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Re: *Department of State Development, Infrastructure and Planning/Transport - water/Boat Bay, 2km north of Mission Beach/QLD/Mission Beach Safe Boating Infrastructure Project Date*

Thank you for the opportunity to comment on this Application - CLUMP POINT.

Please find our summary remarks and detailed comments below.

We urge the GBRMPA to exercise the discretion available in the permit assessment process in favour of protecting the longevity of the natural values (scientific and aesthetic), integrity, and Outstanding Universal Value of the GBRWHA.

Yours faithfully

Margaret Moorhouse (ASH)

Matters of MNES

Aesthetic values of the Great Barrier Reef World Heritage Area

The aesthetic values of Boat Bay, as a whole, contribute to the OUV of the GBRWHA. We recognise that Aesthetic value is not directly a consideration under the GBRMP Act.

The aesthetic values of the GBRWHA are inherent in its natural values (criterion vii). Aesthetic value arises directly from the formal aspects of what is observed, in this case from the natural features of the GBRWHA and its coastline. The values of the Wet Tropics WHA may also be adversely affected.

The aesthetic values of the GBRWHA are important. Aesthetic value contributes greatly to its Outstanding Universal Value (OUV). In both the short and long descriptions by UNESCO, "beauty" is the first quality mentioned.

The Great Barrier Reef Marine Park Authority recognises formally that the aesthetic values of the coastal landscapes contribute to the Outstanding Universal Value (OUV) of the GBRWHA (pc 2013).

This was recognised in a Report commissioned by the Commonwealth in 1994 on the *World Heritage Values of the Hinchinbrook Region* (Peter Valentine) which referred to the Hinchinbrook Channel as a "unique passage landscape". There is no such thing as a one-sided passage. Similar identification of aesthetic values has not been carried out for the rest of the GBRWHA coast.

We are aware from meetings with a number of GBRMPA staff that Aesthetic value (a property intrinsic to, indivisible from, the natural phenomenon) has not in practice been differentiated from scenic amenity, an ephemeral user value which is popular with consultants because it is more readily operationalised. Unlike scenic amenity, aesthetic values are not merely a matter of 'what people like'. Just as the 'scientific' natural values require specific expertise, so do 'aesthetic' natural values.

The failure to have had aesthetic values identified does not relieve the Commonwealth and Queensland governments of the obligation to protect them to the fullest extent.

As a result of a federal court upholding a Commonwealth Consent on the basis of the Minister's Statement of Reasons and agreement with Queensland (Federal Court Sydney, 1997), Queensland was required to write and implement a Coastal Protection and Management Plan (under the Queensland Coastal Act 1995) and the now-abolished statutory Regional Coastal Management Plans (RCMP), specifically to protect the GBRWHA coast for its world heritage values. These plans were finalised in 2003, following substantial and detailed scientific, local and regional community input.

The Preface to the Wet Tropical Coast RCMP contains this vision statement:

The outstanding coastal resources of the Wet Tropical Coast region, including internationally recognised World Heritage values, are maintained and enhanced, while providing for ecologically sustainable development, a high quality of life, the maintenance of Indigenous Traditional Owner cultural landscapes and a rich cultural heritage.

In August 2012, immediately after the signing of a Queensland-Commonwealth bilateral agreement which omitted the Coastal Act from the notification requirement, the state released proposed amendments to the Coastal Act and a completely new draft Coastal Plan which allowed the RCMPs to be abolished. The RCMPs contain the most appropriate and detailed description and means of protection of world heritage values including an approximation of the relevant (natural) aesthetic values through reference to scenic landscape values which it protected to a high standard. Some relevant elements from the Wet Tropical Coast RCMP follow:

- Chapter 1 (Introduction), Table 1, lists the Wet Tropical Coast's major coastal resources, values and pressures. Table 2, Location of major coastal resources in the Wet Tropical Coast region, lists Clump Point as a "Rocky Foreshore".
- Chapter 2 refers to substantial areas of high quality coastal resources and the areas of state significance natural resources (ASS (NR)) by which they were protected under the Coastal Act and Plan to a very high standard ("no adverse impact"). See statutory ASS (NR) Map 26 *Scenic coastal landscapes including areas of state significance. Areas of state significance (Scenic coastal landscapes) were "areas of outstanding and distinctive scenic quality and are high priority areas for scenic landscape management" (state policy); "agencies are to include measures in plans that protect scenic landscape values from incompatible land uses ..."* (p84).

- Map 21 *Erosion-prone areas* shows all of this coast as erosion-prone; and Map 27 shows all of the Mission beach coast and all of Boat Bay (immediately north of Clump Point) as an *Area of state significance (natural resources) - significant coastal wetlands*.
- Chapter 2 describes Boat Bay and some of its formally protected wildlife. See *WTCRCMP Ch 2 p123,124 DCOs Clump Point* (attached) for the *Desired Coastal Outcomes* for Clump Point. These are consistent with protection for their world heritage values.

Box 1 (below) contains our recommendations to the state for the recently completed works at Clump Point:

The work proposed is an opportunity to correct some mistakes of the past, when the world heritage aesthetic and natural values of Clump Point were not protected.

