



Speech by

**DIANNE REILLY**

**MEMBER FOR MUDGEERABA**

---

Hansard 17 September 2002

**ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT BILL**

**Mrs REILLY** (Mudgeeraba—ALP) (5.38 p.m.): I am pleased to rise in support of the Environmental Protection and Other Legislation Amendment Bill 2002. The bill amends the Environmental Protection Act 1994, referred to from here on as the EP Act, and the Water Act 2002. The bill introduces a number of reforms that will allow for the more efficient administration of the EP Act.

Currently, environmental evaluations and environmental management programs apply only to environmental licences. These statutory tools enable the EPA or local governments to initiate an investigation to determine the source of environmental harm and to require an environmental management program to correct that harm. The provisions relating to environmental evaluations and environmental management programs will be amended to include all types of environmental authorities or permits, including level 1 and level 2 approvals. This will then ensure that the administering authority can seek an environmental audit or investigation and associated reports, and request an environmental management program for all environmental permit holders.

Local governments will have these powers for environmental permits for environmentally related activities that they administer. The EPA and local governments will also be able to take more direct action for unidentified discharges of contaminants into the environment. Breaches of the environmental protection policy for water will be enforced more effectively by local governments as they will be able to take offenders to court and recover fines and costs rather than just issuing on-the-spot fines as is currently the case. Internal delegation powers for local governments have been streamlined through this bill to allow powers to sit at an appropriate level in local government. This will provide fast decision making on applications for environmental approvals. The EPA will be able to accept a report produced by a government or scientific entity as being a suitable report to initiate amendments of environmental licences. If the chief executive of the EPA is satisfied that the report is acceptable and relates to an environmentally relevant activity, the report must be placed on the public register.

One application of this provision is that once the report is on the public register the EPA or local government will be able to renegotiate discharge limits if the report identifies that the threshold of environmental collapse or damage is near or has indeed been exceeded. The review and appeal processes in the EP Act will protect the rights of licence holders. These processes provide sufficient rigour to establish the validity of the report and the proposed actions of the EPA or local government. The bill will permit the EPA to table one annual report in the Legislative Assembly that meets the statutory obligation of the EP Act and to meet the annual reporting requirements in section 39 of the Financial Administration and Audit Act 1977 to report on the financial administration of the EPA. So that will also streamline that process.

The bill also ensures that safety conditions on water licences for dams containing hazardous wastes imposed under the Water Resources Act 1989 are transferred to environmental licences. Since 1 January 2001 environmental licences issued by the EPA have controlled the environmental regulation of mining sites. Most of the dams containing hazardous waste are on mining sites, so there is unlikely to be any disturbance to existing operators. The rest of the dams that are subject to the amending provisions are part of power stations which also hold environmental licences. The intention of the bill, in short, is to achieve greater compliance with the Environmental Protection Act by making it easier to comply with and this indeed should then flow on to ensuring greater protection of our environment. For those reasons, I am happy to commend the bill to the House.