back. That is the key thing, because flying foxes have significant affinity with their roosts. It is like the rooms of a house. They will continue to try to come back.

At the Sydney Botanic Gardens, for example, they are geared up so if the animals turn up again they monitor, they will repeat that, and there is obviously some cost and some impact on the local community with the sort of things they did. In other settings, we have had dispersals where the strategy is to destroy the actual roosting area, so that obviously the animals cannot come back and roost.

CHAIR: One last question, Jackie?

Ms TRAD: Mr Devery, I think this question is for you but, Dr Field, if you have anything to contribute I would really appreciate your contribution. I think it is important to put on the record the contribution that flying foxes make to the Queensland ecology. I think it is important that we put it in the context of why they are protected. Obviously, we have seen a decline in the habitat, but we do not have the trend data to assess whether the populations are growing or decreasing. They are protected. What role do they play in terms of the Queensland ecology?

Mr Devery: I can certainly comment from the EHP and Dr Field may want to add to that. Flying foxes are recognised as a major forest pollinator. They are basically a pretty big butterfly. They feed on flowers, they pick up pollen and their general foraging area is up to 50 kilometres and they are going, obviously, from tree to tree. They are considered quite vital to the health of our forests. Regardless of whether you just take the animal and its relationship to the ecosystem, it is a vital element of that.

Ms TRAD: And koala habitat?

Mr Devery: Any forest really, yes.

Dr Field: I have an indirect comment, which goes to early discussions about population changes. I cannot comment directly about population size, but what we do see is a change in the occurrence of flying foxes over the past 15 perhaps to 20 years, with increasing urbanisation of flying foxes. It is generally agreed that that is because the broader food resource has been impacted and fragmented as a result of what people do and that, increasingly, urban and peri-urban areas are little oases of food resource for flying foxes. That means that there has been a shift in where flying foxes have been to where they are now.

This gives the perception of an increase in population. If people have not had flying foxes in their area or as many or as frequently and then for the past number of years they have, it is a natural assumption that there must be more of them. I think that is probably the comment that I would make about broader ecological issues. Certainly the ecological changes at a habitat level have had some impact on where flying foxes are now and that is why we are here, because of these increasing urbanisation issues and then those challenges of juxtaposing people with large numbers of animals.

Finally, I do think it is important to separate the infectious disease threats or perceived threats from the amenity, if you like, and those other aspects of it. We have said that health threats in relation to Hendra and Australian bat lyssavirus need to be in context, if you like, in comparison to other human health threats. But I appreciate that those aspects of amenity, in that broad use of the word, can be very real for some people.

CHAIR: Just one more; Shane twisted my arm.

Mr KNUTH: I have two questions, but I will be very quick. This could be to you or Mike. A year and a half ago, I am aware that your department was trying to figure out why so many bats were dropping dead in Charters Towers. The reason for that was the bats were enjoying the comfortable environment and they were not prepared to travel on to chase the food that was available further on, because all that area in that vicinity had been depleted. This might be for you, Mike: we had worked for about six weeks to try to get the bats out of Charters Towers. They moved to Ravenswood. The Ravenswood people got very angry, but it was quite easy to move them from Ravenswood because it is a small town. They moved to a rural property in a melaleuca swamp. They stayed there for four months. The bats recognised that where they were was a comfortable environment, in that melaleuca swamp. They knew that if they stayed in Charters Towers, they were going to get annoyed and harassed. They knew that if they were in Ravenswood, they were going to get annoyed and harassed. So they felt comfortable in that melaleuca swamp and we did not see them until the next season.

What I am trying to get at here is this: you give a permit, but it may cause the bat to go there. Can't we work out a system so that we manage these bats to acknowledge that, if they go there, such as roost amongst residents or people, it will not be a comfortable welcome place? Yungaburra is an example: right there is a roosting spot and you have 400 square miles of rainforest and they could fly from here to over there, and annoy nobody. Wouldn't that be the best option to take?

Mr Devery: The way I would respond to that, I guess, and I think you have suggested it about the melaleuca, the flying foxes determine what factors suit them when they go to a roost. Why do they go to Yungaburra? There is a number of theories on that. For example, they might be safer there than perhaps out in a more remote area where they may get harassed. I do not know if that is factual or not, but there is certainly a thought along that line. In the end, a wild animal chooses where they land because of those factors. I guess, taking a simple approach of saying, 'There's lots of places where they can go', but the animals may not want to go there. The factors that they seek are not there, so they will not go there. But they may go to another place where animals have already demonstrated that the factors are right because they are there. That is the real issue.

Dr Field: I have a very brief comment, if you would indulge me. The primary driver of flying fox movements is food. If there is food in an area where they are not getting harassed, they will go there. If there is no food in an area where they are not getting harassed but there is food in an area where they will get harassed, they will go there rather than starve. I think we need to appreciate that the primary driver of flying fox movements is food availability.

CHAIR: Thank you very much, gentlemen, for that very informative morning. You are more than welcome to stay and listen for the next hour or so to some of the other comments that are going to be made. I would be most appreciative if you could, actually, because it would be good to get some of your expert advice and answers to some of the questions at the end, too.

Dr Field: Mr Chair, I am sorry that I have to leave and cannot wait for that follow up. I would be happy to make any comments in writing.

CHAIR: That is alright. Okay.

Dr Field: Thank you.

ERHART, Ms Dorean, Principal Advisor, Natural Assets, Natural Resource Management and Climate Change, Local Government Association of Queensland

CHAIR: Good morning, Dorean. Thank you for coming along. You are a representative of the Local Government Association of Queensland?

Ms Erhart: That is correct.

CHAIR: Would you like to start with a brief comment?

Ms Erhart: To introduce myself, I am the principal advisor with the Local Government Association of Queensland and my portfolio area is Natural Assets, Natural Resource Management and Climate Change. I have an opening statement that I would like to read. The LGAQ would like to thank the committee for the opportunity to provide evidence regarding the proposed amendment bill. The association does not support the proposed amendment of the Land Protection (Pest and Stock Route Management) Act 2002 as the appropriate mechanism for facilitating the management of potential health impacts of flying foxes. The association's submission sets out why it is not possible for either a landowner or a local government to comply with the legal requirements of the bill without incurring significant cost and/or exposure to potential health threats, neither of which are likely to be considered reasonable in a court of law. As a result, the enforcement of compliance with the bill's requirements would place a significant and unreasonable burden on local government as the proposed enforcement agency under this bill proposal.

Finally, the LGAQ and councils consulted during the preparation of our submission object to proposed new section 96C(4) of the bill, which makes provision for a minister to direct local government to take action where a local government has decided not to take action after considering all the factors involved. The LGAQ does not support an overruling by a minister of local government elected representatives that have considered the matter and made a determination not to act.

In conclusion, the management of native species is an area requiring high levels of specialist expertise. However, the negative impacts of native species tend to be seasonal or intermittent experiences, making it difficult to justify the retention of such expertise within a local government area or region. This also applies to the commercial viability of experts to act as management consultants and service providers. Such expertise is best retained at a state government level where the expert skills would be utilised regularly on a statewide basis. On this basis, the LGAQ would like to recommend that the state, in consultation with the association and Queensland local governments, undertake a review of the current permitting system under the Nature Conservation Act, with the view to creating a more timely and resource efficient permitting process, and that the review also incorporates the concepts of developing regional approaches and long-term management plans.

ACTING CHAIR: Thank you, Ms Erhart. My name is Jackie Trad and I am the deputy chair of the AREC. Unfortunately, Mr Rickuss, the chair, has stepped away for a moment, so I will preside over this segment until he returns. Can I open up questioning to members of the committee? I would perhaps suggest that Mr Knuth would like to start off.

Mr KNUTH: Just in regard to that new section 96C, where the community is strongly lobbying the minister and the minister steps in to make that decision, I can really understand where you are coming from in that you do not want Big Brother overlooking and telling local governments what they should do and should not do. I know that with local councils a big problem that they have had in the past is with the permit decision. You are saying that there needs to be greater flexibility, which is true. One of the great issues that we have had is that councils have been annoyed that there was too much interference by the government in regard to the permit system and trying to remove flying foxes with the system in place and having Big Brother looking over them made it impossible to move those flying foxes. In regard to the Local Government Association, I believe that they will be supporting the legislation that gives the local government more power. With this bill, you are looking for more power but at the same time the local government does not want the responsibility in regard to the management of flying foxes. I am just trying to work out where you are coming from, because Paul Bell stated that he was pleased that this legislation was coming up granting more power, but at the same time the local government is not looking at the responsibility of the flying foxes and believes that that should be in the hands of the local government.

Ms Erhart: Basically in relation to the comments about more power, I think local governments are definitely looking for more autonomy in their decision making.

Mr KNUTH: Yes.

Ms Erhart: With that autonomy comes responsibility but also there are some limitations in terms of levels of expertise, local government capacity and their ability to fund certain actions. So autonomy is appropriate where there is a mature relationship with the state government, where there are clear roles and responsibilities associated with each area of government's strengths. So local government strengths are very much in working with the community and on matters such as flying fox roosts and impacts of that it is usually the community that goes to the local government in the first instance to complain and to seek some resolution of those matters. Where the strengths are with the state government is in the expertise and knowledge and ability to collect the data and information that can inform or assist local governments in

making these sorts of decisions. Hence our recommendation that the decision-making capacity remains within the Nature Conservation Act, where we believe that it is appropriate for a native animal to be dealt with, but with the permitting system and the timeliness and efficiency of the data and information that is provided to local government in working with state government to make those decisions.

Councils do not want to have the legislative responsibility that is proposed under this bill for the management of the health impacts of flying foxes, because they simply cannot contain the expertise within their organisations to make those decisions appropriately. As I stated in my opening statement, these matters are intermittent and therefore to have that sort of expertise employed within a council there is not enough work for them to do the rest of the time. So that is a cost that is incurred to council that is unnecessary.

