

The Honourable Anna Bligh MP
Premier of Queensland
PO Box 15185
Brisbane 4000

15 June, 2010

Dear Premier,

NORTH STRADBROKE ISLAND – RECENT MEDIA ANNOUNCEMENT

Statements attributed to Acting Climate Change and Sustainability Minister, Anastacia Palaszczuk (see **attached**), read in the light of other statements and actions by the Government and its representatives in the recent past, appear to reveal plans to resolve the desperate need for green space in South East Queensland and National Parks on North Stradbroke Island by means of a so called "transition" involving deal-making with miners and the Native Title claimants.

Such an arrangement would be total anathema to the values of landscape preservation that environmentalists, including many Indigenous people, have campaigned for.

The attached article, published last week on www.brisbanetimes.com.au website, and although quoting a junior, acting Minister, indicates that an announcement regarding the future of the Island could be made very soon.

The article is short on detail and is clearly inaccurate in parts. For example, you only need to look at the Island on Google Earth to see that much more than 15% of the Island has been "impacted" by mining.

More mining destroys future opportunity

To seek to reach reconciliation with the Indigenous people of the Island by asking

them to accede to a continuation of devastation of the land, for monetary gain, contradicts the idea of the land as sacred. On North Stradbroke Island this would be a short-sighted and irreversible mistake. The Island is not particularly large in area and has already been significantly damaged. What remains undamaged is precious and as you said in your pre-election March 16, 2009 letter, it should be "protected and preserved for future generations".

The environmental values of South East Queensland's sand islands are the heritage of the entire world, as recognised by previous Governments, particularly on Fraser.

"Transition" extending mining is unacceptable

A "transition" which involves the renewal of expired mining leases or the granting of new leases means the continued destruction of crucial areas of pristine coastal heathland and old growth forest, without which recovery from sand mining in other areas will be less likely. (See attached opinion from Dr Carla Catterall, dated 27 May, 2010). Such a transition will not remove the imperatives for a determined campaign by the environment movement in Queensland.

We are particularly concerned about areas destined to be mined or otherwise damaged further if the Government renews expired or soon to be expired mining leases 1117, 1121, 1119 and 1120 ("Enterprise" mine) and mining leases 7064, 1123, 1124, 1132 and others in the vicinity of "Vance" mine. Of the twenty or so mining leases which have expired or are due to expire soon, these are the most important, both environmentally and to success of nature based tourism and the other long term benefits for both the Indigenous and general populations. If these or any one of them are renewed, devastation of ancient sand dunes, and everything growing on them, will follow.

In addition, there are applications for new leases over other areas – including the "Pines" and around the Airport about which we are also concerned, for similar reasons.

Renewed mining leases promote devastation not reconciliation

If the Government renews any of these expired leases or grants new leases in other areas, current and future generations of Indigenous people of North Stradbroke Island are likely to regard this continued exploitation of the Island's natural habitat (enacted under the guise of reconciliation) as a betrayal of the ideal of their attachment to the land. Current and future generations of non-Indigenous people are likely to regard it similarly, particularly as such land becomes more scarce and precious.

Is Unimin a "fit and proper company" ?

We also suggest that the public would find it difficult to accept your Government could be seriously contemplating renewing expired leases (effectively) to Unimin Australia Limited (the owner of all mining interests on NSI), or granting new leases, in circumstances where –

1. There is significant evidence, which came to light after the hearing concluded, suggesting this company misled a Supreme Court Judge in proceedings it brought last year, it seems at least partly with the intent of avoiding prosecution for unlawfully removing up to 100,000 tonnes of sand per year for the past decade and selling it to the landscape and construction industries. We understand that details of this apparent deception have previously been provided to you.
2. This company is facing serious criminal charges in the Courts, involving the alleged unlawful removal of up to 100,000 tonnes of sand per year over the past decade. We **attach** an article from the Courier Mail dated 16 February, 2010 regarding this issue. We note Unimin was charged last week with an additional charge. The extent of the alleged illegality, involving Unimin and its predecessor, may be staggering - up to \$80 million overall.

Against this background, the public would, we think, find it totally unacceptable for your Government to give this company the green light to continue to mine in a fragile coastal environment zoned 'conservation' under the Redlands Planning Scheme approved and gazetted by your Government in 2006.

Do not proceed to renew mining leases

If your Government is in fact considering renewal of expired mining leases (or the granting of leases in new areas under application), as part of a "transition", then we respectfully request you to reconsider and to consult with all of the undersigned organisations as soon as possible.

