

Garners Beach is special!



The last northern wilderness area at Mission Beach is under threat

A subdivision and development of eleven houses is proposed at the end of a sandy track at Garners Beach.

The Proposed Development in relation to the size and position of the lot, being on a largely undeveloped, rocky knoll located on the Pacific Coast at the far end of Garners Beach, is most likely to have a significant impact on three matters of National Environmental Significance (NES).

1. Impact on Endangered Species: Southern Cassowary

The Commonwealth's recovery plan for the southern cassowary identifies Mission Beach as an area which is seriously threatened by development activities.

The proposed development on Lot 441 has the potential to introduce at least four known threats to the southern cassowary, listed as an endangered species (as listed in the recovery plan for the southern cassowary)

- habitat fragmentation: much of its remaining habitat is fragmented, isolating groups and disrupting movement
- habitat degradation: through invasion of weeds
- roads and traffic: cassowaries are killed by vehicles on roads and traffic may intimidate cassowaries preventing them from crossing a road to access resources
- hand feeding: brings cassowaries closer to vehicle traffic and the risk of aggressive interactions with humans

2. Critically endangered littoral rainforest and coastal vine thickets

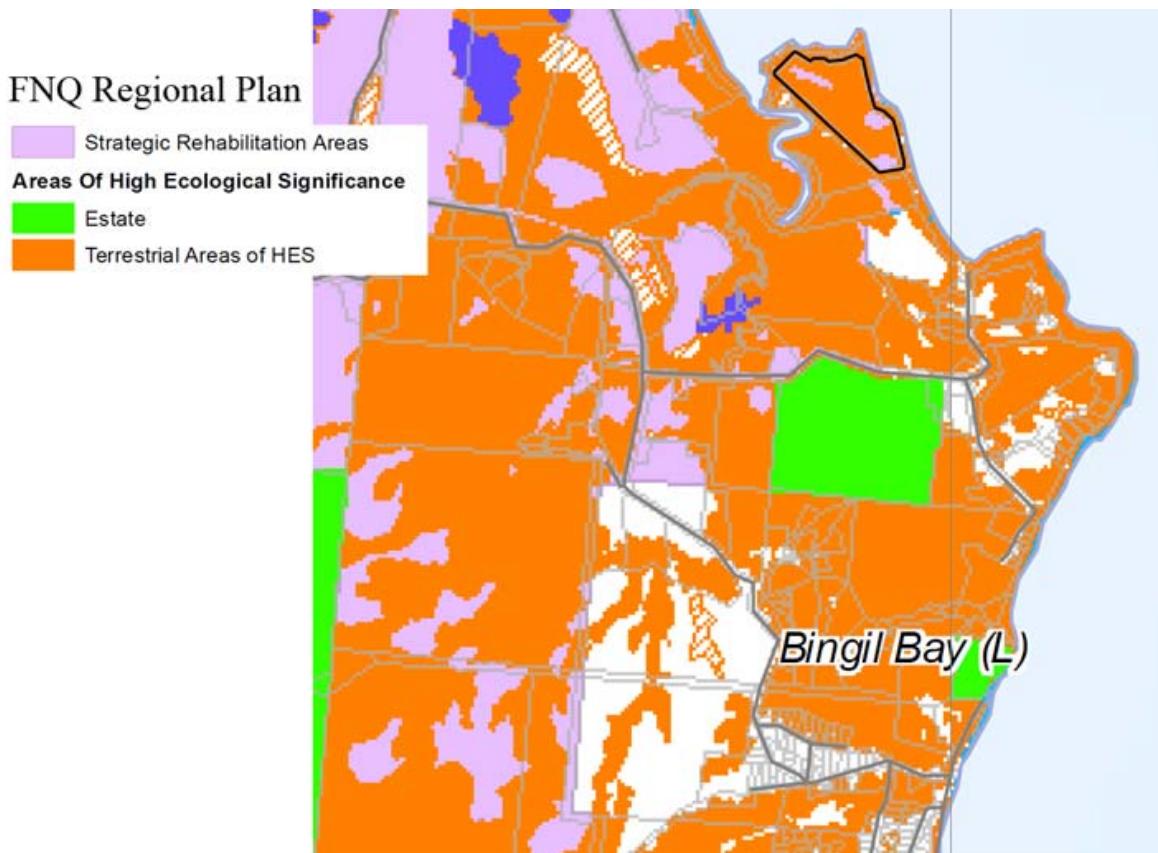
The required upgrade of the bush track along the Garners Beach esplanade would require destruction of littoral vegetation. At least two of the walking tracks marked in the proposal lead residents through the littoral rainforest for beach access which will result in degradation of the littoral vegetation

