



Dedicated to a better Brisbane

24 March 2016

Mr Glenn Butcher MP
Chair, Agriculture and Environment Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Butcher

Inquiry into the *Environmental Protection (Chain of Responsibility) Amendment Bill 2016*

Thank you for the opportunity to provide comments on this Bill.

Council supports the Bill's objective to ensure that companies cannot evade their environmental obligations by closing down without completing rehabilitation or clean-up requirements, and that elaborate corporate arrangements cannot be used to avoid responsibility. Council also supports the Bill's application to all environmental authorities and the fact that it is not limited to resources projects.

The problem of failing corporations abandoning an activity and leaving behind clean-up costs and land contamination is not confined to intensive industries. Local governments also need these powers to deal with similar situations when environmentally relevant activities are devolved to local governments.

In addition, I note that local governments are currently precluded from issuing clean up notices. This, coupled with the extensive limitation on claims on the Department of Environment and Heritage Protection orphan fund, means that local governments are often left with no recourse when they take proactive action to protect the environment or minimise environmental harm caused by firewater run-off from industrial fires or the discharge of prohibited contaminants into stormwater.

In these circumstances, even when the polluter is known, it is often an externally administered corporation, so local governments have little or no prospect of recovery.

Therefore, while Council supports reasonable measures to ensure that intensive industries comply with their obligations, equivalent powers need to be available to local governments so that local communities and ratepayers do not bear the burden of the environmental and financial costs of businesses which breach environmental laws.

Yours sincerely

Colin Jensen
CHIEF EXECUTIVE OFFICER