



Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs

Our Ref: CTS 0984/21
Your Ref: A687959

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11 June 2021

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

Dear Mr Laurie

Thank you for your letter of 19 May 2021 enclosing Parliamentary Petition No. 3510-21 regarding smoke and pollution from indoor and outdoor wood burning fires and calling for a ban on all wood burning fires.

There are several measures in place that currently regulate environmental nuisance issues from both indoor and outdoor fire smoke. The *Environmental Protection Act 1994* (EP Act) contains provisions for environmental nuisance which makes it unlawful to cause a smoke nuisance to neighbours. This applies to all smoke, regardless of whether it is from an outside or inside source.

Under the Environmental Protection Regulation 2019 (EP Regulation), the responsibility of administering nuisance provisions has been devolved to most Queensland local governments. This devolution requires local governments to enforce provisions under the EP Act that fall within their jurisdiction. Local governments can take action against people or organisations who are causing environmental nuisance. This action includes things like investigating complaints and undertaking enforcement action, such as issuing fines or taking offenders to court.

The State Government provides guidance materials to support local governments to administer their obligations under the EP Act and to inform members of the public of their responsibilities regarding causing nuisance, as well as what action people can take if they are subject to environmental nuisance. An overview of these materials and options can be found on the Queensland Government website at <https://www.qld.gov.au/environment/pollution/pollution-management/reporting-environmental-nuisance>.

Local governments may take different approaches to how they implement the EP Act nuisance provisions; however, they must still achieve the outcomes sought by the EP Act and EP Regulation. Members of the public should contact the Ombudsman if they have concerns about how their local government is applying nuisance provisions in relation to wood burning smoke fires.

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

Yours sincerely

Meaghan Scanlon MP
Minister for the Environment and the Great Barrier Reef
Minister for Science and Youth Affairs