



Speech by

**WARREN PITT**

**MEMBER FOR MULGRAVE**

---

Hansard 30 April 2003

#### **LAND LEGISLATION AMENDMENT BILL**

**Mr PITT** (Mulgrave—ALP) (4.00 p.m.): I rise to support the Land Legislation Amendment Bill. In particular, I want to direct my comments to the fourth part of the bill—that is, that part which pertains to the cancellation of mining lease Nos 5940 and 5941 situated at Shelburne Bay in Cape York Peninsula. This amendment to the Mineral Resources Act 1989 will effect the cancellation of these leases and afford long-term certainty to the protection of Shelburne Bay for the benefit of all Queenslanders now and in the future. The Beattie government has taken the opportunity to remove even the remotest threat of sandmining from this area by not renewing these mining leases and declaring Shelburne Bay a no-mining area. The cancellation of the leases will allow the government to move towards total protection of the area.

The dune fields, lakes and forests of the Shelburne region have been recommended for protection since 1975 and it is the longest-standing national park proposal on Cape York. Shelburne Bay in particular is a place of stunning environmental and cultural value with one of the most extensive and least disturbed areas of dune fields in the world. It has long been acknowledged as an area of exceptional significance. The area's nature conservation significance has been recognised for more than a quarter of a century and has been well documented in a large number of government and non-government reports. Every one of these reports clearly outlines the importance of Shelburne and why it should be protected.

The threat of mining to the area became evident in the 1980s when it emerged that the dune fields of Shelburne Bay were being targeted by the silica sandmining industry. The mining of mining leases 5940 and 5941, the last remaining mining leases in the area, would have involved removing and destroying two major dune systems together with the construction of a major port facility from the eastern end of Shelburne Bay via Rodney Island to the deep water offshore. Public concern at the prospect of sandmining over parts of Shelburne Bay was a key factor in the implementation of the joint state and Commonwealth Cape York Land Use Study. This study, undertaken between 1989 and 1998, was to ensure that appropriate land use decisions on Cape York would be made following wide public consultation and an assessment of competing land uses and values.

Stage 2 of the report in 1998 identified the area that includes Shelburne as 'an initial priority area for government support for protection of natural values'. We must all remember the fact that landscapes of this type are fast disappearing world wide. It is our responsibility that Queensland does not allow this one to disappear and that we take our stewardship of all of Queensland's precious natural resources seriously. There is an urgent need to ensure that this particular region is protected from the threat of sandmining now and in the future. Despite being granted in 1975, these mining leases have never been mined. Because they are situated within 100 metres of the category A environmentally sensitive area of the Great Barrier Reef, it is highly unlikely that mining would ever be allowed to happen in this area. Certainly no responsible government would allow it.

Calls from the community opposing sandmining operations at Shelburne Bay have been staunch and particularly vocal about the fact that any mining of the area would ultimately destroy the extraordinary natural beauty and cultural significance of the region. Sandy beaches and coastal dunes are a distinguishing feature of many parts of the east coast of Australia, but extensive dune fields like the type seen at Shelburne Bay have reached their pinnacle in Queensland. The fine, white, 99 per cent pure silica sands of the east coast of Cape York Peninsula have long been a strong attraction for sandminers. The cancellation of the mining leases by this legislation will undoubtedly cause some

concern to the mining industry. However, I believe that the overwhelming conservation values of the area make the cancellation more than justifiable. It makes cancelling the leases the only responsible thing to do.

It is important to note that a well-established sandmining operation already exists on the small part of the Cape Bedford-Cape Flattery dune field north of Cooktown. To widen these operations to include Shelburne Bay would simply not be in the best interests of the state. The benefits gained in such operations would be far outweighed by the cost of losing this significant area. This legislative step is not a precedent. The action taken by this government is unique to these particular circumstances, which are themselves unique. The way the Mineral Resources Act is currently drafted imposes a requirement on the minister to recommend to the Governor in Council that a mining lease be renewed if he or she is satisfied that the prescribed requirements have been complied with. In the current circumstances, it would be nonsensical for the minister to make such a recommendation in light of the fact that the purpose for which the tenure is granted will never be fulfilled.

Successive state governments have for many years attempted to resolve this issue without success. The Beattie government is making a stand now. The majority of the community will support this government's bold decision to take the initiative to protect the area for the future by cancelling the leases. I know that this move has already received strong support from various environmental and conservation groups who see it as a sensible solution to a difficult issue. I believe that every member in the chamber would support the need to protect this unique area from the threat of sandmining and I therefore commend the bill to the House.