Yours sincerely

Toby Hutcheon

Simon Baltais

Sue Ellen Carew

Lavinia Wood

On behalf of;

- Queensland Conservation Council (QCC)
- Friends of Stradbroke Island (FOSI)
- Stradbroke Island Management Organisation (SIMO)
- Wildlife Preservation Society of Queensland Bayside Branch (WPSQBB)
- Fraser Island Defenders Organisation (FIDO)
- Community Alliance for Responsible Planning (CARP) Redlands
- Wildlife Preservation Society of Queensland (WPSQ)
- Moreton Island Protection Committee (MIPC)

attach (1) – Brisbane Times article 08.06.10 'National Park for Straddie'

(2) – Letter from Dr Carla Catterall dated 27.5.10.

(3) – Courier-Mail article 16.2.10

National park plan for Straddie

TONY MOORE

June 8, 2010

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Serene Frenchman's Beach, North Stradbroke Island. *Photo: Tourism Queensland*

A new national park will be established on North Stradbroke Island as existing sand mining leases are cut back, brisbanetimes.com.au can reveal.

Sand mining has been a feature of North Stradbroke for the past 60 years, impacting about 15 per cent of the island.

The major sand mining company at the location, American firm Unimin, operates mines as Consolidated Rutile Limited and employs about 135 people.

Last year, Unimin was charged by the state government with illegal sand mining, claiming it was selling sand to landscaping and landfill industries.

brisbanetimes.com.au has been told native title issues on North Stradbroke Island are almost resolved, which would likely mean significant changes to mining leases on the island.

Indigenous Australians have been on North Stradbroke Island for 20,000 years.

Acting Climate Change and Sustainability Minister Anastacia Palaszczuk said protecting more of Stradbroke Island as national park was an ambition of the government.

"There's been a lot work done behind the scenes, including close talks with key stakeholders, especially the Quandamooka People," she said last night.

"And we've also been consulting with other key stakeholders including Unimin about a transition."

Wildlife Preservation Society president Simon Baltais said he understood a decision would be made "very soon".

"We believe a national park of some sort is going to be announced," Mr Baltais said.

It was unclear whether the announcement would be part of today's State Budget or made later in the week.

Other green groups expected an announcement on World Environment Day on Sunday.

Mr Baltais said the announcement would be a positive step, as long as it did not give mining companies the ability to hand back land they had already mined in return for land that had yet to be touched.

"If the miners are just going hand over land that they have already mined and have done some rehabilitation, that will be a shade on the potential tourism and environmental values that you can get out of the land that really needs to be saved," he said.

"There is land that the miners want to mine which hasn't been touched before that is extremely valuable from a jobs perspective, economics and environment and that is the area that needs to be saved."

Mr Baltais said that critical land was part of Unimin's Enterprise Mine, at the southern end of North Stradbroke Island.

Mr Baltais said Tangalooma on Moreton Island - an island without sand mining - was an example of how regional tourism added economic value.

"This is where you can see one operator with the capability of employing over 250 people and generating over \$26 million a year," he said.

A South East Queensland Catchments Report published in April showed that even a five per cent slowing in regional tourism because of degraded environmental conditions in south-east Queensland could reduce nature-based tourism turnover by \$2 billion in the next 20 years.

27 May 2010

SIMO, PO Box 255, Point Lookout,
QLD, 4183 AustraliaRe: Ecological success of post-mining rehabilitation, with comment on North Stradbroke Is.

Dear

Please find below a statement of my professional opinion relating to the above issue. I base this opinion on around 35 years' experience as a university-based ecological scientist, 25 of these spent working in the field of biodiversity and conservation in Queensland, and the past ten years as a leader of commonwealth-funded research programs and projects in ecosystem restoration.

The field of ecosystem restoration is currently in its infancy, something like the state of medical practice in the eighteenth century – attempts are being made which vary in their success but whose outcomes have not been subject to the kind of scientific scrutiny that is needed in order to be even moderately confident of a successful outcome. Furthermore, even in the most promising of situations, there is an extremely high risk that restoration will fail to produce the hoped-for outcomes within the expected time frame (ie, within a decade or two). Over longer periods, we simply don't know as the work has not been done.

For example early revegetation of sand-mined areas in eastern Australia involved the widespread planting of Bitou Bush, which then became a significant weed species invading natural areas along much of the east coast. Thankfully, post-mining practices have improved during the past three decades (for example, they focus on establishing locally-native rather than introduced plant species), but they would still fall a long way short of being able to replace the ecosystems that were present before mining.

Restoring an ecosystem requires the reinstatement of the full complement of pre-impact biodiversity. This encompasses both species diversity (including species of plants, worms, insects, birds, mammals, etc.) and the ecological processes which enable these species to persist in the longer term while maintaining resilience to natural disturbances (such as fire, storms and climate variation). Such processes include dispersal, nutrient cycling, pollination, food-chain maintenance and many others.

