



Speech by

# Mr BRUCE LAMING

## MEMBER FOR MOOLOOLAH

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Hansard 16 November 2000

### ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

**Mr LAMING** (Mooloolah—LP) (5.20 p.m.): I rise to speak briefly on the Environmental Protection and Other Legislation Amendment Bill. I was going to speak during the Committee stage because I have some specific questions. I hope that the Minister is able to respond to my queries. I will not mention clauses by number because I am not allowed to do that at this point in time.

My queries concern the Transport Infrastructure Act and certain portions of the Harbours Act 1955. My specific question to the Minister is in relation to the trawlers that are moored in canals. A few of these trawlers are causing a nuisance, so my question relates to the by-laws relating to nuisance. I hope that this is not a problem down Wynnum way as well. Trawlers come into the canals. They are not moored to the jetties. Quite often, those trawlers have their motors running—whether that is to keep generators going for refrigeration or for other reasons—and that creates the problem of noise and fumes for nearby residents.

I have written to the Minister and to departments to try to get a solution to this problem. Not only does this situation lead to noise and fume problems; when these very large commercial vessels run their engines all day and all night, particularly over the Christmas period, it impacts on the enjoyment of life of nearby residents. These trawlers are not tied to the jetties, so nothing can be done under laws relating to vessels tied to jetties. The trawlers are not causing a navigation hazard, so Queensland Transport cannot move them on. Boating and Fisheries do not seem to have the power to do anything about them, nor does the Maritime Division. Obviously, because these trawler operators do not break any laws, the Water Police cannot become involved.

I would like some clarification from the Minister, if I could, as to whether this problem falls within the ambit of the nuisance regulations relating to noise, fumes and smell as well as it relates to the cooking of seafood on the boats or on the jetty. If this problem falls within the ambit of the nuisance regulations, how do people go about getting somebody to enforce them? If it does not, what can we do about it? It seems that the nuisance regulations ought to cover this problem.

I would like some direction from the Minister as to what people do if they are experiencing this problem, specifically during holiday time, on weekends and at night. Who enforces the regulations? If this situation cannot be enforced under the regulations as they stand, can the regulations be amended? It would seem to me that this problem would fall within the ambit of the nuisance regulations. Who can enforce these regulations? Are only EPA staff able to enforce them or can DPI Fisheries, the Maritime Division of Transport, the Water Police or indeed the local authority also enforce them?

It seems that whoever one talks to, the jurisdiction belongs to somebody else and the problem falls through a very wide gap in the planks. I will leave it at that and hope that the Minister can give me some direction on that matter.

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