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9 April 2014

## **Inquiry into Environmental Offsets**

### **INTRODUCTION**

“Fly over this land and you’ll see these conservation areas standing out like sapphires tossed on flattened brown paper. They sparkle with life these diminutive nurseries. These stark reminders of what was once Australia and now stand as microcosms of the future, blueprints for the big repair job once the madness ceases and the restoration begins; for science confirms what we’ve known in our bones and nature has been shouting all along – we can’t go on like this.” Ian Hoch, Bimblebox Nature Refuge

“The department has recommended that the Project be approved for 60 years to allow sufficient time for: operation, decommissioning and rehabilitation; an environmental gain to be achieved through offset. [2].” Recommendation Report. G Hunt

“In their eager support for the mining industry, Federal and State ministers use the catch phrase ‘we need to strike a balance’ between development and environment and play the make-believe game of ‘offsets’. The ecological balance has been in the red for many decades and the aptly named offsets do just that: conveniently setting the need for redress off to another time and place. Remnant vegetation is so called for good reason: it is all that remains. So when protected areas are destroyed, they’re gone, it’s a net loss. Slick cartography and fancy language do no more than offset our guilt for cheating on biodiversity [10].” P. Cassoni, Bimblebox Nature Refuge

Many factors relate to offsets becoming justification for destruction, the principal one for me is the Federal approval of the open cut and underground coal mines that will destroy the Bimblebox Nature Refuge (BNR). Allow me to tell the tale of two faces.

### **QUEENSLAND GOVERNMENT**

My name is Fiorella Paola Cassoni, shareholder in Populnea Pty Ltd, the owner of Glen Innes Station, north-west of Alpha, also known as the BNR. Along with a group of conservationists, I was involved in founding the BNR in the Desert Uplands bioregion in the year 2000.

During the 90s, Central Queensland had the highest clearing rates in the world. The decision to purchase land for conservation purposes near our family property came after we witnessed the clear felling of thousands of hectares all around us by our very own industry: grazing. Convincing the rural inland sector in my district 15 years ago to make a leap to think sustainably and ecologically and subscribe to a conservation covenant with the State was a hard call for the EPA (Environment Protection Agency). They worked hard on the fear of conservative community backlash and as a result some landowners came on board when it was suggested to protect, rather than clear, their

paddocks and joined the Nature Refuge program 'on the quiet'. The EPA motto was then 'short term paddock productivity must be sacrificed for biodiversity's sake'.

The 7,912 hectare block of land we purchased, known as 'Glen Innes' station, consisted of uncleared remnant woodland (over 96% of the total land area) considered to be in excellent condition with high biodiversity values [att.1] and including, "the greatest understorey floristic biodiversity for these vegetation types within the region [att.2, p.20]." For the first seven years, the owners focused on improving and enhancing Bimblebox biodiversity values (or, to put it plainly, weeding for endless hours to remove exotic species).

Our battle with mining started in 2006, when the Exploration Permit for EPC 1040 was granted by the Queensland Government over BNR without any previous consultation or, at the very least, a word of warning to the owners. To this day we have not received, from either level of Government (Minister Garrett being the only exception [att.3]), recognition of our conservation work... let alone any appreciation.

Since 2007, we have been hijacked by a mining company abetted by a lack of legislative protection and with the very public support of a series of governments. Our minds and bodies have become captive to the need to work against overwhelming forces. The conservation work has continued even with such a dark cloud hanging over us. The Department of Environment and Heritage Protection (DEHP) has no policy to protect Nature Refuges from mining although it can assess, grant or refuse an exploration permit application on a case-by-case basis. In August last year when the State approved the Galilee Coal Project, we knew we had been abandoned in all our efforts to protect the biodiversity of BNR.

I have dual (Australian and Italian) citizenship and, for the last 30 years, have been engaged in the protection and conservation of the environment in Central-Western Queensland, Australia. I receive no monetary remuneration for this work. As a part-owner of Populnea Pty Ltd, I have a vested interest in and a strong personal commitment to the operation of BNR. The current well-being and future security of the BNR and other private conservation areas has become an all-consuming passion for me.