A scientific review of past attempts at restoring biodiversity and ecosystems (Hilderbrand *et al.* 2005) concluded that there is a very high risk that restoration projects will fail to achieve their objectives. Common reasons for this include the following.

1. The "field of dreams" fallacy. For example, it is incorrect to assume that initial success in growing a limited number of plant species will eventually result in colonisation of the area by most of the other desired species (the plants, animals and microbes of the original ecosystem). Many species lack the movement and dispersal capabilities to move to these areas in sufficient numbers for restoration of their populations.

2. The "carbon copy" myth. For example, it is not possible to copy an original ecosystem in situations where the physical properties of an area have changed (e.g., where soil nutrients or hydrological processes have been altered, as is the case in sand mining).
3. The "fast forward" myth. For example, natural forest ecosystems take centuries to redevelop after large-scale disturbance, and there is no proof that restoration actions will be able to significantly accelerate this.

My own recent research into the use of replanted rainforest sites by birds, reptiles and insects has shown that, while ecological development looks encouraging in the first decade (with apparently around 50% recovery after 10 years), there is a substantial risk that many sites may never regain the other 50% of biodiversity, and at best it will require many further decades (e.g., see Catterall *et al.* 2008).

In the case of post-mining restoration of natural ecosystems to sand deposits of coastal south-east Queensland, the failure risk is far higher, due to the unusual soil nutrient requirements of many plant species and the relatively poor ecological understanding of the fauna and flora. If the restored ecosystem only partially resembles the original, there is a further risk that it may lack resilience to fire, storms and climate change.

In mainland regions, where large areas of land are currently degraded as a result of previous land uses, there are various useful attempts currently under way at restoration, and these are likely to produce a net ecological benefit in spite of their uncertainty of full success. However in areas which currently support important natural or near-natural vegetation, the most likely outcome from removing the vegetation and soil structure, and then attempting to restore them, is a large net loss of ecological value, because this restoration will fall short of the previous natural community.

With respect to North Stradbroke Island in particular, there is currently a spatial mix of substantial areas of intact native habitat with other areas that were previously sand-mined and partially restored. This mix retains the potential to sustain the island's biodiversity in the longer term: the large intact areas can provide a source of species to progressively recolonise the partly-restored areas. However, if the total area of intact vegetation is reduced, together with further mining of other areas, there is a considerably greater risk that the island's ecological values will be irreversibly degraded over time.