ACTING CHAIR: Ms Erhart you have raised timeliness around the permitting process.

Ms Erhart: Yes.

ACTING CHAIR: Can you delve into that a little bit, please? Are you saying that the current process is way too long, that the information sharing is somehow stagnating?

Ms Erhart: It can take some time to get a permit assessed through the department and in that time—I think there were some comments that were made earlier about moving to disperse bats before they actually form a roost—that it can take to acquire a permit the roost is already established and the moment has passed.

ACTING CHAIR: Do you have approximate time lines?

Ms Erhart: No, I am sorry. I can get those for you from the councils.

CHAIR: I have had some experience with that. Would it be helpful for the department to then put out an advisory sheet to the councils? I must admit that I seem to have had this conflict with the council and the department not knowing what the other is doing and a lack understanding in local government, especially with some of the smaller councils compared to the Brisbane or Ipswich councils. It seems to stagnate a fair bit through there. The councils just want a permit. They do not seem to realise why there is a delay. Would it be helpful if there is more advice given to the local government from the department?

Ms Erhart: There are already guidelines that exist from the department on the preparation of a permit. The LGAQ worked with the former department of environment and resource management in preparing those guidelines some years ago. I think the actual problem is in the resourcing of staff to process those permits.

CHAIR: Okay. Sam?

Mr COX: In regard to your report, the LGAQ's first point is that you do not propose the amendments to be passed but, in the points 2 and 3, which we are just talking about now—the review process—if that review process was to go through, and your point 3, which I take is important, you would like to have regional approaches and long-term management plans, if that process was happening and, again not knowing the outcome, would local governments or councils be happy to be the managers of this system that the current government is bringing in, considering the fact that you want the resource process to be a lot quicker with the permits?

Ms Erhart: I will just clarify that. Councils do not want to be responsible for the issuing of permits, or for the approval, or the enforcement of compliance with permits for managing flying foxes. However, councils already are quite often some of the applicants for damage mitigation permits with the department, because they are expected by the communities to do something with regard to the flying fox impacts on amenity, not so much on health issues. So I need to clarify that. A lot of my comments with regard to flying fox management do not have anything to do with the impacts to human health or the health of horses; this is mostly about amenity.

Mr COX: Just because councils represent everyone locally, you feel that you have to be part of that process. It might be one part of a town that has the issue, that it is going to involve the other part of the town if they happen to be moved, for example, and they move there. So you need to play a big part in the process.

Ms Erhart: That is exactly right, yes.

Mr GIBSON: Can I just pick up on that theme? We heard evidence earlier with regard to the amenity issue, or wellbeing of individuals or the broader community. Are you aware of any times where councils have made a submission to disperse or to relocate where it has been successful? If so, what are the factors that have contributed to that?

Ms Erhart: No, I am not personally aware. I cannot comment on the factors that might contribute to a successful dispersal of a flying fox colony. I am aware of councils that have been successful in achieving a damage mitigation permit but I cannot comment on what the outcomes of that were.

Mr GIBSON: From a community perspective, in looking at local government, would the issue of a community's wellbeing being the No. 1 driver for a local government's engagement in wanting to relocate or disperse flying fox colonies?

Ms Erhart: Yes, it is.

Mr KNUTH: Councils want the autonomy, but at the same time when it comes to management they do not believe that they have the resources and would not like to make the decisions in regard to the removal of flying foxes. What if the government was prepared to give you that autonomy and give you the resources to be able to manage the flying foxes? Councils are different. It is easy to move a flying fox in a small community where there are no broader trees, but when you have places where there are mango trees in a radius of 20 kilometres, it is a much more difficult to manage flying foxes there. So it is much easier for the council to understand the geographics of that region to have that autonomy and resources. As a Local Government Association, if you had the resource provided to you by the state government, would you be happy to take on that autonomy?

Ms Erhart: I think the short answer to that would be no. Again, I would go back to my earlier comments with regard to the intermittent nature of needing to deal with this particular problem. It would probably be a less effective way of utilising resources by giving local government the powers to manage the flying fox permitting system, for example, on compliance and enforcement. I would need to defer to my state government colleagues to provide information about the number of applications for permits that are submitted annually, but my view on that is that it is probably best dealt with at a state-wide level, because the decision-making expertise and skills required would probably be utilised on a full-time basis state-wide rather than within each local government.

Mr KNUTH: Just an example is that the state government issues the permit, but the council uses all of their resources to move those flying foxes. So there is no expertise or directive; it is more or less, 'Here is a permit. You do it.'

Ms Erhart: I cannot comment on that, sorry, because I have not been directly involved with the permits myself. So I do not know exactly what direction is provided by the state government to a local government when a permit is issued. But I understand from conversations with my colleagues in councils that the whole process of applying for a permit and the approval of the permit involves a lot of discussion, negotiation and working with the state government staff.

Mr GIBSON: Just on the issue of resources, if this bill were to be passed and these amendments were to be put through, could you give us an estimate of what additional cost would be put onto councils and ultimately to ratepayers?

Ms Erhart: No, I could not do that, unfortunately, without having some figures from the state government about how many permit applications are currently being achieved and put through the system annually. The LGAQ submission does state, though, that the enforcement of the compliance requirements would be very onerous on local government and also on the individuals who were undertaking the management activity, because the current wording of the bill proposal basically has a number of points at which an individual, if a complaint were to be received about their activities, would need to be able to demonstrate that, for the species of the flying fox that they were either dispersing or destroying, they would need to be able to provide evidence that that flying fox was, in fact, posing a health threat. Then they would need to also provide evidence that they had complied with the animal care and protection legislation in whatever means that they utilise to disperse or destroy that flying fox. The avenues available for doing that would be quite costly, time consuming and potentially beyond the capacity of the individuals to do effectively or reasonably.

Mr GIBSON: So those additional costs would be ultimately passed on to ratepayers for each council?

Ms Erhart: At the end of the day, yes, because the ratepayers are the main form of revenue availability for local government. So, yes, the ratepayers would be paying for that.

Mr GIBSON: Thank you.

CHAIR: Than you, Dorean. I must admit that I have had some experience with that. The councils have to hire consultants and all of those sorts of things to try to work out where the flying foxes are going to migrate if there is clearing done and all of that sort of thing. So it is a quite an onerous task, I must admit.

Ms Erhart: That is right.

CHAIR: I do not know whether there is a way of the Local Government Association working more closely with the department as well to try to work this out. Thank you very much. Do you have a closing statement that you would make to make?

Ms Erhart: Only that the Local Government Association of Queensland, as stated in our submission, is willing to work with the state government in improving the current system.

CHAIR: Thank you very much.

BOOTH, Ms Carol, representative of 28 environmental groups via teleconference

CHAIR: Good morning, Carol. Before talking on the phone could you please state your name so that Hansard, who is recording this, can know who is speaking at the time.

Ms Booth: My name is Carol Booth. I compiled a submission on behalf of 28 conservation and animal welfare groups about the bill.

CHAIR: Would you like to make an opening statement?

Ms Booth: I will make a very brief statement summarising the views of the 28 groups. The groups recommended the bill is rejected. It is based on incorrect information about human health risks and it would not resolve any problems. It would, in fact, make life more difficult for both humans and flying foxes. We recommend that the Queensland government adopts a one health policy, which recognises the links between human health and environmental health and that the government works with community to ensure that people take sensible precautions against disease and that we work towards a happier coexistence between flying foxes and humans, which means focusing on the welfare and conservation of flying foxes and also on the amenity of people living near flying fox camps. We recommend that, as part of that, the Queensland government recognises and supports the really important role of wildlife rescue groups and veterinarians in public health and animal welfare.

It is really important to recognise that flying foxes are irrevocably part of the urban landscape. One database that I consulted recently showed that there were 366 known flying fox camps in Queensland with the majority in urban areas, and most of them are not regarded as a problem. It tends to be forgotten in a lot of the debate that the majority of people are either tolerant of flying foxes or actually really enjoy having them in the urban environment. Brisbane, where you are, is regularly host to three megabat species, which is pretty amazing for a capital city. It should be a source of pleasure and pride that they are a tourism resource, and much more could be made of that.

Finally, I will make one brief point which was not really strongly emphasised in the submission. The committee should consider that the exaggerated claims made about flying foxes can have a real impact on people. There is what is known as the nocebo effect, which is the opposite of the placebo effect. It is that people's expectation of illness or harm can actually result in that. It is actually thought to be the basis of voodoo. If people are told that a medical procedure is going to be painful, it will probably be more painful than it would have been otherwise. When you make exaggerated claims about adverse impacts on people's health, there is a real risk that people will experience suffering because they sincerely believe that they are going to be ill due to being near flying foxes. The other effect of that is that fearful people become much less empathetic. Flying foxes get into a lot of trouble in urban environments in netting and barbed wire. We have, unfortunately, seen a big increase in people being really callous about the suffering of flying foxes in those situations.

CHAIR: Thank you. I have one question. Have you actually got any thought, though, about the family who is living very close to a large flying fox roost that has appeared over the last few years where the noise and the smell from that is really affecting their lifestyle? What are your groups' feelings on that? Should that roost be allowed to be pruned back or taken right up close to those residents? What is your feeling about that?

Ms Booth: It is not terribly relevant to the bill simply because we already have the legislative basis for measures to be taken in those situations. There are a lot of people who do live near flying fox camps to the extent that they are in their backyards and they do not have a problem with that. In the rare circumstances where people's lives are really seriously impacted, then certainly there is a reason for doing something about that. Long experience has shown that it is not just a matter of trying to disperse flying foxes because they have a strong fidelity to their roost site. In that case, prudent pruning or taking out of backyard trees, for example, I think is warranted, yes. But we already have the legislative basis for that.

