

Friends of Minnamurra River Incorporated¹

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NEWS RELEASE

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FEDERAL AND STATE GOVERNMENTS ALLOW BORAL TO FLATTEN PROTECTED ECOSYSTEMS, ANCIENT TREES AND ENDANGERED ANIMAL AND BIRD HABITATS ON SACRED ABORIGINAL HERITAGE SITE AT MINNAMURRA

The current Federal and NSW governments have allowed Boral Limited this week to override all the governments' plant, animal and heritage protection laws to completely cut and destroy ancient trees, critically endangered ecosystems and endangered animal and bird habitats to make way for Boral's continuing short-term sand mining of a unique Aboriginal heritage and sacred site at Minnamurra, just north of Kiama, NSW.

The two governments allowed the total destruction of all the vegetation on the 7.5 hectare site, out of public view in the Minnamurra River floodplain immediately south of historic Dunmore House, 8km north of Kiama, despite five years of continuous total opposition from Kiama and Shellharbour City Councils, both local federal and State parliamentary members, mass community demonstrations, local Labor Party Branches and a campaign by Friends of Minnamurra River (FOMR Inc.), including letters of appeal to Boral's major shareholders, Kerry and Ryan Stokes which went unanswered.

"This avoidable destruction of precious and protected Australian bush and heritage is an unmitigated act of bastardy, an unforgiveable offence against all Australians, all for the sake of one company's very short-term commercial gain," FOMR Chair, Will Chyra, said. "Our governments have let us all down very badly and the Australian corporation involved should have known better too."

Boral's dredging for sand on the sensitive and protected site, turning it into a 27-metre deep pit and eventual private lake, started at the end of October 2023 and will be finished within only about nine months. In addition, Boral recently purchased an alternative site, already approved for sand mining, and well away from this sensitive and protected site across the Princes Highway near its existing sand mines at Dunmore.

Mr Chyra said the Federal and State government had no excuse at all for allowing the overriding of all of the legislated protections covering the site's listed and endangered ecosystems, 100 to 400-year old Bangalay trees and associated Commonwealth listed critically endangered Littoral rainforest, the habitats of listed and endangered birds and animals, and the 30,000-years-old Aboriginal heritage area and sacred site, including a huge wealth of Aboriginal cultural heritage artefacts, stratified archaeological deposits and ancient Aboriginal fireplaces and campsites.

The Illawarra Aboriginal community and other evidence indicates strongly that the area also contains possibly thousands of their ancestors' burials and is a sacred site. It is also the site of or very near the site of the 1818 Minnamurra Massacre of Aboriginal people by local European settlers.

¹ Friends of Minnamurra River (FOMR Inc.) is an active incorporated community-based association formed six years ago to conserve, protect and enhance the estuarine and catchment ecosystems of the Minnamurra River. It has qualified expertise available to it and within its membership in plant and animal ecology, archaeology, hydrology and environmental science.

Mr Chyra says the Federal government is particularly at fault and should be requested to immediately explain why it is still sitting on two applications to have the area protected as a Significant Aboriginal Area (SAA) under the Commonwealth's Aboriginal and Torres Strait Islander Heritage Protection Act (ATSIHP Act).

He says the Federal government has had those applications from Aboriginal applicants for nearly two and a half years and an expert consultant, commissioned by the government, strongly recommended in 2022 that the applications be approved and the same area urgently protected from Boral's sand mine as a SAA under the Act.

Boral wrote to the Minister opposing the consultant's recommendations and any SAA declaration by Minister Plibersek.

In addition, the Federal government is also still considering an application by a local Wodi Wodi elder for a declaration under the emergency provisions of the ATSIHP Act to stop Boral continuing to destroy the site, known as Site 5B, and surrounding area.

The Department of the Environment and the Environment Minister, Tanya Plibersek, have had the Elder's application for three months, since 29 November 2023, and say they are still considering it, despite its emergency designation under the ATSIHP Act.

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PHOTO 1 (below)

Boral Limited's sand mine area, Minnamurra Site 5B, with its Federally and State protected Bangalay Sand Forest and associated Littoral rainforest, the habitat of many threatened and endangered birds and animals, photographed by FOMR in 2023 *before* Federal and State governments overrode their own protections to allow Boral to start sand dredging and cut and clear the entire site on about 15 February 2024 – all for a sand mine with a life of only about nine months left. Compare this photo with the *AFTER* photo next page.





PHOTO 2 (above)

AFTER: The same Boral Limited dredging site, Minnamurra Site 5B, as shown in Photo 1, *after* Boral's sand dredge (centre) had been at work since the end of October 2023 and after all the vegetation, endangered, rare and ancient ecosystems, trees and bird and animal habitats, had been cut and cleared by Boral about 15 February 2024 when current Federal and State governments overrode their own fauna and flora protection laws to permit the destruction. Additionally, so great is the wealth of Aboriginal heritage in the area, a sacred site to the Illawarra Aboriginal community, including ancient burials, that a Federal government expert consultant strongly recommended in 2022 that it should all be declared a Significant Aboriginal Area under the Commonwealth's Aboriginal and Torres Strait Islander Heritage Protection Act.

But the Boral dredge grinds on while the Federal Minister for the Environment, Tanya Plibersek, continues to ponder the expert consultant's recommendation.