



COMMONWEALTH OF AUSTRALIA

SENATE

Official Committee Hansard

ENVIRONMENT, RECREATION, COMMUNICATIONS AND THE
ARTS REFERENCES COMMITTEE

Reference: Hinchinbrook Channel

THURSDAY, 30 JULY 1998

CARDWELL

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SENATE

**ENVIRONMENT, RECREATION, COMMUNICATIONS
AND THE ARTS REFERENCES COMMITTEE**

THURSDAY, 30 JULY 1998

Members: Senator Allison (*Chair*), Senator Tierney (*Deputy Chair*), Senators Hogg, Lundy, O’Chee, Payne, Reynolds and Schacht

Participating members: Senators Abetz, Bartlett, Bolkus, Boswell, Brown, Calvert, George Campbell, Chapman, Colston, Coonan, Cooney, Eggleston, Chris Evans, Faulkner, Ferguson, Ian Macdonald, Margetts, McKiernan, Neal, Patterson and Woodley

Senators in attendance: Senators Allison, Hogg, Ian Macdonald, O’Chee and Payne

Terms of reference for the inquiry:

1. The relationships between Federal, state and local governments and developers in the Hinchinbrook Channel.
2. The effect of developments on the environment of the Hinchinbrook Channel and surrounding environs.
3. Whether governments have met their obligations under the various acts and agreements that deal with the Hinchinbrook area.
4. Alternatives to the existing regime.
5. What lessons have been learned and what can be done to prevent problems like this occurring in the future.

WITNESSES

ADCOCK, Mr Ian Douglas, Director, Corporate and Community Services, Cardwell Shire Council, PO Box 401, Tully, Queensland 4854	90
ANDERSON, Ms Denise, Treasurer, Concerned Residents of Cardwell Shire Association Inc., PO Box 21, Cardwell, Queensland 4849	81
FISK, Mr Paul, Executive Officer, Giringun Elders and Reference Group Aboriginal Corporation, PO Box 303, Cardwell, Queensland 4849	54
GIANDOMENICO, Mr Giuseppantonio, Mayor, Hinchinbrook Shire Council, PO Box 366, Ingham, Queensland 4850	66
HALLAM, Mr Lindsay John, Chairman, Port Hinchinbrook Subcommittee, Cardwell Chamber of Commerce, P.O. Box 14, Cardwell, Queensland 4849	2
HARVEY, Mr Alan Sydney, Chief Executive Officer, Hinchinbrook Shire Council, PO Box 366, Ingham, Queensland 4850	66

HUNT, Mr Ronald Alexander, Deputy Mayor, Cardwell Shire Council, PO Box 401, Tully, Queensland 4854	90
KIMBLE, Mr David Alan, Management Committee Member, Community for Coastal and Cassowary Conservation, P.O. Box 165, Mission Beach, Queensland 4852	112
KUSKOPF, Mr Colin, Vice President, Concerned Residents of Cardwell Shire Association Inc., PO Box 21, Cardwell, Queensland 4849	81
McCRISTAL, Mr Victor Francis, Member, Sunfish, P.O. Box 330, Aitkenvale, Queensland 4814	21
McINTYRE, Mr Frank Christopher, Town Planning Officer, Cardwell Shire Council, PO Box 401, Tully, Queensland 4854	90
MULLER, Ms Carolyn, Honorary Secretary, Wildlife Preservation Society of Queensland (Tully & District Branch), P.O. Box 771, Tully, Queensland 4854 ..	112
OELLERMANN, Mrs Rosamond Elizabeth, Member, Cardwell Chamber of Commerce, P.O. Box 14, Cardwell, Queensland 4849	2
PARKER, Mr Ken, Friends of Hinchinbrook Society Inc, PO Box 281, Cardwell, Queensland 4849	39
PETTIGREW, Mr John William, Deputy Director, Engineering Services, Cardwell Shire Council, PO Box 401, Tully, Queensland 4854	90
PRIOR, Ms Margaret Elizabeth, Proprietor and Chief Pilot, Cardwell Air Charter, P.O. Box 225, Cardwell, Queensland 4849	104
RIST, Mr Phil, Native Title Coordinator, Girringun Elders and Reference Group Aboriginal Corporation, PO Box 303, Cardwell, Queensland 4849	54
SHEEDY, Mr Peter Edward, Manager, Canegrowers Herbert River District, PO Box 410, Ingham, Queensland 4850	66
SUTTON, Mr Paul Joseph, President, Wildlife Preservation Society of Queensland (Hinchinbrook Branch), P.O. Box 1184, Ingham, Queensland 4850	112
THORSBORNE, Mrs Margaret, Secretary, Friends of Hinchinbrook Society Inc, PO Box 281, Cardwell, Queensland 4849	39
TURPIN, Mr Paul, Wet Tropics Liaison Officer, Girringun Elders and Reference Group Aboriginal Corporation, PO Box 303, Cardwell, Queensland 4849	54
VEITCH, Mr Vernon Maxwell, Branch Deputy Chair, Sunfish, P.O. Box 330, Aitkenvale, Queensland 4814	21
VITALE, Mr Vincenzo, Member, Sunfish, P.O. Box 330, Aitkenvale, Queensland 4814	21

WHITEMAN, Mr William Grant, Deputy Chair, Cardwell Chamber of Commerce, P.O. Box 14, Cardwell, Queensland 4849	2
WHITEMAN, Mr William Grant, Pilot and Business Associate, Cardwell Air Charter, P.O. Box 225, Cardwell, Queensland 4849	104

**ENVIRONMENT, RECREATION, COMMUNICATIONS
AND THE ARTS REFERENCES COMMITTEE**

Hinchinbrook Channel

CARDWELL

Committee met at 9.05 a.m.

CHAIR—I welcome you all to this first public hearing of the Senate Environment, Recreation, Communications and the Arts References Committee's inquiry into Hinchinbrook Channel.

Before proceeding, the committee wishes to stress that, although it examines witnesses at its public hearings, a committee hearing is not a court of law. The purpose of the committee's inquiry is not to stop the Port Hinchinbrook development, nor is it to give it official approval. In its role of Senate environment committee, the committee's primary focus is on environmental issues. For this reason we have not accepted submissions and will not hear evidence which does not address environmental issues related to the proposed development at Port Hinchinbrook.

Committee public hearings give to a wide range of people an opportunity to have their concerns heard in a parliamentary forum. The committee recognises the sensitivity of the issues before it and the strength of feeling generated by those issues. However, we ask that all those present respect the right of each witness to be heard in silence. If there are any disruptions to the evidence of any witness, we intend to suspend proceedings immediately. I call for your cooperation for the democratic process to take its course. Those who wish to respond to issues raised in the evidence of witnesses heard today will be able to do so in writing to the committee.

The committee prefers that evidence be given in public, but, should you at any stage wish to give your evidence, part of your evidence or answers to specific questions in camera, you may ask to do so and the committee will consider your request. I point out, however, that evidence taken in camera may subsequently be made public by order of the Senate.

I welcome Mr Greg Smith and other representatives of the Cardwell Chamber of Commerce to the table.

[9.07 a.m.]

HALLAM, Mr Lindsay John, Chairman, Port Hinchinbrook Subcommittee, Cardwell Chamber of Commerce, P.O. Box 14, Cardwell, Queensland 4849

OELLERMANN, Mrs Rosamond Elizabeth, Member, Cardwell Chamber of Commerce, P.O. Box 14, Cardwell, Queensland 4849

WHITEMAN, Mr William Grant, Deputy Chair, Cardwell Chamber of Commerce, P.O. Box 14, Cardwell, Queensland 4849

Mr Whiteman—Just to correct the record, Mr Greg Smith, the chairman of our chamber, will not be attending this morning. We wish to pass on his apologies. He had an accident last night and is in hospital in Townsville today, so I will be acting chair.

CHAIR—Thank you. The committee has before it submission No. 123 which it has authorised to be published. Are there any alterations or additions you would care to make before I invite you to make an opening statement?

Mr Whiteman—No.

CHAIR—We invite you to make a brief opening statement or we can proceed straight to questions.

Mr Whiteman—I have a short opening statement. First of all, I would like to welcome the committee to Cardwell. Unlike other Senate inquiries, we appreciate you taking the opportunity to come to Cardwell to discuss with us as local representatives local issues regarding Port Hinchinbrook and the Hinchinbrook Channel.

Our charter is to ensure the best future management of our area. The vast majority of residents know that the Port Hinchinbrook development is consistent with this goal, and our membership comprises a wide cross-section of our community ranging from farming to light industry, tourism, small business and genuine conservationists.

This morning we would like to concentrate on the positive benefits that will be enjoyed, and are already being enjoyed, by our community through the Port Hinchinbrook development. Lindsay Hallam, the chairperson of our Port Hinchinbrook subcommittee, will address these benefits from a community and business point of view, while Ros Oellermann will respond to tourism issues. Bill Whiteman, our vice-president, will address your committee in his role as chairman of the Hinchinbrook Cardwell Marine Resources Advisory Committee and vice-chairman of the Regional Consultative Group which is currently drafting the coastal draft management plan for this region.

Sadly, we must also take the time to discuss with you the trauma and intimidation inflicted on our community by the fanatics who oppose not only Port Hinchinbrook but, seemingly, every development in North Queensland. We will be tendering several letters as evidence from locals alleging intimidation from the fanatics, as well as other material relating to this topic. Included will also be evidence that the fanatics even tried to manipulate

this very inquiry. Finally, I would like to request, through the chair, that I be allowed to make a short two-minute concluding statement at the end of this session.

CHAIR—You say that the vast majority of members of this community know the value of the Port Hinchinbrook development. What steps have you taken to measure that support?

Mr Whiteman—I think that support has been well and truly illustrated in the turn-up at the public support meetings. Lindsay might be able to elaborate on dates of meetings and numbers that turned up.

Mr Hallam—There was also a petition that we took up back in 1994, where there were 1,260 signatures of people who support the Port Hinchinbrook project in our area. For the record, we had a public meeting in this hall on 31 October 1994 which 700 people attended. On 19 November 1994 we had another public rally which was on a work day and 400 people attended. On 26 November 1994 we had a public rally which more than 1,000 supporters attended. These are all figures that were reported in the *Cairns Post* and *Townsville Bulletin*. They are not our figures. Similarly, we confirmed with the local police the figures at rallies. Without question, we have phenomenal support in this area for the Port Hinchinbrook development.

Senator IAN MACDONALD—How many other—

Mr Hallam—On 26 November more than 1,000 supporters attended, as reported in the *Cairns Post*.

CHAIR—Have you taken steps to do a survey of any sort?

Mr Hallam—These are independent calculations—they were not done by our organisation. We found that, with surveys, people respond according to the way the questions are fashioned. It is quite easy to get the result that you want in your survey, depending on how you ask the question. We have relied on other people coming up with the figures of support.

CHAIR—Has the Chamber of Commerce looked at the viability of this project? Are you convinced that feasibility studies have been done and support your notion that this will be good for Cardwell?

Mr Hallam—Certainly. The people that oppose the Port Hinchinbrook development say that the developer has grossly overstated, for example, the number of jobs that will come to our community. Rather than take Keith Williams's figures, or rather than take the Cardwell Shire Council's figures, I actually stayed at the Capricorn Resort at Yeppoon to get first-hand experience of a resort that is actually on the mainland and operating today.

The experience there, I am told from management, is that they accommodate a maximum of 800 people and they employ 500 people. The developer stated in the early days that the Port Hinchinbrook development, when it reached capacity of 1,500, would accommodate 1,000 jobs. If you draw a parallel with the Capricorn Resort, it is quite obvious that the developer's figures are spot on. In 1994 the Cardwell Shire Council, through consultation with experts, came up with a multiplier of 2.4 to 2.7. That is, if there are 1,000 jobs created

directly at Port Hinchinbrook, the district would expect that figure to actually transpose over as 2,400 to 2,700 jobs in the district. They are not Chamber of Commerce figures.

CHAIR—Are there any members of the Chamber of Commerce who have an interest in the development?

Mr Whiteman—Who have a financial interest?

