

Subject: submission about the EPBC Act
Date: Thursday, 17 January 2013 2:37:29 PM

I completely support the Federal Government holding the power of decision on environmental assessments. Independent assessment of projects is needed because States have a conflict of interest.

There can be no independent environmental assessment by States.

For instance, there have been major changes that have taken place in Queensland's own planning and assessment laws and procedures over the past few years with in particular "fast-tracking" of major state-owned projects. The concern about these changes is the reduction in the amount of assessment, reduced or eliminated opportunity for public comment and removal of most of the legal avenues for review of decisions. Queensland's political system is unique in having no upper house to review decisions made in the lower house and by making extensive use of it's powerful State Development Act. This Act is administered by the unelected government position of Coordinator-General (unique to Queensland), a position which has a history of direct political appointments and whose decisions have no judicial review.

There have been previous failures of the State Development and Public Works Organisation Act (SDPWO) Environmental Impact Assessment (EIS) process eg approval of Paradise Dam and the assessment of the proposed Traveston Crossing Dam. There is no offence provisions in the SDPWO Act which prohibit false or misleading statements at any stage of the EIS process. The SDPWO Act has no pro-environment objects or deliberative obligations, so it allows the Coordinator General's EIS assessment reports to preference creating employment and development the State over protecting the environment. Most importantly, declaration as a significant project prevents state government agencies (including the Environmental Protection Agency) from requiring the project to be refused or imposing conditions inconsistent with those required by the Coordinator General.

Thank you

Kris Schmah