3. Great Barrier Reef Marine Park

The soil on the lot is described as unstable to very unstable. The impervious rock and sandy soil would make water harvested and disposed of on site very difficult to control and has the potential to impact on the existing vegetation on site, the stability of the natural landscape and the waters of the Green zone directly adjacent to the lot.

Lot 441 is mapped as

- a High Ecological Area with the cleared areas mapped as strategic rehabilitation areas in the FNQ 2031 Regional Plan



- remnant essential habitat under the *Vegetation Management Act 1999 (Qld)*
- critical habitat adjacent to vulnerable wetlands, as shown on the Johnstone Shire Council Local Planning Scheme, Map 7C Natural Areas Plan which also shows wildlife crossing areas.
- being within a priority area for retention of wildlife corridors identified in the 2003 Wet Tropical Coast Regional Coastal Management Plan.

The massive house and associated infrastructure recently built on lot 4 of the site has won state and national awards for its eco-friendly design, giving the impression that the Proposed Development is environmentally sensitive and will result in the rehabilitation of a degraded area that “suffered intensive quarrying and devastation from past cyclones”.

However this house makes no contribution to the sensitive environment it is placed within.

An example of misleading information publicised about this development as being of benefit to the environment is shown in the August 2009 Building Designer magazine.



Garner's Beach House stands at the top of the market as a stunning eco friendly home, both luxurious and practical in design.

With a low environmental impact, entertainment is a big feature of the home incorporating massive open spaces both internally and externally, also enhancing the indoor/outdoor connectivity.

A neutral colour palette and warm timber features create a light,

relaxed home, complementing the sensational surrounding landscape.

The site had suffered intensive quarrying and devastation from past cyclones. The challenge was to utilise only the quarried section, leaving the rainforest undisturbed. Area not required for the house has undergone intense rehabilitation.

This is a large house which puts more back into nature than it takes out. Who can argue with a design

that uses no electricity created using coal of any kind, uses no reticulated water and treats its own waste in an environmentally friendly manner.

It certainly dispels a lot of myths about what constitutes sustainable housing.

The Building Designer No.156 August 2009

Background and information



Lot 441 on NR4953 was preemptively cleared in the early 1990s to create level building pads for a development that was abandoned after a long court battle with local conservation organisation C4. Soil removed from the site was dumped on the mangroves on a neighboring property in an attempt to raise the wetland area for further development in the area.

The site of the Proposed Development was never utilised as a quarry. Lot 441 has been vacant since then until it was purchased by the present owners in August 2003.

Mission Beach was in the southeastern quadrant of the 'devastating' category 3 cyclone Winifred in Feb 1986 sustaining widespread damage to the natural habitat.

The images currently displayed on Google of the Mission Beach area are pre category 5 cyclone Larry and show the natural regeneration of vegetation from an extreme weather event over 20 years from 1986 to 2006. It shows how, if left alone, the forest will recover from cyclones as they have done for millions of years. It is only intervention through opportunistic clearing and the general inappropriately called 'clean up' process that incremental and permanent loss of natural areas occurs. This is especially evident where 'clean up' activities are carried out with heavy machinery. As seen by the Google image above, the elevated sites on Lot 441 that were excavated to bedrock did not support much regrowth but the rest of the site was covered in robust rainforest where Garners Beach locals often observed the presence of cassowaries.

In March 2006 Cyclone Larry again devastated the Mission Beach area. A lot of long term damage was done to natural areas in the wake of Cyclone Larry in March 2006 as a result of over zealous 'clean up'.