A few friends have also put their time into helping with this campaign and public support for 'No Mining on Nature Refuges' is strong. In numerous conversations with my peers, both locally and further afield, it is inferred the word 'protection' must have a different meaning for the layperson than for governments and the decision to mine a nature refuge is badly out of line with public expectations.

Much time and energy has been invested because we intensely believe that digging up intact bushland for thermal coal is ethically untenable. We are told one of the driving reasons our coal is sold to Asian countries is to overcome poverty. We maintain that inequality drives poverty, not the lack of cheap dirty energy.

Today many more Queensland landowners accept they have an inter-generational duty of care for the environment. Although the government and community retain the economic benefits of sustainable productivity through income tax and land rates, apart from 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. Our profit loss (if we were to clear and heavily graze) has not been factored into any cost benefit analyses when approval for mining is considered. The State Government has totally disregarded our contribution to society showing a complete lack of respect and understanding. I also believe most people would expect taxpayers' money, which has been used to fund conservation, should not be redirected to profit coal.

I have attempted several times to connect to other nature refuge landholders but our contact details are the property of the Queensland Government. Eventually I was able to contact forty landholders and not one approved of mining on nature refuges. We voiced our concerns in a signed letter to the State Government in 2010 [att.4]. Many nature refuge owners are completely dismayed and frustrated with the Government's support of mining and infrastructure development regardless of biodiversity values and Nature Refuge Agreements (NRA). The NRA we signed in 2000, to protect BNR, places a significant onus on me and my family. It conveys a mandate from the Commonwealth and Queensland Governments and its terms place a legal and moral obligation on me which I intend to fulfil.

Some nature refuges, including BNR, serve as research stations for government agencies (e.g. CSIRO, DPI&F, DEHP, 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 of the local biodiversity. Formal, ongoing and systematic seasonal bio-monitoring programs are needed on a regular basis to provide valuable long term data which may prove vital to understanding and planning for the impacts of climate change.

Tragically, several properties with nature refuges already have active mines on them while others are under pressure from nearby incompatible activities. Private conservation property owners are concerned by the current pro-mining position of the State and Federal Governments' as clearly their message is now 'short term mining productivity cannot be sacrificed for biodiversity's sake and offsets are the scapegoat we can use'.

BNR is a large, healthy reserve and the Galilee Coal Project will terminate its rich biodiversity. This was clearly recognized in the 2011 Department of Environment and Resource Management (DERM) report in response to the proponent's EIS: "For the animal populations on the refuge the impacts will be unavoidable: most individuals will face either immediate mortality during clearing or predation/starvation as they are displaced [att.5]." Those of us familiar with land clearing (stage one of any radical development) know habitat removal is an end game. When a habitat is destroyed so are the lives of those within it.

This is an extract from the Coordinator General Mr Broe's assessment report on the approval of the Galilee Coal Project:

"On the question of on-going security provided by nature refuge conservation tenure, I note that the Queensland Parliament has legislated, through the NC Act, a range of conservation tenures that provide a range of protections depending on the ecological values being protected. The fact that nature refuge tenure does not exclude current or future mining activity, unlike a national park or conservation area tenure (unless special circumstances apply), gives the government the ability to consider future

development on these tenures on a case-by-case basis. The gazettal of the BNR in 2003 was made in full knowledge of the coal resource underneath and in recognition that future exploration and mining was not precluded by the gazettal. I note also that Queensland has 412 nature refuges covering 2.9 million ha and that various mining or petroleum tenure exist on only 13 of these. I do not accept that mining of the BNR would necessarily initiate a 'domino effect' of mining on nature refuges. Future decisions on disturbance of nature refuges should continue to be considered on a case-by-case basis in the broader interest of the people of Queensland [2]."

