

**Question on Notice
No. 214
Asked on 21 February 2007**

QUESTION:

MR ELMES asked the Minister for Environment and Multiculturalism (Ms Nelson-Carr)—

With reference to the John's Road Quarry and as I have received advice that Mr Michael Sherrin is not and was not a partner with Ted Allan of Noosa Washed Sand—

What action has been taken by the Environmental Protection Agency since my speech to Parliament during Matters of Public Interest on 6 February 2007 to ensure that the quarry site has been secured and is no longer an environmental threat to Lake Cooroibah and the Noosa River and, just as importantly, what is being done to rectify the site?

ANSWER:

The EPA had initiated actions in relation to this matter prior to your comments in the Parliament detailed as follows.

Since Mr Allen was forcibly removed from this site on 17 January 2007, the EPA has been working with the existing operator, Mr Jack Le Du, to ensure that he complies with his environmental obligations for the site. The EPA met with Mr Le Du and his representatives on 24 January 2007 to advise them of the EPA's investigation into Noosa Washed Sand, and to outline the EPA's expectations of Mr Le Du with regard to securing the site from causing environmental harm to the surrounding area.

Since that meeting the EPA has visited the site on at least five occasions to inspect Mr Le Du's progress with undertaking necessary works to minimise the threat of potential environmental harm. EPA officers visited the area several times during the recent high rainfall events so that the EPA could determine that environmental harm was not being caused.

Sand extraction has not been undertaken at the site since 17 January 2007. After an initial grace period, and recognising Mr Le Du's limited capacity at that time to conduct the required works, the EPA formalised those actions by issuing an Environmental Protection Order (EPO) on 15 February 2007 to Mr Le Du of Noosa Earthmovers and Mr Michael Sherrin of Sherrin Investments Pty Ltd.

Mr Sherrin is the current owner of the land that is the subject of the EPA's investigation into the activities of Ted Allen and Noosa Washed Sand and, as such, he has obligations under the *Integrated Planning Act 1997* for ensuring compliance with the development approval attached to his land.

The EPO relates to stabilising and covering all areas of land without vegetation within the buffer zone, and pumping water out of sediment ponds located within the 40 metre buffer zone of the extraction lease. These actions are required to ensure that water contaminated primarily with sediment does not flow from the site to Lake Cooroibah.

Should Noosa Earthmovers wish to re-commence extraction at this location under its existing development approval, it will need to prepare an Environmental Management Program detailing specific actions and timeframes for bringing the site back into compliance.

The EPA takes its responsibilities seriously. Over the past five years, the EPA has secured nine custodial sentences and over \$4 million in fines and costs through environmental prosecutions.

The EPA has been satisfied that in this case, Mr Le Du has been doing everything reasonable to meet the requirements being placed on him by the EPA. Nevertheless, the EPA will continue to monitor this operation to ensure compliance.