




Speech By
Hon. Charis Mullen

MEMBER FOR JORDAN

Record of Proceedings, 11 June 2024

**ENVIRONMENTAL PROTECTION (POWERS AND PENALTIES) AND OTHER
LEGISLATION AMENDMENT BILL**

 **Hon. C MULLEN** (Jordan—ALP) (Minister for Child Safety, Minister for Seniors and Disability Services and Minister for Multicultural Affairs) (11.45 am): I am pleased to rise and speak on the Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024. As has been highlighted, the Queensland government commissioned an independent review into the adequacy of existing powers and penalties of the Environmental Protection Act 1994. This followed strong advocacy to the Minister for the Environment from our Ipswich Labor team about the significant odour issues that have been experienced in our region. I was surprised to hear the member for Mirani's speech. Their One Nation candidates were very vocal on this issue, yet he seems to not support the legislation that is before us.

This review was undertaken by the esteemed retired judge Richard Jones and barrister Susan Hedge and it aimed to identify whether the tools under the EP Act, particularly in relation to environmental nuisance, are sufficiently contemporary to address current and future challenges. The review found that, while the EP Act generally contained an adequate range of powers and penalties to enforce environmental obligations and to reduce the risk of environmental harm, changes were required to clarify and make the operation of powers, penalties and tools in the EP Act more proactive.

I am pleased that the government response to the review supported all recommendations, and recommendation 12, which called for expanded powers to end existing EA conditions, was supported in principle. The bill before us will give the environmental regulator additional tools to prevent environmental harm before it occurs. The changes will ensure there is appropriate emphasis on human health, wellbeing and safety in Queensland's environmental laws. It shifts the focus to the proactive prevention of environmental impact. The bill will also clarify that environmental 'nuisance' can be considered 'serious or material environmental harm'. This enables a greater range of enforcement tools and stronger penalties for persistent issues such as odour that are more proportionate to their impact on the community.

I worked in town planning policy for many years both in government and in the private sector. Urban encroachment, adjacent incompatible activities and the loss of industrial and agricultural land have been issues that we have been attempting to address for many years. Getting the balance right is not always easy. I have always had some sympathy for industrial and agricultural operators who establish their businesses in areas where they are clearly zoned to operate, only to have complaints from adjoining neighbours and community. Noise, light, dust and odours are critical issues that can impact the livability of a community, which is why early planning is so critical. This has never been more important than in our Ipswich region. There are several landfills and composting sites within the Swanbank and New Chum industrial areas which are known sources of odour. The department has been investigating and responding to concerns raised by the community about odours, dust and other environmental nuisances in and around these areas for several years. While these odour issues have

been longstanding, in recent years they have indeed worsened. It was very rare for those of us who live in the Springfield area to be impacted by the odours, but, as the 2023 Swanbank odour complaints heat map issued by the department shows, the odours have reached as far as Springfield Lakes to the east of the region.

I want to thank my community who have raised their concerns with me for making their complaints, because this has supported the department in their investigations and actions against noncompliant operators. What is clear is that a significant number of those odour complaints relate to odour from composting facilities. We know that it is certain types of feed stock—the material received by composting facilities—that is causing these dreadful odour issues. Again, whilst I have sympathy for industries that have been operating for decades in these areas, it is clear that some Swanbank operators have made limited proactive efforts to adjust their operations to suit their changing surroundings over time.

As a government, of course we want to encourage an organics industry. In fact, the Queensland Organics Strategy aims to develop and raise the standards of the composting industry to improve the recovery of organic waste matters. However, development of an organics industry should not be at the expense of the community or the environment, so our government is working very hard on implementing a number of actions to address the odour issues and bring relief to our communities. They have increased compliance inspections and targeted operations at Swanbank, including enforcement action against noncompliant operators. There is additional community engagement and education about odour reporting and community health, including short-term air quality monitoring. There are regular drop-ins where residents can meet with department officers to discuss compliance activities and investigations into current odour issues.

The department is also rolling out additional long-term air monitoring. Whilst current monitoring suggests that emissions from sites present a relatively low risk to health, those who may have underlying medical issues may be more susceptible to the impacts. The department has been undertaking an EA modernisation process to update composting EAs across Queensland to reflect the best practice guidelines for composting, which in turn will support adopting practices that minimise odour impacts. The legislative changes proposed in today's bill will improve compliance powers and it is an additional but very important measure.

I want to thank the department for their significant work over many years but particularly over the last year. I would also like to thank the minister for her support of our communities in Ipswich. There has never been more action on the ground on all fronts to reduce odours in the Ipswich region. Everyone has a right to enjoy being in their backyard without feeling nauseated by the disgusting odours emanating from those composting facilities. Whilst we can throw everything we can at this issue including court action, like we have done recently with NuGrow, these companies need to step up and do the right thing by our communities. I commend the bill to the House.