Ms TRAD: Thank you for joining us today and thank you for your submission. I actually want to ask about the damage mitigation permits. As you know, they have been reintroduced into Queensland. I want to ask you about what you understand to be the result of lethal weapon culling of flying fox populations.

Ms Booth: It is a terrible setback for flying foxes. On conservation and welfare grounds the use of shotguns has been shown and is well known to be very inefficient in what you call a clean kill. There will inevitably be a high rate of wounding and that will lead to the suffering of wounded flying foxes. Unfortunately, it also coincides with the time of birth and care of young, which means that a large proportion of those that are killed in orchards will have babies back in a camp and they will slowly die of starvation or thirst. There is a major risk with a lot of illegal killing. The government does not have either the legislative basis or the resources to do proper enforcement. My experience in the recent past has been that farmers do kill illegally and I expect there will be some proportion of growers doing that. So the number already permitted to be killed, more than 10,000, is large enough but that is likely to be added to by illegal killings. Let us not forget two species are threatened and the last thing we should be doing to threatened species is killing them.

Finally, farmers do have an alternative of netting. The majority have adopted netting. There is lots of evidence to show that they recoup the cost of that netting within a few years. There are substantially cheaper netting options than most farmers talk about. Those who say they cannot afford it are talking about the deluxe netting, which can cost \$50,000 a hectare or \$20,000 a hectare. However, there are cheaper and safe netting options that are far less expensive.

Mr COSTIGAN: I would like to respond to your comment. I have not met a farmer who has boasted about being able to recoup the cost of netting in relation to such matters. I want to ask you a couple of questions. Of the 28 environmental groups that you represent, how many would be in regional Queensland? Could you give a quick summary on the geographical spread of the environment groups that you are representing?

Ms Booth: Just on the recouping of costs, if you look at the department of primary industries' publication on netting, you will find numerous case studies where they do talk about recouping costs. I think the department of agriculture fully endorses that. There are national groups; there are groups from the Gold Coast, from Brisbane, from North Queensland, Cape Tribulation, Noosa and Mackay—so basically the spread of Queensland.

Mr COSTIGAN: In your opening remarks you described the flying foxes as a 'tourism resource'. I represent the most tourism dependent region on the eastern seaboard as far as I am concerned. Perhaps you might be able to explain or justify that description, as I say, 'tourism resource'. A lot of my constituents perhaps would struggle to get their head around that.

Ms Booth: Maybe you should talk to a lot of people who actually are exhilarated by the flight of flying fox fly-outs. It is a pretty amazing sight when you get thousands of animals in the night sky. There are existing tourism ventures based on flying foxes. I think the best known of those is the Batty Boat Cruises, which are run by the Wildlife Preservation Society. They have been running for many years. There are other areas—Ipswich has a centre where people can go and see flying foxes from educational material. There are some wildlife tours that also take in flying fox fly-outs. It is fairly undeveloped at this stage, but I think there would be a lot more potential to use flying foxes to introduce people to some of the natural wonders of Australia.

Mr KNUTH: Back in the late nineties we did not have an issue with regard to flying foxes in the Charters Towers area. They have been an issue for probably 10 or 12 years to the point where we have had 40,000 to 50,000. The bats are still there. I would say there would be 20,000 bats at this present moment. Before then, people did not have an issue with the flying foxes and I did not have an issue with the flying foxes. I could say that most people who I knew were sympathetic about the bats and did not have an issue with them. We have had the permit system that has been so useless and ineffective that it sways in favour of the bats.

CHAIR: What were the numbers before?

Mr KNUTH: Before there were none. What has happened is that the people have seen that the priority of the bat has come over nursing mums, the sick, the frail and the elderly to the point where the hatred for the flying fox is absolutely phenomenal. Do you feel that it might be in the best interests because it is just not a good thing for humans and people—when I talk about nursing mums, I have had a mum holding a two-week-old baby saying that she has 3,000 bats living above her home. It is not a great feeling or experience and then I am not able to do something because of this powerful amendment. Would it not be best that you work with government to promote the bat and to ensure that communities and bats do not mix so that we can remove this hatred for the flying foxes, as you were saying. Then people can enjoy the quality of life and have respect for the flying fox as well.

Ms Booth: There are a number of things in there that I would question. First of all, you are blaming the permit system for not being able to get rid of bats. Charters Towers has had permits galore over the years and has spent half a million dollars on trying to get rid of bats. There has not been a problem with the permit system. The bats have used Lissner Park for many years. In fact, the earliest report I can find is 1916 which indicated that there were flying foxes in Lissner Park and there were regular reports over the years. So it is a roost site and flying foxes do not easily abandon their roost sites. So basically the only way that you will be able to get rid of flying foxes from Lissner Park is by getting rid of the trees that they roost in or, hopefully, by creating an alternative attractive roost site. There is no guarantee that that will actually work, but I understand there is a proposal for that and I would certainly be strongly supportive and encouraging of that as a resolution.

There are very few people actually really seriously affected in Charters Towers. I have been to Charters Towers several times and sat in the park. Most of the time you would hardly know the flying foxes were there. Sometimes when a lot of little reds come in, yes, you know they are there. But, again, it is very few people. In situations like that, you really have to try out how we can improve the amenity of people in that area. Half a million dollars could have gone a long way to assisting people in the vicinity of Lissner Park to double-glaze their windows or whatever to improve their amenity. So I just think it is not helpful to say it is the permit system, because it is not the permit system. It is about biology and history. So I strongly encourage that you work to actually create a solution to this rather than use it as a political weapon and build up people's antagonism, because I find it really amazing in Charters Towers that this is given so much prominence as an issue when really it is very few people affected. There are surely far more important issues in Charters Towers.

Mr KNUTH: Carol, I did table a petition of nearly 3,500 who wanted the bats removed at all costs, but thank you for that statement.

Mr COX: Carol, you said that we possibly should be learning to live with them in urban situations. You mentioned that you think that it is actually probably a benefit to the tourism industry and you made comments like people are only against bats because of some sort of voodoo thinking. I will not go near any Brisbane

of that except back to the agricultural side of it. We have a population in this world which is doubling which we are going to need to feed in the future. You would not be aware unless you have been listening in—and I will not comment directly or quote from Nick Macleod from DAFF—that we asked a question earlier with regard to netting. You are saying that instead of using top-shelf netting and spending \$20,000 a hectare you presume it could be done a lot cheaper, but again you are talking to specifics on the netting. There is also a whole new management plan which has to go in which adds a cost. There are more labour costs in there. But more importantly, how do you think we are going to increase food production into the future if we have animals like bats that are eating food that is not native to them, and the more food we provide for them the bigger their colonies may increase? So do you think in extreme circumstances there should be cases where we can have damage mitigation permits put in at all?

Ms Booth: You are falsely assuming though that shooting is actually an effective method of crop protection. It is not, and farmers will admit that. The majority of damage in crops occurs when there is a shortage of native food supplies and so that means that more flying foxes will go into orchards, and the only way that you can stop that is through netting. So in fact if you want to maximise production then netting a crop is really the only sensible approach. Shooting actually will not achieve effective crop protection. Most farmers will go out and shoot for a couple of hours and then they have to go to bed. They cannot control an orchard of 10 hectares shooting every single flying fox during the entire night. It is just not practicable, and they are only meant to shoot at most 20 to 30 a month. It just does not add up to an effective crop protection approach.

Mr COX: I will take that as no and will not go into how and what should be shot—whether scouts get shot or whatever—but thank you for your answer.

Mr GIBSON: Carol, in your opening statements you made some rather outrageous comments and I would like to give you the opportunity to provide evidence. Firstly, you alluded that media reporting is the equivalent of voodoo in creating responses in the community. Do you have any examples of that? Secondly, you indicated that you believed or you alleged that farmers were already illegally shooting bats. Have you reported that to the police or to the appropriate authorities and can you give any examples of prosecutions of that?

Ms Booth: The nocebo effect actually has a scientific basis and I suggest that I will follow up this with a short outline of that. So it is a well-known generalised effect which I am applying to the situation of flying foxes. We regularly read in newspapers accounts of people in communities saying that they are suffering from bites and all sorts of diseases. At one stage I had counted up the *Townsville Bulletin* and come up with something like a dozen new consequences of living near flying foxes which had no medical basis. So it is just due to people being told that flying foxes are a health hazard and it has a real effect of their sense of safety and wellbeing which can actually translate into real health impacts. On the illegal shooting, I have actually been involved in three court cases where I have taken fruit growers to court for illegal killing of flying foxes. I have seen a lot of illegal killing, so I have had evidence. If I know of any coming up, I will certainly be reporting it to the department of environment.

Mr GIBSON: Just to clarify, you have seen a lot of illegal shooting but you have only been aware of three incidences in court?

Ms Booth: Actually, no. I have reported more than that to the department, but I have myself gone to court and got injunctions over three sets of farmers who were illegally killing many thousands of flying foxes.

Mr GIBSON: So was this shooting or electrical grids?

Ms Booth: That was electric grids, but—

Mr GIBSON: My question was with regard to shooting, because you specifically referred to that.

Ms Booth: Whatever method it is, what I am saying is that illegal killing occurs and there is no difference between the use of electric grids and shooting.

Mr GIBSON: Thank you, Carol, but in your opening statement you made the allegation that you were aware of illegal shooting.

Ms Booth: No, I said illegal killing I think.

Mr GIBSON: I heard the comment 'illegal shooting', sorry. If it is 'illegal killing', I will accept that. I will check *Hansard* later.

Ms Booth: Actually, what I would have said is that there is a high risk of illegal killing—of illegal shooting—and that is on the basis that there has certainly been evidence of illegal killing both in New South Wales and Queensland. As I said, there is no need to distinguish between those who illegally kill flying foxes by electric grids or by shooting.

