



Wheezer
the lungfish
says, "Save the
Mary River!"

Dam the Mary River? Save the Mary River!

Save the Mary River Coordinating Group

Support and Information Centre, Kandanga Railway, Ph: 5488 4800
<http://www.savethemaryriver.com/> savethemaryriver@gmail.com

29th November, 2006

Senator the Hon. Ian Campbell
Minister for the Environment and Heritage
Parliament House
Canberra Act 2600

Dear Minister

We refer to Queensland Water Infrastructure Pty Ltd (QWIPL)'s referral to the Minister under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* for approval to construction and operation of Traveston Crossing Dam on the Mary River in South-East Queensland (SEQ), and the construction or relocation of associated infrastructure.

Please find attached the submissions sent to the Director of the Referrals Section (EPBC Act), Approvals and Wildlife Division.

We are aware the public comment on the QWIPL referral submission was not invited. Nonetheless we feel strongly enough about this issue that we wanted to make sure you were aware of our opinions, shared we believe by many others in South East Queensland. Indeed, the opposition to the proposed Traveston Crossing Dam has very strong support from individuals, scientists and environmentalists across the country and around the globe. An indication of the support is the petitions to the Queensland Govt which had over 20,000 signatures. The plight of the vulnerable *Neoceratodus fosteri* (Australian Lungfish) – just one of the several species and ecosystems threatened with extinction / destruction by this dam – is particularly sensitive worldwide. These and other likely significant impacts of the proposed dam are set out in this submission.

We submit that this action should be declared to be a controlled action for the purposes of the EPBC Act and that six controlling provisions for this action should be declared (See also Figure 1 Location Map, Wide Bay Burnett Dams & Ramsar Wetland).

We submit that the action be assessed by inquiry (Section 87(1)(e) of the EPBC Act 1999).

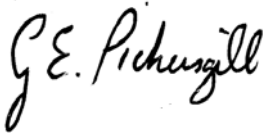
Assessment by inquiry: This will enable the Minister for Environment and Heritage to appoint a Commission to carry out inquiries, call witnesses, obtain documents and inspect places. The proponent has suggested that the statutory impact assessment process be under Queensland's State Development and Public Works Organisation Act (SDPWOA) pursuant to the bilateral agreement between the Queensland and the Commonwealth Governments in relation to environmental assessment under Section 45 of the EPBC Act signed on 13 August 2004.

Clause 9.1 of the bilateral agreement declares that an action listed in Schedule 1 (as the SDPWOA EIS process is) “does not require assessment under Part 8” of the EPBC Act. However, we have received legal advice by an EPBC Act expert that the statement “does not require” does not mean “cannot require” and therefore that the Minister still has the power to require assessment under Part 8. We request that he do that, and impose an inquiry as the level of assessment

We have no confidence in the SDPWOA process because when it was used for the approval of Paradise Dam on the Burnett River under similar rushed circumstances in 2002, it had serious shortcomings in the scientific standard and process of the environmental impact studies undertaken. It is an inappropriate process because there is a perception of bias when the proponent is a public company set up by the Queensland government that will undertake an assessment process that is run by the Queensland government

A delegation from the Save the Mary River Coordinating Group will be in Canberra on 6th December and look forward to discussing with you further. Any questions please contact Glenda Pickersgill on 07 54843150 or mb 0411443589.

Yours sincerely

A handwritten signature in black ink that reads "G.E. Pickersgill". The signature is written in a cursive, slightly slanted style.

Glenda Pickersgill for the Save the Mary River Coordinating Group
www.savethemaryriver.com