## MY COMMENT

Mr Broe did not grant BNR an exemption even with its high environmental values [att.1], its inclusion in the protected estate of the National Reserve System (NRS) and its regional and State importance [att.5]. Legislation says nature refuges *can* be mined, not they *must* be mined. What case would make Mr Broe tick the exemption box? Would the merits be measured in tons of coal rather than in biodiversity values? With Queensland having the smallest percentage of protected areas of any other State or Territory, it is shamefully inadequate for nature refuges to play second fiddle when confronted by mineral interests and be "addressed on a case-by-case basis". Before being elected, Premier Newman stated, "coal mining will not be allowed in areas of high conservation value [11]". It is entirely reasonable to expect a pre-election promise to the Queensland public is kept. What other public was Mr Broe referring to in his above assertion, "broader interest of the people of Queensland"?

"The gazettal of the BNR in 2003 was made in full knowledge of the coal resource underneath," is a warning that, in QLD, no conservation areas are safe from coal mining. As there are mining exploration permits over 80% of Queensland, there is a clear need to act to ensure 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. Offsets cannot prevent the loss.

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 or development, with the other. Either Queensland's ever diminishing biodiversity is a critical concern or it is not. Mr Broe shows his ignorance on the subject by implying, because nature refuges cover 2.9 million acres, there is more than enough acres in conservation reserves. As NRAs are voluntary, only some bioregions are well represented. The Desert Uplands, a biodiversity hotspot and where BNR is located, has one of the lowest representation of declared conservation areas in the State.

Our research shows that both Mr Broe's and Minister Powell's [att.6] calculation of the number of nature refuges with 'various mining or petroleum tenures' greatly differs from ours. We found one third (110) of Queensland's nature refuges are subject to exploration permits, mining leases, or mining development leases, just for coal. Not 13, or 24, as stated by Mr Broe and Minister Powell. The mantra during the past eight years when I rang the various Departments for mines and environment was 'not to worry; it is exploration only; the company needs data to know the location

of an inferred coal resource' and BNR was to sustain 126 exploration holes! It took a long time dealing with DERM in requesting the change in the Waratah Coal Environmental Authority to allow fewer exploration holes [att.7].

I believe the Ministers for the Environment who conned private citizens to "contribute to biodiversity" by signing NRAs did not consider the significant damage heavy drilling equipment zigzagging in and out could do to a nature refuge, otherwise how can one explain Desley Boyle MP's, and others, praising of landholders without adding words of caution [att.8]?:

"We cannot protect all of Queensland's special and important landscapes within national parks; the contribution of landholders to safeguarding our environmental heritage is a huge and much appreciated commitment. I encourage all landholders throughout Queensland to protect their land for the future. It is important we manage the impacts of our growing population to protect our unique natural and cultural values [att.8]." Desley Boyle MP, *(extract) Nature Refuge News, April, 2006.*

"It is vital that we protect Queensland's diverse environments and the plants and animals they support. EPA recognises that private land managers are already major contributors to the preservation of Queensland's significant natural and cultural values while managing the lands natural resources for sustainable and profitable return. I encourage more landholders to consider making a lasting commitment to conservation in Queensland by considering committing part or all of their property to a nature refuge [att.8]." Desley Boyle MP, *(extract) Nature Calls, June, 2005.*

There is a stark contradiction in government policy which, at first, encourages landholders to collaborate with its agencies to learn how to protect remnant vegetation but then forces them to hand over to an environmentally polluting and destructive mining industry. The Queensland Government needs to correct the inconsistency. I would also urge this senate inquiry to clarify whether the Queensland Government has any obligations to safeguard protected areas under the United Nations' Convention on Biological Diversity (UNCBD).

The uncertainty and anxiety of the prospect of nature refuges be resumed for mining will discourage investment in further management for the biodiversity protection as the owners will be in the stressful position of having to engage extensive resources in defending the property itself. In case future prospective nature refuge holders have never heard of the case of BNR, I request DEHP highlights in the contract for future nature refuge signatories these exact wordings that will leave no doubts in the mind of those that intend to donate years of efforts to the management of a nature refuge:

**MINING INTEREST WILL ALWAYS OVERRIDE NATURE REFUGE AGREEMENTS DESPITE BEING PROTECTED UNDER A 'PERPETUAL' CONSERVATION COVENANT SIGNED WITH ANY STATE GOVERNMENT.**

## FEDERAL GOVERNMENT

### ***THE CONVENTION ON BIOLOGICAL DIVERSITY***

I understand the Federal Government has counted the property for the International Union for Conservation of Nature (IUCN) reporting purposes and on ratifying the UNCBD 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 National Reserve System (NRS). The importance of NRS within the Natural Heritage Trust has been recognised by the IUCN of which the Federal Government is a signatory. BNR was included in the NRS by Senator Robert Hill in 2000.

