

Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012

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Committee Secretary
Senate Standing Committees on Environment and Communications
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Thank you for the opportunity to comment on this issue.

Due to time constraints our comments are brief.

The Tasmanian State Government has a very poor track record on environmental protection, and weakening existing legislation by awarding the state with further powers over environmental legislation should not be considered under any circumstances.

As you would be aware for the last eight years Tasmanian politics has been dominated by the controversial issues of a proposed Tamar Valley pulp mill, and forestry matters generally. Of great and ongoing community concern has been the State Government's willingness to dismiss, or change existing environmental protection legislation to facilitate the interests of Gunns Limited's pulp mill project, and/or aggressive forestry practices that are widely regarded as having a disastrous impact on native flora, fauna – as well as public health and safety.

Examples:

Research was conducted under the auspices of the Commonwealth to discover whether the discharge from Gunns proposed Tamar Valley pulp mill pipeline would have a damaging impact on Commonwealth waters in Bass Strait, and the marine life that it supports – eg Australian fur seals and little penguins. To avoid what would have undoubtedly been a rejection due to the pollution levels involved of dioxin-laden effluent Gunns then chose to shorten effluent reach to well within Tasmanian waters, and claimed it would be hazard-free. A Tasmanian Environment Protection Authority generally considered corrupted by State Government interference, agreed with this assessment, despite a number of marine scientists and ocean ecologists stating otherwise.

The Tasmanian EPA likewise claimed airborne pollution from the smokestack would not be harmful, or cause more serious pollution than is already experienced from the Tamar Valley's notorious inversion layer, and which accounts for approximately eight deaths a year despite the contrary opinion of 100 members of the Australian Medical Association.

The EPA's head, Alex Schaap more recently deemed that 'substantial commencement' of the pulp mill construction had occurred, despite there being no building work done on the

site, and no heavy machinery brought in until 24 hours before the deadline for the permits expired.

The latest controversy concerning mining in the Tarkine region in Tasmania's north-west is another example of the State Government's refusal to recognise that approving mining leases equals signing the extinction warrant of the iconic Tasmanian devil in the wild since the region is home to the last remaining populations of the species free of the fatal facial tumour disease.

There can be little or no hope of Tasmania's unique environment remaining free of pollution and poisons while a compliant EPA does little or nothing to examine the concerns of the public in respect of water (*Rosebery's tainted water supply*), aerial spraying of chemicals over plantations and water courses, that are strongly considered to be the cause of the health problems experienced by residents following a spray session.

In short the Authority has little credence and is seen as subservient to the government's wishes.

The following is an extract from the submission made in respect of amendments to Tasmania's EPA in July 2011 when Gunns wished the goalposts to be changed to accommodate its pulp mill project. These concerns were disregarded by Mr Schaap.

Pulp production limit: increase to 1.3 million Adt/a

By amending the permit in respect of the above log truck traffic will be increased. Additional log trucks will inevitably result in an increase in the incidence of road accidents and deaths, an aspect already noted and accepted in Gunns' Integrated Impact Statement as being at least one additional death per year. The additional pollution from diesel fumes will also exacerbate respiratory and cardiac health problems, in a population that is already over-represented with these debilitating and life-threatening conditions.

Production of Hydrogen Peroxide

Since our understanding is that Hydrogen Peroxide was not originally contemplated by the EPA permit, the potential for a negative impact on the environment cannot have been either fully considered or adequately monitored, to justify any amendment.

To increase Nitrogen Oxide emissions to the atmosphere

We believe amending the permit to allow a NOx production limit of 1.8kg/Adt of pulp should not be considered since its adverse environmental impact will be significant, and – again – we believe insufficient monitoring has been conducted to determine the effect these emissions will have on human health, and the health of the environment more broadly.

Given the above examples we believe that in the interests of public health NO additional powers or jurisdiction should be given to the State Government.

We thank you for the opportunity to present this submission, and trust you will agree the powers of the EPBC should remain at a federal level.

Yours sincerely

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