The advent of Cyclone Yasi in February 2011 this year, the third high category cyclone experienced in the Mission Beach area in 25 years, really has had a devastating affect on the natural environment, again these impacts have been exacerbated by the desperate 'clean up' which has been almost catastrophic for some areas of the Cassowary coast. In particular it is evidenced by the lack of expert advice in natural area management during 'tidying' of the high biodiversity area of Mission Beach.

Photo below left was taken after Lot 441 was 'cleaned up' after Cyclone Larry in 2006 and is the one displayed in the images lodged with the Lot 441 development application. Photo below right was taken late 2008, two and a half years later as the first building/s were being constructed. It shows the massive size of the footprint of the building/s and the dynamic rainforest recovery.



Locals can testify that cassowaries have been seen for many years on the secluded beaches on the northern part of the lot (see photo below). The steep cliffs on either side of the cleared proposed house sites and the rocky points separating the main beach from the small beaches to the north (only accessible from the main beach during low tide) mean the only access a cassowary would have is via the corridor on the gentle slope where proposed lots 1 and 2 and the access driveway are situated. Cassowary footprints are frequently found on the sandy cleared area to the southwest.



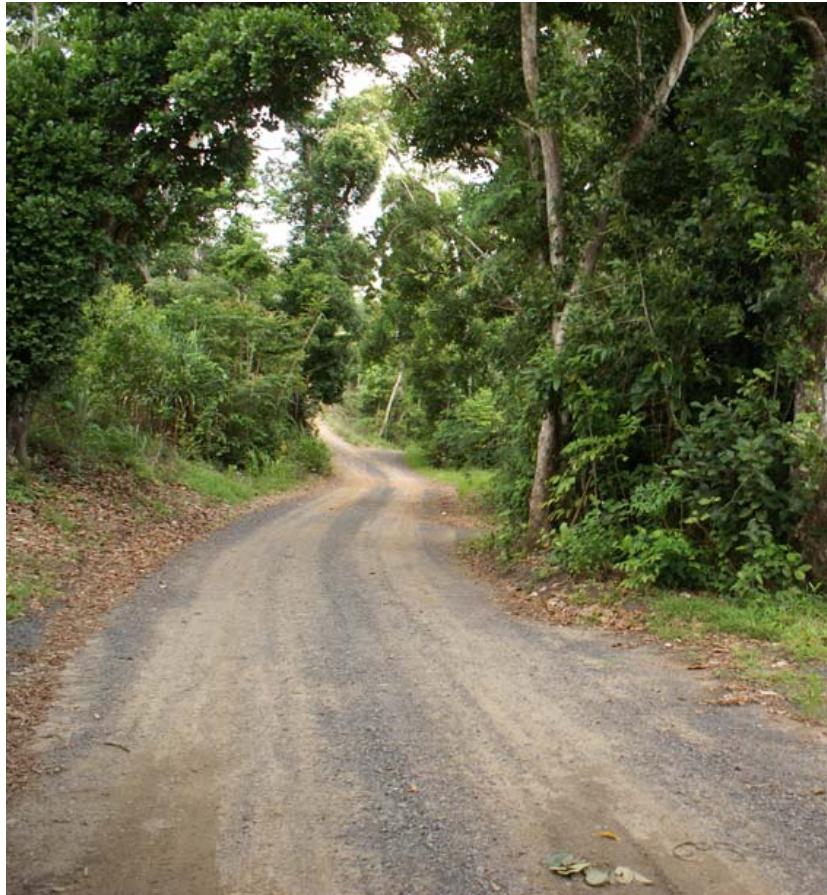
This >40 yo female cassowary (known as Bella) was observed at the entrance of the development site on 19th Feb 09 and seen on the southern side of Bingil Bay Road on 21st Feb 2009.

The Proposed Development is at the end of a gravel road which narrows down to a small single lane bush track along the beach leading to the development site. The wilderness aspect allows continued cassowary access to the beaches where they are often seen. The picture below was taken by a Garners Beach resident in August 2011.