CHAIR: Thank you very much, Carol, for that. Is there a final statement that you would like to make before we finish?

Ms Booth: I would like to say that there are two threatened species. It would be really good to see a focus on more positive initiatives for flying foxes, and that includes protecting important habitats, protecting their camps and addressing the threat to flying foxes such as shooting, netting—that is, the loose backyard netting—and barbed wire. I guess the one thing we did not touch on was simply that flying foxes are

susceptible to decline because of their reproduction. They only have one baby a year. They are not reproducing successfully until they are about three years old and two studies have suggested that most of them are dying before they get to six or seven years of age. So the claims that they are multiplying and increasing in number are simply not sustainable on the basis of biology.

CHAIR: Thank you very much, Carol, for representing your views to the committee. Thank you.

Ms Booth: You are welcome, and I will follow up with information about the nocebo effect.

Ms TRAD: Thank you, Carol, for that excellent and thorough submission.

CHAIR: We will break now for 10 minutes. Mr John Pollock has turned up from Yungaburra because he was down in Brisbane, so we will try to fit him in at some stage today.

Proceedings suspended from 10.39 am to 10.54 am

HENDERSON, Mr Allan, Chairman, Charters Towers Action Group

CHAIR: Good morning, Allan, it is Ian Rickuss. I am the chairman of the Agriculture, Resources and Environment Committee. Thank you for making yourself available to give us some comment about the Charters Towers Action Group and the flying fox issues that you have up there. Would you like to open with an opening statement, Allan?

Mr Henderson: I am Allan Henderson. I head up the Charters Towers Action Group on behalf of Charters Towers people. Lissner Park is located near the city centre and, as the committee knows, we have probably 40,000 to 50,000 flying foxes in Lissner Park. It causes all sorts of problems with the tourist industry because tourists will not sit in the park. The facilities are provided by the council—tables, chairs, barbecues—for those people and the local people but people cannot use them because they are always covered in bat faeces. It is also a health issue to be eating off those tables and chairs.

The other thing that I would like to bring up is when the bats take off for their ritual night feeding, we have a pool situated very close to the park—next door to the park actually. When these bats take off of a night-time all their faeces goes into that swimming pool which is beside our public park and residents are not letting their children use that pool because they say it is also a health hazard with bat faeces in the pool.

The other thing that I would like to bring up also is that these flying foxes, on their return to the park after their nightly feeding ritual again, are laying all over the ground in the streets—they die on their way back. Domestic dogs are picking up these faeces and eating them. We know that these flying foxes can transmit viruses to dogs. We do not want that happening in the park, but these dogs are picking up these bat faeces and eating them which is becoming another health hazard.

Also residents will not visit our public park with children for fear of catching bat-borne diseases. The bat faeces also cover the playground equipment. All the time the playground equipment is covered in bat faeces. The other thing that I would like to bring up is no council employees—and I work in the park—are inoculated to work under these bats. We are not inoculated with a rabies injection and council staff are saying that they should not have to work under these bats which are up in the trees all day putting bat faeces all over us, ticks and other things. We have to wear a plastic suit if we have to work under these bats, a full plastic suit. I am sure that our state member who is there with you can confirm that those plastic suits that we wear can get up to 40 degrees in temperature of a day. Council employees are suffering while wearing these suits and we do not think we should have to wear suits to work under bat trees. All these fellas who work down here are not injected to work under these trees.

The other thing that I also wanted to bring up was we had a protest march on Saturday, 20 November 2010 where 800 residents attended that march for the previous state government to do something about removing the bats from our Lissner Park. It is a public park and we should be able to use that park. Residents should be able to use that park whenever they feel they want to come there and be there. Nothing is held here any more because of the bats. The other thing that I wanted to bring up as well is that Charters Towers residents who work of a day and hang washing out at night on clothes lines, when they wash their clothes and hang them out and leave them out overnight, bat faeces is all over their clothes and houses and cars and these clothes have to be rewashed next morning. Then they have to go into a drier because they cannot be hung out overnight on the lines.

Charters Towers residents cannot enjoy the facilities, the barbecue tables that are under the shade trees, because they are always covered with bat faeces. We had an incidence here on 26 October 2010 where a woman, a mother, and two children attended the park to go to the toilets which are in the centre of the park. There is a big tree over the top of it. It is also full of bats. The woman was hit by a newborn baby bat hitting her in the head. She has vowed and declared that she will never go back to the park or never take her kids to that park under any terms again.

The other thing that I would like to bring up to the committee is that on a number of occasions we have written to state parliament asking the Premier and the environment minister to visit Charters Towers to talk to the people of Charters Towers or have a public discussion. We have written so many letters to state parliament regarding this and we have been ignored. I would like to see the Premier, who was here before the election and promised the people of Charters Towers that he would remove the bats if he was elected, come back and hold a public meeting with the residents of Charters Towers to decide one way or another what is going to happen, whether the bats are going to be removed or they are going to stay here. I think Charters Towers residents have the right to have the Premier and the environment minister come and talk to us and decide what is going to happen with these bats.

I hope the committee have a good look at submissions that I have put in because we want our park back and we want the bats removed so that we can enjoy the conveniences of the park. We have been fighting this for a long time now and I think we should have a good hearing on it. I would like to see the committee, if they can, see their way forward to help us in any way get rid of these bats, remove them from Lissner Park. That would be great because it is a public park and we need to have that park back. Shane has put in a day down here with us, with the workers here, and he knows firsthand what we go through wearing those plastic suits. It is just unbearable and we cannot work in them. If the committee would like to ask Shane what it is like to work down here I am sure he will enlighten you.

The other thing I have to say is that DERM has a double standard. They have an 80-metre exclusion zone on using chainsaws around bat trees from which limbs have fallen off and need to be cut by chainsaws. They have an 80-metre exclusion zone on tree cutters working around bats yet when we are mowing the park, the public park, with a zero-turn mower we can mow right up to the base of the trees and disturb the bats. I consider that to be double standards, where you cannot use a chainsaw which puts out 95 decibels and the mower puts out 135 decibels. I think we need to have a look at how DERM operates and get some sort of clarification on mowers running under trees and we cannot use a chainsaw to cut the trees to clean up our public park. Those are just some of the points that I would like the committee to consider. I would ask the environment minister and the Premier to come to Charters Towers and talk to the people of Charters Towers about this issue.

CHAIR: Thanks very much for your comments, Allan. What do you think would be the situation if all these bats were disturbed? Where would they end up? Is there another treed area around the town where they roost at times?

Mr Henderson: No. They told me there are trees all along the Burdekin River where they would not affect anyone. This is the big Burdekin River. The bats originally came from around that area, and I cannot for the life of me see why these bats cannot go back into the bush area where they come from. They are only in town because the place is loaded with mango trees and all the food is here. That is why they are staying here. I cannot see why they cannot be moved to an area outside of Charters Towers.

CHAIR: How do you stop them coming back?

Mr Henderson: The regional council here now want to build a bat habitat for these bats. I would like to see how they are going to move these bats from Lissner Park to a bat habitat when that is built. We are spending state government money building a bat habitat which is useless. Why are we building a bat habitat? CASA will not let us shift these bats with a helicopter. We have been through this saga before. I do not know how you are going to shift them from Lissner Park to a bat habitat, which is the same thing.

Mr COSTIGAN: Mr Henderson, I have been to Lissner Park over the years and I have had my children in the park. It is a great park and a great city of North Queensland, I might add. The suggestion of the fauna habitat in the towers I believe has come from the mayor, Councillor Beveridge. You are saying that you do not support it one bit?

Mr Henderson: No, the people of Charters Towers do not support a bat habitat being built in Charters Towers, not one bit. I have headed up this committee for eight years. We want the bats removed from Lissner Park, which is our public park that cannot be used by the residents of Charters Towers. We want these bats moved to an area like the Burdekin River where they are not causing any drama to anyone. That is where they should go back to, not cause drama to people who go to the toilets and workers who have to work under them. Tourists come here and sit at our barbecues and tables and should not be shat on by bats. Some sort of normalcy should come back into the system.

Mr COSTIGAN: Mr Henderson, would you or your members support the concept of, or give consideration to, a trial of loud noise similar to what has happened in major parks in metropolitan centres before, such as the Botanic Gardens in Sydney, where I am led to believe it has been used before with some degree of success?

Mr Henderson: I do believe the council has tried that in previous years and it has been unsuccessful. The moment they stop the noise, the bats just return to Lissner Park. I do believe the regional council has trialled that and it has not worked.

Mr COX: I fully understand the points you have put up and the distress that is going on in your town. Coming from North Queensland, I know that you get the colonies along the Burdekin River. I take your point about shifting them to the Burdekin River versus shifting them to a habitat. I am not aware of where the council wants to put this habitat; I presume it is on the outskirts of town. However, even if you shift them to the river, the fact is, as we all know, especially those living in North Queensland, there are mango trees in nearly every backyard. Won't the bats just come back? We have already pointed out today that bats move to where the food is. If there is stress and there is food, they will go there. If there is no stress and no food, they will not go there. I am not arguing, but do you think that, if a habitat needs to be built, maybe it needs to be reviewed as to where it needs to go. That is a good place to move forward with your council so you get a habitat put on the edge of town where the bats will still be living with you during night-time, during feeding, but you will not have them in your park, which I am gathering is the main concern. I know to some degree we have to learn to live with them, but I do not believe you should have to live with them as you are in Lissner Park. Maybe a review of where this habitat is going to be needs to be done and then we can get a halfway house. Does that sound right?

Mr Henderson: Have you got a time frame for moving these bats from the park, because it is just becoming a stinking mess and the people of Charters Towers are getting more and more angry? They have put up with the system for 14 years. Previous state governments have not bothered to do anything about it. Premier Campbell Newman was here and said that he would remove these bats from Lissner Park. Your health minister was here as well and told the people of Charters Towers in a public paper that he would remove them from Lissner Park.