CHAIR—Yes.

Mr Whiteman—Not that I am aware of.

Mr Hallam—As a real estate agent I would have an interest in the development. I was approached by the developer about 12 months ago to coordinate the sales at the Port Hinchinbrook development. However, my capacity for the previous four years was as president of the Cardwell Chamber of Commerce. As a group we supported the development because we were fully aware of the benefits that would come to our town. The developer stated on numerous occasions that he would use local people as much as he possibly could in job creation at Port Hinchinbrook, and I personally feel very proud that I was approached to take part, in the capacity of coordinator of the sales. I am looking forward to employing locals to work with me in my endeavours to be successful.

Senator PAYNE—My question is best directed to either Mr Whiteman or Mr Hallam and is in terms of the comments in your submission about the need for more comprehensive management plans for this area in particular and world heritage areas in general. Could you give me a little more detail on what sort of a management plan you are looking for that would incorporate your concerns and the issues that you believe are important, as well as the environmental aspects you have already referred to in your submission?

Mr Whiteman—Certainly. After nine years the Hinchinbrook Island draft management plan is still not a legislative document. For tourism to grow in this area there has to be some certainty for the future. No-one is going to put their life savings into establishing a business in this area if they cannot see some opportunity to gain from that investment in the future.

In the absence of management plans there is no security of tenure for anyone involved in tourist operations in this area. The permits that are issued for commercial operators now in the national park areas are for a maximum period of three years, and in the Great Barrier Reef Marine Park area for a maximum of six years. Who is going to make a substantial investment when, at the end of three years, the right to operate could be removed?

This is the uncertainty that the area faces in terms of any future investment. Until there are management strategies in place, formally protected by legislation, there is no opportunity for major future investment in this area—in tourism, certainly.

Mr Hallam—Our town, all the way along the line, for the last 12 to 14 years has been used as a political football. I am sure I speak for every person in our community when I say we are sick and tired of being used as a political football. We would want out of this Senate inquiry to see that no other town is treated the way that Cardwell has been treated over the

last 12 to 14 years. We would prefer politics to be played in Brisbane and Canberra rather than in our backyard.

For example, in 1994 when Senator Faulkner gave it the final go-ahead, numerous families came to Cardwell expecting a decent future for themselves and their families. They re-established themselves here but within three weeks, for reasons known only to himself, Senator Faulkner stopped the project. In effect, that absolutely ruined the futures of a lot of people in our area.

There were people who had mortgaged homes and taken overdrafts, et cetera, to establish themselves here after coming from far afield. That type of situation has had a devastating effect on us. I am sure it is something the Senate is addressing now, that no community can afford the uncertainty that surrounded the Port Hinchinbrook development. It is absolutely critical that when a government decision is taken—and bearing in mind the Port Hinchinbrook development has had bipartisan approval for the past four or five years—that responsible developments like Port Hinchinbrook proceed.

That very issue is the most emotional issue in the whole of our town and it is reflected through the media as well. It is reflected by non-stakeholders in the Port Hinchinbrook development, for example by the editors of various newspapers. They have all expressed that concern.

Senator PAYNE—Thank you. Again, drawing from your submission in relation to management plans, you refer to the enormous positive potential in public education and environmental awareness. Could you expand a little more on what sort of public education and awareness programs you had in mind there?

Mr Whiteman—This area is probably unique, not only in Australia but in the world. Sixty-eight per cent of the Cardwell shire is now a world heritage area—national parks, state forests or other protected land—and there is little room for agricultural expansion. The future of this area is ecotourism.

Part of the responsibility as a world heritage area is not only protection of the environment but also to provide visitors from overseas, and Australians, with an opportunity to see and experience at least a sample of these magnificent areas. Part of that has to be an education program to make sure that visitors are doing the right thing and having minimum impact on the environment. For example, there are signs on boat ramps advising people that there are dugongs, irrawadi dolphins, humpback dolphins and turtles in this area and asking people to be aware of them, to watch out for them, and to operate their vessels appropriately. That is a very important strategy in protecting the natural values that we have in this area. That is what I am referring to.

Senator HOGG—I would like to pick up on comments made by Mr Hallam. It really gets to the issue of the so-called mess that seems to have taken place over a period of time.

What is your response to the issue of the role of state, federal and local governments in these types of issues? There are varying degrees of involvement at different levels of government. Where should the responsibility lie? Is it a federal, state or local government

responsibility? Given the complexities of national and international law, there are international treaties that we are party to. Where should the responsibility lie? It seems to me that that is where much of the problem surrounding Hinchinbrook lies.

Mr Hallam—Interestingly, the Cardwell Shire Council has supported the Port Hinchinbrook development from day one. State governments—both Labor governments and conservative governments—have supported the Port Hinchinbrook project, and the John Howard federal government supports the Port Hinchinbrook development. Further to that, it has been through the judicial system.

Senator HOGG—No, I am trying to look at it on a broader basis as to where the overall responsibility should lie. What has happened with Port Hinchinbrook is now a matter of record and history. Where should we go from here? Mr Whiteman is talking about some sort of certainty. Would the certainty be best placed with, say, the federal government making the laws and decisions, or should there be some devolution of power to the state or the local area? It seems to me that this blurring as to where the responsibility lies causes much of the problem.

Mr Hallam—There is a deed of agreement.

Senator HOGG—I am not trying to talk about Hinchinbrook. I am trying to talk about the broader picture.

Mr Hallam—I think the deed of agreement is an excellent way for governments to go with all developments. The problem seems to arise where once again it is playing politics. It seems as though the intervention by the Democrats has had a major part in the uncertainty that has been created.

Mr Whiteman—Clearly, the responsibility lies with the authority that has the power. I guess the best way to overcome the difficulties that have occurred in the past with each of the authorities not communicating is what is going on now with the coastal management plan for this area. It involves the Commonwealth and state governments, local authorities, chambers of commerce, commercial fishermen organisations and sports fishing clubs. The purpose of that—

Senator HOGG—Does that involve your chamber?

Mr Whiteman—It does indeed, and I hold the position of deputy chair of the committee of the regional consultative group. Through that process of all of those agencies having direct involvement, a management plan will evolve, hopefully by mid next year, that will determine the future management of this region of the coast between south of Ingham at Crystal Creek and Mission Beach. That plan will involve input from all of the relevant resource management agencies and legislative authorities. It will include world heritage issues, and that will be the Commonwealth's involvement and contribution to that process. It will also involve small local government issues in terms of culvert design for new road works, et cetera. That is the appropriate process and it should be an open and transparent process whereby every member of the community, both in Australia and overseas, has an

opportunity to see what is happening and be able to see the evolution of that management plan.

Senator HOGG—But isn't that part of the problem with what happened with Hinchinbrook? None of this was in place, and probably the controversy that has been raised through the Hinchinbrook process has now led to the coastal management program—which I concede is a very good program—being put in place, whereas there was a complete absence of this before. I hate to say it, but in some ways you people have been at the very initial stages and, of course, now you are seeing the benefit through the likes of the coastal management plan.

Mr Whiteman—Exactly. What you are saying is exactly correct. The whole problem of Port Hinchinbrook started with lack of good guidelines right from the beginning. What actually happened was that the government agencies gave approval for a project to go ahead and then later reneged on that commitment.

Mr Hallam—We are an approved project. This is the difficulty that has arisen.

Senator HOGG—I am not questioning that. I am trying to look at the role of state, federal and local governments in this type of issue—that is the thing that really concerns me—because if it is left in the hands of local government then the federal government at some stage will say that you have overlooked our obligation to international treaties and covenants and so on. So you cannot leave it solely with local government. You cannot leave it with state government. There are accusations raised in other hearings that these matters left in the hands of local and state government tend to become developer dominated and do not take into account the other needs that may well be out there in the community. There are all sorts of charges, left, right and centre. It seems to me that the coastal management plan offers the community an opportunity to have an input as well as all the other interested agencies.

Mr Hallam—Exactly.

Senator HOGG—There is one other thing that you said, Mr Whiteman, in your opening statement which did concern me: that fanatics were trying to manipulate this inquiry. Was that an inference that people such as myself were trying to be manipulated or, if you made that statement, what did you mean by it?

Mr Whiteman—I qualify that statement, and we have a document which we will tender to the committee. I guess this document is fairly self-explanatory.

Senator HOGG—But it was not imputing a motive to people such as myself?

Mr Whiteman—Certainly not.

Senator HOGG—That is what I wanted to know.

Mr Whiteman—This was imputing a motive to having students make presentations to this inquiry. That was all. That was relating to geeing up as many negative submissions as possible. We will tender this document. It is a copy of an e-mail.

Senator HOGG—As long as it was not a reflection on the actions of any individual senator because I certainly was not involved in any such thing.

Mr Whiteman—Not at all, and I will verify that now. We believe that the committee has the highest integrity and that is why we are taking the time to come here today to make our presentation.

CHAIR—Mr Whiteman, can I just make a comment on that? It would seem to me that encouraging people to make a submission to an inquiry is part of the normal democratic process. Why do you suggest that it is manipulation?

Mr Hallam—That was not ‘encouraging’. If you read the text it says ‘ensuring’. If you look at the history of the Port Hinchinbrook project and the history of the intimidation of protests being organised by that particular person to come to Cardwell, that was the problem we had. In fact, James Cook University buses have been used to bring students to protest in Cardwell. That is further evidence of what is happening from James Cook University.

Senator IAN MACDONALD—You are referring to the comment: We want also for there to be deluge of submissions to the Inquiry to show the statistics on the number of submissions as in our favour—

Is that the sort of thing you are talking about? And the comments goes on:

Please ensure all students send in a submission even if it is only one line saying they reject the development.

Mr Hallam—That is correct. And through the media we have heard of the number of submissions that you have received and there have been different quotes from different media sources ranging from 70 to 90 per cent of those presentations being against the Port Hinchinbrook development. What would you expect?

Senator IAN MACDONALD—I just want to ask a couple of quick questions just to find out something about your organisation. How many members are there of the Cardwell Chamber of Commerce approximately?

Mr Whiteman—We have about 40 financial members.

Senator IAN MACDONALD—Any idea how many businesses there are in town?

Mr Whiteman—I would say probably not many—about 60, and that is only an estimate.

Senator IAN MACDONALD—What is the population of Cardwell?

Mr Hallam—The town is 1,000; the district is approximately 1,400. That is why when we get 1,200 people to a public meeting out of a district with such a small population, it is quite obvious the amount of support that there is for the Port Hinchinbrook development.

Senator IAN MACDONALD—It seems that the principal opponents to this are the Friends of Hinchinbrook. I will ask them the question, but do you have any idea of how many local people are involved in that group?

Mr Hallam—Not really.

Senator IAN MACDONALD—Six, someone says from the audience.

Mr Hallam—I can elaborate on that because at one of their large protests I think the media reported that there were 210 protesters. I, and two others who have lived in the town for about 15 years and pretty well know everybody, counted the number of locals that were in that protest and I went on ABC Radio and said there were 16 locals. I got an abusive phone call on the Monday from one of the Friends of Hinchinbrook who said that there were not 16, there were 26. I said, ‘Where is the difference?’ and they said, ‘You did not count our 10 children.’ So I think that is a pretty good example.

CHAIR—Order! Could I just remind those people present today that the witnesses need to be heard in silence. I would be obliged if you neither made comments nor indulged in clapping, shall we say.

Senator IAN MACDONALD—As we do in the Senate, of course. At the end of the native title debate we did not clap. Do you have any figures of the unemployment rate, and particularly youth unemployment, in this town?

Mr Whiteman—No.

Mr Hallam—Senator Margaret Reynolds came out in the media not that long ago—certainly within the last 12 months—and was talking about the major unemployment areas in the north. She quoted Bowen and the Ingham-Innisfail area and said that we were one of the highest areas of unemployment in Australia.

Senator IAN MACDONALD—I guess that this is a country town, like a lot of country towns, where when young people finish school, they have got no jobs so they move away and never come back. Is that a problem in this community?

Mr Whiteman—It certainly is.