An upgrade of the road along the Esplanade, as proposed and required as a condition of Council approval, would require destruction of critically endangered littoral rainforest to cater for between 22 and 33 extra residents with an additional 11 to 22 cars. The track was established in the early 70's without survey. It has been said one of the road reserve survey pegs is actually on the sand of the beach. If this is true, to establish an official road would mean that a significant amount of the critically endangered littoral rainforest and coastal vine thicket community on the site would need to be removed. Any such upgrade would permanently alter the wilderness aspect of the area and fragment habitat in one of the last places left at Mission Beach where cassowaries have access to the beach.

Development of Lot 441, as proposed, will permanently impact not only the endangered littoral rainforest community and reduce or eliminate one of the last few remaining cassowary access corridors to the beach, it will also change the amenity of the area in relation to community identity. In its current condition, the Proposed Development site and its environs at the far northern end of Garners Beach, ‘feel’ like the ‘real’ Mission Beach, where the rainforest grows down to the sea and where the cassowary is safe in the wild.



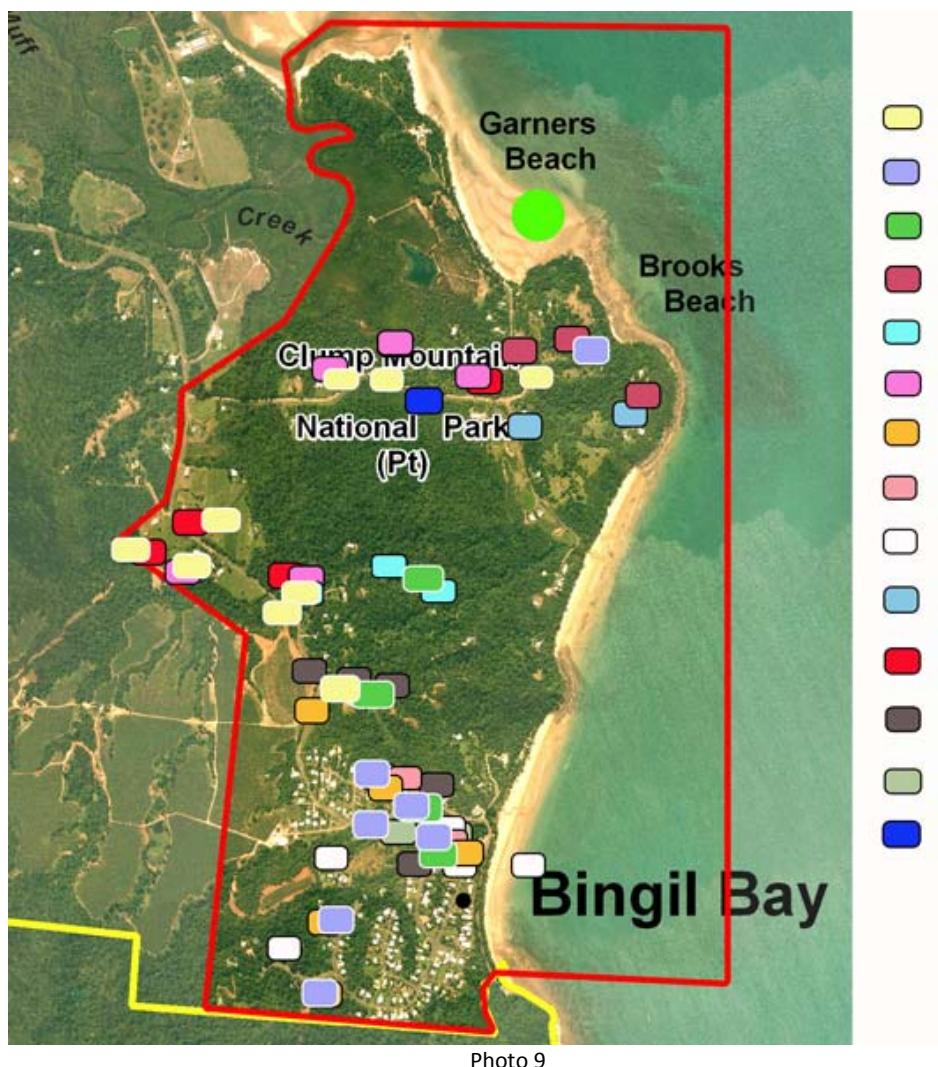
The critically endangered littoral rainforest community extant at Garners Beach is well developed with little invasion of exotics including coconuts which are becoming a monoculture replacing natural vegetation on the foreshore in other developed areas of Mission Beach.