Mr COX: Again, I cannot talk on behalf of that. We are here today to talk about the bill, but in relation to you wanting these bats moved could you say to us what actions the group would like to see? If you are not conclusive with the habitat idea your council was proposing, what do you think is the best way to get rid of the bats as far as the action group goes?

Mr Henderson: Look, it has been tried before. Helicopters do move bats. CASA has said no, they will not allow us to use a helicopter over Lissner Park. I think the bats could be moved by helicopter to the Burdekin River. That would be about the only way that you would move these bats.

Mr COX: Would they return, do you think?

Mr Henderson: I have a feeling they would return, but if it was done again and again I think the bats would be moved. There are various ways of moving these bats, like burning carbide under trees. The bats will not come back near the trees, but if we do that we put them out into somebody else's trees in Charters Towers. We are trying to get them moved from our very public park here so that this park can be used for what it should be used for. It is not a bat park. This park should be used by the public whenever they want to use it without being shit on by bats and everything else. That is what the Charters Towers Action Group would like the state government to do—remove the bats from Lissner Park as soon as possible so this park can go back to normalcy the way it was before.

Mr COX: I guess I have to stick within the requirements of this hearing in regards to the bill, but as an action group would your priority be for the bats to be moved on from Lissner Park over not seeing a bat again in Charters Towers? As I have said, I suggest they would keep coming back for food, but you do not want them in Lissner Park. Lissner Park is your No. 1 priority as an action group; would I be correct in saying that?

Mr Henderson: That is right. The action group was formed to help Charters Towers' residents deal with the state government. We have been dealing with previous state governments and this one as well to remove these bats from our public park. We have a playground that the children cannot use and their mothers will not let them use, which is a waste of public resources. We have tables and chairs in our park which we cannot use. We have barbecues which cannot be used, which is another waste of public money by our local council. This is what we are saying: the park is there for everybody. We water it; we look after it. We do not want it to be a bat park. We want it to be a public area which people can come and enjoy in the centre of our town.

Mr COX: Thank you very much.

Mr KNUTH: Shane Knuth here. I take your point that we have the biggest river system in North Queensland or the second biggest river system in North Queensland so there is plenty of room to shift the bats. You probably know the feeling of the Charters Towers community: they just want the bats gone at all cost. The government has issued farmers mitigation permits to shoot the scouts of flying foxes to protect their crop. Do you believe mitigation permits should also be issued to remove flying foxes in Charters Towers or to play a part in helping remove flying foxes in Charters Towers?

Mr Henderson: Anything that will help move these bats away from Lissner Park. If it means shooting the scout bats and shooting some of them to move them on, then that should be done. Anything that can move these bats away from this public park, whether it be by shooting them or another way to move these bats, should be done immediately. It should be done as soon as possible so we can have our public park back. They should not be in the city.

Mr KNUTH: Can you explain to the community who else is suffering—the nursing mums, the elderly, the whole lot? Can you explain how horrible and terrible this has been? I feel they can sense your frustration of living with bats year in, year out and the reasons why you are here and the reasons why you want the bats moved at all cost.

Mr Henderson: I live very close to the park. I live two doors away from Lissner Park. There are a lot of elderly people who live in the vicinity of Lissner Park. They are in their 70s and 80s. This action group was set up because people used to come to my place and talk about the smell. I can't put up with the smell of these bats. I live across the road from Lissner Park. We can't put up with the smell. We should form some sort of group to help the regional council move these bats on. It is the smell, the stench, everything. They cannot use their public park. This stench goes on for 24 hours a day. As I said before, they cannot hang out their clothes. Their houses are full of bat faeces. That is not healthy. I feel sure that that is not healthy. They park their cars in their yard at night and bat faeces are all over their car. I will tell you now that if bat faeces gets on your car it will take the paint off unless it is washed off immediately.

These are the sorts of problems we are facing. The bats get in their mango trees. They do not stay in the park. They get in their mango trees in their backyard. You can imagine the stench of 2,000 or 3,000 bats in a mango tree. This is what is disturbing Charters Towers' residents. They want these bats moved on. Move the bats on. They do not belong in the public park. We have gone through all these issues before with previous governments. People are fed up with it and they want these bats moved on. If the committee can find a way to help these people in Charters Towers move them on, we would like them moved on.

CHAIR: Thank you very much, Allan. I think you have given us a fair idea of where your group is coming from so that is very good. Shane has been the member for Dalrymple and Charters Towers for a number of years.

Mr Henderson: Shane has worked here in the park with me so he knows firsthand what we have to put up with when wearing overalls. When wearing those plastic overalls, it becomes 40 degrees in the middle of the day and it is just unbearable for workers to wear them. You do not last any more than 15 minutes in those overalls before you are in a lather of sweat.

CHAIR: Thank you very much for your time today. I think you have given a fairly comprehensive report to the committee.

Mr Henderson: Okay. Thanks for your time.

CHAIR: I know we have got Shane down as the next witness but we will move to John Pollock for a quick briefing.

POLLOCK, Mr John, private capacity

CHAIR: You are from Yungaburra, Mr Pollock?

Mr Pollock: Yes, I am.

CHAIR: And you had the bad fortune, or the good fortune, of coming down to Brisbane for a medical appointment, was it?

Mr Pollock: I was down for other business actually.

CHAIR: Okay.

Mr Pollock: I heard that the hearing was on so I thought I would come along and have a listen and take the opportunity to talk to the committee. My background is that I was a senior executive in the Queensland government, mainly with the department of primary industries, and I moved up to Yungaburra in 2005. Subsequent to that, when Cyclone Larry came through, a parkland that Shane has referred to in Oleander Drive at Yungaburra suffered a lot of cyclone damage and it means that our park is now pretty well unusable. That coincided with the arrival of a large colony of flying foxes. I will talk a bit more about CSIRO estimates because they have been working on the colony and I have been privy to a lot of their information.

The background to it is that I did make a submission to Mr Knuth's bill but I understand we have not been able to locate that so I will source that and resend it, if need be. Like the Charters Towers community, we have got several committees working, we have had numerous public meetings and we have written numerous letters to the Premier and other agencies. I have also personally made application for a damage mitigation permit and I can talk to you more about that if you wish. The Tablelands Regional Council successfully applied for a damage mitigation permit last year, but that had limited application in that it was aimed at modifying some of the vegetation and clearing the paths in the parkland. I can talk more about that if need be.

By way of background, if you do not mind, I would like to say, firstly, that my submission to Shane's bill was an attempt to have some measure put in place that made it easier for the communities to move on flying foxes, if you like, because living with them, as the previous speakers have said, is untenable. I would also like to touch on the fact that the health issues and the amenity issues are the prime ones for us, and Anne Maddern commented earlier about noise—incessant noise, really loud noise—and smell both from excrement and dead flying foxes. The spectacled flying foxes in this colony pick up a lot of paralysis ticks, which means they come home and the mothers and babies die, and I am sick to death of picking dead flying foxes up in my backyard because neither the councils nor the agencies have the capacity to clean them up.

The other side of it is that the Tinaroo Dam, or Lake Tinaroo, is right adjacent to this patch of scrub and I am sick of trying to pull dead flying foxes out of the water. We have previously used that water for amenity—people swim in it—but I am not letting anyone swim in it at the moment. I will not emphasise it too much but I must stress to you that it is very significant. The fact is we cannot grow vegetables in our yards. We have been told by one of the government agencies that, in living with flying foxes, we should install double glazing on our windows, we should install air conditioning, we should switch off rainwater tanks and so on. That is absolutely ludicrous in a community on the Atherton Tablelands. So whilst those measures may be well meaning, all they have served to do is incense the local community.

Turning to the park itself, it is an area of 15,000 square metres. The CSIRO surveys have estimated that there are upwards of 35,000 spectacled flying foxes predominantly in the park, and rough maths will make that two flying foxes per square metre. When you take into account that the trees do not cover every square metre of that park, you have a hell of a lot of flying foxes so the noise, as I said, is totally unbearable.

There are a couple of issues I would like to talk about. There is a difference between roosting and foraging for food. Again, the CSIRO work that has been done up there through telemetry has indicated that the spectacled flying foxes will travel up to 80 kilometres in a night, with the average distance being around 20 kilometres, so they forage quite a way from the roost. So it is not the foraging or the food sources that are the problems for us; it is the fact that they return to the urban community at night to roost, or generally between about 3.30 and 5.30 in the morning. They take quite a while to settle down and they make a lot of noise setting up camp, and then they proceed to die and squawk all day. As I said, the smell, the flies and the noise are the dominant worries for us.

The other issue I would raise with you is one of science, I suppose. It was mentioned earlier that, under the EPBC legislation, the spectacled flying fox is listed as vulnerable, but I would also point out that under the Queensland legislation and under the IUCN—which is the International Union for Conservation of Nature—they have a much lesser status; they are listed as of least concern. We have also been exploring ways to have the Commonwealth status of these animals reviewed because I think the so-called science that supported their listing probably a decade or a decade and a half ago should be reviewed. Again, as a private individual, I have got a limited capacity to do that. One of my approaches to the Queensland government was to help us to review the status, because if we can have the animal's status downgraded under the EPBC legislation, it makes it much easier for our applications for damage mitigation permits and any other action to be considered because it is a state-only decision in that regard.

Turning to dispersal, there were discussions this morning about dispersal methods. I have to be a bit cautious here because I do not want to incriminate anyone. Let me just say that I am aware of civil disobedience in our park, and I have observed that the most effective way of moving flying foxes on does not require a lot of loud noise but it requires a combination of visual—that is, they must make contact visually with the flying fox—and some noise to attract their attention, and that could be done as simply as clapping your hands. The reason I am saying that is that this year for the first time over winter the flying fox colony totally vacated the park. We made the application for a DMP, which as of last week still had not been finalised, and I made that application in August. I guess the law has been taken into some people's hands, and we decided to disperse the colony as it started to come back to the roost. We found by doing that—just by clapping hands and making sure they saw you—the colony would disperse. That is about all I want to say about that, I suppose.

