




Speech By
Hon. Andrew Powell

MEMBER FOR GLASS HOUSE

**LAND PROTECTION LEGISLATION (FLYING-FOX CONTROL) AMENDMENT
BILL**

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (7.40 pm): I rise tonight to oppose the Land Protection Legislation (Flying-fox Control) Amendment Bill 2012. This evening we will hear a lot of hysteria, fantasy and scaremongering from both sides of the political spectrum. There is only one party in this chamber tonight that is actually delivering more than a headline when it comes to this issue of flying foxes. There is only one party in this parliament this evening that is addressing this complex matter and delivering solutions for individuals, for communities and for local government councils across the state and that party is the LNP.

The Newman government makes no apology for putting the wellbeing and health of Queenslanders ahead of flying foxes. For far too long the Labor government was more concerned about bat protection and green preferences. We in the LNP are about sensible evolution of public policy, not radical revolution based on an obsession with short-term political fixes. Unlike the bill tonight, our approach achieves sensible balance by making it easier for councils to respond to community concerns about flying fox roosts by removing, as I announced today, the need for them to apply for a permit from the Department of Environment and Heritage Protection. Despite the allegation that councils will take a random approach—and I will come back to that in a moment—councils will abide by a code of practice or a set of rules that we will negotiate in conjunction with them and other interested groups across the state.

Persistent noise, smell and damage to property from flying foxes are very real concerns in many parts of the state for many communities but especially where roosts form in urban areas. Unlike the member for Dalrymple, who has relentlessly played politics with this complex issue, we have been getting on with the job and finding a better way to manage this complex issue. No other level of government knows local people better than the local council. Under this approach that we have proposed today, through the work that we have been doing over the past 12 months, councils will be given an as-of-right authority empowering them to control problem roosts in urban areas without waiting for a permit. This government made an important election commitment to revise the permit system for managing flying fox roosts to deliver a more streamlined and rapid assessment process for local government. Today we have done just that. It makes it altogether easier for councils to respond to and act on behalf of their communities when plagued by problem roosts. It means that in designated urban areas councils can immediately proceed with roost modification or dispersal without having to fill out needless application forms. Essentially they will have the power to act and to control where flying foxes visit and set up camp. In non-urban areas where there is less interaction between people and bats, councils will still have to apply to the Department of Environment and Heritage Protection for a damage mitigation permit if they want to move them on. This is a balanced approach to flying fox roost management which will effectively encourage flying foxes into areas away from people.

As I said, an agreed code of practice will be introduced to guide councils' management options and ensure that any dispersals occur humanely. In contrast, the member for Dalrymple's bill favours

complete deregulation and would empower a landowner to destroy, disturb or drive away flying foxes from roosts across Queensland without any regulation of those activities. The bill includes provisions that require the government to direct a person to kill flying foxes in the same way that it can with regard to a feral pest. Whilst I appreciate the wellbeing issues that the member for Dalrymple has raised, that many individuals throughout the state have raised with me personally, that I have witnessed firsthand when I have visited many people subjected to the constant noise and smell of flying fox roosts adjacent to their homes, the solution is not the free-for-all proposed by the member for Dalrymple.

As was made very clear at the committee hearings for this bill, flying fox management is complex, even if you just focus on trying to minimise impacts to people from these creatures. It is more complex if you acknowledge their role in the health of our national parks and rainforests which are such a tourist drawcard. Therefore, solutions need careful thought. While the health and wellbeing of people will be the central concern, we will also consider the sustainability of flying foxes. Our approach will allow councils to be more agile and respond to new roosts before they become a problem. I would also note that the majority of stakeholders who took part in the committee process did not support the proposed bill. Not only is the bill unpopular, it is potentially inconsistent with the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. Should it be passed, section 109 of the Constitution of Australia may come into effect whereby the Commonwealth law prevails over state law.

This bill should not be supported. Not only does it lack support from all levels of government and is in conflict with federal law, the bill is an ill-conceived, over-simplified, knucklehead response to what is a complex issue that faces many Queensland communities. My department has been acting from day one. We have worked with councils and communities across the state to respond to their permit requests for removal of flying fox roosts and we will continue to do that as we roll out the announcement that we have made today. As I said, there has been a lot of hysteria today and there will be a lot of hysteria in this debate. Before I conclude I must draw to the attention of the House some outrageous comments made by the shadow minister for the environment—comments that are utter fabrication, designed to whip people into a complete and utter frenzy. Clearly the member for South Brisbane lives in a parallel universe as not once anywhere have we declared an open killing season on bats or even hinted at the lethal dispersal of roosts. Consistent with an election commitment, we have reintroduced lethal damage mitigation for farmers who can demonstrate economic loss from flying foxes and have demonstrated that they have attempted to use non-lethal means of mitigation. For the sake of the member for South Brisbane, I table the media release for today and encourage her to notice how many times the word 'non-lethal' is mentioned.

Tabled paper: Queensland government ministerial media release, dated 1 May 2013, titled 'Streamlined approvals put community health first' [2549].

One would think that the shadow environment minister would be able to get across wildlife issues like this, but given that the ranks of Labor are spread so thin these days perhaps the environment is not one of her priorities. If she was across the issue she would understand the importance of today's announcement which, by the way, has been endorsed by the LGAQ. In her press release the member for South Brisbane has referred to the fact that councils will now be making random decisions—yet another slap in the face for Queensland's local governments by the members of the Labor Party who really do not have any faith in or care for what occurs in our local councils. In response to today's announcement, the LGAQ stated—

Local Government Association of Queensland President, Margaret de Wit, said the LGAQ was keen to work with the government to ensure the proposed Code of Practice governing the new management arrangements reflected the interests of councils and their local communities.

'It is good that the government has recognised local government has a major role to play in responsible flying fox management and should be trusted to get on with the job of properly serving their communities without having to worry about things like damage mitigation permits,' Cr de Wit said.

Ms Bates interjected.

Mr POWELL: Exactly; I take the interjection from the member for Mudgeeraba. The Labor Party was more concerned about Greens preferences than reflecting the needs of local councils, the needs of communities and the needs of individuals who reside in urban flying fox roost areas. To summarise, in comparison with the flying fox management methods suggested by the proposed bill, the government's method is moderate and well balanced, with many of the same red-tape reduction benefits of the proposed bill but without the significant risks associated with complete deregulation. It is for those reasons that the private member's bill should not be supported and I recommend honourable members in this House reject the bill this evening.