

From:

Jackie French AM

381 Major's Creek Road Araluen valley

2622

02 48464036

Jackie@jackiefrench.com

Ms Carolyn McNally

The Secretary

Department of Planning & Environment

GPO Box 39

Sydney NSW 2001

Email: [ElAproject@planning.nsw.gov.au](mailto:ElAproject@planning.nsw.gov.au)

Dear Ms McNally,

Re: Environmental Impact Assessment

The single Environmental Impact Assessment submission process I have been recently privy to was deeply and dangerously flawed. Subsequent enquiry by independent government authorities showed that the assessment was based on inaccurate data that led to major pollution and financial loss for industries downstream. If the community had not pushed for further independent evaluation after the initial approval, these inaccuracies could have led to major disaster, including loss of life as well as major economic and environmental impact.

The company who prepared the Environmental Impact Assessment was aware that their data was inaccurate did no onsite study to substantiate their claims; repeatedly gave false information to both the department and the community, as well as threatening those who attempted to correct the misinformation.

The present system is clearly not adequate to prevent such abuse.

I therefore suggest:

1. That all Environmental Impact Assessments be carried out by independent agencies, certified by the Department. This combination of independence, integrity and competence are vital.

2. That neither employees, nor close associates of the company be permitted to be employed as subcontractors in the Environmental Impact Assessment process.

3. That all officers of the Department who have personal or financial connections with the company are quarantined from the Approval process.

4. That when departmental officers leave government employ, they be prohibited from working for a companies they have worked with while in the Department for five years, either directly or through subsidiaries or family companies.

5. That where community groups or individuals claim that the information or conclusions in an Environmental Impact Assessment are inaccurate or falsified, there be a process of independent evaluation, the costs of that evaluation to be born proportionately by either the company or those who dispute the Environmental Impact Assessment, according to the accuracy or inaccuracy of the findings.

6. Realistic penalties for falsifying data or providing incomplete data in an Environmental Impact Assessment process. These penalties should apply both to the company and to those who make submissions, to avoid vexatious protest that might slow down project approval, but also to ensure that legitimate misgivings are taken seriously.

7. All Environmental Impact Assessment material must be from on site survey. Desktop only submissions are unlikely to be accurate, nor take in all pertinent matters.

8. That the Department draw up a list of suitable credentials for the experts needed. At present, those preparing an Environmental Impact Assessment need have no formal qualifications in the area in which they work.

Accurate, competent and independent data, that can be substantiated, is vital to protect both our environment and our economy.

Yours sincerely,  
Jackie French AM