

The Research Director
State Development, Infrastructure
and Industry Committee
Parliament House
George Street
BRISBANE QLD 4000

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3 August 2012

Dear Research Director,

I am writing to provide input into the inquiry into Queensland land tenure.

I am a pastoral lease landholder from north-west of Alpha. The entirety of our 8000 ha property, Glen Innes Station, is covered by the Bimblebox Nature Refuge (BNR). Despite being protected under a 'perpetual' conservation covenant signed with the State government, our property is now threatened by Clive Palmer's proposed China First coal mine. It is simply unacceptable that areas of recognised high conservation value in Queensland are not safe from mining. This state of affairs is badly out of line with public expectations.

I have personally been working more than full time over the last three years trying to protect our nature refuge. I receive no monetary remuneration for this work. A few friends have also put their time voluntarily into helping me with this campaign. We have invested our time and energy in this work because we strongly believe that digging up biodiversity for coal is ethically untenable.

We hope that your land tenure review will result in a positive outcome for protecting areas of biodiversity from the expanding mining industry across the state.

Support for no Mining on Nature Refuges

I am far from being alone in my work to protect nature refuges from mining. Many nature refuge owners are concerned by the current pro-mining position of the Queensland Government and the implications this has for the state's protected areas. I was able to contact some of the landholders of Queensland's 411 declared nature refuges and many of these signed an open letter to the previous Premier (Appendix 1). If nature refuges are the cornerstone of the Government's protected area strategy, then there must be a blanket ban on mineral licenses, exploration permits and mining operations on nature refuges.

Our concerns also clearly have support from the broader public. Between September 26th and December 19th 2011, the public was invited to send in comments to the Queensland Coordinator-General in response to the Environmental Impact Statement for the proposed Galilee Coal Project (otherwise known as China First). The EIS document was several thousand pages long. Nevertheless, there was an enormous public response, with over 1800 submission received by the relevant Queensland department, most of these in support of the preservation of Bimblebox Nature Refuge from mining.

Background to Bimblebox Nature Refuge

The 7,912 hectare 'Glen Innes' property was up for sale in 2000, in an era when there was rampant land-clearing in the region, prior to the introduction of the Vegetation management Act . The property consisted largely of uncleared remnant woodland (7,632 hectares, amounting to over 96% of the total land area), considered to be in excellent condition with high biodiversity values, including sites within the property that contained 'the greatest understorey floristic biodiversity for these vegetation types within the region' (Bimblebox Private Protected Area Establishment Agreement, p.20).

A clearing permit was attached to the title of the land, which drew the attention of a group of concerned families – including my own. We decided to pool our finances to purchase the property to effectively save it from being cleared. The Federal National Reserve System programme contributed around \$314,600 towards the purchase which it recognised was being acquired 'for the purpose of establishing a private protected area to protect the significant values of the site' (Bimblebox Private Protected Area Establishment Agreement, p.20).

According to the Agreement signed with the Federal Government, the land would be 'managed in accordance with the intent of the IUCN Category IV Habitat/Species Management Area' (Bimblebox Private Protected Area Establishment Agreement, p.20). It was a condition of the provision of federal funding that a conservation covenant also be signed with the State Government, and so in 2003 the Bimblebox Nature Refuge Agreement (IUCN category VI) was signed between the landholders and the Queensland Government. This agreement states that it 'will ensure that management and use of the Land sustains [the] flora and fauna values in perpetuity' (Bimblebox Nature Agreement, p.12). The tenor and unambiguous intention of the Bimblebox Nature Refuge Agreement is represented in the following points listed in Item 5 (Clause 4.6):

The Landholder shall not undertake, consent to or approve...:

- a) the interference with, or destruction or removal of, any native plants including trees, shrubs and grasses;
- b) the planting of any trees, shrubs, grasses or any other plants other than local indigenous native flora preferably derived from local seed stock;
- c) any act or omission which may adversely affect any indigenous flora or fauna or their related habitats;
- d) any deterioration in the natural state or in the flow, supply, quantity or quality of any body of water;

As you can see, the effect of open-cut and underground mining on Bimblebox would clearly be inconsistent with these important management objectives. If Bimblebox Nature Refuge survives the current mining threat, it is likely to continue to serve as invaluable intact habitat for numerous species, provide a crucial working example of sustainable rangeland management, and function as a site for cutting-edge land management research for many years into the future.