There are many large fleshy fruiting trees on the beach such as the white apple that cassowaries access seasonally.

Garners Beach area is dominated by a National Park in the middle which was bequeathed by Mrs Freida Jorissen especially to help protect the cassowaries. Information gained from the **Community Cassowary Identification and Tracking project** identifies at least 13 individual birds utilising the area from Muff Creek to Ninney Point, most of which cross all the local

roads including the Bingil Bay Road to access essential habitat, for mating and for juvenile dispersal. Sightings of these individual birds in the area are marked on the photo below (each bird is assigned a unique colour located to the side of the photo).

The following map shows the movement of endangered cassowaries over the landscape and across roads in the area. The information was collected from participating residents only over a period of two years. It can be assumed the birds would be accessing any available habitat in the area. The large green dot marks the cassowary on the beach in photo.



Mission Beach is recognised in the FNQ 2031 Regional Plan as a priority area for conservation. It advises development constraint with car travel needing to be managed and traffic impacts on cassowaries mitigated.

“Current urban impacts upon cassowaries and their habitat – especially increasing losses due to road traffic..... – are not believed to be sustainable”.

There have been five known cassowary deaths on roads in the Mission Beach area since February this year. There are frequent reports of near misses. Recently the Bingil Bay community placed signs along the road from near the Garners Beach turnoff to Bingil Bay beach encouraging drivers to slow down. This action was in response to a bird being struck by a car near the Bingil Bay village. ([Read more](#)) There is a noticeable increase of vehicles using this third access route into Mission Beach. Recent Crossing signs placed by QPWS are regularly seen at several points on the Bingil Bay/Garners Beach roads.



Garners Beach has no shops, public facilities or public transport. All traffic would need to travel from the far end of Garners Beach through the relatively remote roads for any activity conducted away from this site such as work, to access general supplies and social engagements. It is stated in the article about the house presently on site that “entertainment is a big feature” of the “massive” home. This would suggest a larger than normal number of vehicle movements on these quiet roads leading to the Proposed Development.

It is well known that complacency is a major contributor to cassowary road deaths. Drivers who are familiar with roads through regular travel are less likely to drive to the speed limit and can be less attentive. During the construction phase of the existing building/s on the lot, at least one tradesperson was ‘let go’ because of speeding. There was an increased number of wildlife killed on the Garners Beach gravel access road leading to the Esplanade track during this period. Fortunately there were no known cassowary deaths.

The extra traffic associated with another 10 houses would include visitors, cleaners, gardeners, and general service vehicles.

- **How many staff are envisaged to be hired to maintain so many houses, pools and gardens?**

This is not a low key, low impact development with a small footprint. A visitor to the property recently arrived by sea plane, landing in the marine park green zone adjacent to lot 441. There are extensive sea grass beds offshore and dugongs are often seen from the beach.

- **Is it planned to introduce sea landing aircraft to the Garners Beach area?**

A wildlife rehabilitation and release facility marked on the plan would add to the traffic, again the long journey through roads of high risk to cassowaries to the destination and back.

Many dwellings in other parts of Mission Beach have absentee owners who holiday rent. This has the potential to increase traffic even more, from visitors and the regular servicing of the properties. Any road upgrades would increase the speed of vehicles.

- **Are there any guarantees the buildings on the site will not be used for holiday rental?**

It is stated there will be no clearing of remnant vegetation as recognised under the VMA Given the extent of vegetation on some of the lots.

- **Does this mean there will be clearing of non remnant natural vegetation such as on lots 3,6,7, and 8?**

The proponents' description of the proposed subdivision for Lot 441 is misleading. 'Lifestyle' is a term used to describe large lots normally associated with rural or farm use. As stated above, the proposal can only be described as high density hilltop residential development with the houses occupying all the available cleared level areas.