According to the *Community Acquisition Agreement*, signed with the Federal Government in relation to Financial Assistance for the purchase of Glen Innes Station [<sup>att.2, p.20</sup>], the land would be, "managed in accordance with the intent of the IUCN Category IV Habitat/Species Management Area," and all actions adversely affecting the biodiversity of a protected area must be avoided. The tenor and unambiguous intention of the BNR 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 [ ...]*

Open-cut and underground mining on BNR would clearly be inconsistent with these management objectives.

Australian legislation fails to adequately shield biodiversity in NRS protected areas from mining activities and this issue throws into question Australia's and Queensland's commitment to meeting obligations under the Convention. 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 and I believe Queensland and Federal governments are in contravention of such guidelines.

### ***ARE THOSE THAT CARRY THE FIRE OFFSETTABLE TOO?***

People are normally connected with their neighbourhoods and find ways to integrate and, at times, help their peers. We, in turn, are connected with our natural surroundings and we strive to care for our fragile ecosystems. We have the passion to learn to appreciate, and help to nurture, fast disappearing native species. Our knowledge is specific to BNR.

By approving a coal mine on BNR, the same Federal Government that praised us for entering a pledge to look after Bimblebox for “999 years [att.2, p.9],” has betrayed our life commitment to conservation. I question how a management of an offset answers the two following cardinal requirements that were requested of us within our Agreement with the Federal Government [att.2, p.21]:

1. “*The **maintenance** and where possible the **enhancement of biodiversity values**”*
2. “*to eliminate and thereafter **prevent exploitation or occupation inimical to the purposes of designation**”*

NRAs must go hand in hand with lifelong careful and vigilant management which would cost many hundreds of thousands of dollars. I doubt resource companies will agree to pay such high maintenance costs in their offsets deals and for the duration of 999 years.

Our motivation and local knowledge to understand the intricacy of the web of life in this arid landscape is a prerequisite of the two key requirements above. Without such skills, “the maintenance and [...] enhancement of biodiversity,” would be near impossible. Similarly, passion is needed to defeat those inflicting, “exploitation or occupation inimical to the purposes of designation”. This senate inquiry offers yet another opportunity to us to do just that by highlighting the double standards we have encountered thus far when defending BNR.

Unfortunately these actions take precious time away from the, “maintenance and where possible the enhancement of biodiversity values”. In the Eastern Desert Uplands there is a sea of exotic species surrounding a few patches of native bushland (BNR is one) and, if we are to be effective in preventing some invasive species choking out the natives, there is the need to do a lot of work pronto with local knowledge and attention to detail. To keep maintaining the biodiversity values where pressure from natural threat is ongoing, many volunteers have engaged with us in controlling weeds and pests and in maintaining firebreaks to protect against devastating bush fires. As the mine approval will be valid for the next 60 years [3], what are we to do in the meantime?

The partial DERM (2011) *Nature Refuges – response to ENVIRONMENTAL IMPACT STATEMENT - GALILEE COAL PROJECT* [att.5] document, prepared by DERM for the State Coordinator General as part of the EIS process, was sent to me as the most recent assessment of BNR’s biodiversity values; since then further clearing has occurred to the south of Bimblebox [att.5 p.9, att.11]. How is it possible to offset an area recognized in 2000 as deserving protection under the NRS in a region extensively cleared by the pastoral industry, financially supported by taxpayers’ funds and in light of the finding in a report that I only partially obtained after two years of enquiries? I am asking this inquiry to request the document to be published **in full** so an accurate assessment of BNR’s biodiversity values can occur. If BNR is to be destroyed on the basis of offsets found elsewhere, accountability and integrity demand honesty about the net loss to our Nation’s biodiversity resources.

