



Speech by

## Phil Weightman

MEMBER FOR CLEVELAND

Hansard Tuesday, 4 September 2007

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### ENVIRONMENTAL PROTECTION AMENDMENT BILL

**Mr WEIGHTMAN** (Cleveland—ALP) (5.34 pm): I am grateful for the opportunity to speak on the Environmental Protection Amendment Bill 2007 which introduces new laws to enable littering offences to be dealt with more easily and safely. I truly detest littering. I hate seeing cigarette butts thrown out of car windows. When I go on walks, I am one of those people who picks up litter and puts it in the nearest rubbish bin, doing the work of the lazy people who have gone before me.

Local governments enforcing the litter provisions in part 2 of the Environmental Protection (Waste Management) Regulation 2000 have raised concerns about the difficulty of enforcing littering laws when litter comes from a vehicle and when it is illegally dumped. Currently taking enforcement action with regard to littering from vehicles is dangerous as it requires the authorising officer to stop the vehicle, obtain the offender's details and issue the infringement notice. The member for Toowoomba South cited the example of a Coke can being thrown from a B-double. I agree with him. I would hate to be the person who had to try to pull up that B-double and issue an infringement notice. Providing officers with an alternative means of doing that is commendable.

Changes to the legislation allow for an authorised officer to issue a litter infringement notice to the registered operator of a vehicle from which the littering offence was observed and a direction to clean up litter where the person has deposited 20 litres or more of litter, which is illegal dumping. The new provisions also introduce two new littering offences, and higher penalties for littering from a vehicle and dangerous littering.

The November 2006 Keep Australia Beautiful litter survey showed that in Queensland the items most often littered were cigarette butts at a whopping 52 per cent, plastic at 20 per cent and paper at 18 per cent. In Queensland 42 per cent of litter is found along highways. It costs local government and the main roads department substantial amounts to clean up litter. The visual impact of this litter can also have a negative impact on tourism which, in my area, is of importance. Nine of Keep Australia Beautiful's 'dirty dozen' litter items are related to fast foods and confectionary packaging. Litter can also be dangerous. It can damage property and cause accidents when thrown from moving vehicles. When cigarette butts are thrown from vehicles, they can lead to bushfires.

Illegal dumping is on the increase and remains the biggest litter problem by volume. Litter is of particular concern to the Cleveland electorate as whatever is thrown onto the roads enters the stormwater drains and ends up in Moreton Bay. This contributes to decreasing water quality and, of course, the aesthetics of the bay. Within one hour of contact with the water, littered cigarette butts can leach toxic chemicals such as cadmium, lead and zinc into the water. When butts enter rivers and bays, they can potentially harm our marine life and take years to break down. Littered plastic bags are harmful to the environment, entangling or choking wildlife, blocking drains and blemishing parks and beaches. In my electorate we have lots of parks and some beautiful beaches on North Stradbroke and Peel islands.

Litter arising from some recreational fishing will be easier to enforce under the new legislation as a 'vehicle' also refers to a watercraft. In my electorate, some wonderful people have taken a special interest

in this legislation and have approached me about litter issues in my area. The new laws will assist the valuable work done by the North Stradbroke Island Sustainable Tourism Committee, which works tirelessly to decrease plastic bag litter. The committee has received some recognition for its efforts.

In my electorate, for some time now people such as Rhonda Bryce and Chris Ayres from Ormiston have advocated for stronger laws with regard to littering. Both Rhonda and Chris have an interest in cleaning up litter in and around the area of Ormiston, as well as on Peel Island and in Moreton Bay generally.

Jerry Duff, also from my electorate, is a pensioner who spends many hours each day collecting litter as a way to repay his pension; a remarkable person doing a remarkable community service. Another group of people is the committee from the Redland Spring Festival. It introduced a project called Watershed which is a significant part of our Redland Spring Festival. The festival project, under the guidance of Councillor Karen Williams, has been developed in recognition that water is a critical worldwide issue and in particular in the Redlands.

The schools of the Redlands have been encouraged to develop waterways care projects aimed at clearing the litter from our local waterways. This is recognising that whatever goes into our waterways ends up in Moreton Bay. I commend Councillor Williams and her hardworking committee for supporting this project.

The member for Noosa brought up the point that there was potential for this legislation to erode civil liberties. Section 4 of the Legislative Standards Act 1992 addresses this issue. This legislation requires that legislation has sufficient regard to the rights and liberties of individuals and it looks at the potential breaches of fundamental legislative principles with regard to civil rights. This bill does address these. I agree with the member for Noosa that we have to be mindful of legislation that has the potential to erode civil liberties, but we also have to be mindful of the broader public interest with regard to litter. In this case I think that the stronger legislation being brought by the EPA far outweighs the civil liberties and individual rights of people who do actually drop litter and cause dangerous situations.

This legislation is a strong indication that everybody recognises the need to take positive action to deter people from littering. I congratulate the minister on taking this stance and I thank the EPA and the minister's staff for all the hard work that they have put into this particular piece of legislation. I commend the bill to the House.