Legislation Not Rhetoric

Previous environment ministers are on record as strongly supporting the nature refuge network. Their recognition, encouragement and praise were published in the EPA newsletters *Nature Call* and *The Nature Refuge News*. At the same time, there remains a stark gap between the ministerial rhetoric about the need for and value of nature refuges, and any action on legislation to ensure their continued existence. While nature refuges are increasingly threatened by mining interests, the State Government remains idle and passive. The rhetoric about the importance of these refuges to maintenance of the State's biodiversity is becoming increasingly hollow.

There is an obvious double standard in allocating areas for conservation on one hand and taking them away for mining or other large scale infrastructure/development with the other. Either Queensland's ever diminishing biodiversity is a critical concern or it is not. Now that mining exploration permits cover over 80% of Queensland, there is a clear need to act to ensure that nature refuges are not repeatedly imperilled or destroyed by mining. The best interests of Queenslanders cannot mean money first and a healthy environment last. Otherwise we will continue the short-term, self-interested approach, causing the loss of so much of our native ecology.

Mining in nature refuges contradicts the Queensland Government's obligations to safeguard protected areas under the UN's Convention on Biological Diversity, where it states that actions which adversely affect the biodiversity of a protected area (i.e. part of the National Reserve System) must be avoided. Currently a third of Queensland nature refuges are subject to mineral exploration permits. With the smallest percentage of protected areas of any other Australian state or Territory, it is shamefully inadequate for the environmental values on our properties only to be 'addressed on a case by case basis' when confronted by mineral interests.

In August 2009, the Bimblebox Team sent a letter to the Secretariat of the Convention on Biological Diversity. We pointed out that Australian legislation fails to adequately protect biodiversity in IUCN category VI (nature refuges) protected areas that make up the National Reserve System (NRS) from mining activities and that this issue throws into question Australia's and Queensland's commitment to meeting its obligations under the Convention on Biological Diversity. On ratifying the Convention on Biological Diversity in 1993, the Australian government promised to establish a National Strategy for the Conservation of Australia's Biodiversity, and a network of protected areas to make up the NRS. The NRS is primarily composed of government owned land, but there is an increasing trend to include more private land. With 70% of Australia's land area held under private freehold, leasehold or indigenous titles, engaging such landholders is a vital component of the response to the continuing decline of Australia's biodiversity. Considering the stringent guidelines for inclusion and

management of land within the NRS, it is a blatant anomaly for all mining activities not to be excluded from nature refuges.

There is a stark contradiction in government policy that encourages landholders to collaborate with its agencies to learn how to protect remnant vegetation and then being forced to hand-over our land to an environmentally polluting and destructive mining industry. I am pleased to help your review identify that the key emerging long-term management issue for nature refuge landholders is secure land tenure when faced with mineral leases or exploration permits. With regard to levels of satisfaction, many nature refuge landholders are completely dismayed and frustrated with the Queensland Governments support of mining and infrastructure development, regardless of biodiversity values and nature refuge agreements.

Climate Change

Some nature refuges serve as research stations for government agencies (e.g. CSIRO, DPI&F, DERM, Queensland Herbarium), for conservation groups (e.g. Birds Australia) and for individuals who monitor flora and fauna. Many of the results from such research help to advance understanding the local biodiversity. Formal ongoing and systematic seasonal bio-monitoring programs are needed on a regular basis, to provide valuable long term data. This may be vital to understand and plan for climate change and its impacts.

Why Should Nature Refuges Be Protected?

Thanks to private conservation agreements, many of Australia's diverse ecosystems are protected. The first of many nature refuges was established in 1994. It was another 10 years until we finally saw an end to broad-scale clearing of remnant vegetation in 2004 in Queensland. During that decade agricultural, pastoral and mining industries cleared thousands of hectares of Queensland native vegetation. Nature refuges have become instrumental in holding the genetic blueprint for many decimated ecosystems and species.

The nature refuge program gives individuals with passion and concern, a formal recognition of the value of conservation on their own land. Landholders are encouraged and assisted to dedicate their lives to the hard work of protecting our natural assets. The government and community retains the economic benefits of sustainable productivity (through personal income tax and land rates) and apart some initial public expenditure, the labour and many other on-going associated costs, are contributed free of charge from us, the managers of a de-facto public resource.