Mr Hallam—The Port Hinchinbrook development is the first opportunity in this town’s 130-year history to have a major employer in our district. We are counting on it to reverse the trend of splitting up our families. We love it up here. We live here by choice and would love to have the opportunity to keep our family units together.

Senator IAN MACDONALD—I think that Mr Whiteman said that one of you was going to talk to us about the RMRAC. Who is that?

Mr Whiteman—I will do that.

Senator IAN MACDONALD—Can you just tell us very quickly what the local RMRAC is, whom it involves, how it is set up, what your function is and what conclusions you have come to in relation to this matter?

Mr Whiteman—Regional marine resource advisory committees were initially established by the Great Barrier Reef Marine Park Authority approximately five years ago. Their purpose was to allow the authority to have input from local communities when developing management plans for areas. The membership of our Hinchinbrook RMRAC includes the Chamber of Commerce, the Friends of Hinchinbrook, concerned residents of Cardwell, North Queensland Conservation Council, commercial fishing, sports fishing, the Department of Environment and the Great Barrier Reef Marine Park Authority. Both local authorities, the Hinchinbrook Council and the Cardwell Council, are represented on that committee, as is the Girringun Elders and Reference Group, the Aboriginal traditional owners.

The committee has spent years working through various management strategies for the area. We have spent a long time looking at the Department of Environment Hinchinbrook Island draft management plan and we fully endorse that plan. We have looked at the Brook Island and family group management plan. We have given a lot of support to the government for those plans.

More recently we have been looking at dugong management in the area. The strategy that we have come up with as a result of that marine resources advisory committee is a proposal for transit lanes and slow vessel areas. It has been a very contentious issue and it is going to involve a fair bit of compromise from a lot of people in the area. The sport fishing people are going to have to travel extra distances. The commercial operators are going to have to travel considerable extra distances to remain in these transit lanes. But it is a very credible management strategy.

I would like to tender a document from Brevard County, which has probably the highest manatee population area in the United States. They have spent millions of dollars and have spent years on research and community consultation to come up with strategies to protect manatees in those areas. Those strategies involve exactly the same proposals that we are putting forward for this area: transit lanes to keep the high speed boat traffic out into the deeper water, away from the shallow seagrass beds and intertidal zones where the dugongs are vulnerable; and speed limits on vessels in the shallow water areas.

It is a very credible proposal, and we have put that to the regional consultative group, who are also endorsing this proposal as a way of still having some tourism and recreational opportunities in the area, while doing the best we can to protect dugong. Part of the program also involves a public education program: the signs that you would see at the boat ramps around the town were an initiative of the RMRACs. They are all active measures that the RMRACs have taken to try to ensure that we can have people enjoying this area but we can still pass on to our children and grandchildren the unique qualities of the area in as good condition as we have them today.

Senator IAN MACDONALD—Does the RMRAC feel that the Port Hinchinbrook development can be managed in a way that does not impact upon the values of the Great Barrier Reef?

Mr Whiteman—What has happened in the RMRAC is that we have concentrated on the issues where we believe that we can reach consensus. We have deliberately avoided discussion of the Port Hinchinbrook development as a development, simply because of the

greatly differing views of the membership. We have addressed the possible impacts of that development on the marine environment. We have looked at such issues as recreational fishing, commercial fishing and the dugong management area. As far as the Port Hinchinbrook development itself is concerned, the RMRAC has not discussed or passed an opinion on that particular development.

Senator IAN MACDONALD—Finally, recognising that in a small town everybody knows what is happening, are you surprised at the number of visitors who come through and then find that Port Hinchinbrook is actually on the mainland and not on the island? Would you care to comment about that?

Mr Whiteman—I am not surprised any longer. We are also a commercial tourist operator in the area. Sixty per cent of the people from the southern states who come out on our vessels to Hinchinbrook Island ask, ‘Whereabouts over here is Keith Williams going to build this resort?’ It has now become standard that, when we welcome everyone onto the vessel of a morning and do the safety brief, we say to people, ‘Just down the end of the beach, on the end of town there, is where Port Hinchinbrook is going to be built.’

Senator IAN MACDONALD—But the common perception is that it is on the island?

Mr Whiteman—Definitely, absolutely.

Mr Hallam—Can I elaborate on that? Is it any wonder that people are confused? When the Wilderness Society illegally invaded the Prime Minister’s office in Sydney purely to get on national television—if they cannot get on national television because they have got substantiated facts to stop the project, they have got to break the law—their spokesman, Felicity Wade, went on national television and said, ‘We can’t allow this project to go on Hinchinbrook Island; we can’t allow the dredging of the Hinchinbrook Channel.’

I am finding at the Port Hinchinbrook sales office that people are coming in and saying, ‘Is this Keith Williams’ development?’ We say, ‘Yes, it is.’ They say, ‘What the hell has the fuss been about?’ I say, ‘Have a drive through, and please stop on the way back: I’d like to have a talk to you.’ They will say things like, ‘What about the second stage: is it on Hinchinbrook Island?’ or ‘What about the armada of dredges that we expected to be in the Hinchinbrook Channel?’ This is because of the misinformation that has been circulated through the media.

I spend probably 80 per cent of my time not in selling real estate but in talking to people and reassuring them of the facts of what has been happening. The way this whole issue has been handled by the media is a very major worry to us. We in our town are very sceptical of the media, because we know the way things have been reported here: we just cannot believe that what we are reading in our newspapers and seeing on television is being presented as news.

Senator O’CHEE—May I ask you about the existing tourism base? Leaving caravans out of it, how many beds are available in motels in this town at the moment?

Mr Hallam—Probably 200 or 300, maximum.

Senator O'CHEE—So 1,500 would of course be a substantial increase in beds.

Mr Hallam—Not only are there 200 or 300 beds but tourism here is very seasonal because we just have not got the facilities. What Port Hinchinbrook will bring to this district is the facilities that will make Cardwell a holiday destination town. At the moment, we are basically a two-night stop, but we are looking to convert that into a four-night stop from a packaged tour point of view, and a two- or three-weeks stop for the school holidays, from a family point of view.

Senator O'CHEE—So it brings critical mass to your marketing?

Mr Hallam—Exactly. We hear stories about rate increases. The facts are that Cardwell has an extremely high rate at the moment, and that is because such a high percentage of our shire is world heritage national park and state forest. We are looking forward to a bigger town and a stronger base, where economy of scale plays a major part in keeping prices competitive.

Senator O'CHEE—By increasing the rateable base, you reduce the burden on everybody else of paying for world heritage?

Mr Hallam—Correct.

Senator O'CHEE—What is the population of Cardwell?

Mr Hallam—It is approximately 1,000; and for the district it is approximately 1,400.

Senator O'CHEE—Do you have a high school here?

Mr Hallam—No.

Mr Whiteman—Cardwell is actually dying as a town. I am sure you would have all noticed that half the shops in the main street are empty. The enrolments at the primary school are dwindling. The children from here have to catch a bus all the way up the highway to Tully every day to go to high school. One of the kids came up with the figure that, between grade 8 and grade 12, they do 100,000 kilometres on the highway in school buses.

Unfortunately, this stretch of the highway has the highest accident fatality rate of the whole Bruce Highway down the east coast of Australia. Every semitrailer on its way to Cairns is on the last two or three hours of a 24- or 30-hour drive. A lot of the accidents involve heavy vehicles. The police recognise it as a bad fatigue zone. A lot of the parents worry about their kids travelling up and down it on buses every day. The government has allocated land for a high school just over the back here but, until we get an increase in student numbers—there are about 105 or 108 high school kids at the moment—

Mr Hallam—From Cardwell.

Mr Whiteman—That is right. We are almost there. People in the community see that, if the development goes ahead, it will bring enough additional families to the area for us to

have our own high school. Also, a consideration is what happens to kids when they leave high school now. Unless they want to go picking bananas, there is very little other employment opportunity in the area. They literally have to leave the area. The question of unemployment was raised. I believe it is the policy that, if someone is in an area with less unemployment than Cardwell has, they are not allowed to move to this area or else they lose their benefits. This area is seen as an area of very high unemployment, and therefore they are actively discouraged from even moving to the area to try to find work.

Senator O'CHEE—The problem that you have because of world heritage is that you already have reasonably intensive agriculture on the land that is available, and so there is no opportunity to make the agriculture more intensive and therefore create more jobs and have more people living on the land, is there?

Mr Whiteman—That is exactly right. It goes a little beyond that, also. There are areas of freehold land that are still under forest that could be expanded for agriculture but, within the past five years, the mahogany glider possum has also become a major issue and there are now bans on the clearing of a lot of those blocks, so that it is unlikely that they will ever be cleared. There is now a policy in place to protect wetlands in the area, and that was probably going to involve some compromise in terms of land management. The actual expansion of agriculture is not just determined by the boundaries of world heritage areas; there are a lot of other environmental considerations that also limit agricultural expansion in the area.

Senator O'CHEE—A prominent environmentalist told me at another inquiry that she believed in democracy but that it meant that people in local areas like this should not have a say over their area if it was in the interests of people elsewhere that there should be no development. How would you respond to that philosophical proposition, if you could call it such?

Mr Whiteman—The simple response to that is that it is very easy for people who have science degrees and so on to pass judgment. What they overlook is that people who have lived in an area for their whole lives—for 50-odd years—and have been out fishing or working on a farm also have a fair understanding of the natural processes. The people who have lived in the town for the past 50 years and have seen cyclones and floods come through also have a pretty good understanding of what happens as a result of those events. You do not have to have a science degree to know that beach erosion takes places in some areas and that there is accretion in other areas. It is most unfortunate that the opinions of local people are so easily dismissed as being anecdotal or uneducated when really, I believe, local people have the greatest practical commonsense when it comes to managing areas.

The cane farmers themselves have adopted a code of practice and they are bringing it in. They want to pass their farms on to their families in good condition. They are looking at erosion control measures and drainage system management. All of those are positive steps that the industry is taking on board as its responsibility to control the discharges from cane lands. It is a slow process, but when the burden of cost has to be borne by the people in the local community, I certainly believe that they should have some opportunity to have a say in the management of it.

Senator O'CHEE—You alluded in opening to some evidence of intimidation of people in relation to this inquiry. Would you kindly elaborate on that? You said you had some evidence of that.

Mr Whiteman—Yes. It is as simple as this. We heard at the inquiry held in Townsville—and some of the members of this Senate committee were there—how the scientists were claiming that they had been threatened with litigation and that they were frightened to speak out because of the threat of litigation. In actual fact, there have been threats of litigation against members of this chamber and against members of our community, and we will tender to the committee today evidence of that, from a university academic in Townsville.

Senator O'CHEE—Could you give us details of that? You are before the committee now.

Mr Whiteman—Yes.

Senator HOGG—For the record, could you identify the document by a heading, or in some other way, so that later on when we are referring to the transcript, if we need to, we know what you are talking about?

Mr Whiteman—We have two letters: one from David Haigh, Lecturer in Environmental Law at the James Cook University, Townsville, threatening litigation against the president of our Chamber of Commerce, Mr Greg Smith; and a second letter from David Haigh, Senior Lecturer in Law at James Cook University, Townsville, threatening members of the chamber with litigation.

CHAIR—Are these letters directly to those individuals, or were they published in the newspaper?

Mr Whiteman—No. They are directly to us.

Senator O'CHEE—You are going to table those?

Mr Whiteman—We will table those now.

Senator O'CHEE—Thank you.

Mr Hallam—Further to that, the whole issue of science has been a mind-boggling exercise for the people of Cardwell because, in the Australian scientific community, there would be some 100,000 scientists who no doubt have their own political views, as we all have. There would be extreme leftists and there would be extreme rightists, but we would hope the majority of them were in the middle of the road. We have numerous examples of scientists who are being used, who are absolute opponents of the Port Hinchinbrook development and are being put forward as experts in certain fields.

The James Cook University appears in our newspapers and through our media in this regard regularly. Interestingly, it was the editor of the *Townsville Bulletin*, who was a non-

stakeholder in this issue, who has actually criticised some of the fellow scientists at James Cook University, because of their pursuing their own personal needs and their own personal interests. Perhaps we should table the particular editorial that refers to Professor Crossland from James Cook University and his observations of some of his fellow professors and his criticisms of the roles they have played by being biased in certain scientific areas.