Mission Beach has experienced unprecedented growth during the last economic boom. Inadequacies in legislation on all levels of government has allowed the development of enough housing stock in the area to satisfy demand for the next 100 years (Flannigan Report December 2010) Such overbuilding has placed the endangered cassowary under more threat than ever before.

Garners Beach is a relatively small area with a high diversity of ecosystems and landforms. The elevated part of the development site is situated on a rocky knoll with a mixture of impervious rock and sand dominated soils. It is planned to dispose of wastewater effluent on site. Many of the lots and associated effluent irrigation systems are placed within natural vegetation inside the surveyed development area.

Mission Beach can experience up to 5000 mm of rainfall per annum. During the wet season natural seepage has been seen running onto the beach from Lot 441.



— *seepage*

Photo 11

- How can it be assured there will be no adverse impact on the natural vegetation or surrounding wetlands including the green zone of the marine park adjacent to the lot?

The proponents claim the lot is not good cassowary habitat, has no water and is too steep so the birds do not utilise the area. Cassowary food trees are identifiable from the boundary of the lot. The following photos show the diversity of vegetation. The majority of the 70% of the lot set aside for covenanting is too steep for cassowaries with the only access available dominated by the configuration of the lots, new roads, and general human presence rendering the access corridor on the site mostly inaccessible to cassowaries



The field study has shown that the south/western side of the lot graduating down to the mangrove areas associated with the Muff Creek wetlands has a high number of pandanus, an important food source providing protein for birds at the approach to the nesting season. Cassowaries would be attracted to this area. Cassowaries are opportunistic feeders and are known to eat crustaceans, insects, small invertebrates, fungi, young shoots such as on the pandanus, ferns etc and there is ample fresh water a short distance from the lot.

Development at Mission Beach has been gradually but now rapidly corralling the birds into more and more confined areas incrementally denying them free movement in the landscape not only for foraging but also sufficient space to avoid territorial conflict and for juvenile dispersal.

The Proposed Development is continually being promoted as being environmentally friendly but pays no reference to the impact it will have on the actual environment.

Some of the statements in an email distributed in the community by the proponents to gather support for the development ahead of the Council decision in 2009 show a lack of understanding about management of natural areas.

Paragraph three reads

We chose the Garner's Beach site because having been roaded and quarried twenty years ago, it does not require any clearing. Further, according to the studies by various

Flora and Fauna Consultants, due to the steepness, lack of any water and dense vine growth, this headland was not natural Cassowary habitat. This is evidenced by the scarcity of mature cassowary fruiting trees which should be present if seeds are spread through cassowary poo. We will provide ample access ways, plant Cassowary friendly species (1000 so far) and provide water features, which will open up some 15 acre that over time, with our re-vegetation program will become for the first time prime cassowary habitat.

Obscure descriptions such as these of human intervention in the name of site rehabilitation give little confidence about what ‘net gain for the environment’ may mean.

- **Where will the “ample access ways” be located, what is meant by “open[ing] up some 15 acres with a revegetation program” and where and how would “water features” be introduced?**

The proponents’ seeming lack of understanding of environmental impact associated with the Proposed Development is again demonstrated with the statement in their 2009 email

“Although the ideal number of lots for the subdivision would be around 20,.....”

