

10 COMPELLING REASONS TO SAVE STRADDIE

North Stradbroke Island (NSI) is the only sand island off the south-east coast of Queensland not protected against the environmental devastation of sand mining. It is the closest of these islands to the major population centre of Greater Brisbane, which has an ever increasing need of green space for its citizens - who would benefit from ending sand mining and declaring National Park.

Currently, mining leases cover over half of the Island and the public is excluded under threat of prosecution. There are additional substantial areas of unallocated state land which authorities have indicated the public is not permitted to enter. Less than 2% currently is national park.

There is a growing alliance of local and regional community groups and organizations, as well as national conservation organizations, concerned about the future of North Stradbroke Island.¹ The goal is to end sand mining on the island.

There is a unique opportunity to do so. Around twenty of the mining leases have expired or will expire soon. Some expired more than 2.5 years ago and some are large in area, including leases currently being mined pending decisions on applications to renew the leases for periods in excess of 20 years. The most critical of these expired leases is ML 1117, which expired in October, 2007. Substantial areas of ancient dunes and old growth forests will be destroyed unless the application to renew this lease is refused. Despite the expiry of this lease, mining continues 24/7. As each day passes without a decision being made to refuse to renew the lease, more destruction occurs.

The mining companies have no 'right' to renewal of expired leases. The Government has an unfettered discretion to refuse, and in fact may not renew unless the Minister is satisfied of each of a number of factors - in particular that the public interest will not be adversely affected by renewal.²

What about continued mining on the unexpired leases? The Government can stop mining on NSI entirely, if it chooses to do so. There is a recent precedent for cancelling mining leases in fragile coastal areas. In 2003 the Government cancelled sand mining leases at Shelburne Bay in North Queensland because it wanted to protect the fragile environment.³ More recently, by analogy, it canned a previously approved Rainbow Shores development proposal at Inskip Point because it wanted to protect the sensitive coastal environment.

Unimin Australia Limited, which owns and controls all sandmining on NSI recently was charged with two criminal offences relating to it unlawfully removing non-mineral sand and selling it illegally for substantial profit to the landscape and

¹ Including Friends of Stradbroke Island, Queensland Conservation Council, Community Alliance for Responsible Planning (CARP) Redlands, Fraser Island Defenders' Organization, Moreton Island Protection Committee and Wildlife Preservation Society of Qld., with support from the Wilderness Society, Australian Marine Conservation Society and Australian Conservation Foundation.

² Mineral Resources Act, section 286A.

³ See section 418C Mineral Resources Act 1989 (inserted by amendment in 2003).

construction industries.⁴ This has been occurring for many years according to documents filed in the Supreme Court. Its Mining Leases only legally entitle Unimin to remove the mineral, high grade silica sand, used primarily in glass manufacturing for its chemical properties.

All of the non-mineral sand it illegally removed and sold should have been used to rehabilitate the mined areas in accordance with its obligations under the Mining Leases and Environmental Authorities to mine. Unimin seriously breached those obligations.

It has been charged with an offence under the Integrated Planning Act and an offence under the Environmental Protection Act. Both charges allege in essence carrying on a business without the requisite permit / registration. Unimin has not yet been charged with stealing the sand or with the offence of causing serious environmental harm as a consequence. Nor has it yet been charged with selling the sand without a permit under the Forestry Act – there has been no dispute that it did not have a Forestry Act permit, so it would appear to be a straightforward prosecution. Further charges are expected to be laid.

By its irresponsible actions, revealed in the Supreme Court proceeding, the company has shown it is not a fit and proper corporation to be trusted to mine on NSI. In any case, all of its profits go overseas, ultimately to a family in Belgium, via a series of multi-national corporate structures.

The Government has the opportunity to act in the best interests of all Queenslanders by ending mining and declaring the Island National Park.

Although damage has been done by mining, much of the island remains unravaged. But it is in danger and needs our collective assistance. It is time to save Straddie. These are some of the reasons for doing so:-

10 compelling reasons to stop sand mining

1. Save old growth forests, woodlands and everything else in the path of the mines

Sand mining is extremely destructive. Almost everything in the mine path is completely destroyed. Post mining ‘rehabilitation’, even when carried out honestly, is a poor substitute for ancient dunes and the complex ecosystems which depend upon them remaining intact.

2. Preserve the island’s remarkable bio-diversity

The island is universally acknowledged as having incredible diversity in flora and fauna. This was reflected recently by Premier Anna Bligh –

⁴ Reported by the Courier Mail 5 December, 2009 p.7 The charges are yet to proceed in court but Unimin has already admitted taking the sand and selling it during Supreme Court proceedings it brought attempting to legitimise its actions. On 30 November, 2009 the Court rejected Unimin’s legal arguments and the criminal charges were then laid on 4 December.

“The Bligh Government recognises that Stradbroke Island is a valuable natural asset to the people of south east Queensland. The Bligh Government also recognises that this is an area that needs to be protected and preserved for future generations.”⁵

3. Hydrology – the extensive aquifer must be protected, not put at risk.

Stradbroke Island was formed by the deposition and erosion of dunes over thousands of years. Some dunes have been dated as 150,000 years old. The mechanism of water moving through these layers is not fully understood, nor the effect of this hydrological system on flora and fauna appreciated. Mining has already caused damage to freshwater lakes on the Island – further damage is a serious risk if mining continues.