Senator IAN MACDONALD—Any in particular?

Mr Hallam—No, he does not mention them by name, but if you live in North Queensland and you know the Port Hinchinbrook development, you do not need to mention them by name.

Senator IAN MACDONALD—Will you tell us, because a lot of the committee—

Mr Hallam—In particular we are talking about Tony Preen. Three of the senators were at the inquiry in Townsville and they would have heard Tony Preen talk about our police sergeant, who is extremely popular in our local community, and about him netting barramundi down there and selling them for his own personal gain.

CHAIR—Excuse me, Mr Hallam. As I said in the opening statement, what we are dealing with here are questions about the environment, so I would be obliged if you did not go into those other questions.

Mr Hallam—If he is a scientist who is held up as an expert, what I am illustrating is his bias. I think it is important that not only yourselves but perhaps the broader community are aware of these types of problems that will not only arise here but will arise elsewhere. The point I made earlier was that, if you have scientists who have particular interests in a certain area, then undoubtedly they can give you evidence to substantiate where they stand in that area. I am suggesting Tony Preen is one of those.

I would like to table an article from our local newspaper which shows a photograph of our local sergeant, Ian Ninness, with barramundi that he actually captured and gave to the school. The barramundi were raffled and the money went towards the cost of new equipment, et cetera, for the playground at our school.

CHAIR—Mr Whiteman, a number of submissions have drawn attention to the problems of water in this community, the fact that we have had a very long dry period, I understand, and that there are water shortages, generally speaking. What in your view is likely to be the impact on water supplies here from the Port Hinchinbrook development?

Mr Whiteman—We will provide you with some considerable technical detail that has been provided by the local council, but the bottom line is simply this: this part of the coast is the wettest part of all of Australia. We get higher rainfall here than just about anywhere else in the whole of Australia. The issues of water supply are simply issues of infrastructure to capture the fresh water run-off that is occurring in huge volumes every year. I doubt that a year goes by when Cardwell does not get cut off at the highway north and south of town because the rivers flood over the highway.

CHAIR—We will ask these questions of the council, obviously, but, in your view, should there be further infrastructure in this area to cope with the project?

Mr Whiteman—In my view the amount of land that is available for further development is extremely limited. The water resources are certainly there to more than adequately meet the needs of the growth that can occur in the area in the land available, so yes.

CHAIR—But this is not existing. You are arguing for further infrastructure.

Mr Whiteman—By non-existing, you mean excluding Port Hinchinbrook or including Port Hinchinbrook?

CHAIR—As I understand it, there are water restrictions each year in this area because of the limited water supply. Obviously, if we have another 1,500 beds, that is going to be a further drain on that supply. I am asking you whether you agree that this is an issue. You are suggesting there is a lot of water here; all you need is infrastructure. What infrastructure is planned and what is your position in relation to this?

Mr Whiteman—It is outlined in the document. I will ask Lindsay to quickly summarise it.

Mr Hallam—It is all in the deed. We are chamber members. We are not engineers, we are not experts, but we do believe in the deed. We believe that it is a working document that has been put there by all levels of government, and the developer has to abide by it. We have total confidence in our council in handling the water issues.

CHAIR—Before you finish, I am not familiar with all of the ins and outs of the deed, but is the project required to collect water for its own purposes or will it be receiving water from the town supply?

Mr Hallam—At the insistence of the council, the project has to come onto town water supply. That is why the council of the people, who are our representatives, will handle the water issue.

CHAIR—In what sense will you handle it?

Mr Hallam—The council will.

CHAIR—Okay.

Mr Hallam—The chamber will not; the council will.

Senator IAN MACDONALD—From your knowledge, the council are requiring the development to be on the town water supply—

Mr Hallam—Yes, most of them.

Senator IAN MACDONALD—and then it is up to the local authority to feed the town water supply.

Mr Hallam—Yes.

Mr Whiteman—The bottom line is that the developer believes that there is sufficient ground water there on his land to meet all future needs of the resort. It was at the council's request, or insistence, that he not use his own water supply, that he connect into the town supply, and that connection involves some considerable contribution to head developments which will involve mains through the town and expansion of the catchment infrastructure.

CHAIR—We will take up that question of resources and supply with the council.

Mr Hallam—That is one of the advantages of a large development like Port Hinchinbrook that accommodates 1,500 people going ahead rather than, for example, 15 motels that accommodate 100 people each. The town, with this larger development, gets all this infrastructure upgraded whereas, if it was a higgledy-piggledy development of 15 motels that accommodated 100 people, you would not get that infrastructure in place. Importantly, the cost of a lot of that infrastructure is borne by the developer rather than the ratepayers of our town—and sewerage is a prime example.

CHAIR—Where will the 1,500 extra tourists a night come from and how will they get here?

Mr Whiteman—Even if they came from the number of people who drive through Cardwell daily on their way to Cairns or Port Douglas or Mission Beach—those are the destinations that they are heading for, and you only need to stand on the main street and watch the continual procession—there would be more than ample supply from the drive-through traffic. But that is not just what Keith Williams is about. I am sure he will be marketing overseas and I am sure he will be marketing interstate also.

Senator O'CHEE—Twenty-five per cent of tourists who come from Cairns come by their own personal car.

Mr Whiteman—Yes.

Mr Hallam—Can I just ask one question before we finish. Senator Allison, this morning's *Courier-Mail* reported you as saying that you were biased against the Port Hinchinbrook development because of the large number of submissions that were opposed to the project. Would that be correct?

CHAIR—We are not accustomed to answering questions from people who are witnesses.

Mr Hallam—We need to know.

CHAIR—I am happy to answer that. My comments were that we were not biased. We come with an open view, as I think we will demonstrate today. The submissions that the

committee has received were more inclined to be in opposition to the project than in support, and you will see that yourself from the submissions.

Mr Hallam—I am sure you appreciate our concern because, if you look at the history of the Democrats' opposition to the Port Hinchinbrook development, I think almost every person in this room would have that concern.

Senator IAN MACDONALD—Perhaps this letter had some effect. Perhaps all the school students wrote in.

Senator HOGG—We are running out of time, and I have a question that I want to ask in respect of whether the chamber has a view as to how many projects similar to the Oyster Point project can be sustained within the local region. Is there a view?

Mr Hallam—If you look at the composition of our local area, the small township of Cardwell is slap-bang in the middle of 70 kilometres of national park coastline. There is not a suitable site for another similar sized development to Port Hinchinbrook. The other thing is that Port Hinchinbrook has approvals to accommodate 1,500 people. The developer has stated consistently that he will continue to build only on demand, so it may well be that the Port Hinchinbrook saturation point, viability-wise, is 1,000 people. So that is where it would stop.

The other point was that, when it was purchased by the developer, he had approvals to accommodate 2,500 people. He voluntarily agreed to reduce the size of the development initially to 2,000 and then, at a later date, to 1,500 on the basis that he understood he then would get the couple of remaining permits to be able to pursue and go ahead with the Port Hinchinbrook development without any interruption.

Senator HOGG—So it would be the chamber's view that there really is only one Port Hinchinbrook development within its environment, the close environs?

Mr Whiteman—Absolutely. That has always been—

Senator HOGG—Can I just follow on. Does the coastal management plan stretch down to Lucinda?

Mr Whiteman—Yes, it does. It stretches past Lucinda.

Senator HOGG—So it takes into the account the Dungeness area that we saw yesterday?

Mr Whiteman—Yes.

Senator HOGG—I believe there is another major development earmarked for that area as well.

Mr Whiteman—I would say you believe incorrectly. There is a very small development proposed at Dungeness. It is tiny. It is a 50-berth marina with some accommodation, but I

think 100 people is the maximum number. There is no major development for that area at all.

Senator HOGG—That was said to us yesterday on the wharf. I want to find out what the impact of that development will be on your development here. Has that been taken into account? Will it impact greatly?

Mr Whiteman—It is in an entirely different shire. It is a long way from us. It is a very small development, a fair distance off the highway. I think the impacts of that would be negligible in terms of tourism in the area. That proposal is very small.

Senator HOGG—Does the chamber have a view on the development of that project, seeing they are part of the coastal management plan? What I am trying to get an idea of is how the chamber involves itself in someone else's backyard, so to speak.

Mr Whiteman—The very fact that I was able to inform you it is a very small project. It has been considered; the chamber was aware of it. The RMRAC is certainly aware of it and the coastal management plan is certainly picking up that proposal. At this point the regional consultative group for the coastal management plan has not made any decision or recommendation on either the Dungeness or Port Hinchinbrook projects. What we are dealing with is the overall management of the area. We will focus on the detail over the next six months. So the coastal management group does not have an opinion on that project at this time.

Senator HOGG—Does the chamber?

Mr Whiteman—The chamber is aware of it. We see that it is not going to have any significant impact on Cardwell, Port Hinchinbrook or this area.

Senator HOGG—Thank you.

Senator IAN MACDONALD—There are a lot of questions we would all like to ask but, unfortunately, time has run out. We will look at your submission in much more detail. Just for the record, you are talking about the schools and the children going to Tully for high school. I know how far that is away, but for the benefit of others senators and the record could you just tell us how far away Tully is?

Mr Hallam—They spend nearly two hours a day on the bus.

Mr Whiteman—Forty-four kilometres, I think, is the distance from Post Office, Cardwell, to Tully High School one way.

Mr Hallam—By the time they do pick-ups and go up side streets, et cetera, it is basically an hour up and an hour back. This, of course, prohibits the kids being involved in extra curricular activity through the high school.

CHAIR—Thank you very much Mr Whiteman, Mr Hallam and Mrs Oellermann for attending today.

[10.04 a.m.]

McCRISTAL, Mr Victor Francis, Member, Sunfish, P.O. Box 330, Aitkenvale, Queensland 4814

VEITCH, Mr Vernon Maxwell, Branch Deputy Chair, Sunfish, P.O. Box 330, Aitkenvale, Queensland 4814

VITALE, Mr Vincenzo, Member, Sunfish, P.O. Box 330, Aitkenvale, Queensland 4814

CHAIR—I welcome Mr Veitch, Mr Vitale and Mr McCristal. In what capacities do you appear here today?

Mr Veitch—I represent Sunfish Queensland, the body that is recognised by the Queensland government as representing the interests of all recreational anglers. It is my privilege to bring with me today Mr Vince Vitale and Mr Victor McCristal.

Mr Vitale—I was born in the area and have lived in the Ingham district all my life. I have been a cane farmer for 40 years. My family has been there since 1928. I am here to support Sunfish's submission about what the agricultural side of things is doing to the environment.

Mr McCristal—I am a resident of Cardwell where I have lived for the last 33 years. Because of my experience in the area, Vern asked me to come along as a resource person.

CHAIR—Thank you very much. The committee has before it submission No. 122, which it has authorised to be published. Before I invite you to make some opening remarks, are there any alterations or additions to that document?

Mr Veitch—There are no alterations. The only additions are that we believe that in the rural industries, despite the recent introduction of a number of documents such as the cane industry's code of practice, it is business as usual. The bulldozers and excavators are still rolling as we speak.

CHAIR—Thank you. Do you wish to make a brief opening statement?

Mr Veitch—I would like to make a brief opening statement. Recreational anglers in general, I believe, support the Port Hinchinbrook development as long as the on-site impacts are mitigated. We believe that there is a bit of an acid problem down there that has not yet been addressed, but we think that if that can be ameliorated we will get the support of the majority of recreational anglers in Queensland.

That aside, we are a bit concerned that the focus of the whole investigation so far has been on Port Hinchinbrook rather than the whole of the Hinchinbrook region. We believe that Hinchinbrook Channel is sick. I would ask Vince Vitale to show you a couple of the fish that have been caught in the channel over the last six months. These are not isolated cases; this is representative of what many recreational anglers are catching on the land side of Hinchinbrook Channel. These fish have got what is known as red spot disease. Red spot

disease is a classic symptom, in the sorts of quantities that we have been catching them, of acid run-off off the land.