According to the report, BNR has, “*special biodiversity values,*” and other notable benefits:

- “*Nature refuges provide a highly cost effective way to secure land for nature conservation, and are critical to achieving broadscale conservation of Queensland’s biodiversity across the landscape (p.1).”*

When the private sector is willing to take action that supports state and federal goals, the state ought not to undermine it.

- *“If mining proceeds at Bimblebox NR as proposed (that is, the existing nature refuge being mostly subsumed by mining) this will represent the most significant impact experienced to date on a nature refuge. Potential impacts on the Nature Refuges Program, which is reliant on voluntary landholder participation, also cannot be determined on the information available (p.1).”*
- *“The Desert Uplands Biodiversity Planning Assessment (EPA 2005) has assessed all remnant vegetation on Bimblebox NR as being of State significance... and is thus recognised as having special biodiversity values... including species known to be declining elsewhere; significant high-quality refugial faunal habitat in an area where clearing has been extensive... the vegetation of Bimblebox NR forms a significant part of a large representative tract in a highly cleared subregion (p.4).”*
- *“All mapped REs have low representation in the protected area estate: that is, they are poorly sampled in existing national parks and other conservation reserves [...] (p.3).”*

Existing healthy habitats are invaluable in a subregion that will soon be converted from 94% pastoral leases to a prominent industrial fossil fuel province. BNR, if untouched, will retain the irreplaceable habitat for both threatened and common species. It is from such sanctuaries that damaged landscapes can be repopulated when the threatening processes end in the region.

- *“The project EIS (Waratah Coal 2011: p.199) in discussing the impact of mine construction on regionally significant fauna species acknowledge the impact of “...direct loss of habitat and other potential indirect impacts” but go on to state that “impacts will be minor for most of these species” because they are mobile, able to use adjoining habitats and/or relatively tolerant of disturbance. These statements conflate the fortunes of the affected animals with that of the species as a whole. For the animal populations on the refuge the impacts will be unavoidable: most individuals will face either immediate mortality during clearing or predation/starvation as they are displaced. Even those able to move to suitable adjacent habitat (which may be several kilometres away – see Map 1) will be subject to competition for resources with established animal populations so that the newcomer either perishes or displaces an occupant which in turn dies (p.6).”*
- *“[Losing] established research and monitoring that would evaluate and demonstrate opportunities for integrating cattle production with nature conservation [...] will have profound implications not only for the pastoral industry that rely on the woodland ecosystem, but also for developing industries such as mining which must also engage in regional planning, responsible conservation management and restoration of degraded habitats (p.6).”*

Losing the established research and monitoring at BNR would mean losing more than 10 years of work to evaluate strategies for better managing our woodlands and responsibly integrating cattle production with nature conservation. BNR as a demonstration property shows conservation and production co-existing.

- *“Field inspection on 19-22 November 2011 revealed the presence of an unmapped RE on the property (p.3).”*

- *“It is likely that some faunal groups, particularly reptiles and arboreal mammals, are under-surveyed. Conversely the birds are well surveyed. Four Rare and Threatened and eight Priority species have been recorded on the refuge... The bird fauna in particular is diverse. These data support the special biodiversity values ascribed to the area by the Desert Uplands BPA (p.4).”*
- *“The known small mammal, reptile and frog fauna is quite diverse and likely more species rich than current information suggests (p.6).”*

Since the preparation of the report quoted here, the total count of bird species identified on BNR has reached more than 150. A number of these are migratory and in need of Bimblebox as their resting, feeding and breeding ground.

## **OFFSETS**

Given the decline in native species, the loss of native habitats and the issue of climate change, do we still have the choice to entertain the notion of offsetting our high biodiversity areas? I purposefully refuse to discuss the details of Mr. Hunt’s offset conditions in approving the mine that will obliterate BNR. They have no meaning to me as it is impossible to reconcile such massive destruction with the nature conservation agreements now in force over BNR. I believe these agreements, signed by Senator Hill in 2000 on behalf of the Federal Government [<sup>att.9</sup>] and legally constituted under State and Federal legislation, also bind the current Federal Government to ensure no harm is caused to BNR. We have been charged (willingly) with the mandate to respect the commitments in our signed agreements and we expect Liberal Senator Hill’s trust and commitment will be respected and honoured by the current LNP Government.

