



Minister for Environment and the Great Barrier Reef,
Minister for Science and Minister for the Arts

Our Ref: CTS No 08461/20
Your Ref: A552602

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22 May 2020

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 24 April 2020 enclosing Parliamentary Petition No. 3291-20 concerning noxious odours in Ripley and South Ripley.

The petitioners request that the House 'review the environmental authorities granted and examine the operating licences of the operators on Memorial Drive, Swanbank.'

In July 2018, the Department of Environment and Science (the department) established the Odour Abatement Taskforce (the Taskforce) following a survey of Ipswich residents that was conducted between April 2018 and May 2018.

The Taskforce was formed to achieve the following objectives:

- intensively examine and review current industry regulation and practice;
- review environmental authority conditions against contemporary standards;
- proactively engage with industry stakeholders to encourage better proactive environmental stewardship;
- provide additional on-ground presence and proactive engagement with local communities; and
- introduce new technologies to monitor air, noise and water quality.

This program is the first of its kind for regulation in Queensland and has so far resulted in:

- An increased departmental presence in the area and unprecedented engagement with the community. Since its establishment, the Taskforce has: completed over 290 inspections by a field response team; received over 5,200 community reports; and recorded over 2,526 community interactions through the Taskforce shopfront and community engagement activities.
- Forty-four enforcement actions have been taken, including over \$100,000 in fines being issued to operators for offences under the *Environmental Protection Act 1994* (EP Act). These offences are in relation to: breach of environmental authority (EA) condition (section 430 of the EP Act); failure to provide prescribed information to the department regarding the transportation of trackable waste; and operating without an EA.
- The Taskforce has issued: 19 formal warnings; 10 penalty infringement notices; 13 section 451 notices (requiring relevant information to be provided); and two environmental evaluations.

Although a variety of enforcement actions have been issued, I acknowledge that the community continues to experience odour nuisance. The Taskforce continues to drive and implement additional compliance strategies to ensure compliance by the surrounding industry with their EAs while continuing to be responsive to community concerns about the environmental impacts of commercial activities in and around the Swanbank area.

During the Queensland response to COVID-19, the Taskforce continues to respond to community concerns and reports about odour nuisance noting the temporary closure of the Taskforce office in Ipswich due to social distancing requirements. Residents are encouraged to submit reports online at <https://odourreporting.des.qld.gov.au/> or by calling 1300 130 372 when odour nuisance is experienced.

Regarding the petitioners' request to review EAs, section 215 of the EP Act provides for specific circumstances where the department can unilaterally review and amend EAs. These circumstances are necessarily limited in the interests of providing certainty to industry about their regulatory environmental obligations.

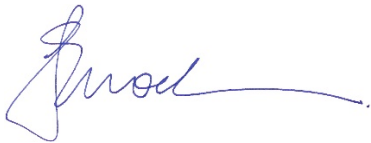
One important circumstance where the department can consider an amendment to the EA is if an EA holder is convicted of an environmental offence. Any such amendment on those grounds must relate to the offence that has occurred.

Accordingly, the Taskforce continues to closely monitor industry to identify any non-compliances and then make appropriate determinations as to whether any changes to EAs are appropriate in the circumstances.

The department operates a compliance program that includes both proactive and reactive compliance activities. As part of undertaking compliance activities, all relevant enforcement options under the EP Act are considered when determining an appropriate enforcement response. These may include taking action in response to a contravention of section 430 (contravention of an EA condition), section 443 (offence to place contaminant where serious or material environmental harm may be caused) or, in certain circumstances, section 440 (offence of causing environmental nuisance).

I trust that this information has been of assistance to the petitioners.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Leeanne Enoch', with a long horizontal flourish extending to the right.

Leeanne Enoch MP
**Minister for Environment and the Great Barrier Reef,
Minister for Science and Minister for the Arts**