Senator HOGG—Can you say whereabouts those fish were caught?

Mr Veitch—I certainly can. The bream was caught this week in Neams Inlet. The javelin fish was caught about two months ago in Dungeness Creek. The mullet was caught in Victoria Creek about six months ago.

CHAIR—Mr Veitch, for the purposes of *Hansard*, would you mind just describing those fish a little more fully.

Mr Veitch—The bream has got an obvious lesion on its tail on the right-hand side and it was caught in Neams Inlet earlier this week. The mullet was caught about six months ago in Victoria Creek in a cast net. It was still alive at that stage. The javelin was found floating dead—and you can see the lesions on the javelin as well which go right through to the spine—in Dungeness Creek about two months ago.

CHAIR—Thank you.

Mr Veitch—Recreational anglers are catching these and other species on a regular basis with these types of lesions. Once a fish has red spot disease it is not edible. It cannot live out its lifestyle; it cannot breed; it is ruined; it is just devastated. As I said, the area is sick. I am a little bit grubby on the legs as I collected some samples this morning. This is from what is known as Macknade Creek, more commonly known to locals as Molasses Creek because of the run-off that it gets from Macknade Mill. Fish do not live in that water.

Senator IAN MACDONALD—Where does Macknade run into?

Mr Veitch—Hinchinbrook Channel. At the southern end of Hinchinbrook Channel.

Senator IAN MACDONALD—Perhaps you could say exactly where that did come from.

Mr Veitch—This came from Halifax Bemerside Road where the creek runs underneath the road. It is a main road. I did not trespass to get these samples; it was just from the side of the road.

CHAIR—Mr Veitch, the sample you are showing us would appear to be fairly green. Does that indicate it has got algae in it? What is that substance that you think is problematic?

Mr Veitch—I am not a scientist; I just know that fish do not live in it.

CHAIR—Thank you.

Mr Veitch—This sample was collected from the side of the highway this morning just to the south of Ingham. It was collected in an area that had a fairly obvious iron floc on the

surface of the surrounding bank. This actually drains into a creek that runs into Halifax Bay, just to the south of the mouth of Hinchinbrook Channel. That area is extremely important as a nursery area for fish that move from there up into Hinchinbrook Channel. We have tagging records that positively prove those areas such as the Cattle Creek swamp areas are critical to the survival and life cycle of fish such as barramundi, cod, mangrove jack and the like.

Senator O'CHEE—Just for the record—I know where those areas are—those areas are not proximate to the development, are they?

Mr Veitch—Those areas that I collected this from, no. The areas I collected this from, yes. That drains indirectly straight into the south end of Hinchinbrook Channel.

Senator O'CHEE—But it is not close to the development that we are talking about; it is not related to the development?

Mr Veitch—I am not here to talk about Port Hinchinbrook development; I am here to talk about all of the impacts that are impacting on Hinchinbrook Channel.

Senator O'CHEE—I am concerned to make sure that nobody who subsequently reads a *Hansard* gets the wrong idea as to where it came from. The *Hansard* will actually be read by people who are not sitting here and who do not know the area.

Mr Veitch—This has absolutely nothing to do with Port Hinchinbrook. This has a lot to do with the adverse impacts that are impacting on the world heritage qualities of Hinchinbrook Channel.

Senator HOGG—Are you saying that that is typical of what one would find throughout the whole extent of the Hinchinbrook Channel or Hinchinbrook Passage?

Mr Veitch—I am saying it is typical of what is found along the southern edge of the channel from Seymour River, all the way round to the mouth of Hinchinbrook Channel.

Senator HOGG—Which end?

Mr Veitch—The southern end. What concerns us is that it is actually a federal government responsibility to make sure that this area is managed for the long term for the benefit of all Australians. Local councils, whether they be in the Hinchinbrook region or whether they be in Nowra in New South Wales or Broome in Western Australia, are unable to manage natural resources from a holistic perspective for the benefit of all Australians. The only body that can do that is the federal government.

Hinchinbrook Channel has special problems and it needs special management. The hydrological modelling done by Dr Eric Wolanski from the Australian Institute of Marine Science showed that the water in the channel takes a long time to mix with open sea water. Basically, the water in the middle of the channel goes up and it goes down. It might move two or three kilometres down a creek, and then the next tide pushes it straight back up to where it was. We believe it can take over three months for water to turn around in Hinchinbrook Channel.

Given that hydrological modelling, we have a significant aquaculture industry just to the south of the Keith Williams development. There is currently over 100 hectares of aquaculture in ponds already developed. There is a total of 800 hectares zoned for development just to the south.

Senator HOGG—Would you just go through those figures?

Mr Veitch—There is in excess of 100 hectares already under pond. There is over 800 hectares zoned—according to the maps that we have available to us—for development in that area.

CHAIR—How much is currently under construction?

Mr Veitch—I do not know.

CHAIR—Is it part of the 100?

Mr Veitch—I would have to go onto private property to find out, but we do not do that. If I cannot see it from the air, then I do not see it at all.

Senator O'CHEE—You are producing fish or prawns?

Mr Veitch—Prawns, in those two locations. In fact, it was reported in this national magazine in November last year, and there are some photos of the size and nature of the development. Effluent is being released from those sites untreated.

Senator HOGG—Could you identify the magazine?

Mr Veitch—The magazine is *Fisherman & Boatowner*. It was the November edition last year. It is sold Australia-wide. There was an editorial and a subsequent article on a visit by the editor to the Cardwell region. The amount of effluent, sewage, that is coming out of those aquaculture facilities is greater than the total population produces in the whole of Hinchinbrook and Cardwell shires, and we are doing nothing about it.

CHAIR—Mr Veitch, we will take a photocopy of that article, if that is okay.

Mr Veitch—In addition to the effluent that is being released, those sites, we believe, are on top of acid sulfate soils. There are potentially over 800 hectares of acid soils. They are all melaleuca swamp—some of them are actually salt pan—and there is little doubt that those areas would have been acidic. The hydrology has been changed. Every day those soils are oxidising, and every time it rains they are releasing sulfuric acid, some of it as strong as you put in your car batteries. That in itself would be considered to be a significant problem for this area, but it pales into insignificance compared with the other rural industries and the massive level of acid soils that have been exposed to the immediate north and south.

In the areas from Hull Heads just to the north, adjacent to Tully on the coast down to Palm Creek, which we believe are the feeder areas for fish in this region, we have an indication that in excess of 30,000 hectares of acid soil has been exposed for the benefit of

rural industries in the region. Again, this soil is oxidising as we speak and, every time it rains, acid is running out. If acid was not enough of a problem, those industries are also pouring on pesticides, herbicides, fertilisers, et cetera that also increase the nutrient levels of the waterway, which is supposedly a world heritage area, the Great Barrier Reef lagoon.

What, you might ask, is the effect on the fish? It not only affects fish but also affects bird life, because when there is a fish kill the birds will eat the floating dead fish. Unfortunately, birds cannot tell when fish are diseased.

CHAIR—Mr Veitch, this is a personal photograph, is it? We need to identify this as well for the *Hansard*.

Mr Veitch—That photograph is of a bird that was found in Victoria Creek immediately after a large fish kill in August last year.

CHAIR—Thank you. Can we take a photocopy of that as well?

Mr Veitch—Yes.

Senator IAN MACDONALD—Was that scientifically tested for the cause of death?

Mr Veitch—No, it was not, but it was one of a large number of birds that were dying and found dead immediately after that fish kill.

Senator IAN MACDONALD—Did the Queensland Department of Environment conduct an investigation? I recognise that mullet. That is the one you showed me—

Mr Veitch—Yes. It is about eight months old.

CHAIR—At the time you were very concerned about that spill into the creek. Did the QDoE not do any tests on the cause of that?

Mr Veitch—They did not arrive on site until five days after we believe the kill started. The kill was identified on the Wednesday. It was reported on the Friday by our organisation. I believe it was reported a day earlier by other people. The Department of Environment did not turn up until the Monday. That is long enough for all of the acid that ran out of the ground in that area to be completely neutralised by the sea water.

Senator IAN MACDONALD—You are not giving evidence of this, but you told me at the time that you thought that was some specific input into the creek by man, not acid sulfate soils.

Mr Veitch—We believe it was a combination of run-off from Victoria Mill and effluent from farms.

Senator IAN MACDONALD—It was just an incident. It does not happen every day of the week. I gathered from talking to you at Babinda last time that it was just something that had gone wrong at the mill or somewhere, and that was the cause.

Mr Vitale—The effluent went into Palm Creek that time and then into Lagoon Creek. It was actually more in Lagoon Creek than Palm Creek. They call it Lake Harry because Harry Solomon was the fellow at Victoria Mill when it was formed. That is an effluent pond that is supposed to contain all the effluent from the mill when they have got problems. That was made 15 years ago. Expansion in our district has almost doubled the amount of sugar cane that is being crushed in Victoria Mill, but the effluent point has never been increased.

CSR was embarrassed last year because we had had unseasonal rain. We had had rain earlier and the ponds were full. So we copped all the rain. Lagoon Creek is normally fairly dry at that time of year, so it is absorbed amongst all the hyacinths and the cunjevoi and all the other rotten grasses that pollute Lagoon Creek. This time there was too much water in there and it actually flowed to the salt water. That is where the big problem was. When that effluent from the top—which normally never gets to the sea—hit the salt water, as one of the scientists told me, the cocktail was enough to kill all those large fish.

Senator IAN MACDONALD—That was effluent from the mill though, wasn't it?

Mr Vitale—It was a mixture of all things. No-one is laying blame on anyone. The farmers blame the mill. The mill blames the farmers. Someone else blamed God that the rain came at the wrong time. It is a fact that there is not enough control on effluent from our mills. It is historically correct that Macknade and Victoria have been doing this all the time. It is only in recent times that they have had to polish up their act and are now becoming more user-friendly towards the environment. They had to because you people, the legislators of this country, are making them do it, but they still have not caught up.

Senator IAN MACDONALD—Coming back to my original question: were any of those tested with any result?

CHAIR—The birds.

Senator IAN MACDONALD—The birds or the fish?

Mr Veitch—No. No-one reacted quickly enough. They would have needed to be on site within 24 hours. It took five days to get a reaction.

Senator IAN MACDONALD—You can't test them now to find out what the cause was?

Mr Vitale—No.

Mr Veitch—No.

Mr Vitale—They said after 24 hours it would be too far gone and the tests would not be conclusive, so no-one would test.

CHAIR—Mr Veitch, have you finished your opening remarks?

Mr Veitch—I still have a little while to go. The impact on the fishery should be obvious. These books have been produced at great expense by the Queensland government to tell us what the impact on the fishery is. This book in particular talks about the resources in the Bowen to Tully region. There are a number of important species that have had up to a 50 per cent drop in the declared catch by commercial fishermen in this region and yet the problem is not being addressed.

There was a report by the consultants to the Herbert River sugar industry infrastructure package and the Murray River Valley sugar industry infrastructure package in 1993 and 1994. I will quickly quote from a report by Alf Hogan and Peter Graham from the Department of Primary Industries. The introduction was the same in both documents:

Anecdotal evidence is that the area was teeming with fish, especially barramundi . . . The flood plain should contain many remnant oxbow lakes and wetland areas. In reality, the amount of remaining freshwater wetland is very disappointing.

Those wetlands are critical to fishery production—and they are gone. I have a report here from the New South Wales Fisheries that positively identifies red spot disease in fish that have been caught in the area.

CHAIR—Mr Veitch, will you table that document?

Mr Veitch—Yes. I also have a number of aerial photos and other photographic evidence to back up what I say. This is not an isolated problem; this is widespread. What we have just offshore is the Great Barrier Reef world heritage area. We have to stop using it as a big blue wheelie bin.

CHAIR—Thank you.

Senator HOGG—I am interested in the health of the whole of the channel. Whilst you seem to have some fairly conclusive evidence about the other end, is there anything to say about the northern end of the channel?

Mr Veitch—The impacts have been much less so far on the northern end of the channel. The main impact that we are concerned about is the aquaculture—effluent.

Senator HOGG—What impact do you think that is having?