One other point though is that, during this civil disobedience, attempts were made to work with the government agency. We said, 'Work with us. Help us trial some ways of dispersing flying foxes,' but that did not meet with any success. What we did get was, firstly, a caution from rangers. Secondly, we had a visit from the Mareeba Stock Squad, who actually chased a couple of the women walking in the street as part of their morning exercise. They were threatened with a \$1,000 on-the-spot fine and more long-term fines of \$100,000 or up to a year in jail—which I thought was a fairly productive way about engaging the community! Thirdly, we also had visits from the local uniformed police. So it was a fairly intimidating approach for people who were fed up to the back teeth with flying foxes.

CHAIR: When was that? Was it in August?

Mr Pollock: August-September, yes.

CHAIR: Thank you for that off-the-cuff but very good summary of your feelings. I do agree with you. I have noticed that if the roosts are not that well established then the flying foxes do tend to vacate them. There is one thing I would like to ask. Did you hear before that there is a census being done?

Mr Pollock: Yes, I am aware of that.

CHAIR: So that might be interesting. Where would they go? Is there another roost that they go to locally?

Mr Pollock: Again, I can draw on the information I have derived from the local CSIRO people who are working with the spectacled flying foxes in particular. There are a few things. The first is that I think there are 26 known roosts that spectacled flying foxes inhabit. They do not inhabit all of them at any one time. They usually occupy about 10 of them so they are migratory. The second thing is that any one roost, even our roost, is not permanent. The numbers are pretty permanent—35,000 or so—but individual flying foxes will move from roost to roost. The third point I would make is that, again, the CSIRO identified for us that just looking at the characteristics of the patch of scrub near us there are over 300 similar sites on the Atherton Tablelands. I think speakers earlier spoke about the choice that flying foxes make and whether they prefer urban environments or not. So it is not just the physical characteristics of the site because there is no shortage of habitat on the Tablelands.

CHAIR: Just to add to that: from my understanding the flying foxes actually camp surf. They fly around from roost to roost to roost but the sorts of numbers stay very similar in some of the roosts. Is that what you are saying?

Mr Pollock: That is right, yes.

Mrs MADDERN: You were talking about the number of roosts in the area. How many of them are actually impacting on urban areas? Is it just the one that you were talking about?

Mr Pollock: I do not know. I cannot answer that. As I said, from about Townsville north probably to Cooktown, I think there are 26 sites of which 10 at any one time are populated. There is another one near Gordonvale that I know impacts on communities.

Mr COX: What would you like to see happening from here forward then? Would you like a talkfest? Would you like to get together with departments? How would you do it?

Mr Pollock: Thank you for that question. I am not sure what the answer is. As I said, my submission to this piece of legislation was not so much to support the legislation per se but to support any mechanism that will enable people to work with the agencies to more effectively work together to move on colonies. I do not think shooting per se is the right answer. I can shoot 100 of them but there will still be 35,900 left so that is not going to do a lot for me.

Ms TRAD: Mr Pollock, thanks for coming along today. I am a bit confused about your references to the civil disobedience. Are you saying that, because a number of people were clapping their hands around a roost, that had the result of law enforcement officers coming around?

Mr Pollock: Correct.

Ms TRAD: By simply clapping their hands?

Mr Pollock: In the park. May I add to that: the damage mitigation permit that the council was successful in having last year allowed us and the council to go back and remove some dead trees but more importantly reopen the paths so that we did have some amenity use of the park. This year, when the colony came back and this disobedience, if you like, was just starting, the council employees were also

evicted from the park because they were in there to do some weed control. I would point out that some of the weeds in there were class 2 weeds and the council workers were forbidden from entering the park to do park maintenance. I found that a bit of an affront too.

Ms TRAD: The former presenter said that they did not support a dedicated habitat being constructed. Are you also of that view?

Mr Pollock: I think that is unnecessary in our circumstance. As I said, the CSIRO survey found in excess of 300 physically similar sites. So I do not think establishing yet another habitat would be important for us on the Tablelands.

Ms TRAD: So if noise has been used to move them on in the past but they have not roosted in one of those other many locations, how would you get them there and keep them there?

Mr Pollock: No. Noise was not used in the past. We have tried to go through the legal processes for the last six years to see whether the council or the agencies could help us before we went into the park. This year, as I said, was the first year over winter where all of the flying foxes actually left the current roost and we thought that that was a good opportunity to get in before and as they return to attempt to use noise to see what would happen.

CHAIR: Thanks very much, John. In terms of class 2 weeds, I have noticed they love Chinese elms. In my area there are Chinese elms, which are a weed. They really love them for some reason.

Mr Pollock: They are like wild tobacco up our way.

CHAIR: We have another individual who has asked to appear. Mr Phil Shaw, would you like to come to the table?

SHAW, Mr Phil, Managing Director, Ecosure

CHAIR: Phil, thanks for making the effort to come to the public hearing. We will give you a few minutes.

Mr Shaw: Thanks for the opportunity. I am the Managing Director of a company called Ecosure who has been heavily involved with flying foxes and mitigation for flying fox problems. We got involved with a particular colony at Bundall, which is in the horse precinct for the Gold Coast City Council. We did a risk assessment which indicated that the risk of that camp to that particular precinct was too great to allow that very young colony to establish and become a big one and cause more risk. So we successfully sought for council a damage mitigation permit and successfully modified their habitats to the extent that those bats moved on. Those flying foxes moved, we believe, to several of the existing other camps around the Gold Coast City Council area. So I come to you as someone who has experience firsthand with our organisation dealing with this whole issue. But I also come to you with 25 years experience of wildlife management and have an international standing in this regard, and I am deeply concerned about the potential for this bill to have an open slather approach to flying fox camps. What we need to do is to keep our powder dry. It is not easy to shift flying foxes.

I empathise and sympathise wholeheartedly with the two previous speakers. I understand what it is like to live near flying fox colonies. I truly understand that and I know there are lots of different places around Queensland where that is a big issue. But we need to take a state based, even a federally based, approach to this, and it must be a risk based approach. We need not to be dealing with the squeakiest wheel and give it the most oil. We need to stand objectively back using science and risk based approaches to work out where we do use strategic dispersal or movement of flying foxes from high-risk situations. If we take the open slather approach we will splinter camps all over the place and we will actually increase the distress on both flying foxes and humans. We will end up with more colonies in more locations.

The simplistic concept of being able to shift a Lissner Park colony to the Burdekin is flawed. We have seen examples in Melbourne where they actually established restoration sites that were designed for the flying fox camp to be shifted out of the botanic gardens to go to that particular site. They spent hundreds and hundreds of thousands of dollars on doing the restoration works and the flying foxes went somewhere entirely different. We have examples of poor success with other dispersal programs including the Maclean dispersal project which has been going for well over a decade.

CHAIR: You are talking about northern New South Wales.

Mr Shaw: Yes, northern New South Wales, where we have witnessed through the dispersal techniques using noise and smoke and all sorts of different deterrents that that camp has actually moved to places which are far less desirable than the original position. In fact, the decision is now made to try to get them back to their original spot. So we need to be really careful here that we do not spend an inordinate amount of money shifting camps around and splintering them all over the place, because we are going to end up, in the case of both the previous examples, with maintenance programs that are going to need to be put in place at considerable cost to keep them from coming back. These organisms have a very high fidelity to the sites they breed at, so they will attempt to keep coming back again and again. So you have to have some sort of maintenance program. That is costly.

I do not know the Charters Towers example in any detail, but if you were to do a cost-benefit analysis it may be better and cheaper to build a new park. That sounds ridiculous I know. But the reality is that, for instance, the Sydney botanic gardens situation is costing somewhere in the vicinity of \$2 million. So think about \$2 million and what that could create in terms of barbecues and new play sets in a different location. I do not know Charters Towers. I have never been there, so I do not know if that is feasible. But my point is that, once you get on the treadmill of shifting a colony from place to place, you will get on that treadmill and never get off it.

CHAIR: Thank you, Phil. That was an interesting look at it.

Mr GIBSON: Phil, I appreciate your comments and I appreciate your insight. What confidence do you have based on your Gold Coast example that they will not come back? From what you are saying, they did splinter to other existing roosts. What are you doing to prevent them from returning?

Mr Shaw: In the case of the Gold Coast situation, we had a patch of vegetation that was relatively immature and it had just reached the height of which was sufficient for flying foxes to start camping in. So removal of between 70 per cent and 90 per cent of that tree cover was what was required at considerable expense. It cost somewhere in the vicinity of half a million dollars to do so for a fairly small camp—about 5,000 flying foxes.

Mr GIBSON: I take it then that for that particular site the maintenance is to ensure that the tree cover does not get back to that height.

Mr Shaw: It is now treated as semi parkland, yes.

Mrs MADDERN: I take your points and I appreciate very much what you have said. In the case of replacing a park, that is public infrastructure. What do you propose to do to the guy who bought the house next to the park 10 years ago before the flying foxes got there? They are stuck with them. They are stuck with the smell. They are stuck with the noise. How do you treat that amenity issue for those individuals? Or how would you propose to treat that amenity issue, taking into account that we are only looking at those communities and people who are badly affected?

Mr Shaw: I believe there are circumstances where there is enough interaction and concern that some mitigation is necessary. We have done a review of all the flying fox camps on the Gold Coast and we have come up with two that are borderline whether there would be some need to relocate. Stage 1 of that is an attempt to create a buffer between them and the fence line. In this particular case there are overhanging trees in an old age housing estate. In that case you have people out in the courtyard who might pick something up and eat it, for instance. So there is a high level of risk in that circumstance. The other case is where there are overhanging branches of roosting trees at a child-care centre. Again, there are similar sorts of risks with children picking up material. I also take Queensland Health's point that those risks are relatively low that, even if they were to ingest droppings directly, there is no indication that they could contract one of the diseases that the flying foxes do carry. We would want to mitigate that risk anyway.

