



Speech by

**Rachel Nolan**

**MEMBER FOR IPSWICH**

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## **PLANNING (URBAN ENCROACHMENT—MILTON BREWERY) BILL**

**Ms NOLAN** (Ipswich—ALP) (3.39 pm): I rise to support the Planning (Urban Encroachment—Milton Brewery) Bill. The Milton Brewery has operated on its current site since the 1870s. The neighbouring Milton Railway Station, with its proximity to the inner city, is slated for high-density residential development through a transit oriented development. The purpose of the bill is to protect the established brewery by conferring immunity from criminal (local law) and civil proceedings for releasing contaminants in the atmosphere, noise and light emissions based nuisance complaints in circumstances where the brewery is operating within its licence conditions. To put it in simpler terms, this is anti NIMBY legislation.

The population of south-east Queensland is growing. That growth is greatest in Ipswich, which I represent, with the regional plan projecting city-wide growth averaging 4½ per cent per annum over the next 20 years. Faced with that growth—which no government could stop even if it wanted to—we must choose urban densification or urban sprawl. This government, through its regional plan, has chosen a balance which incorporates densification through the development of transit oriented developments at key sites such as Woolloongabba, Albion, Fitzgibbon and this one—Milton.

The transit oriented development concept is a simple one. TODs create affordable inner-city living. They ensure that we get best usage of transport infrastructure and they avoid the massive environmental and energy costs of urban sprawl. With its proximity to the city, its railway, bus and ferry connections and its existing retail precinct, Milton is a great place for a TOD. The risk, though, is that people move in and then begin to complain about noise, air or light pollution from the pre-existing brewery. While on the face of it such a prospect may seem outrageous, this kind of thing in fact happens all the time.

Brisbane people will well recall the controversy around noise from late-night music in the Valley created by people who moved into the Sun Building in the heart of Brisbane's entertainment precinct and then complained that there were bands playing loud music late at night. At Roma Street people have moved into apartments overlooking hundred-year-old rail yards and then complained about the noise of passing trains. And in Ipswich I have had complaints from people who have purchased property near the railway line—a railway line that has been there since 1874. They have moved in and then complained about the noise from coal trains. Further, I have had new residents who have moved close to the Churchill Abattoir only to get there and demand that the decades-old abattoir be closed down, presumably with its 200-odd workers being sacked.

The principle implicit in this bill, then, is a simple one: the brewery was there first. The bill does not preclude continuing improvements in environmental standards over time. It is fair to assume, I would think, that as technology improves the brewery will create less noise and odour. I think it would be fair to say that, like most industry, it is cleaner now than it was 30 years ago. Should standards improve and the conditions of the brewery's environmental licence become higher, so nearby residents can expect compliance with those tighter conditions. But it will not be possible to move in and then complain about the brewery's operations if the brewery is complying with the conditions of its current licence.

While this legislation is a good starting point because, as the member for Stafford pointed out, the Milton Brewery has existing defined environmental conditions, I would hope that over time we will see more legislation like this. Whilst change, including in established suburbs, is sometimes hard to deal with,

the simple fact is that, if we are to affordably accommodate population growth without destroying all of south-east Queensland's bushland, we must see appropriate increases in density in the inner suburbs.

Further, it is reasonable to apply the principle of 'buyer beware'. If you buy a property near a brewery, they are going to make beer. If you move next to a railway line, there will be trains. And if you buy near an abattoir, you will experience some odour. It is not reasonable to move in having not done your homework and then expect the pre-existing land use to change. I note the shadow spokesman's comments that he thought these principles may need to be further enshrined in time. I agree with those sentiments, and I commend the bill to the House.