Mr Veitch—Aquaculture provides very—

Senator HOGG—Can you give it to me in terms of depleted stocks?

Mr Veitch—No. There is no hard evidence. Commercial fishing records come down to 30-square mile grid squares; a half a degree of latitude and longitude. No, there is no hard evidence on the harvest from those areas.

Senator HOGG—Who should be monitoring the impact?

Mr Veitch—Vic McCristal may have some anecdotal evidence.

Senator HOGG—I am just wondering, in addressing that, whether you can also address who should be monitoring the impact of the aquaculture.

Mr Veitch—The Department of Primary Industries.

Senator HOGG—Do they?

Mr Veitch—No. They are not resourced to do so.

Mr Vitale—Can I say something—and this is very damning of the departments. The confusion about who has responsibility over what reigns all the time. Every time there is a problem you do not know whether you have to go to DPI, DoE or DNR. DNR do not know whether it is a river, stream or a lake because they consult their act of 1989—

Senator HOGG—That is why I raised the issue with some earlier witnesses.

Mr Vitale—It is a good one. DoE, I know, are scared to prosecute big companies like CSR or big aquaculture companies. I will not say who told me, but I know that in Burdekin there were reports of about 10 aquaculture plots putting in more effluent and causing problems. A spokesman for DoE said, ‘We can’t touch them, they’re too big, and we will not act on them.’ This is actually true. This is why the continuation of this is perpetrated. It gets back to the fact that in the government no-one has got the strength to say, ‘We’ll get our department to do that,’ because somewhere down the line there is a friend or a friend of a friend who says, ‘Hang on a minute, those people are really good friends, last year they gave us \$100,000 for our election campaign,’ and therefore it gets wiped out. That is also part of the problem of policing what is happening in the sugar industry.

At the moment, as I am speaking, there is a bulldozer working in special lease ground that is supposed to be mahogany glider country. I only found out about it yesterday, but it is working right now while I am talking. They start from the inside and they work out up there, so by the time you see what they are doing they have done it all. They say, ‘Well, it’s already gone.’ It is 200 acres, 100 acres, whatever it is. The system is there. I get into trouble all the time for speaking out about cane farmers. I have been farming for 40 years, but I know exactly what some of us do. We are not all like that, but there are people who are opportunists in the system who know the weaknesses in the links between on the ground and government who say, ‘Right, export dollars: the government will do anything to get export dollars, so keep on doing it. We’ll give you some money for NAC funding to plant more trees but, meanwhile, keep clearing and plant some more cane.’ That is the reality of the situation.

Mr Veitch—It goes beyond that. The sugar industry infrastructure package for the Herbert region is to make more viable the land that is really marginal in the lower reaches. The sugar industry infrastructure package for the Murray-Riversdale area has allowed the development of 11,000 hectares of ground that was previously wetland. It was functioning as a wetland. It might have been cattle country, but it was still functioning and useful to the environment. Once you put cane on it, it is of no use to the environment.

Senator HOGG—There is just one other question I want to ask. In your submission you refer to the existence of healthy seagrass beds in the south-east corner of Hinchinbrook Channel until the mid-1980s. You say that they have now disappeared.

Mr Vitale—The indications are that the seagrass has disappeared to a large extent. I can remember—I have lived in the district all my life—going fishing in the 1950s, even before Vic came on the scene. Vic came in the early 1970s. That is when I first met Vic. I used to go out fishing when I was 14 with my uncles and those sorts of people. We would be in Waterfall Creek, Sunday Creek and Fishers Creek and you would have six, eight or 10 dugongs coming up beside your boat all around you. You would hear ‘whoosh’ all around you all the time. I had an argument with Greg Smith, who said, ‘But you can’t find any dugong in the channels these days.’ I said, ‘How long have you been here?’ He said, ‘Five years.’ I said, ‘Try 55 years or 56 years and you’ll know what it was really like before monofilament net came in in the early 1970s.’ Monofilament net killed more dugong than you could point a stick at.

There was actually a guy in Cardwell who used to catch dugong with his nets and sell them to the Aboriginal population. I was an honorary fish inspector from 1972 to 1978. It is lucky I am still alive, because some of them would have liked me not around the place. I know exactly what was going on because I was out in the boat while everybody else was sleeping. I was running around with my tinny trying to police the poachers and the people who were doing the wrong thing. I did that for eight years. I am still affected because our local member said, ‘We have got to get rid of this Vitale character because what he’s doing is upsetting the locals.’ There were no honorary fish inspectors after 1978 and I probably caused the demise of them.

Senator IAN MACDONALD—You will be happy to know that there is no net fishing in the channel nowadays though.

Mr Vitale—There is net fishing in the channel. There still is a bit.

Mr Veitch—There is net fishing in the channel, just no eight-inch gill nets. There are still general purpose nets in the channel for bait collection, and they are still having an impact.

Senator IAN MACDONALD—Bait collection would not worry a dugong would it?

Mr Veitch—Eight hundred kilograms of mullet pulled out by one operator in one hit may not impact on the dugong, but it would certainly impact on the fish stock.

Senator HOGG—What caused the demise of the seagrasses down in that south-east part of the channel? Do you know?

Mr Veitch—We do not know for sure because there were no tests taken at the time.

Senator HOGG—There is no research, is there?

Mr Veitch—It was done in 1982. We believe that it was the exposure of acid sulfate soils in the Neams Inlet, Back Creek, Seymour River area where they pushed into country and are now growing cane at up to two metres below highest astronomical tide. They built big levies to hold back the water from the cane like they do in Holland. You would not build a house there. Why are we growing cane there? This is very marginal country.

Mr Vitale—I was on the local council from 1985 to 1988 and there was an application for 220 acres of this very land, of fish habitat area, at the mouth of Neams Inlet and that area there. This farmer, who already had about 150 acres of that country, wanted to put more cane on it. I have always been of this mind—I am the only farmer in my district who has trees planted in the Bemerside area on the front of his farm. Everyone else has knocked all the trees down because they are a nuisance to harvesting and turning around your tractor, and you cannot come out as far and plant cane on the council land.

I jumped up and down when I was on the council, and I had support, but he still got 99 acres. He tried for 220 but he got 99 acres that time. He has got all these floodgates and levees—you have got no idea; there is just a little front of mangroves along the banks of the stream, down near Seaforth where the Herbert has two mouths, and inside there you see levee banks, you see floodgates. Some years he grows cane, some years he does not, but he would like to have it all growing cane really well if we could give him a little bit more land to make bigger drains and put bigger floodgates in. That is the continuation—they want more all the time.

Mr Veitch—The strength of the acid that runs off that area corrodes concrete. I have provided some photos of some concrete corrosion in my original submission and I have more photos in here that I can show you. We believe that the neutralising process when acid meets seawater causes an iron flock which drowns and poisons seagrass. Those tests are being done, as we speak, in Scotland and we should have the proof within a couple of months. It takes time for the scientific proof to be developed.

But in fact we have already seen a result. After rains early last year, a lady out the back I was talking to before I came down was badly burnt by run-off because she got into the water with her horse and she was exposed to run-off off rural properties after the heavy rains. That is how bad the strength of the pesticides and herbicides and the acid is: it actually burns your skin.

Senator PAYNE—Mr Veitch, I note from your submission, both in the summary and in the early comments, that it is quite clearly your view that local and state governments are unable to deal with the sorts of issues that you have raised, although as you have gone through the issues this morning it seems clear to me that the majority of the concerns you have are laid at the feet of the state government here. Would that be correct?

Mr Veitch—Most of the concerns do relate to the state government. I believe the state government has, up until this point in time, lacked the political will to do anything about the rural industries that are having an adverse impact on the fishery.

Senator PAYNE—It is not clear to me from the rest of your submission or in fact from your comments what you think the actual solution is. I think you said in passing that the

Commonwealth should do this. What do you exactly mean by that? How do you expect the Commonwealth to play that role?

Mr Veitch—The first thing we have to do is stop the bulldozers. We have to stop clearing these wetlands. They are still being drained and cleared as we speak today.

Senator PAYNE—But these are state government land management issues.

Mr Veitch—The state government has to have pressure put on it one way or the other. We have written to the federal government to try to get tax incentives for canefarmers and other rural property owners to try to encourage them to do the right thing. The federal government has written back to me—I can show you the letters; not today, I did not bring them with me, but I have the letters at home—to say that they will not consider the tax reforms that would encourage that sort of work on private land.

Senator IAN MACDONALD—You know that is happening in the Johnson Shire now, don't you?

Mr Vitale—Yes, some of it is happening—

Senator IAN MACDONALD—Of course it is, with assistance from the Commonwealth government. You have to be accurate in what you are saying. I am sorry for interrupting.

Senator PAYNE—I am not sure what that means myself.

Senator IAN MACDONALD—The Commonwealth government has sponsored a pilot project with the Johnson Shire Council to do just this. I think the Douglas Shire is also doing a pilot project.

Mr Veitch—I was not aware of that.

Senator PAYNE—So they are the sorts of concerns that you are raising that are being addressed in these sorts of pilots that Senator Macdonald has referred to?

Mr Veitch—What we are chasing is a 150 per cent tax deduction for landcare projects on private land to try to encourage farmers and to get a little bit of support rather than having to pull money out of their own pockets. We have got farmers like Vince and a fellow up the road, Ross Digman, who have spent \$30,000, \$40,000 or more trying to repair land that was degraded by their forefathers.

Senator PAYNE—I noted that in your submission. Thank you.

CHAIR—Mr Veitch, you have mentioned quite a lot about cane farming and clearing wetland areas. What about mangroves? I think in your submission you suggest there is a problem with mangrove clearing as well. Is that the case?

Mr Veitch—No, I think mangroves are pretty well protected. The problem is we protect the reef and the mangroves and we protect the rainforest; we do not protect the things in the middle—and they are critical to the fishery.

CHAIR—I know that your submission goes to the question of the rural activities rather than to the Port Hinchinbrook project, but do you have any reason for concern about acid sulfate soils and the pollution from those or are you satisfied with the management plan?

Mr Veitch—Yes, I do. As I said at the start, I think there is an acid problem on the Port Hinchinbrook site, but I think it is a relatively small area and that that is containable and can be mitigated and ameliorated. It is just a matter of making sure that we put the right people in there and that we monitor the situation. On high value land, that is possible. On all of the lesser value land, throughout all of the rural industries, it is just not economically viable to do what you are talking about.

Senator O'CHEE—In other words, you are saying it is more viable to manage those things on big developments where there is the money to back it than it is on lower value developments?

Mr Veitch—Certainly. It all comes down to money. It costs a lot of money to neutralise acid soil before it can be used.

CHAIR—You say in your submission that you think there is a high level of ignorance about the impact of sulfuric acid and acid sulfate soil.

Mr Veitch—Yes, certainly.

CHAIR—How can that be overcome? Whose responsibility is it to properly educate people, developers, farmers and the like?

Mr Veitch—It is everyone's responsibility. It comes back down to the federal government providing some funding for education, to the state government getting in on the act and providing extension officers to landowners, and to industry itself identifying where the problem areas are and making sure that they do not support extension of their industry into those marginal areas.

CHAIR—From your knowledge of local, state and federal government, are any of those levels doing this? Is there a need for better, clearer policy?

Mr Veitch—There is certainly a need for much better, clearer and stronger policy. It is all nibbling at the edge at the moment. We are basically fiddling while Rome burns.

Senator IAN MACDONALD—Can you explain, for the committee's benefit, what Sunfish is, how you operate, who funds you and how I, as an angler in the Burdekin, can become involved in Sunfish?

Mr Veitch—Sunfish has branches throughout Queensland—off the top of my head, I think there are 12 or 13 branches. At the moment we have approximately 35,000 members.

We are partly funded by the state government. We receive a small amount of funding, basically to run our central branch. There is no funding at present at branch level. It is all run by volunteers. In the North Queensland district, which extends from Tully to Bowen, we have approximately 2,500 members and we are about to go on a membership drive. We are trying to tee up a few additional financial benefits to encourage more membership.

