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Mr Ian Rickuss MP  
The Chairperson  
Agriculture, Resources and Environment Committee  
Parliament House  
George St  
Brisbane 4000

**Submission regarding the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013**

Dear Mr Rickuss

We have lived in Queensland all of our lives, have been visiting North Stradbroke Island for 35 years and now have an investment property at Point Lookout with which we conduct a tourism business. During this time we have developed a deep appreciation for North Stradbroke Island's history, people and ecology. The wild plants and animal communities of this dune island - the second largest sand island in the world - rely on intricate interactions of geological, freshwater hydrological and ecological processes which are being damaged by extensive sandmining.

The Enterprise Mine in the centre of the island which the *North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013* allows to continue until 2035 is the largest, deepest and most destructive mine to have ever existed on the island. It has been estimated that another 14 square kilometres of island habitat will be utterly destroyed if this mine is allowed to continue until 2035. A range of important plant communities are in the mine's path including significant areas of the special stunted ancient wallum heathlands filled with wildflowers that have been mostly cleared in south east Queensland and significant stands of old growth woodlands. For this reason the Bill should not proceed.

The mine is destroying the habitat of the island's unique Koala population listed as vulnerable to extinction in South East Queensland by the Queensland Nature Conservation Act 1992 and the federal Environment Protection and Biodiversity Conservation Act 1999. Evidence that koalas used this habitat was found by researchers on the mining lease when the original environmental studies were undertaken – no other public studies have been undertaken by independent researchers using all the latest techniques to locate koalas such as trained dogs on the actual mining leases in the past ten years (so do not be misled by mining company staff claims that there are no koalas on the leases). Another key endangered species the Glossy Black Cockatoo is known to use this habitat – these birds will only nest in very large tree hollows which take more than 200 years to develop. The significant stands of old growth forest being destroyed by the mine will take hundreds of years to recover, if they ever do, as all studies on the island's rehabilitation show that the new vegetation and animal communities are just a pale imitation of what existed there before the mining. The loss of habitat will have significant impacts on island wildlife including the Glossy Black Cockatoos. In addition, the Bill removes the requirement for ongoing environmental studies of the largely old growth forest in the proposed extended mine path and for this reason the Bill should also not proceed.

The Enterprise mine leases abut significant freshwater wetlands including Eighteen Mile Swamp to the east and Ibis Lagoon to the west. These wetlands are the habitat of rare fish such as the Oxleyan Pygmy Perch listed as Endangered by the federal EPBC and as vulnerable to extinction by the Queensland's Nature Conservation (Wildlife) Regulation 1994. Other rare and endangered species such as the special acid water frogs, the Wallum Froglet, Wallum Sedgefrog and Wallum Rocketfrog all listed as vulnerable under

Queensland's Nature Conservation (Wildlife) Regulation 1994 and the Cooloola Sedgefrog listed as near threatened live in these wetlands. The wetlands therefore require special protection and sustainable management and are listed under the Ramsar Convention (Convention on Wetlands of International Importance especially as Waterfowl Habitat) as they are the habitat of migratory bird species many of which are subject to other international protective agreements with countries such as Japan, China and Korea. The Ramsar Convention aims to halt the worldwide loss of wetlands and to conserve, through wise use and management, those that remain. Allowing a huge mine next to Ramsar listed wetlands- especially as there is a history on the island of sand mining damaging wetlands and other off lease areas - can hardly be considered 'wise'. There is current scientific evidence of mining at Enterprise having a significant impact on several adjacent wetlands. There is also significant concern about the long-term impact on the island's aquifer related to the huge volumes of water extracted from the aquifer during the mining process – to allow this to continue for another 22 years is foolhardy. In addition, the Federal Environment Department is currently investigating Sibelco's decade long non-compliance with the Environmental Protection and Biodiversity Conservation Act. The Bill should not proceed for all of these reasons.

