From: Cr Jennifer Sanders
To: Agriculture Resources and Environment Committee
Subject: LAND PROTECTION LEGISLATION (FLYING FOX CONTROL) AMENDMENT BILL 2012
Date: Wednesday, 19 September 2012 2:50:15 PM

LAND PROTECTION LEGISLATION (FLYING FOX CONTROL) AMENDMENT BILL 2012

The Qld Government is introducing an amendment to the Land Protection Legislation to allow landowners to remove or destroy flying foxes. This amendment overrides the Nature Conservation Act and the Animal Care and Protection Act.

The premise which forms the basis of this bill is fundamentally flawed and if implemented it will increase rather than decrease the health risks as well as having negative consequences for other wildlife species and for community relations. This legislation should be rejected.

The purpose of this amendment is stated as "to control the health risks posed by flying foxes". In summary it permits a landowner to destroy or drive away (examples of ways using sound, light, smoke, electric current or chemicals) a flying fox or flying fox roost if the landowner reasonably believes that the removal or destruction of a flying fox is necessary to reduce the risk of disease or harm to a resident of the local government area or stock in the local government area.

In effect this permits a landowner to kill by any method or inflict any form of cruelty on a flying fox simply if they feel like it, because they do not have to demonstrate a real risk to themselves or their stock, they merely have to reasonably believe that their action will reduce the risk to another resident or stock in their local government area.

The supposed purpose of this act is to reduce the health risks posed by flying foxes. Let's look at some facts about health risks of flying foxes. Flying foxes have been associated with two zoonotic diseases, Lyssavirus and Hendra virus.

The real health risks of bats is extremely low – will encouraging the persecution and extermination of bats reduce it further – the answer is no – by stressing, injuring and scattering the animals it is likely that a more widely spread bat population will become more susceptible to viral diseases therefore this Act which purports to reduce the risk will actually increase it.

In addition more stressed, starving and injured bats will be forced by

weakness or injury close to the ground where there is more chance of them coming in contact with people who are trying to either kill and injure the animals or to assist them.

There is also the issue that methods of destroying flying foxes such as poisoning or electrocution are not species specific and this amendment will in reality allow people to kill or disturb any species wildlife on their property or backyard with impunity from animal cruelty or environmental laws by using the excuse that they are trying to destroy flying foxes. This bill removes authority from local government, it gives landowners the right to act as de facto council officers without any control or accountability, since they are authorised to act supposedly to remove a perceived risk not to themselves but to a resident or stock in the local government area. It also disempowers local government by removing discretion to destroy or remove a flying fox or flying fox roost with the minister having the authority to direct a local government to take action.

There is no doubt that bats and bat colonies are regarded as a nuisance by many people but the reality is that they do not pose a high risk to human health.

This proposed bill that purports to reduce a health risk is certainly not based on science nor have its implications upon other wildlife and the community been considered.

Submissions for the Land Protection (Flying Fox Control) Amendment Bill 2012 Consultation close on 27 September, 2012.

The premise which forms the basis of this bill is fundamentally flawed and if implemented it will increase rather than decrease the health risks as well as having negative consequences for other wildlife species and for community relations. This legislation should be rejected.

Warm regards

Cr Jennifer Sanders
Division 4
Scenic Rim Regional Council
82 Brisbane Street
Beaudesert Qld 4285
0439 218805