

Brief to the members of the Upper House

PULP MILL ASSESSMENT BILL 2007

On behalf the Australian Medical Association - Tasmania I would like to thank the members for their invitation to speak today.

AMA Tasmania is an organisation representing 500 medical practitioners in Tasmania. We are concerned about improving the health of Tasmanians and have a track record of influencing legislation to achieve that end. For example; seat belt legislation, air pollution in the Tamar Valley, agricultural chemical pollution in drinking water, banning of smoking in pubs and clubs and most recently the banning of smoking in cars where children are present.

While we neither support nor oppose the construction of a Pulp Mill at Bell Bay, its development could only be supported by AMA Tasmania were stringent health restrictions placed on its operations. Currently the population of the Tamar Valley experiences between 8 - 17 excess deaths per annum resulting from air particulate pollution arising from domestic wood heaters. We do not wish to see a further increase in mortality and morbidity resulting from a major development nearby.

Accordingly, we assembled a range of experts to analyse data provided by the proponent of the mill development and the government. We found serious flaws in the methodology of the studies and of the models postulated. Our concerns were such that we were invited to present them to the Resource Planning & Development Commission in order to provide a balance and a more scientifically accurate picture of current and potential adverse health outcomes. In the course of the RPDC's proceedings the proponent took our message on board but the untimely demise of the RPDC precluded any response from the proponent. We respected the integrity of the RPDC's process and its attention to detail. It is hoped that we have been able to make you aware of our concerns by giving you some of that information today.

It is then with some apprehension that we read the Pulp Mill Assessment Bill 2007.

We wish to raise the following issues in relation to the Bill;

1. The consultant is not perceived to be an independent appointment given the public comments of the Premier and Minister. Section 4 (1)
2. The consultant is required to recommend the project to go ahead or not, not to measure against world's best practice. Section 4 (3)
3. There is no requirement that the consultant is required to examine all documents previously submitted to the RPDC. Section 5
4. The Minister must table the consultant's report to Parliament no later than 31 August 2007. At most this gives the consultant three months to absorb, integrate and summarise the information which the proponent and the RPDC could not achieve in three years. Section 6 (9)
5. Does Section 6 (10) mean that if a report already given to the RPDC is not considered by the consultant that there will there be an opportunity for relevant

parties to write directly to the Minister? If not then community consultation will be severely curtailed. This Section also assumes that Parliamentarians can readily absorb high levels of technical data during three days only of debate.

6. Section 8 (3) does not refer to stringent guidelines, does not refer to independent monitoring and does not provide for regulations to close the mill according to breaches of its permit.
7. Section 10 allows the Pulp Mill permit to automatically override any relevant planning scheme, special planning orders or interim orders already in existence.
8. Section 11 (1) provides for no right of appeal whatsoever. This is particularly of concern to the AMA given the fact that the consultant will be appointed by the Minister who has already made his intentions clear. As scientists we are used to a peer review process which will not be allowed under this legislation. This is bad law.
9. Section 11 (2) allows for the process to continue even though criminal conduct may be alleged or proven.
10. In Section 11 (2) and (3) the language is incomprehensible and appears oxymoronic. The intent of this part of the Section is not clear.

As doctors we strongly urge you to be guided by the strongest possible current scientific evidence and if you do elect to allow the Pulp Mill to proceed to apply the most stringent rules of operation and to enforce closure in the event of breach. It is clear that short term economic considerations have resulted in the demise of a respected, independent and transparent body. This Bill runs the risk of replacing due diligence with indecent haste.

If this Bill is passed in its current or similar format it will almost certainly lead to severe and unintended adverse health outcomes not only for our current generation but for those to follow.

Dr Michael Aizen (President)
AMA Tasmania