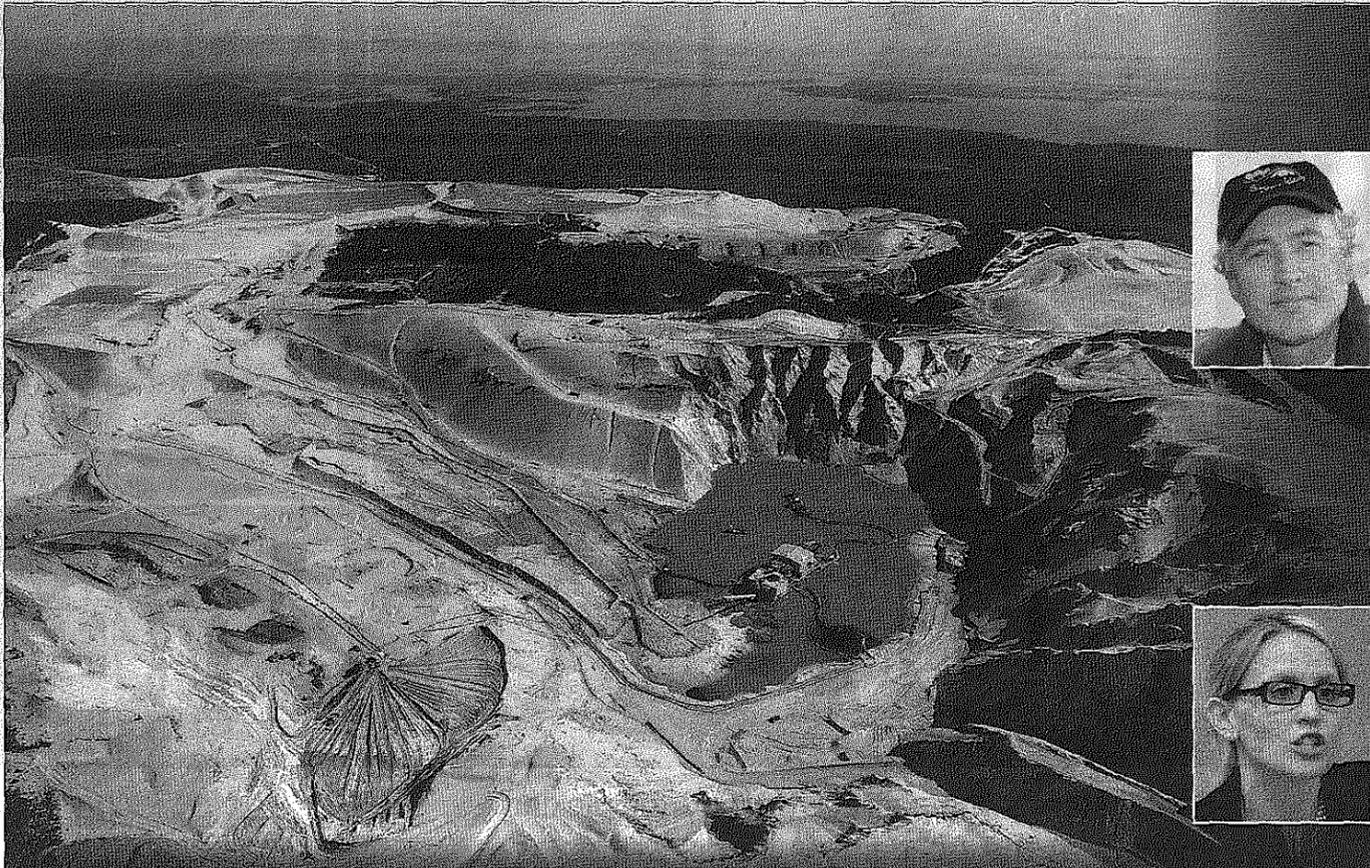
Yours Sincerely

Associate Professor (Ecology),
Griffith School of Environment and Environmental Futures Centre, Griffith University;
current President, Ecological Society of Australia.

References cited

- ¹Hilderbrand, R.H. *et al.* 2003. The myths of restoration ecology. *Ecology and Society* 10: 19. (online at <http://www.ecologyandsociety.org/vol10/iss1/art19/>).
- ²Catterall, C.P., *et al.* 2008. Biodiversity and new forests: interacting processes, prospects and pitfalls of rainforest restoration. Pp 510-525 in: Stork, N. and Turton, S. (eds.) *Living in a Dynamic Tropical Forest Landscape*. Wiley-Blackwell, Oxford.

Call to go harder on miner



'The company should be charged with indictable offences such as stealing and serious environmental harm'

- Simon Baltais,
Wildlife Preservation
Society of Queensland

Unimin had been charged with 'top-tier' offences deemed by department lawyers as having the best chances of a successful prosecution

- Environment Minister
Kate Jones

RAVAGED: Large parts of North Stradbroke Island resemble a barren moonscape as a result of massive sand mining operations.

Picture: Adam Head

Greg Stolz

GUARDIANS of North Stradbroke Island have called for American resources giant Unimin to be charged with large-scale theft after the huge extent of allegedly illegal sand-mining was revealed.

The State Government recently charged Unimin with illegal sand-mining on the island after a 12-month investigation during which the company's offices were raided and computer records seized.

Now, the Friends of Stradbroke Island are stepping up pressure to end decades of sand-mining on the eco-sensitive island and have it declared a national park.

It says Unimin should be hit with more serious charges after revelations tens of millions of dollars worth of sand may have been removed from Stradbroke illegally and sold off.

FOSI president Sue Ellen Carew said that, until now, the extent of the sand-mining was not publicly known. But the Depart-

ment of Environment and Resource Management had revealed that 50,000 to 100,000 tonnes a year had been allegedly removed.

"That means that up to 1.8 million tonnes of sand over that period may have been unlawfully removed from the island," Mrs Carew said. "At a street value of \$50 per tonne, a conservative average retail price, this means the extent of the alleged illegality is simply staggering - in the vicinity of \$80 million."

"Imagine if you or I took an excavator and tip truck to the nearest beach, loaded it up with sand and then sold it at the local landscaping centre on a Saturday morning. The authorities would shut us down in an instant."

Wildlife Preservation Society of Queensland spokesman Simon Baltais said the Bligh Government should take stronger action "to show that illegal removal and sale of sand that should be used for rehabilitation will not be tolerated".

"To do this, the company should be charged with

indictable offences - such as stealing and serious environmental harm - to reflect the severity of the alleged illegality," he said.

"That would allow the Government to recoup the millions of dollars in profits that the company made ... if it is convicted. The existing charges, being non-indictable, do not permit the state to use its confiscation of illegal proceeds legislation."

Environment Minister Kate Jones said Unimin had been hit with charges deemed by department lawyers as having the best chances of a successful prosecution.

She said the charges, which carry penalties of almost \$800,000, were "top-tier" offences. She said further charges were possible, depending on evidence presented in the court case, due to be heard in Cleveland Magistrates Court next month.

Ms Jones said that if it was proven Unimin had acted illegally, the Government could pursue it for compensation.