The stated aim of the Galilee Basin Offset Strategy is, “no net loss” of biodiversity. This would be impossible to achieve if the conservation covenant over BNR is resumed for coal extraction. I do not agree that offset policy should be used in the case of conservation areas already earmarked for their high conservation values like Nature Refuges. BNR is now a genetic bank for the future rehabilitation of the region. The Galilee Basin is rich with coal but poor in conservation areas like BNR. The region needs these areas already earmarked for conservation to remain for conservation purposes. It is not vital for the National economy to mine, and therefore offset, BNR.

### **PROPOSED OFFSET HUBS FOR THE GALILEE BASIN**

I believe one of the criteria of the proposed offset hubs program for mining the Galilee Basin is the offset should not overlie known economically viable deposits of coal. In order to retain the bio-sustainability of the region how can offsets be mapped out according to geology and not ecology?

It seems the offset need not be remnant vegetation either but the land should have enough potential to be rehabilitated to native bushland. In reality, there is a high probability that Buffel Grass, a weed in many parts of inland Australia [<sup>12</sup>], will already predominate, and thereby prevent, the re-establishment of broad flora biodiversity. The biological practice to rehabilitate degraded areas proposed for offsets into native bushland simply does not exist. It is impossible to re-establish native species without daily care that would need to be carried out for years. The costs of such operation will be exorbitant. No resource company will commit to it. To the best of my knowledge, in Queensland, mining has had no effective biodiversity rehabilitation to date.

Land that could have the same characteristics as BNR, and which could become a nature refuge, would be most welcome as the sustainability of the bioregion needs more protected habitat, not less. Nature refuges have become instrumental in holding the genetic blueprint for many decimated ecosystems and species. We need to care for them, not mine them. The destruction of BNR cannot be replaced with land somewhere else, because biodiversity in good nick 'somewhere else' will be just as precious as BNR.

### ***ECONOMIC CONCERNS***

I understand that economic issues are now pivotal for the Federal Government and thus, I presume, they have played a highly significant part in the decision to approve the Galilee Coal (China First) project. I question how the economic value of BNR was calculated.

The genetic bank secured on BNR is a precious long-term natural asset. It will become increasingly valuable to the economic viability of the pastoral industry in the Desert Uplands bioregion in coming decades. If massive coal mines are to transform the landscapes of this region, BNR can only become more essential as a refuge for nature, as an ecological bank to support sustainable industries in the future and as a critical asset for future rehabilitation initiatives across the region. A wealth of plant species, and the animals that help propagate them, will be required to revegetate degraded areas of the Desert Uplands.

The tangible ecological services provided by BNR are a benefit to the Nation. This was implicitly recognised in the granting of, "the first direct Commonwealth investment in the purchase and establishment of private protected areas in Queensland [att.5, p.1]," with \$314,600 in Federal Government funding, via the NRS program, towards the cost of the land purchase. This grant allowed the creation of the BNR which was being acquired, "for the purpose of establishing a private protected area to protect the significant values of the site [att.5, p.20]." Since then, those of us operating BNR, and our supporters and volunteers, have invested countless hours of painstaking work and made substantial financial, intellectual and physical contributions to maintain and enhance its biodiversity and overall ecological values.

In a region where huge coal mining projects have already been approved, with others expected to follow, not mining BNR would be a wise economic decision. BNR may very probably contribute to economic recovery in this region long after mining has ceased. High-level studies of the viability of the Galilee Basin coal tenements have seen them labelled recently as, "stranded assets," by reputable organizations [1] including the Smith School of Enterprise and the Environment at the University of Oxford. As a guardian of the Nation's resources, this Government is willing to waste the investments made in BNR to date and sacrifice the opportunity cost of this valuable asset. We expected Federal leadership would have honoured the spending of public funds, like we did, according to objectives set in the year 2000, for the protection of a special area set aside for conservation to the benefit of us all.