Mrs MADDERN: As a mother and a grandmother, there is no way I want my kids there.

Mr Shaw: Absolutely.

Mrs MADDERN: I would not let them go there. That may be psychological and not physical but it is real.

Mr Shaw: But in that circumstance there are ways in which we can create buffers with tree management, physical shade cloths, netting and different situations where the infrastructure costs are cheaper than the ongoing costs forever to stop those bats from coming back to that same situation.

Ms TRAD: Mr Shaw, I have two quick questions. I assume Ecosure is a for-profit company.

Mr Shaw: Yes.

Ms TRAD: In terms of your general approach to your business, what is it? Is it about maintaining—

Mr Shaw: If I wanted to make money out of this, I would be promoting this bill because there would be more opportunity for us to help—

Ms TRAD: I am not suggesting that. I just wanted to know what your philosophical approach is.

Mr Shaw: Philosophically, we like to find ourselves in situations where wildlife and humans conflict, because we like to take the science and bring the people together and find solutions in between. We are working on, for instance, the Fraser Island dingo project at the moment, reviewing the strategy. We work with ibis where ibis come into conflict with urban communities. We work for a lot of airports where bird strike is an issue and that is my speciality, stopping birds flying into aeroplanes. Our philosophy is to look at these high-conflict wildlife-human interactions and to tread the path of working it out. Let's understand the human impact. Let's understand what the biodiversity impacts are of any management strategy and let's look at the reality of what would you actually achieve by trying to disperse at Charters Towers, at Yungaburra and at every different site and how do we look at that from a much more holistic level—from somewhere much more strategic, from a state based approach, from a federal based approach—so that we are not just jumping to every person who has a particular personal concern in their particular backyard. It needs to be considered at that much broader level.

Ms TRAD: Thanks. That's terrific.

CHAIR: Thanks very much for that, Phil. That was a very comprehensive submission. Shane is going to give us a very brief talk now. We have heard a lot of Shane's issues.

KNUTH, Mr Shane, Member for Dalrymple, Queensland Parliament

Mr KNUTH: Thank you very much to the committee and all past speakers. There is a lot of meat in what many of you were putting forward to the committee. What can I say in relation to flying foxes? I was elected in 2004. This issue has been going on not since I was elected but four years before. But I want to be very brief and read out some articles. The first is titled 'When your house smells of bat poo, call the flying squad'. This is an article from 16 December 2004 which states—

Bat attack ... Charters Towers has a severe bat problem and has resorted to desperate measures to drive the animals away.

Every afternoon it starts with a clap, then someone rattles a cow bell, one neighbour grabs a trumpet and another thrashes a corrugated iron fence with a lump of wood.

As the utes race down the streets with air horns blaring and rangers fire bird dispersion cartridges into the trees, the cacophony unleashes a black, screeching plague. Then, with the town looking and sounding like a war zone, a buzzing helicopter drops from sky and tries to chase about 40,000 fruit bats out of Charters Towers ...

I will not read the whole article. Brian Beveridge, who was the mayor at that time, went on to say that we need more than just this. We need to opt for something like culling. The next article I will read is by Ian Frazer from November 2005 titled 'Battlefield'. He states—

A colony of bats hanging in the gum, fig and tamarind trees of Lissner Park in Charters Towers has sparked a storm of resentment and reignited all grievances in the town.

Injured flying foxes barely rate in the diary of the only active wildlife carer in Charters Towers, Heather Baxter.

Hence she says she distinctly remembers any call to help a stricken bat.

"In the past three months I've had three or four calls," Ms Baxter said on Thursday.

"Up here no one bothers with the injured bats. Most people would like to see them dead or kill them themselves.

"I received one call from someone who saw one sitting in gutter with kids throwing stones.

"Another lady contacted me because one was caught on a fence ...

"My impression, from a visit to Charters Towers this week, is that the town, too, is presently tangled in a hateful mire and screaming for rescue.

The presence of up to 15,000 flying foxes in the lopped-and-cropped gum, fig and tamarind trees of Lissner Park seems to have become a lightning rod for old grievances in Charters Towers.

Civic leaders and residents interviewed this week blamed their predicament on Greenies, do-gooders, the anti-gun lobby, South-East Corner navel-gazers, red necks, right-wingers and tree-clearers.

State MP Shane Knuth, who was ejected from Parliament ...

He collected 3327 signatures on a petition ...

...

The Tropical Public Health Unit, based in Townsville and Cairns, rejects these assertions, although it concedes there is a risk of salmonella poisoning through contact with bat dung.

The Mayor of Charters Towers, Brian Beveridge, rejects as impractical Environment Minister Desley Boyle's proposal to establish an alternate habitat watered by treated waste water.

"That solution would take 20 years," he said this week.

"IT'S not realistic, whatever the Minister is told—it's strictly Greens' garbage."

Mr Beveridge said the council was about to scale back its nightly barrage on the bats with car horns, sirens, bird-fright guns and 'fogging'.

Staff who had been rising at 3am for the past six weeks were like 'walking zombies' and needed a rest.

He doubted whether the EPA would grant approval for 24-hour harassment of the colony, and said that anyway such an approach would only end in legal action by conservationists.

A cull was justified in his opinion because the city was under siege, with unfortunate casualties such as the cherished old trees which residents have lopped to deny sanctuary to bats.

This year's control program had cost \$50,000, he said.

CHAIR: Is it the wish of the committee that the articles be tabled? There being no objection, it is so ordered.

Mr KNUTH: I wanted to share that with the committee. This has been going since 2004.

CHAIR: I have a question on that. Were any trees planted at that time? In 2004 or 2005 was any habitat planted because it would be half grown by now?

Mr KNUTH: We planted a habitat at the water treatment plant. That was under former environment minister Mr Mickel. The process was so slow that people became very impatient and it ended up falling by the wayside. There was a proposal for a bat habitat that was put to the previous government. This was a proposal that they were possibly working on. All resources had been stretched and all avenues have been looked at.

The Land Protection Legislation (Flying-fox Control) Amendment Bill seeks to give communities and local governments the tools to deal with the threat of disease and economic damage caused by large flying fox roosts in urban agricultural areas and removes the penalties applied to the handling or disturbing of flying fox roosts. Why are we talking about penalties in relation to flying fox roosts? I will give you an example.

These flying foxes move into people's yards and homes and into the community. People are in fear of making a decision in relation to moving the flying foxes on the basis of threats of \$100,000 fines or possible jail sentences. The problem we face is that the bats have to be educated. They are so used to going into urban areas or city areas and being well looked after and well treated. Then they give birth there and it is very difficult to move those bats. We have to educate the bats not to come into urban areas. I gave the example of where bats were moved quite quickly from Ravenswood to a property which provided a safe habitat.

Many submissions that have been put forward have tried to water down the tragedy of those who have died. I believe it is a tragedy to say that the impact has been minimal or the risk factors are minimal when we have seen four people and 80 horses die.

What I am saying to the committee is that the situation can continue by having mitigation permits that are useless or ineffective or we can provide local councils with resources to make decisions for themselves. They know exactly what the community needs and know exactly what the issues are. This is what this bill is about. I understand the councils' position. They do not want the state government overseeing what they are doing. But this is where the minister can step in and give them assistance and maybe even possible support in terms of having a colony removed.

This bill is about having checks and balances. It is not about having an open season on the bats. You cannot use a firearm in residential areas because there are laws against that. What the bill will do is give people the assurance that if a flying fox lands in their yard they have the opportunity to make a noise or disturb that bat before it establishes a colony, before it becomes a problem for the community and before it becomes costly.

This is what John Pollock was talking about before. Those residents who have suffered with flying foxes for five years were praying that somebody would come and do something. But governments were dodging and weaving and hiding to the point of being invisible. The only time they see government representatives is when they threaten them with fines of \$100,000. They have put up with that filth and that stench and the ticks. There needs to be the ability to do something as soon as these flying foxes come into the community. Then those householders and nursing mums and so on can do something.

This is not about a lethal approach. The bill would give councils the chance to look at the situation and assess the situation and possibly say, 'This has cost us \$200,000. We have driven them out with helicopters. We have used booms and banes. We have driven everybody up the wall. Mitigation permits have been issued to farmers. May we look at mitigation permits to be used for flying foxes in those residential areas so that something can be done humanly and in a safe method?' This is what this bill would allow. There are safeguards in place. Likewise, it does not allow the shooting of flying foxes in residential areas. It has to be approved by the council and the state government.

I cannot keep coming down here and raising the issue of bats. It has been 8½ years that I have been raising the issue of bats. Allan Henderson is saying, 'Let's get to Charters Towers and talk to the community about this and resolve the issue rather than dodging, weaving and hiding.' I say to the committee that this is such an important issue. You can feel the desperation on the part of the Charters Towers Action Group representative.

I have had previous shadow ministers come to Charters Towers and see the problem and say that they would do something. I ask the committee to come to Charters Towers and talk about this with the nursing mum who has a child who is four weeks old. Make an assessment after you speak to the people, see the bats firsthand, feel the ticks crawling on your arms and up your neck, feel what it is like to walk amongst these animals—they are not just in the parks; they are roosting in homes beside the parks. You should get a feel and understanding before you make a decision. You should talk to those people who are affected day in and day out. I know what it is like to talk to an old lady with a rash across her arm that she thinks has come from the bats.

CHAIR: You are starting to run out of time, Shane. Could I get you to finish up please.

