



Mackay Conservation Group

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Environment and Infrastructure Legislation Amendment (Stop Adani) Bill 2017

Thank you for the opportunity to make this submission to the above Senate enquiry.

The Mackay Conservation Group (MCG) is a regional organisation working closely with other groups and communities to promote awareness of the value of our natural environment. The group aims to represent people's desires to protect and maintain the Mackay region's natural assets and encourage moves towards sustainable systems. This is achieved through education, research, advocacy and action in co-operation with other community groups, industry, and government.

Both the Federal and Queensland governments have granted approvals for the largest coal mine proposal in Australia, the Adani Carmichael project.

Given that the Bill proposes to amend the *Environment Protection and Biodiversity Conservation Act 1999*, then it is incumbent on the inquiry to make climate pollution a primary consideration in approving the amendments.

On a global scale, climate pollution is the most significant detrimental impact on biodiversity and the environment. Australians believe the fossil fuel industry has unwarranted influence on political decisions because of the large donations made to political parties. This must be stopped. Politicians and board members who have a responsibility to make decisions in the best interest of Australians must not be subject to this corrupting influence.

MCG is not confident that our governments are protecting our environment. The Great Barrier Reef has experienced unprecedented back to back bleaching because of increasing water temperatures while governments at every level are supporting climate pollution by supporting the fossil fuel industry.

The amendments to the Act propose to mandate a broad 'suitable person' test to strengthen the EPBC Act, and obliges the minister to make certain considerations before deciding to approve or revoke approval for projects that may be to our detriment.

MCG supports the following amendments under EPBC Act 1999:

Items 1-5:

- 1 *Paragraph 131AA(2)(c)*
- 2 *Subsection 136(1)*
- 3 *Subsection 136(2) (heading)*
- 4 *Subsection 136(2)*

5 *Subsection 136(4)*

These amendments mandate the minister to consider the suitability of persons, executive officers and other associates before approval to develop projects in Australia based on their environmental histories both in Australia and in other countries.

MCG supports Items 6-10:

- 6 *Subsection 143(3)*
- 7 *Subsection 144(3)*
- 8 *Subsection 145(3)*
- 9 *Subsection 145B(4)*
- 10 *Section 528*

These amendments require the minister to consider the environmental history of all persons associated with a project and enables the minister to revoke, vary or suspend approvals if any or all persons are deemed unsuitable.

Part 2—Application and transitional provisions

MCG is broadly supportive of Items 11 and 12:

- 11 *Application*
- 12 *Review of existing approvals*

Additionally, under Review in Item 12(3)(a) the time for initiating review should be reduced from 20 business days to 10. If this is approved, the minimum time between commencement and conclusion of the review is increased from 20 business days to 30, which would reduce time pressure and ensure more thorough processing while still being completed in a timely manner.

MCG suggests that the written report of the review, Item 12(4) (a) and (b) should be given to the minister and published on the website on the same day to improve accountability and transparency. The Review should be available for an acceptable period of time for public scrutiny and submission. Following the review by the minister, and as soon as practicable, Item 12(9)(a) and(b) the decision must be given to the holder on the approval and published on the website on the same day.

Schedule 2—Northern Australia Infrastructure Facility Act 2016

MCG supports the amendments proposed for the NAIF Act.

The ‘suitable person’ test must be applied before lending Australian taxpayer money to private enterprise. Communities in North Queensland are regularly battered by tropical cyclones while simultaneously experiencing drought. Other parts of the country are threatened by bushfires and heatwaves. The recurrence and increasing severity of these events can be attributed to climate pollution. Federal money (i.e. taxpayer money) should not be given to projects that will further increase the frequency and/or severity of these events.

The Adani project is financially unviable, even with a \$1 billion loan from the Federal Government. The Adani Power company in India, the proposed purchaser of the coal is also financially unviable, and would be considered insolvent in Australia. Additionally, the current Adani ‘Plan of Operations’ for the Carmichael mine is limited to six months and involves minor works that do not suggest a serious enterprise.

Due diligence by the NAIF board will entail mandatory consultation with the Australian Securities and Investment Commission, as well as with the Australian Crime Commission. The history of the Adani corporate group and key individuals are under investigation in India for environmental destruction, tax fraud, price gouging and corruption. Australia should not allow, encourage or support this behaviour, and especially not with the Australia people's hard earned money. The Adani company is not welcome in Australia, as they cannot be trusted with Australia land, water or money.

NAIF funding deliberations must consider a sustainable future for all Australians, must not fund any new or expanding fossil fuel projects, and instead allocate substantial funding to development and job training in renewable energy technologies, to enable a just transition away from climate polluting industries.

Thank you again for the opportunity to comment on this legislation

Regards

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