

The Wrap



BAT MANIA: Flying foxes are causing havoc in northern NSW. Photo: Newspix

Bat bill on the move

Private member's bill passes the House.

Legislation allowing relocation of a protected flying fox colony has been passed by the House of Representatives.

It is only the second private member's bill introduced by an opposition member to pass the House since 1939.

Introduced by Luke Hartsuyker (Cowper, NSW), the Environment Protection and Biodiversity Conservation (Public Health and Safety) Amendment Bill 2010 grants automatic and unconditional federal ministerial approval for the relocation of a flying fox colony in the northern New South Wales town of Maclean, after relevant state approvals have been granted.

The grey-headed flying fox is designated as a protected species under the Environment Protection and Biodiversity Conservation Act (EPBC). Removal or relocation requires approval by the New South Wales government and the federal Environment Minister.

Mr Hartsuyker introduced his private member's bill after health and safety concerns were raised about the colony which is adjacent to the Maclean High School, TAFE and residential areas.

"There has been an invasion of thousands upon thousands of bats around the high school, which has some 1,100 students," Mr Hartsuyker said. "These flying foxes defecate over the school, its students and its teachers. The smell is revolting and the colony can be extremely noisy. They pose a risk of Hendra virus and Lyssavirus, a risk which extends to the staff and students of the nearby TAFE and the surrounding residents.

"The school has been forced to take drastic measures to protect the safety of the students and teachers. Bubblers and seats have been covered to avoid contamination. Classrooms have windows permanently closed and air conditioning has been installed in some rooms because the windows cannot be opened. Car parks, walkways and

disabled accesses are all going to be covered because of flying fox faeces.

"And let us not forget the residents living close by. Their homes have become virtually uninhabitable because of the stench and the problems these flying foxes cause."

While the federal Environment Department had already granted a special licence in November 2010 to permit the bats to be relocated, Mr Hartsuyker said he introduced the bill because of a lack of action on the issue and to reduce the possibility of further delay.

But the government opposed the legislation. Leader of the House Anthony Albanese said while it is no doubt a significant issue for the school on the north coast of New South Wales, it is an issue that affects a range of areas.

"We have a review of the EPBC Act underway. We believe that a comprehensive approach to these issues is required rather than legislation which removes one suburb from the application of the EPBC Act," Mr Albanese said.

The bill, which has now moved to the Senate, passed the House when crossbenchers Tony Windsor, Bob Katter and Tony Crook joined opposition members in voting for the legislation. •