Sunfish is the recognised lobby group, by the Queensland government, representing the interests of all recreational anglers. For people to get in contact with us we produce a magazine which has a distribution of about 4,000.

Senator IAN MACDONALD—Does that go to your members?

Mr Veitch—It goes to our members and is available in newsagents, fuel purchase places, tackle stores and the like. I can leave a couple of copies.

Senator IAN MACDONALD—I am giving you a free commercial here. You can approach me and I will join up—I was never quite sure how I could. Do your members have input into the views of Sunfish?

Mr Veitch—They certainly do. We have regular monthly meetings. I personally go out of my way to get the views of the majority of recreational anglers, spending time travelling backwards and forwards, at my own cost, to make sure that I can properly represent those people.

Senator IAN MACDONALD—Did your group give evidence to the inquiry by this committee into Commonwealth powers in relation to environmental law that was up here a couple of months back?

Mr Veitch—No.

Senator IAN MACDONALD—Could I suggest that you might have a look at that, because a lot of the matters you are talking about were the subject of that committee inquiry two or three months ago. It is a pity you were not alerted to that. In relation to the Hinchinbrook Channel area, I understand that when the tides run into the channel area they come in from both ends and then run out from both ends, that they do not run through.

Mr Veitch—That is basically correct. The water in the middle effectively goes up and goes down. It might move backwards and forwards along a creek in the middle of the channel two or three kilometres, but it takes months and months for that water to turn around with the open sea.

Senator O'CHEE—When you say up and down, you do not mean north and south; you mean depth. Is that right?

Mr Veitch—No, I mean east and west. It goes back up into the creeks, into Sunday Creek, into the Seymour River or into Fishers Creek, or any of those other creeks. It basically runs up the creek a little way and then it runs down again.

Mr McCristal—Perhaps I could make a point here. A few years ago I had regular contact with Dr Joe Baker, who was then the director of AIMS in Townsville. I was then president of the National Sports Fishing Association. At one of the educational sessions that we held with them they made the point that, so far as Hinchinbrook Channel was concerned, the situation was pretty much the way Vern described it, but at times of neat tides, low winds and high temperatures the dissolved oxygen level of the water became so low that most of the life forms in it—fish, crabs, prawns and so on—virtually became dormant because they were very close to not being able to survive. That is why we are so concerned now about the additional input of these other factors such as acid sulfate soils and other forms of pollution.

Everybody realises that, with a healthy fishery, everybody benefits; it is not just a case of one sectional interest. Most of us do not have any great concerns about the adverse effects of Port Hinchinbrook itself because, relatively speaking, it is only a small scale influence. That is one thing, but all these things add up. Also, a lot of them are very difficult to measure. The decline in the fishery, which I have observed over the last 30-odd years, is not spectacular. It is difficult to measure and the evidence is mainly anecdotal, but most of the fishermen in this room would know that they are not catching as much now as they were 20 years ago.

I suggest that one of the main things that we are lacking is what I would hope that you people would be in a position to recommend, that something positive be done about monitoring what is happening and what the critical cut-off points are so that we know when we are getting beyond the point of no return, which does happen. It has happened in fisheries overseas and it can happen here.

Senator IAN MACDONALD—The coast and clean seas program of the Natural Heritage Trust is trying to address a lot of those things. Some of the programs have just been announced. The major problem that I know you have had in the Herbert area is that the run-off into the sea, as it affects the channel, would come in from the southern end, go halfway and then go back out with the tides. Is that right?

Mr McCristal—That depends, to a certain extent, on the winds. When you get prevailing south-east winds it comes much further north.

Senator IAN MACDONALD—Yes, but the northern section of the channel would be more impacted upon from the Murray River. Is that right?

Mr Veitch—Not so much the water quality but certainly the availability of fish. The Murray and Tully flood plains are absolutely critical to the supply of fish to the northern end of the channel. There is not a lot of habitat on Hinchinbrook Island itself for those fish that have to get back into fresh water for their breeding cycle.

Senator IAN MACDONALD—You said there was some research being done in Scotland, which was surprising. My understanding, from other scientific evidence, has been that acid sulfate run-off, once it hits sea water, has a chemical reaction that does not really affect fish stock; it is more important with the mangroves and the breeding ground. Is that your understanding?

Mr Veitch—It depends on how far out to sea you go. It has little impact by the time it gets three or four miles offshore. But acid can stratify in the water column—because of differences in temperatures, you can get a whole column of water that is acidic sitting either on the bottom or the top with salt water underneath. The fish are fine in the non-acidified water, but if they hit that acidic column then they are dead or adversely impacted upon. Because of the differences in heat of those two columns, it can take quite a long time for the water to mix thoroughly. The neutralising process not only pulls oxygen out of the water but also causes chemical reactions which result in iron and aluminium flocs, which also poison fish and marine plants.

Senator IAN MACDONALD—I heard in your answers to previous questions that, in the scale of things, the Port Hinchinbrook development has a very small impact. The whole of the North Queensland coast—and, I suspect, the eastern Australian coast—is acid sulfate soils, but the problem comes when they are disturbed and exposed to rain. Is that correct?

Mr Veitch—That is correct—disturbed, allowed to dry and then the next rain falls. They basically rust and then when the next rain falls water goes on and acid comes off, in a simplistic process.

Senator IAN MACDONALD—So by far the bigger problem in this area is the new cane lands?

Mr Vitale—Soil brought to the top and not being exposed to salt water coming in and making it alkaline. It is neutralised. When it is exposed there, left to oxidise, that is when you get your problems.

Mr Veitch—That is certainly a part of the problem, but the other part of the problem is the loss of habitat.

Senator IAN MACDONALD—Of course. Thank you.

Senator HOGG—Is your organisation involved in the coastal management plan group?

Mr Veitch—Yes.

Senator HOGG—Who represents you?

Mr Vitale—I am on it from the Hinchinbrook district. I represent sport fishing in the Herbert River district on RMRAC.

Mr Veitch—I am on one of the subcommittees for the coastal management plan for the Cardwell-Hinchinbrook region—the marine subcommittee.

Senator HOGG—So your views are represented in those fora?

Mr Veitch—Yes.

Senator O'CHEE—I have a question about the movement of the tide through the channel at the northern end. Directly opposite Oyster Point is probably the deepest point in the channel, isn't it? It is about 20 metres. When you move further south, it gets to about—

Mr McCristal—The deepest point, as far as I know, is down near Haycock Island.

Senator O'CHEE—The tidal movement is quite shallow off the channel; it gets to a couple of metres. Surely, when the tide comes in, you should get this movement sideways at the northern end of the passage. As the tide retreats, it should flush back into the channel into the deep water like a sink and then out into Rockingham Bay, shouldn't it?

Mr Veitch—Most of those creeks never dry. The banks of them may dry, the water may get deeper or shallower, but very few of them completely dry out. Even at the road bridge at Sunday Creek, there is always a small amount of water on low tide. For example, the water goes down Sunday Creek. It gets to a particular point when the tide starts to push it back in and the same block of water comes back up. It does not mix that much. Maybe one or two per cent per day would mix with the open sea water or with water further downstream. It is basically a shot of water going backwards and forwards.

Senator O'CHEE—But off the channel, in the shallower part of the passage, you are going to get a lot of turbulent movement of water as it rolls back, aren't you?

Mr Veitch—I am going only on the data that has been provided by Dr Eric Wolanski from the Australian Institute of Marine Science. He has done detailed studies on this with hydrological modelling—with floats in the water moving backwards and forwards—and monitoring them electronically over a period of time.

Senator O'CHEE—Could you find that and table it? That would be immensely helpful to us.

Mr Veitch—It would be better to contact AIMS. He has an electronic presentation that he puts on computer, and it shows the movement of the water on a proper presentation.

Senator HOGG—We will ask AIMS tomorrow.

CHAIR—I have one quick question to finish off with. Your submission is primarily about land use, and about clearing and use for cane farming in particular. How should decisions be made about land use? Does it start with the community? Is it the Commonwealth's responsibility? What is the mechanism to see that there is a sensible land use planning regime in place?

Mr Veitch—We have to change the regime that we have had in place up to this point in time because most of it has been initiated at the local level. Local councils, regardless of whether they are in North Queensland, Western Australia or Adelaide, do not have the ability to make management decisions on world heritage areas for the benefit of all Australians. So it has to be driven from the top, but it has to be driven on the basis of the total community's desire for what they see as the proper management of that area.

I am not a politician, I do not know how to go about making sure that that occurs, although I do have some ideas about better involvement and better communication with the general public to make sure that you get a much broader opinion of what people really want for this area, what they want to see in the long term.

Mr McCristal—I think the position there is not wholly pessimistic. With education coming up from the grassroots, I think there have been substantial changes and improvements, even in recent times, in the understanding by farmers of what can be done in the way of preserving and planting trees and in the use, as on the Tully-Murray flood plain, of the reconstruction of lagoons that have been lost over the years through drainage.

I have seen a number of those, and the main thing is to get the proper tax incentives in place so that people are encouraged to actually do these things. Where they have been able to displace the soil in a low area and make an artificial lagoon, they have been able to use the soil to build up the land around and to plant cane on it. So you get the best of both worlds, where they are increasing their actual farming areas. Vince would know more about this than I do.

Mr Vitale—It would be greatly beneficial if governments, and I include local governments, would give rate remission to people who have some of this land that is environmentally sensitive—melaleuca swamps, wetlands and mangrove areas. In recent times everything has been zoned, and I blame the first Labor government that got into Queensland for this. Casey was very strong on, ‘If you are not using it properly, we want it for cane.’ This was a big push a few years ago. That is what happened in our district. They got all the cattle people and pushed their rates up so that they said, ‘Right, if you’re going to charge us that rate, we’re going to put cane in.’ There was also the deregulation of the sugar industry.

We have had the same place for many years. You could not expand unless you had ground beside you. But all of a sudden you could grow cane wherever you liked and as much as you liked, because that was the push. All that land that was sitting there with a few cattle on—people were quite happy to have a few horses and cattle, and have birds sitting in the swamp, and someone said to them, ‘Listen, you’re stupid to leave it like that. Why don’t you get into it because now’s the time to do it? You’re paying extra rates.’ They said, ‘Yeah, they’ve stuck the rates onto me.’ ‘Right, clear it up, level it off, laser level it, make cane and make money for everyone.’ And that is what has happened. The local government should be encouraging people by saying, ‘It’s important that we have these areas left aside. We’re going to cut the rates to half,’ or whatever.

Senator O’CHEE—A differential rating.

Mr Vitale—Yes.

Senator IAN MACDONALD—That is what I was saying before, if I can just clarify that. That is the pilot study that is being done in Johnson and elsewhere.

Mr Vitale—Well, it has been a long time coming.

Mr Veitch—The problem is that 90 per cent of the cane industry, and other rural industries along the east coast of Australia, is having a minimal impact, almost no impact, upon the environment, especially on fish habitat and water quality. The problem is that the impact of that remaining 10 per cent that is pushing into, or has pushed into, the marginal country cannot be contained. It is impossible to contain an impact when you are hard up against a mangrove creek; it is impossible to contain an impact when you are below sea level.

CHAIR—Thank you Mr Veitch, Mr McCristal and Mr Vitale for appearing before us this morning.

Proceedings suspended from 10.54 a.m. to 11.10 a.m.

PARKER, Mr Ken, Friends of Hinchinbrook Society Inc, PO Box 281, Cardwell, Queensland 4849

THORSBORNE, Mrs Margaret, Secretary, Friends of Hinchinbrook Society Inc, PO Box 281, Cardwell, Queensland 4849

CHAIR—I welcome Mrs Margaret Thorsborne and Mr Ken Parker from the Friends of Hinchinbrook Society to the table. The committee has before it submission No. 129, which it has authorised to be published. Before I invite you to make some opening statements, are there any alterations or additions that you would like to make to the submission?

Mrs Thorsborne—We will be expanding on the issues in the submission. Have you seen the photographs and attachments that came with our submission?

CHAIR—Yes. Do you wish to make a brief opening statement, or would you like to move straight to questions?

