




Speech by

Hon. Andrew Powell

MEMBER FOR GLASS HOUSE

Hansard Wednesday, 13 February 2013

MOTION—NATURE CONSERVATION (WILDLIFE MANAGEMENT) AMENDMENT REGULATION (NO. 1)

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (8.36 pm): I rise to speak against the disallowance motion regarding the Nature Conservation (Wildlife Management) Regulation 2006. First, I acknowledge the very sensible contributions from my colleagues the member for Bulimba, the member for Burnett, the member for Mount Coot-tha and the member for Thuringowa. I would also like to take a moment to thank the member for Gladstone for her very thoughtful, commonsense and practical contribution to this debate tonight. In some ways, it is almost worth me leaving it at that and sitting down because I think the member for Gladstone basically summed up the debate in the speech that she delivered this evening. I thank her for that. She has summarised succinctly what it is to govern and to be responsible for governing for all of Queensland, taking into consideration the various elements that make us Queenslanders and also showing that Queenslanders are all about commonsense and practical solutions. I thank the member for Gladstone for her contribution.

The control of flying foxes damaging fruit crops has been a serious issue for decades. The current government identified this issue among its key election commitments and has acted quickly to address this problem. Why has it been a problem for decades? Because, despite what we have heard from the other side this evening, Labor did nothing. To use just one example, this evening the member for South Brisbane spoke about subsidising full exclusion netting. When, in any of the past decade, did we see the Labor government subsidise full exclusion netting? If that is such a great idea, if it is the solution to this problem, then we would have seen them do it when they were in government, but they did not. So we needed to come up with a solution that delivered a sensible outcome for all of Queensland, and we have. In speaking against this disallowance motion, firstly I state that I believe the government has achieved a balanced approach to flying fox control that is sustainable, both for the fruit growers and for the wildlife in question.

I wish to respond to some of the matters raised by the member for South Brisbane. As the member for Thuringowa mentioned, the member for South Brisbane spent a lot of time talking about surveys. She said that surveys had not been held for at least seven years; that surveys had not been held for at least 12 years. Why is that? Did the Labor government in this state not lobby the federal government to actually get out there and start surveying the populations?

Did the Labor government seek to identify the populations of these flying foxes? Because they transcend jurisdictions it has to be a national survey. Guess what, ladies and gentlemen? Tomorrow the national survey of flying foxes commences. For the first time in more than a decade we will gain a true understanding of how the populations of these species have grown or otherwise in this nation and in this state.

The member for South Brisbane, in her typical emotive and hysterical manner, has referred to this regulatory change as being open killing season here in Queensland and we will see the wilful and unlimited slaughter of bats across the state. She then went on to say that in the two months since this regulation came into place departmental staff said that two approvals were given and that somehow that equals open season. As the member for Bulimba went on to explain, since that time I can report to the

House that 18 lethal DMP applications have been received—10 have been approved, two have been refused, five have been withdrawn and one is still being assessed. The quota for each species was delivered to us by the member for Bulimba earlier this evening.

Let me turn to the matter of animal welfare. The government has put in place strict measures to address concerns that flying foxes will not be killed humanely. The code of practice is very explicit in its prescriptions, covering every possible scenario from accidental wounding to orphaned young. At all times those with lethal damage mitigation permits must act in accordance with these ethical standards or their permits will be revoked and they will be liable to prosecution under the Nature Conservation Act.

I would also like to point out that these standards have been developed in full consultation with key stakeholders, including the RSPCA Queensland and the Wildlife Preservation Society of Queensland. I will come back to that later on.

On the matters of sustainability, the legal framework to allow growers to obtain damage mitigation permits to shoot flying foxes is the best possible solution to protect the sustainability of the species and ensure animal welfare standards are upheld while still empowering growers to protect their crops. As the member for Thuringowa mentioned, that is something those opposite simply do not get.

This is done by implementing a new statutory code of practice which limits the number of permits, provides a quota to ensure that the shooting of flying foxes is capped at a sustainable maximum number and outlines standards for animal welfare. The code of practice also provides clarity to growers as to what non-lethal methods they need to have in place prior to obtaining a permit.

I will now provide more details on how the framework assures the welfare standards of flying foxes are met and protects the sustainability of the species while still meeting the needs of the growers. The framework includes amendments to the Nature Conservation (Wildlife Management) Regulation 2006 and a new statutory code of practice for the ecologically sustainable lethal take of flying foxes for crop protection.

The amended regulation establishes new criteria for the issuing of damage mitigation permits for the lethal take of flying foxes in specific restricted circumstances. The issuing of these permits is only intended to provide growers an additional crop protection option where non-lethal methods have already been tried as part of an integrated crop protection strategy. I thank the members, including the member for Thuringowa, who went to great lengths to explain that this is one more option available to a farmer in their tool kit of means of protecting their crops.

To be eligible for a permit a grower must have previously tried and will continue to use the prescribed non-harmful methods of deterring flying foxes. A grower can meet these prescribed requirements by installing exclusion netting over their entire crop or, wherever this is not practical, employing two of the following methods in unison: netting over part of their crop, sound deterrents, light deterrents or an alternative method that has been endorsed by a scientific institution.