In addition, Sibelco and previous sand mining companies have demonstrated over the years that they cannot be relied upon to meet the conditions of their approved Plan of Operations for their mines or to even comply with Queensland law. For example there is clear evidence that Sibelco has not undertaken any action to control Class 2 pests (foxes and feral cats) on its leases, in contravention of its responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002 and as outlined in the company's Plan of Operations (2010) for its mines and mining leases on the island. Section 7.2 of the Plan titled 'Animal Pest Management'– states its aims as being to eradicate or reduce the numbers of foxes and wild cats and lists detailed strategies- even including 'employing contractors for fumigating, baiting, trapping and shooting foxes'. However Sibelco has not undertaken any feral animal control on its leases since 2004 as acknowledged by Sibelco employees in public documents –

In an article co-authored by two Sibelco employees (Romane Cristescu, Fauna Officer and Paul Smith, Sustainability Manager – Development) who wrote, along with other authors, a paper on NSI koalas published in the 2011 Proceedings of the Royal Society of Queensland, Volume 117 ,page 326. The authors state:

*Feral and unrestrained dogs, as well as foxes, are now widespread on the island and increasing in numbers (Cristescu, 2011). Feral predator control seems to be critically needed on NSI, and control measures need to be applied to the whole island to be fully effective. Some feral predator control actions have been undertaken by CRL (now Sibelco) between 2002 and 2004 (Smith, P., personal communication) and by the RCC in 2009.*

An article in *The Sand Times*, July 2013, p 5 a newsletter published by Sibelco Australia reports that fox numbers on NSI 'have been increasing dramatically in recent times' and reproduces a photograph of a fox take by infra-red cameras at its Gordon Mine rehabilitation site. The article also opines that the island's population of Northern Brown bandicoots has declined rapidly in recent years and concludes that the probable cause is fox predation. There is no mention in this report that Sibelco is taking any action to stop the proliferation of these destructive pests on its leases.

<http://sustainablestradbroke.com.au/Documents/ROW%20840%20SandTimes%20July%202013v1%20WEB.pdf>

Since 2009, the Redland City Council feral pest control program, conducted on the small amount of island land for which it is responsible, has led to the trapping and destruction of 126 foxes and 10 feral cats. Given these numbers it is estimated that the island fox population numbers 1000+ animals. Evidence from across Australia shows that fox and feral cat predation is a major threat to the survival of native Australian fauna. The threat of local extinctions of terrestrial animal populations is much greater on islands as there is nowhere for the animals to escape to and new populations are unable to move onto the island. Small terrestrial animals, weighing between 35 and 5500 grams are at the greatest risk from predation by foxes. On NSI these animals include the Northern Brown Bandicoot, featured in the Sibelco article and which are rarely seen now, the young of the Island's rare Agile Wallabies and the rare and endangered Water Mouse

and the Common Planigale (marsupial mouse). Foxes also regularly attack the beach nests of the endangered Loggerhead Turtles on NSI and kill the newly hatched turtles. The Australian Government lists fox and feral cat predation as a key threatening process under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999. Through its lack of action to control feral pests on its leases for the past 9 years Sibelco (and previous mining companies which it bought out) has proven that it cares more for profit than it does with complying with law, its mining conditions or for the island's wildlife. For this reason the Bill which enables more mining by this disreputable company should not be allowed to continue.

As an operator of a small tourist accommodation business I believe that North Stradbroke Island is more valuable to Queenslanders as a natural resource for tourism and recreation than destroyed for profits exported overseas to the private owners of a Belgian mining company. Sibelco has been given preferential treatment by the government by way of a series of secret meetings with the Mines minister over the past 12 months and by the introduction of a special law that bypasses the Mineral Resources Act. It is also inappropriate that favours are being granted to a company currently facing criminal charges in the Queensland Magistrates Court. Sibelco faces court on these charges on 30 October 2013, ironically the same day that public hearings into this Bill are being held! The North Stradbroke Island Bill also fails to restore the rights of Queenslanders to object to a mining extension and challenge a renewal in court. That right is available to them under the Mineral Resources Act which applies everywhere else in Queensland. For these reasons the Bill should be shelved.

A large part of North Stradbroke Island has already been impacted by mining which has been occurring on this small island since 1949. The current plan to end mining at the Enterprise Mine in 2019 should be adhered to (or even brought forward). Long term sustainable jobs associated with nature tourism are likely to be sacrificed if damage to Stradbroke's environment continues for the sake of short term jobs in mining. Stradbroke's future lies with sustainable tourism and residential development, the development of education based businesses and in the support of small island businesses using the latest technologies. Continuing mining only gets in the way of the new island economy developing and is very bad for the 'green, clean and relaxed' image that attracts tourists and new investment to the Island.

For all of the reasons outlined above we call on the government to withdraw the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013.

Finally we would like to voice our concern that this legislation is being rushed through without time for proper consultation with all stakeholders. The consequences of this Bill will have extremely significant, detrimental and long term effects on all aspects of the Island's environment, society and economy. There is no emergency that requires this legislation to be forced through without proper consultation with Queensland's citizens.

Yours sincerely

*Dr David Storor and Ms Mary Barram*