All built structures at Clump Point must be brought up to a standard appropriate to world heritage protection and presentation, applying the following principles

1. The rocks to be used must be of the same type and appearance as the natural rock.
2. The rocks used must be of sufficient mass and appropriate shape and secure placement to resist a Category 5 cyclone. Nothing less will do: the existing, natural, rocky headland has been there without breaking up for thousands of years, withstanding hundreds of severe storms, and any built structure to be created as an extension of the headland must be a fitting attachment, not detract any further from the natural and aesthetic values of Clump Point.
3. The armour rock now spread over the seabottom by storms must be removed.
4. The existing artificially placed rocks still in place are unsuitable because:
 - (i) they are too small, hence readily displaced, and have already been scattered all over the seabottom by successive storms (cumulative damage), without repair to the natural values (benthic habitat and communities) of this part of the world heritage value. Given the predicted higher frequency of high-intensity storms this damage must be prevented. There is no possible excuse for putting the seabottom (natural values) or the aesthetic values at risk.
 - (ii) they are of different rock to the natural rock where they have been placed. Clump Point has an unusual, naturally occurring, geologically important and scientifically and aesthetically interesting contrast in rock type which contributes greatly to its world heritage aesthetic and natural value. It was an insensitive and bizarre decision to confuse these rock types, given the importance of Presentation in world heritage listing. Clump Point is a prominent landmark and the distinction in rock types is critical to its natural and aesthetic value.
5. Mangrove trees (appropriate species) must be planted among new rock placements to assist in restoring the natural and aesthetic values and to replace mangroves lost due to the proposed works.

What we got instead

An urban car park which has already destroyed essential cassowary habitat and CE littoral rainforest. Despite repeated requests for a low impact solution that would support, or at least not destroy, the existing character, Queensland chose to install an inappropriate engineering solution involving curbing and channelling, an out-of-place urban interpolation on a high-conservation headland important to the GGBR WHA. Further, this work has significantly reduced the area to either side of the road that was previously used, on the 20 days of the year when some congestion occurs, for parking. All boat ramps experience these occasional periods of congestion. The previously existing parking sites allowed the perception of driving through a wilderness area, clearly supporting the world heritage duty of Presentation, and had not destroyed the natural areas.

The widening of the road has destroyed this canopied forest drive and has forced the construction of additional car parking - now to be obtained by further destruction of the Clump Point benthos by constructing a large reclamation area that is to extend very obviously into the tidal bay.

Most of the time these facilities will be unused.

The access to the Clump Point headland is via a very narrow sealed road flanked by grand littoral rainforest creating a living canopy, incidentally keeping the road surface relatively cool. It opens up on the incline to the grassland lookout area (endangered Themeda grass) which holds strong significance for the Djiru people.

Because of the works being carried out, the area containing the road to the boat ramp is in the process of having its natural beauty permanently destroyed. The proposed reclamation will further dramatically degrade the aesthetic value of Clump Point, entirely spoiling the view across the bay to Narragon Beach. What natural vegetation remains will no longer give the impression of a high-conservation and naturally beautiful vista, but a citified port and car park with some decorative vegetation interpolated around the built structures; where once was a picturesque headland will be an ugly urban intrusion on the once aesthetically-uncontaminated Boat Bay, extending by reclamation like any industrial port.

These works are rather like pre-emptive clearing. The steady destruction of the headland's high conservation and aesthetic value will obviously change the character of the place and how it is valued, irrevocably significantly reducing its worth as one of the beautiful intact bays (headland to headland) of the GBRWHA; not only compromising the beauty of the headland but creating expectation for further expansion and port-related works.

The use of the degraded-site argument (describing the general area as 'not pristine' 'developed' etc) is a clear indication that the proponents and the consultants

Box 2 Formal description of the Vegetation of Clump Point, as summarised by TERRAIN

Most of the vegetation within the reserve areas is mapped as remnant and includes rainforest, mangrove and grassland communities. These are the only examples of these vegetation types on beachfront basalt anywhere in the Wet Tropics.

Clump Point rainforest represents the optimum development of rainforest in Australia under the most favourable environmental conditions of rainfall, fertility, topography and temperature. It is probably the best developed littoral (coastal) rainforest in Australia.

Clump Point features some outstanding specimens of kwila, ivory mahogany, scaly ash, cluster fig, black bean, coral tree, native dracaena and milky pine. Clump Point supports a number of plant species rarely found outside the area including the vulnerable arenga palm, the pink flowering guest tree, Mission Beach satin ash and scarlet bean.

Although requiring further restoration, the kangaroo/themeda grassland on the headland is one of the most restricted vegetation communities in the Wet Tropics and is listed as endangered.

Given Clump Point's inherent vegetation values and the special aesthetic value it contributes to the GBRWHA, one has to ask just what does Queensland think it is doing? Ignorance may be excusable once, but not for a continuing series of destructive operations; and in any case there is no excuse for decision-making bodies whose staff are (or should be) well aware of the obligations they have under the World Heritage Convention, EPBC Act, ESD, Precautionary Principle, MNES system and so on - even if they have no natural sympathy for the natural world per se.

Clump Point was once the outstanding feature of Boat Bay: unique in its natural features -

geomorphological, ecological and aesthetic. Through the present process, Clump Point is well on the way to becoming just another bituminised urban desert somewhat decorated with bits of vegetation no longer relevant as an ecosystem. If it is usual for this type of Application to be approved it has to be pointed out that the approval regime itself is contributing to the loss of aesthetic and ecological values of the GBRWHA.

Our recommendations follow:

- NO APPROVAL for building an obviously man-made and ugly structure (reclaimed land) topped with a bitumen desert, to permanently spoil the existing high-value aesthetic value of Boat Bay and its importance in contributing to the OUV of the GBRWHA.
- NO FURTHER DESTRUCTION of the Clump Point headland and approaches.
- RE-THINK VEHICLE ACCESS AND PARKING. Work **with** the natural features of the site instead of destroying them.



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