




Speech By
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MEMBER FOR NOOSA

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MATTERS OF PUBLIC INTEREST

Environmental Protection

 **Ms BOLTON** (Noosa—Ind) (2.37 pm): Queenslanders rightfully are frustrated when, through no fault of their own, they pay the penalty for flawed legislation and decision-making such as inappropriate volumes of heavy haulage from a failed permit process overwhelming their communities, damaging their roads, their businesses and their mental and physical health. What is even worse is that, through some arcane technical aspects of legislation, departments respond that they cannot act and instead have no option but to continue to use taxpayers' dollars to fund road repairs and upgrades just to keep road users safe. This arcane legislation includes environmental authorities that are issued, for example, to quarries without any consideration of the impacts to the surrounding communities and infrastructure.

When devastation occurs, the ability to review is constrained by outdated criteria which limits consideration to within the bounds of the property or permit that the activity occurs on; hence, our environmental regulator has no ability to rectify an environmental authority that was flawed from the start or was issued prior to current standards and expectations.

Other states are not constrained in this way. With the exception of Queensland and Western Australia, ministers at any time can call for a review of environmental authorities. We have neither in Queensland. The government is in the process of creating an independent environmental protection agency. This is something that has been desperately needed and which I have sought since encountering our lack of powers to fix our failings. Of note, Victoria has had this since 1971 and it has led to greater resolutions for communities, including reducing pollution in the Melbourne Yarra River.

It appears that the department has interpreted this need narrowly, releasing a discussion paper on this proposed EPA that indicates changes to governance arrangements and literally no other changes nor any solid and reassuring powers to be able to act—yes, that word. Without it, it is a toothless tiger, making sounds yet with no bite.

Fortunately for Queensland in the development phase of its own EPA, there are those who have gone before us including Victoria, which has just undertaken an independent comprehensive review of its own EPA. This focused on three elements that are essential for an effective independent EPA that can resolve the impacts to our environment and inhabitants, including people.

Firstly, it asked what the EPA should be doing, and I love this recommendation. It said that it should place a high priority on public health and safety, address environmental problems and market failures whilst promoting other social objectives and be a regulator that is proactive and acts strategically in identifying and mitigating environmental risks, always mindful of the community's social and economic objectives and the need to minimise red tape.

Secondly, it asked how the EPA should work to meet this objective. The review emphasised taking a strategic view, including in the approach to land use planning, the sites on which people live and work, the land and air around them and the corridors on which they travel—yes, that is the roads that I have spoken about so many times in relation to the devastation through our Noosa villages. The EPA has to have a role in all of this.

Thirdly, it talked about giving the EPA the tools to do the job which, as we have seen many times in our inquiries, whether it be with QCAT or other statutory bodies such as the ombudsman, includes appropriate funding resources for better prevention, managing of risk and holding government to account. It also recommended working closely with local government, including having local EPA officers embedded in councils which would ensure that when permits are issued for major activities all impacts are considered, including on our roads with agencies such as TMR being referred to which may have prevented the devastation to our infrastructure in Noosa.

From this we can see what we should demand and expect from our new EPA for Queensland and nothing less. It must be independent. It must have the goal of mitigating environmental risks as well as impacts to communities, their residents and infrastructure. It must encompass social and economic objectives and the mental and physical wellbeing of our communities. It must have a broad scope to achieve this objective, including land use planning, working with local government and advising state government. It must have the tools it needs including the funding and power to vary environmental authorities, including retrospectively. Anything less is irresponsible and is a waste of current efforts to set something up.