Mr KNUTH: This bill gives people the tools necessary and has the necessary checks and balances. It also gives the local councils the power to make decisions. I understand that the local councils do not want the minister to step in. The minister is there to offer advice and offer support. If a community sees that a council is not taking responsibility and there is enough evidence that the community wants them gone then the minister can make a decision if he believes there is a strong case for it.

Governments have stepped in to make decisions. I am not supportive of that. This is very important. This bill provides the tools to the average person not to go out and break the law but to make a noise to stop an area becoming a flying fox roost. The issue could be resolved before it becomes a problem and before it costs.

CHAIR: Thank you very much, Shane. That was a very comprehensive summary. Would the departmental officials like to come forward so we can have a summary of the issues.

BEARD, Dr Frank, Senior Medical Officer, Communicable Diseases Unit, Queensland Health

CLARE, Mr Geoff, Executive Director, Nature Conservation Services, Department of Environment and Heritage Protection

DEVERY, Mr Michael, Manager, Wildlife Operations, Department of Environment and Heritage Protection

FIELD, Dr Hume, Principal Scientist, Biosecurity Queensland, Department of Agriculture, Fisheries and Forestry

MACLEOD, Mr Nick, Science Leader, Horticulture and Forestry Science, Department of Agriculture, Fisheries and Forestry

CHAIR: We are not going to re-examine the whole issue. There are a few questions that the committee has. Frank, would it be possible to get some details from our public hospitals—and I would imagine this would be reported to you—on the number of people reporting with bat issues on a yearly basis, say, for the last three years? Do they have to report those sorts of issues?

Dr Beard: Bat bites or scratches are notifiable under the Public Health Act. The idea being that if people are bitten or scratched even if they had a previous vaccination they still need a course of vaccination. It is shorter if they have had a previous vaccine. It varies from year to year depending on the number of food sources and various ecological factors. We have around 100 or so bat bites and scratches a year. All of those people are notified and the local public health units will follow-up and organise a course of vaccination. Nobody has contracted Australian bat lyssavirus since 1998.

CHAIR: Do you also know how many of those who are scratched are carers? Would that come through your data as well?

Dr Beard: Some of those are certainly carers, but the majority of them are members of the public handling sick or injured bats.

Ms TRAD: Mr Devery, I am just curious. What was the quota on each of the damage mitigation permits that have been issued so far?

Mr Devery: I will just go through the policy because it applies. You are asking about the individual permits?

Ms TRAD: Each of the permits.

Mr Devery: I am not sure I have that information here. I do not have the information with me, but it is consistent with the published quota that is agreed to with the Commonwealth. It is up to 30 for three months for 15, 20 and 30, depending on the species, but I can confirm that. I do not have those figures here for each species.

Ms TRAD: That is individual bats per month?

Mr Devery: Yes.

Mr GIBSON: What monitoring do you have? We have heard allegations of illegal shooting. What monitoring does the department have to make sure that those numbers are adhered to?

Mr Devery: The season has just started. We have a 24/7 hotline which we run for crocodiles, cassowaries and suspected offences. Anyone can ring the hotline number. If they do we will respond to it. We also have an audit program designed for this season. So we will be doing it on a percentage basis. We will be visiting farms. If there is a particular complaint then we will respond in a compliance capacity.

Mr GIBSON: I appreciate that you will probably have to take this on notice, but could you provide the committee with the number of calls to that hotline for illegal shooting in the past 12 months?

Mr Devery: Yes, I could do that. Yes, certainly.

Mr Clare: Can I just clarify that? That is for flying foxes?

Mr GIBSON: For flying foxes, yes. We are not covering cassowaries.

Mr Devery: I will just clarify one point as well. Obviously, fruit growing and flying foxes are seasonal. So it will be for—

Mr GIBSON: I understand. Yes.

Mr KRAUSE: Forgive me if you have touched on this before, but who does the enforcement? Is it the department?

Mr Devery: Yes, it is essentially a conservation officer of the department, but we also have a number of police officers who are appointed as conservation officers as well. So depending on where they are located—because it is a big state—if you have a complaint about someone doing something now, then obviously you use the most available resource.

Mr KRAUSE: Okay.

CHAIR: I have just two quick questions. The enforcement action that was taken very quickly at Yungaburra, would that have been directed from your department?

Mr Devery: Yes, certainly. In a nutshell, at Yungaburra several complaints came to the department about the alleged disturbance of a flying fox roost. There is no doubt about it; it is a roost. As has been indicated to the committee, the laws are significant for the penalties for flying foxes. Our job is obviously to enforce the law. That is the role of the agency. In this instance with Yungaburra, we have an escalated approach rather than a boots-and-all in the first instance. So we sent a letter to the community first basically saying, 'Look, in case you are not aware, flying fox roosts are protected as are the animals. There are some complaints alleging interference. We do not know which particular people. So please bring to your attention what the law is.' The complaints continued about some individuals doing some things to disturb the animals. The evidence was not just clapping hands but it was hitting trees and stuff—that sort of thing. So there was an intervention with rangers initially—an educative approach and talking to people who appeared to be engaged in this activity. The feedback from the rangers was that that intervention was not taken seriously. The complaints came in that it was continuing. I think someone mentioned civil disobedience earlier. So again, we ramped it up a further step, which was involving the conservation officers through the police department who came in and again took an educative approach. No-one was fined. In fact, that resulted in the cessation of that activity while the damage mitigation permit was being assessed.

Just to comment on the damage mitigation permit, at this point in time the applicant has been advised that, with the public health and wellbeing issue, which we have talked about already, there may be an opportunity to inform that through Hospital and Health Services, which is not the health department; it is a separate entity. I understand we provided the applicant with the contact details for that group, who may be able to assist in giving an assessment. The applicant is going through that process. So we are awaiting feedback from the applicant as to whether or not those reports will be available.

CHAIR: I have one last question. What would be the best solution for Charters Towers? It has been an ongoing problem from a long time. It is a big colony. It is not a small colony. We heard from Phil or someone else that it might be best to walk away from the park and turn it into a conservation area, or something.

Mr Devery: That is Mr Shaw. That is out-of-the-box thinking that looks to solutions. Often one needs to cast their mind pretty broadly about solutions and relative cost benefits. What I can say is that there were 15 damage mitigation permits issued over eight years by the department and that council put a lot of energy into using conventional methods like lights, noise, fog. The animals either moved to another part of the park or they moved away and came back, because the trees are locally significant and they were not going to be destroyed, as in the case in Bundall where the habitat was simply basically destroyed. So that is the tension, because the animals have this strong affinity.

What did occur, as Mr Knuth mentioned, was several years ago there was an engagement to start looking at a separate habitat. There were some issues. I believe the bore water was an issue and there were some issues with the quality of water, but did it lose a head of steam. More recently, members may have read about an engagement with Mount Isa City Council, where they have an issue with seasonal influx of little reds in large numbers into the cemetery area there. In that instance, Xstrata and the council have essentially formed a partnership with the department to look at finding a suitable piece of Xstrata land outside of town. Xstrata indicated that they could provide a pipeline for irrigation and, above all, a safe place. It is no good creating a habitat—and it can be; you can get fast-growing species that can be up really in five years and you can start to get some structure in there. Whether they will go there, as has been discussed, is a matter for the animals, but you can make it very attractive. One of the key things I believe in my experience of flying foxes is that you have to make it safe. The animals cannot be harassed.

So to answer your question, yes, there is a range of things to do. Certainly, with those animals being chased away many times and they have not lost their affinity with the site, you could look at treating the site differently or investing money in a different site in the town for the purpose of a park. That is one option. Or you could, I guess, reinvest in finding a suitable habitat where you could create hopefully an attractive habitat for those animals to choose to go to. There is some risk in that, but it is a more viable solution than basically pushing them in the air, because obviously they are not going to go unless there is an alternative.

CHAIR: All right. Any more questions?

Mr KNUTH: I have a question to you, Mike, in regard to bat habitat. This is something that is quite common in the park area in Charters Towers, where a lot of our heritage trees have been destroyed by the flying foxes to the point where we have had to cut them down to about 30 feet and hopefully allow them to grow.

Mr Devery: Yes, there is a damage mitigation permit that we have approved now to do that sort of work.

Mr KNUTH: Yes. So just with this bat habitat, when we look at what the bats are doing to the parks in Charters Towers, you could put in \$100,000 or \$200,000 or \$300,000, but when you get 50,000 flying foxes it does not take long before they damage those trees and those bats are looking elsewhere.

Mr Devery: That is a really good point. The natural process with flying foxes in a natural setting is that they come in numbers. They get quite weighty, especially when the little reds come into Charters Towers. They knock limbs about. In a natural system they impact on that roost and then they fly to another roost, which is why there is a mosaic of roosts over time that they use. So I think with the spectacled there are 26 roosts or thereabouts and there are only 10 occupied. But those roosts have been through a stage of being impacted. There is a whole lot of guano, there is a whole lot of fertilisation and you will see those roosts reinvigorate. That is how flying foxes work. So if you create another habitat, to answer your question about how do you make that habitat robust, certainly, there are strategies that have been trialled—and they are in their infancy—about supplementing a suitable habitat that is created or otherwise reserved with hard infrastructure that flying foxes might be attracted to, in other words, constructed roosts infrastructure. We have one we have constructed. We are not at the stage yet where we can trial it, but that is part of the package of building something where they can hopefully stay there. At the same time, that is the nature of animals. They will not necessarily stay there. Even if it is the best place, they will still move about from time to time to other places.

CHAIR: All right. Thank you very much, gentlemen. I think that brings this committee hearing to a close. I would like to thank the departmental people for turning up today. It was an interesting morning. We heard some great responses and some great submissions. So thank you very much and I think your answers were very frank and forthright. So thank you very much for attending today. I hope we will end up with a decent result out of this committee hearing.

Committee adjourned at 12.09 pm