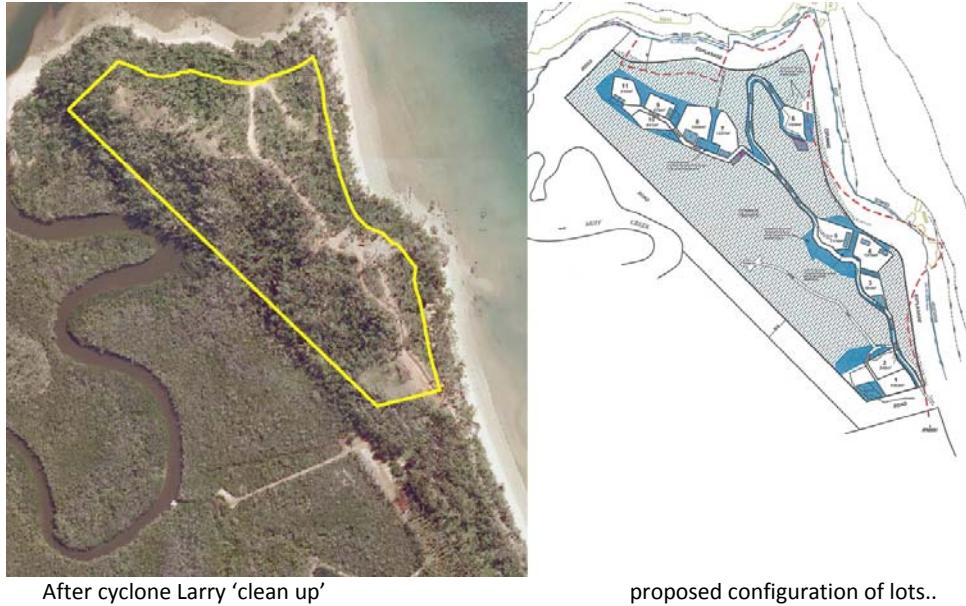
This relates to efficiency of supplying alternative power etc to the lots where ‘the more there are, cheaper it becomes’. The ideal number of lots (1–3) is one that will not require a road upgrade, would continue to allow free movement of cassowaries within the site with minimal human interaction, one where residents would be required to use only the existing road onto the site as beach access and no development on the northern lot 6 location

Despite being damaged by cyclones, left alone, lot 441 would have recovered to the state shown below left. The amount of interference on the lot already and the sheer size, style, and number of houses incorporating swimming pools storage sheds and other facilities is not consistent with low density development, and would never allow the lot to return to the level of vegetation cover shown in photo below left.

There has been a greatly reduced area marked as remnant vegetation from earlier EPA mapping to now shown below right.



The environmental impact of the Proposed Development must be assessed as occupying all of the surveyed area shown above right and any vegetation planted in this area could not be considered a net gain for cassowaries due to human presence and activity. It is said there will be a 'zillion rules' for residents but over time compliance to conditions of development approval is difficult to enforce. It is inevitable for private tracks to be established to the beach as the one that has already been made through the littoral vegetation since 2010.



It is illegal to remove native vegetation from the foreshore but it hasn't stopped the majority of Mission Beach losing its littoral vegetation by beachfront residents establishing tracks and views.

The impact on matters of national environmental significance ("MNES") of the proposed high density development on Lot 441, **by the increase of vehicles alone**, cannot be overcome. The Proposed Development will forever alter the low key character of Garners Beach, disturb the critically endangered littoral rainforest community on the site, and place the large number of cassowaries known in the locality under unacceptable increased risk.

With the enormous pressure that has been bought to bear on the important cassowary population of Mission Beach through oversupply of residential lots - the Flannagan report found there is enough land for sale at Mission Beach to cater for the next 100 years - at this pivotal time, the precautionary principle must be applied to reject the subdivision and development of 10 additional residences and associated infrastructure on Lot 441.

Should the Proposed Development be approved it will mean the entire coastline in the Mission Beach area has been compromised by development that has an adverse impact on the endangered cassowary. To date there have been no successful solutions to avoid,

mitigate or offset the human-associated threats from increased development. Those threats continue to proliferate. Garners Beach is the last ‘corner’ that can be kept as a low-density, near wilderness area with gravel roads a natural traffic calmer.

Incremental fragmentation of essential habitat for development - firstly on a large scale but now on a small scale - poses the ultimate threat to a species that relies on a large range for its survival.

Whatever land use is allowed on Lot 441 **must guarantee** the future safety of the Garners Beach/Bingil Bay population of cassowaries.

The Proposed Development is simply too big for this sensitive location and threatens to result in significant adverse impacts upon Matters of National Environmental Significance.

With the Minister’s recent announcement that Mission Beach is a potential listing as an ecosystem of National Environmental Importance, there are compelling reasons why the Proposed Development should either be denied or reduced in number in line with the low density of development in the rest of Garners Beach and the low density of development contemplated in the planning scheme policy established by the Council.

www.missionbeachcassowaries.com