

LOGAN CITY COUNCIL SUBMISSION ON THE *LAND PROTECTION (FLYING-FOX CONTROL) AMENDMENT BILL 2012*

This submission was adopted by Logan City Council at its meeting of 18 September 2012, Minute No 264/2012.

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General Comments:

The proposed *Land Protection (Flying-fox Control) Amendment Bill 2012* imposes potential significant obligations and costs on land owners.

The Bill potentially conflicts with other legislation including the *Environment Protection and Biodiversity Protection Act 1999* which protects specific flying fox species.

The Bill is not accompanied nor references thorough research or sufficient guidelines to ensure implementation of the Act is consistent, risk based and will achieve positive cost:benefit and health outcomes.

The following additional comments are provided with respect to the draft Bill.

Part 11

96A Definitions

- Flying-foxes are transient animals, show strong fidelity to camp sites and are often extremely resistant to relocation efforts listed above and would likely come back to the roost site. Removal of vegetation following dispersal is a more permanent and drastic option again - one that not only runs the distinct risk of stressing the colonies, but impacts on other controls eg. vegetation protection legislation;
- Dispersing flying foxes in one location could simply move the problem to another location, with potentially greater impacts;
- There is no scientific study or research to justify this amendment.

96C (1) (2) (3)

- Flying foxes have not been shown to directly transmit Hendra virus to humans but it is acknowledged infected flying foxes can pass the virus to horses, which in turn can transmit the virus to humans through close contact with secretions from an infected horse. Observations by Bio-security Queensland indicate there are more effective actions to mitigate potential health impacts from flying fox colonies.
- Dispersing or culling flying foxes and generally stressing colonies could worsen the problem. QCEID scientists are currently investigating whether dispersal and/or any associated stress may change Hendra virus excretion levels (Reference: Queensland Government - Agriculture, Forestry & Fisheries web site);
- The legislation confers a level of responsibility on the landowner to determine if they 'reasonably believe' the flying fox is carrying a disease or not. How can it be clear that a landowner has the knowledge to make such a decision?;
- Issues arise with the Queensland Bill differing from other state bills eg. NSW, meaning that different wildlife management practices would be adopted across adjoining borders;

- Some species of flying foxes are protected under the Commonwealth and therefore taking action may require an approval under the *Environment Protection and Biodiversity Conservation Act 1999*.
- There is potential for public outcry, particularly given the high visibility to nearby residents who may not feel affected by the colony; and
- Animal welfare issues and public outcry will arise if landowners and local governments are allowed to 'destroy' flying foxes and flying fox roost sites.

96C (4)

- There are concerns with the Minister having authority to direct local governments on land management including dispersal techniques. The specialist techniques themselves, necessary for any dispersal of flying fox colonies, involve considerable resources and effort. An onerous level of responsibility and liability would be placed on Council to undertake such work.

Advice from Biosecurity Queensland indicates that unauthorised attempts to disturb flying fox colonies have been ineffective. It stated that actively limiting flying fox numbers is not an effective way to reduce Hendra Virus risk for the following reasons:

- flying foxes are an important part of our natural environment;
- flying foxes are widespread in Australia and, as they are highly mobile, it is not feasible to cull them;
- dispersing flying foxes in one location could simply transfer the issue to another location; and
- there are far more effective steps people can take to reduce the risk of Hendra virus infection in horses and humans.

Conclusion

All flying fox species are currently protected under Queensland's *Nature Conservation Act 1992* and Black and Grey-headed flying foxes are considered to be a priority species in South East Queensland. Across Australia, the Grey-headed flying fox population has dropped by one third in the last ten years, the species is listed as vulnerable under the *Environment Protection and Biodiversity Protection Act 1999* and a National Recovery Plan has recently been drafted.

Flying foxes are complex, highly social and mobile native animals. They make a significant contribution to environmental health and the economy through their role as essential pollinators and seed dispersers for native forest. In turn, these forests provide valuable timber, act as carbon sinks, habitat for biodiversity, and stabilise our river systems and water catchments. Their contribution to industry through insect control and pollination is significant.

Logan City Council recognises that at times the horse and horticultural industries and elements of the community in general have had reason to be concerned with flying foxes and their connection to Hendra Virus in particular.

This submission provides comment and raises key concerns of the *Land Protection (Flying-fox Control) Amendment Bill 2012* in its current form. It is considered that the Bill will negatively and unduly impact on land owners, the local Flying-fox population and our natural environment.