Economic uncertainty for the grazing interests impacted by the China First project is a serious concern. We could easily face a scenario of an abandoned mine with a special biodiversity area gouged aside, local aquifers drained and/or contaminated, and little to salvage but 500 km of railway cut through productive agricultural land. Landholders in and around the area of the proposed mine and railway are forced to put their businesses, and their lives, on hold. These families and ourselves

are expected to wait 60 years <sup>[2]</sup>, until 2074, before they can be freed from the threat of having their land resumed for mining or related purposes. Does the inquiry realise what that means for our ongoing maintenance of BNR? Shall we continue weeding, pest controlling and fire breaking while we wait to become a coal mine? We have potentially wasted 14 years of conservation work. Will we be wasting the next 60?

### **MISPLACED CONFIDENCE**

As far as we know, WC is the only mining company with interests in the Galilee Basin to have been issued with an Environmental Protection Order (EPO). DEHP found the company has not rehabilitated over 300 exploration drill holes at the site of its proposed China First mine: potentially affecting groundwater supplies.

The EPO saga is ongoing and has seen a litany of persistent non-compliance with environmental requirements and continued evasive and negligent responses by WC to reminders and requests by DEHP officers spanning over three years from November 2010. Is this a company suitable to receive environmental approval for a huge mining project on the basis that it would comply with a series of complex and detailed environmental conditions including offsets? How can this confidence be justified when the company has proven itself incapable of meeting basic requirements of their EA? There are at least six different mining companies operating in the region and as far as I know only WC has not rehabilitated bore holes drilled during the exploration phase. How can we have faith in any commitment by WC when the company has, "been flouting environmental regulations <sup>[4]</sup>," over several years and served with an EPO over failures to meet its environmental duties <sup>[5, 6]</sup>?

In 2008 during the drilling of 20 exploration holes on BNR, WC also breached its Environmental Authority: the details of which are available in the attachment document. We notified the Commonwealth about this within our EPBC Act referral submission <sup>[att.10, p.6-18]</sup>.

In north Qld, near Townsville, WC Chairman Clive Palmer is the owner of Palmer Nickel and Cobalt Refinery. Premier Newman is also having a few problems when he said his government had spent, "the best part of two years," battling with Mr Palmer over his Townsville nickel refinery, "trying to make him observe his environmental obligations <sup>[13]</sup>".

### **TRANSPARENCY AND ACCOUNTABILITY**

There have been widespread reports of a perceived conflict of interest <sup>[7, 8, 9]</sup> arising from the founder and prominent head of the Palmer United Party (PUP) seeking, and now obtaining, approval for his privately owned WC (China First/Galilee Coal) project from the Government which will, in turn, require votes from PUP senators to pass legislation. The Federal Government should commission an independent review of the decision to approve, subject to conditions, the China First project. Australia has the right to know what our politicians are doing in the interests of open and accountable governance.

## CONCLUSION

If BNR survives the current mining threat, as it overcame the initial threat of land clearing in 2000, 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. We must be willing to forsake immediate revenues for something that truly gives us lifelong wealth and security.

I strongly urge both governments and developers to engage in wise, comprehensive and long-term, systematic regional planning, based on sustainable industries that will not further destroy Australia's already degraded environments. In the interest of all private conservation areas, the biodiversity they support and their custodians, I wish for the committee to recommend to cease exploration and mining operations impacting on protected areas and remnant vegetation. Offsets in those cases will not be required. Simple!

I leave you with 'Why not a coal mine?' by Ian Hoch, Bimblebox Nature Refuge.

*"We humans have reinvented God a dozen times in the past 5000 years*

*Yet divinity is accessible, free and indisputable, all around for all time,  
every day for everyone – with just one simple law.*

*Nature is sacred. Soil, water, air and all that lives within.*

*Unnecessary disruption is sacrilege.*

*And here, you will know why, for nature still speaks – kindly but clearly –  
come close, listen to my story, treat me with reverence, and you will live  
and die well*

*To sacrifice a place that offers so much timeless priceless insight for 30  
years-worth of dirty old coal is to lose that last hope for all of us."*

Sincerely,

Paola Cassoni  
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