The member for South Brisbane asked that we promote full exclusion netting. I am happy to report that we are. The government is continuing to encourage growers to implement non-lethal measures and offer support for netting through its Sustainability Loan Program which provides financial assistance to cover capital costs to achieve more productive and sustainable primary production.

But try telling growers in the Burnett that full exclusion netting works 100 per cent of the time. At this point, can I acknowledge the member for Burnett and ask that he pass on my best wishes to the great fruit growers in Wallaville and other parts in and around Bundaberg. I know they are doing it tough. My thoughts and the thoughts of the growers in my part of the world are certainly with them.

Try telling those growers though after something like ex-Tropical Cyclone Oswald that exclusion netting is the solution. The exclusion netting that they would have had is gone. The exclusion netting that they would have had they could not have got insurance for. Why? Because of things like ex-Tropical Cyclone Oswald. It is throwing good money after good money after good money at a solution that is not practical. Add to that the burden to the growers in the Burnett of not having power, of not being able to access sound deterrents, of not being able to access light deterrents. I dare the member for South Brisbane to get out of her seat here in central Brisbane and visit the Burnett and visit those growers and tell them what she told this House this evening.

Let me reassure members that before a permit is issued the government needs to be satisfied that those non-harmful methods have been explored. Once a permit is issued, holders will be required to keep daily records and complete returns of operation forms for the duration of any permit. This gives the department a clear indication of how the quotas are progressing. Permit holders are also required to conduct a search of their property immediately after shooting for the purposes of locating any wounded flying foxes and ensuring they are humanely euthanised without delay. To achieve equitable access to permits and to ensure optimal allocation of the limited quotas for the length of the growing season, the

department has developed a detailed operation policy which sets maximum numbers for each damage mitigation permit.

Two species of the flying foxes, as a number of members have mentioned, the grey headed and spectacled, are listed as vulnerable species under the Commonwealth legislation. So, contrary to what the member for South Brisbane will have us believe, we have consulted with the Commonwealth government to ensure the system aligns with the Commonwealth's requirement regarding these two species.

Mr Cox interjected.

Mr POWELL: She is not interested, not listening. Thank you, member for Thuringowa.

The system applied to these two vulnerable species of flying fox has been mirrored for two other non-threatened species of flying fox and this ensures that the system is ecologically sustainable for all four species of flying fox that target crops. Aligning Queensland's legislative framework with the Commonwealth government's maximum numbers ensures there will be no impact on the long-term survival of the flying fox species that can damage crops. The quotas will ensure that any take authorised by the chief executive will remain within the Commonwealth government's maximum numbers for the species protected by their legislation, and that that take of non-threatened species is sustainable.

To ensure compliance with the new laws, monitoring will be conducted strategically by my departmental officers. Monitoring and compliance activities will include working with grower organisations such as Bundaberg fruit and vegetable growers to proactively raise awareness of the new requirements and conduct inspections on a strategic basis.

Central to the new framework is a new statutory code of practice that permit holders must comply with. The code of practice does contain the controls and safeguards to ensure that lethal damage mitigation permits are only issued in limited circumstances and makes sure that good ecological sustainability and welfare standards are met. As was said before—and the member for Mount Coot-tha mentioned this—it was developed in consultation with animal welfare groups such as the Royal Society for the Prevention of Cruelty to Animals, Wildlife Queensland and Bat Conservation and Rescue Queensland. As a result, a number of animal welfare issues have been addressed.

For instance, it was agreed, contrary to what the member for Woodridge said, that only stationary animals—not those flying—may be targeted. Each animal targeted must be identified by species prior to any shooting. The code limits the granting of permits to commercial crop growers likely to produce a viable crop in the current growing season and only those growers who have implemented the prescribed non-lethal methods. As has been mentioned by a number of members, including the member of South Brisbane, the code also limits the overall issue of permits by prescribing a quota capped for each species. Annual quotas are: black flying foxes, 3,500; grey headed flying foxes, 1,280; little red flying foxes, 4,000; and spectacled flying foxes, 1,800.

The code outlines a number of standards that assures the welfare of flying foxes, as agreed upon by animal welfare groups. Do not interpret that for one minute that we are saying the animal welfare groups agree with the decision to reintroduce lethal damage mitigation permits, but we have worked with them in the development of those codes of practice and in the framework.

The code also provides additional non-regulatory information regarding the non-lethal methods of crop protection. Just to pick up on a point raised by the member for South Brisbane, it also directs farmers in methods to remove deceased flying foxes. It is very specific and it is very clear that they are not to handle the deceased flying foxes.

For those interested, the code of practice is available on the department's website, along with the new operational policy, the necessary application forms and a fact sheet providing further information for growers. The Governor in Council approved the regulation amendments late last year so that damage mitigation permits for the lethal take of flying foxes were available in time for this year's growing season.

The state has established a rigorous but balanced legal framework and is taking a careful and modest approach to the issue of damage mitigation permits. The new laws now provide crop growers with greater scope for managing and preventing crop damage caused by flying foxes and give them greater control over managing their own crops. The laws strike the right balance for all of Queensland. They empower growers while setting strict limitations to ensure that ecologically sustainable and high animal welfare standards are maintained.

The government was given a strong mandate by the people of Queensland, and we are not shying away from the commitment we made. I cannot and will not support the disallowance motion.