4. Protect the unique Island koala

Island koalas are genetically different from mainland koalas, having been isolated for up to 8000 years. Genetic data indicates that Stradbroke Island has the only naturally occurring island population. Other island populations have been introduced. This means that the Stradbroke koala population is of very high conservation value.⁶

5. We need more National Parks for Greater Brisbane

The Bligh Government recognizes the acute need for more national parks. South East Queensland has only 19 % public green space compared to Greater Sydney’s 49 % ! See <http://www.thepremier.qld.gov.au/tomorrow/environment/index.aspx> and http://www.thepremier.qld.gov.au/tomorrow/environment/land_conservation.aspx

6. Create an economy based on preservation not destruction

It’s time to replace the temporary, ever dwindling number of jobs in a destructive industry, with a greater number of permanent jobs based upon National Parks and low impact, well managed nature based tourism. More mining puts these jobs at risk because it damages and destroys the natural features which appeal to tourists - they will be attracted by intact ancient dunes and their complex ecosystems, not homogenous ‘rehabilitated’ areas which are poor substitutes by comparison.

7. Citizens’ rights before miners’ rights

Our opposition to sand mining on Stradbroke is specific. We are not adopting a general anti-mining position. But, it is one thing to mine in outback Queensland on land otherwise of limited value to the wider community. It is quite another to lock up half of NSI under mining leases and to mine a fragile coastal environment within a short distance of major population centres in need of more public green space.

8. Areas being mined are zoned ‘Conservation’ in the Planning Scheme

The Redlands Planning Scheme, approved and gazetted by the State Government in 2006, designates that most of the Island is zoned ‘conservation’, including the areas being mined by CRL and Unimin. Ending mining and declaring the Island National Park is the only logical way to ‘conserve’ the Island and put into effect the policy that the Island *“needs to be protected and preserved for future generations.”⁷*

⁵ The letter was written on the Premier’s behalf in March 2009 by her senior policy advisor and sent to those who emailed the premier about the mining company’s attempts to extend its sand mining operations to exporting sand from the island for construction purposes. The letter also stated that the Bligh government supported the Redland City Council’s rejection of this mining company proposal.

⁶ Shown by research carried out under the direction of Frank Carrick of the University of Qld .

⁷ letter from the Premier sent to people a week before the March, 2009 State election – see footnote 5.

9. The Global Context – ‘think globally act locally’

In 1990, Darryl Briskey, the ALP member for Redlands, after announcing to parliament the Goss government’s intention to create extensive National Park on the island – which did not happen - also said this...

“We must not forget that ultimately the environment sustains all life. If we do not act quickly to protect it, our quality of life will deteriorate and, eventually, continued environmental destruction will mean an end to humanity.”⁸

The responsibility and the need for government to take the lead here is now much more acute than it was in 1990. We must ‘think globally, act locally’.

10. Its Stradbroke’s turn

Despite the less acute global environmental reasons for doing so, the Liberal/ National Party Government under Malcolm Fraser stopped sand mining on Fraser Island in the 1970’s. Similarly, sand mining has been stopped on Moreton Island, Cooloola and at Shelburne Bay in North Queensland by ALP State Governments. It is time for the Bligh Government to stop sand mining on Stradbroke Island.

WHY WE NEED TO ACT NOW

We appreciate that this may be a long campaign. However, it can be successful. North Stradbroke Island is on the doorstep of a large population which is increasing at a very rapid rate as a result of current government policy. Most people are concerned about the decline in the quality of public amenities in recent years and understand that it has been brought about by a combination of rapid population growth and a lack of infrastructure to support it. A related issue is the limited public green space. As referred to earlier, the Premier’s website acknowledges that already there is an acute shortage of public green space. Our area has 19% compared to Greater Sydney’s 49 % public green space. If the Government does not correct the imbalance, it risks suffering at the ballot box in South East Queensland for this reason alone.

In addition, now that the damage being caused on NSI under this Government’s watch has been exposed by the Courier-Mail and commercial television news, the Government’s environmental credentials are at risk. People in the Greater Brisbane area and beyond generally are aware of and interested in the Island and most people have stayed on or visited the Island to surf, fish, enjoy the beaches, birdwatch or just relax in the peace and quiet. They care what happens and are likely to take note of the decisions made that effect it. This is why the Government may recognise the need to stop sand mining and act on its policy of ‘protecting and preserving the Island for future generations’.

The State already is the legal owner of the vast majority of land on NSI. By ending sand mining and, in consultation with native title claimants, dedicating all of the then available area as National Park, it will assist the Government to solve the public open

⁸ Hansard, 8/5/90, p. 1150

green space shortage and demonstrate that it does care about the environmental destruction being caused on a daily basis on the Island and has acted to save Straddie and its fragile, special environment from further damage. Refusal of all applications to renew expired mining leases is an essential step.