Queenslanders accept that we as owners have a significant and inter-generational duty of care for the environment. Tragically, several properties with nature refuges, already have active mining occurring on them, while others are under pressure as the result of housing and infrastructure expansion, or are suffering impacts from nearby incompatible activities.

Given that current projections would see a rapid expansion of coal mining and coal seam-gas extraction over the coming years, this inevitable conflict between coal and conservation looks set to increase. Clearing and development from mining and state infrastructure projects can dramatically damage, and in some cases obliterate, significant conservation areas. Those of us familiar with land clearing know full well that habitat removal is an end game. From first hand observation, when a habitat is destroyed, so too are the lives of those within it.

Does the Queensland Governments have any estimation of the total area of remnant and significant regrowth that is likely to be threatened by the expanding coal industry in the Galilee, Surat and Bowen basins?

Mechanisms must be in place to manage the cumulative impacts of exploration and mining on remnant and other significant vegetation across the state. We must be willing to forsake immediate revenues for something that truly gives us life long wealth and security.

I strongly urge the Queensland government to engage in wise, comprehensive and long-term, systematic regional planning, including appropriate decisions regarding land tenure, with the view to establishing and supporting sustainable industries that will not further destroy Queensland's already degraded environments.

Yours sincerely,

Paola Cassoni

APPENDIX 1

Open Letter to the Queensland Premier, The Hon. Anna Bligh

Dear Premier Bligh,

We, the undersigned, are Queensland Nature Refuge landholders. We entered conservation agreements (category VI IUCN classification) with the Queensland state government for the purpose of securing high conservation value biodiversity on our properties and contributing to the national network of protected areas. With only a small proportion of Queensland land area held in conservation reserves, we believe that it is necessary to protect water catchments, carbon stores, and what remains of the state's biodiversity on private lands. We are deeply dismayed that there is very little we can do to protect our Nature Refuges when faced with mineral exploration and exploitation.

We consider it a serious contradictory flaw in state legislation that areas deemed worthy of perpetual conservation agreements between government and landholders, can be quashed by short-term mining ventures. As landholders we are encouraged to commit to securing the high conservation values on our properties, but there is no in-kind commitment from your government to ensure its perpetual protection. Currently there are around 100 Queensland Nature Refuges subject to mineral exploration permits. It is shamefully inadequate for the environmental values on our properties only to be '*addressed on a case by case basis*' when confronted by mineral interests.

With the smallest percentage of protected areas of any other Australian state or Territory, we urge your government to take seriously the task of maintaining and enhancing Nature Refuges in Queensland. It is unacceptable that destructive mining developments can have right of way over these special places. Many of us have invested considerable time, energy and resources in preserving these areas and we do not want to see them destroyed.

Please take this issue seriously.

Yours sincerely,

Avocet Nature Refuge

Black Snake Nature Refuge

Moonview Nature Refuge

GAIA Nature Refuge

Mount Monty Rainforest Nature Refuge

Thompson Bush Nature Refuge

Long Grass Creek Nature Refuge

Geo Glen Nature Refuge

Caroline Green Carawatha Nature Refuge

Gatton View Nature Refuge

Dragonweyr Nature Refuge

Buggomoss Nature Refuge

Leifway Nature Refuge

Markwells Road Nature Refuge

Mt Proserpine Nature Refuge

Bulurru Nature Refuge

Wong'ai Nature Refuge

Manduka Cooperative Nature Refuge

Egerton Nature Refuge
Gerygone Gully Nature Refuge
Toomba Nature Refuge
Claroy Nature Refuge
Topaz Nature Refuge
Resolute Nature Refuge
Mt Pleasant Nature Refuge
Danggajce Nature Refuge
Myall Park Nature Refuge
Echidna Nature Refuge
Bimblebox Nature Refuge
Padaminka Nature Refuge
Barne's Pikle Nature Refuge
Horse Shoe Bay Nature Refuge
Dirran Creek Nature Refuge
Bloodwood Creek Nature Refuge
Red Cap Hill Nature Refuge
Creek Retreat Nature Refuge
Ballantyne Nature Refuge
Thelogale Nature Refuge
Cooper Creek Wilderness Nature Refuge
Waluma Nature Refuge
Yabullum Nature Refuge