Mrs Thorsborne—I would like to make a brief opening statement. We would like to point out that, although Oyster Point receives most attention, it is not our only concern. Claims that Oyster Point is an eyesore or a stinking, filthy mud hole are often given as justification for this development, but in the years following the Tekin debacle the area was slowly revegetating, with even some of the previous vegetation near Stoney Creek surviving. I have some photos which you might like to pass around.

CHAIR—Do you wish to table those photographs?

Mrs Thorsborne—Yes, but I would like them back later on. At low tide mud is exposed, as it always is, along the shore from Meunga Creek, right down to Oyster Point. But mangrove mudflats are an important living habitat in their own right in the chain of marine life. Mud is a fact of life. We feel that a resort real estate development right on Hinchinbrook Channel as a remedy for a so-called eyesore would only create a far worse one.

The replacing of the wild beauty of Hinchinbrook Channel with a Gold Coast type development is something that many shire residents really do not want. Of course, jobs are important. People want economic security and jobs, but there are surely gentler ways of achieving these than by the destruction of wilderness, tranquillity, wildlife and a way of life that this inappropriate development inevitably would bring. We are a poor society indeed if we cannot achieve this, except by destroying the things we really love and cherish.

Since the Cardnow and Davies report of 1994, Cardwell Properties has stated that, other than for the haul road, the existing mangroves on the south bank of Stoney Creek would not be affected. I have a copy of that section of the Cardnow and Davies report.

I have some photos here that show the mangroves which once grew on the south bank and which are no more. Some of the photos were also in the original submission. We would

like to know why the mangroves were cleared when Cardwell Properties had stated they would not be.

CHAIR—If I can just stop you there for a moment, the document you have just given me is from Cardnow and Davies. Are they consultants?

Mrs Thorsborne—Yes, they were consultants for Cardwell Properties.

CHAIR—What document does this come from?

Mr Parker—It comes from the Cardnow and Davies compilation of information to the Coordinator General.

CHAIR—Thank you. Mrs Thorsborne, is the other document that you have put on the table something you wish to table?

Mrs Thorsborne—No, these are just the photographs of the mangrove growing on the south bank. The Hinchinbrook Regional Marine Resources Advisory Committee, RMRAC, was mentioned earlier. I am a member of that committee. It was mentioned earlier that NQCC was on that committee. That was a mistake. It is not on that committee.

CHAIR—I am sorry, could you just repeat that?

Mrs Thorsborne—It was mentioned by an earlier speaker that the North Queensland Conservation Council was on that committee, but that was, I am sure, just a mistake. It is not on that committee.

Senator PAYNE—Which committee?

Mrs Thorsborne—The Hinchinbrook Regional Marine Resources Advisory Committee.

CHAIR—Thank you.

Mrs Thorsborne—Oyster Point was not included in the things to be considered by the committee as it was considered too contentious. But some of the issues that we raised were the riparian clearing, the creeks turning into drains, aquaculture and protection of the view from the Cardwell Gap. They were some of the things we were concerned about.

A coastal management plan is being drafted for this region with emphasis on Hinchinbrook Channel. The Cardwell and Hinchinbrook shires both appear to want control above the high watermark. That has been stated at the public meetings. However, we feel more help is needed from Commonwealth and state bodies as well as from community groups.

We are concerned about the clearing for grazing and cane on the Herbert, particularly riparian clearing, which is contributing to siltation and pollution problems in the southern part of Hinchinbrook Channel and seaward to the reef. As everyone knows, this is most severe in the wet season. There is also, to some extent, a drift northward from the Burdekin adding to the sedimentation.

But things have drastically changed in the Herbert since white settlement. At the height of the settlers' first wet season, Cardwell's founder, George Elphinstone Dalrymple, set off to find a way beyond the coastal mountains to the valley of lagoons. En route the party crossed the flooding Herbert and, looking back from the main coast range, Dalrymple described the scene below:

. . . most grand and lovely in its scenery is this Vale of Herbert; mountains, peaks, cliffs, waterfalls, forests, plains and what is seldom met with in Australian scenery, the clear waters of a broad, running river, adding life, light and beauty to the whole.

It is not within the scope of this inquiry but, sad to say, the once beautiful Meunga Creek, the Tully and Murray are turning into silted drains too as clearing in their vicinity continues—as it continues today, as the previous speaker said.

Friends of Hinchinbrook would like to see no more riparian clearing or wetland clearing and instead rehabilitation of degraded waterways. We hope the Senate committee will recommend this. We ask you to do that. Hinchinbrook Channel and the reef would benefit, erosion and topsoil loss would lessen and some of Dalrymple's 'life, light and beauty to the whole' would be restored.

Turning to aquaculture, you have our submission and the photographs of the aquaculture. It is not just the effluent into the channel that is our worry; it is the loss of the beautiful country, including the Melaleuca woodlands, the Mahogany glider habitat, the Apollo Jewel butterflies and their host, the Ant plant, and the endangered ground orchids. We are just losing too much. The Hinchinbrook Channel is such a beautiful place it just should not be allowed. We do not know what long-term effects the effluent from aquaculture would have on slow flushing Hinchinbrook Channel. Senator Hill has recently expressed concern about this, as no doubt you have heard.

We do not know the effect of run-off from pine plantations adjacent to Hinchinbrook Channel. Friends of Hinchinbrook think these effects should be investigated and, where necessary, remedied. Friends of Hinchinbrook would like to record its thanks to the forestry department for not clearing forests south of Cardwell for pine plantations when made aware of the presence of Mahogany gliders. Friends of Hinchinbrook ask you, the Senate committee, to recommend no further aquaculture expansion and the protection of all the vacant crown land abutting Hinchinbrook Channel mangroves. Have you seen the map in our submission which shows that?

CHAIR—Yes.

Mrs Thorsborne—Another concern of the Friends of Hinchinbrook and other conservation groups for some years has been the protection of the mainland which forms part of the view from the Cardwell Gap. This land had been advertised for sale as potential real estate and for aquaculture. The encouraging outcome is that last year the state government acquired the hill slope section and added it to the national park. We trust the lowland section will follow.

We do not expect you to take our word for anything we say. As you know, we have included in our submission photos and nearly 90 attachments giving the source and reasons for our statements and concerns. We expect you to examine this evidence; we also expect you to examine the evidence of those holding different views.

Mr Parker—Although we were unable to include evidence of violence and intimidation within this submission, I would like to point out to the Senate committee there were two occasions in 1994 when the Federal Police were actually called in. There has been a continuing wide range of environmental impacts on the Hinchinbrook Channel. The marina development has not been the only concern of the Friends of Hinchinbrook. As Margaret has pointed out, we have been concerned about the effluent flow from the prawn farms, alienation from areas of the Hinchinbrook Channel due to a pearl farm being established and outfalls from the barramundi farm in Conn Creek. Thank you.

CHAIR—You say in your submission that there are inadequate decision making procedures in place. Would you like to expand on that? What are some alternatives that should be looked at and what role does the Commonwealth have, do you think, in that process?

Mr Parker—The Commonwealth has a role, as I see it, under the World Heritage Properties Conservation Act to protect these areas. There seems to be a boundary between the marine park and the Great Barrier Reef Marine Park. I think these boundaries should be concluded into one which form the high tide line along the Queensland coast.

Senator HOGG—Is your organisation involved in the coastal management plan at all?

Mr Parker—Yes. We have been involved in the Hinchinbrook coastal management plan and the regional one that has been chaired by Dr Joe Baker.

Senator HOGG—So you have been involved in RMRAC?

Mrs Thorsborne—No, we are not in the—

Mr Parker—Margaret is involved in RMRAC.

Mrs Thorsborne—I am involved in RMRAC.

Mr Parker—But we do not sit on the committee of the regional coastal plan, although we have made submissions for that plan.

Mrs Thorsborne—We are not on that committee.

Senator HOGG—You are not on that committee. But the views of your organisation would be heard on that committee?

Mrs Thorsborne—Yes.

Mr Parker—Yes, submissions have been given to the committee.

Senator HOGG—What is your role on RMRAC?

Mrs Thorsborne—I am the representative of Friends of Hinchinbrook and the Tully Wildlife Preservation Society.

Senator HOGG—Are there other similar organisations represented on RMRAC?

Mrs Thorsborne—There is a representative from the Hinchinbrook Wildlife Preservation Society.

Senator HOGG—With regard to the aquaculture—the pearl farm and the barramundi farm—what sort of monitoring is taking place at the outputs of those particular places in respect of the channel?

Mr Parker—As far as I am aware, there is no independent monitoring taking place concerning the prawn farms, although in the past year there has been some independent monitoring. I am unaware of any monitoring at the pearl farm and I am unaware of any monitoring at the barramundi farm.

Senator PAYNE—In your submission you refer to your dissatisfaction with what you term ‘the decision making procedures’ that have been adopted in relation to the development in this area and, I assume, the other developments to which you have referred—for example, aquaculture and so on. With regard to those decision making procedures, which as I understand it include a significant number of different inquiries on different aspects of the development and consideration by three levels of the court processes through to the full court of the Federal Court, is it more the case that you do not like the decisions that have been made or that you do not agree with the processes completely?

Mrs Thorsborne—I think in many cases the departments have recommended against certain things but the advice has not been taken. It has been very difficult in that way.

Senator PAYNE—I am not sure that that really answers my question. If the Federal Court says, for example, that the appropriate procedures have been followed by the Commonwealth minister, is it that you are not happy with a decision of the court or that you are not happy with that process?

Mr Parker—Possibly not happy with the process of that decision.

Senator PAYNE—So how would you change it?

Mr Parker—Of course we were not happy about the decision of the court, but the court was not deciding on the environmental aspects of the Port Hinchinbrook development; it was dealing with the consent approval of the minister.

Senator PAYNE—And saying that the minister had taken the appropriate scientific advice and evidence into account.

Mr Parker—We believe that the minister had taken evidence into account whether it was relevant or otherwise.

Senator PAYNE—Does that mean that the decision making process then is not an adequate one until it delivers the sorts of answers that you are looking for as opposed to perhaps those people who have a different view?

Mr Parker—No, the decision making process has not taken the world heritage convention and the act into consideration. That was our opinion.

Senator PAYNE—In dealing with community concerns and community views—and there are obviously many expressed in the context of this area of Australia—and with local government, state government and Commonwealth government responsibilities, what do you think is the best approach to management of this sort of process?

Mr Parker—Possibly responsibility should lie with the Commonwealth in respect of this area.

Senator PAYNE—It should lie with the Commonwealth?

Mr Parker—It should lie with the Commonwealth, with not as much influence from the state, as we are dealing with a Commonwealth convention. The impacts on the world heritage areas of the channel are our concern and the impact of the run-offs from farming or the resort development are our concern. Those impacts are in Commonwealth waters.

Senator PAYNE—We have heard and received significant evidence not only from organisations such as yours but also from local government organisations and the Cardwell Chamber of Commerce, who appeared before us this morning. Do you believe that, at that level, you should not be playing a role in this process if you expect it to be managed entirely as a Commonwealth process?

Mr Parker—If it were managed as an entirely Commonwealth process, then the convention would have been upheld and pressure put on state, federal and local governments by developers and parties of the developer. It would not have been forced through each department. I can table a letter from the *Canberra Times*.

Senator PAYNE—Could you just tell me what the letter says?

Mr Parker—It discusses the pressure that state, local and federal governments have been put under by the developer. I will read a section here.

CHAIR—Mr Parker, would you like to table that and perhaps let us know where it comes from and the date?

Mr Parker—It is from the *Canberra Times*, Tuesday, 29 November 1994.

Senator O'CHEE—Who is the author?

Mr Parker—The author is Paul Chambers.

Senator IAN MACDONALD—Could I get some details about your organisation. How many members do you have and what sort of an organisation are you?

Mrs Thorsborne—A little over 100.

Senator IAN MACDONALD—Are they mainly from around this area?

Mrs Thorsborne—Some of them are from around this area, some are from other parts of the shire and some are from further south.

Senator IAN MACDONALD—What proportion of them would be interstate members? Do you have any idea?

Mrs Thorsborne—I have not got those figures. I think approximately 50 per cent.

Senator IAN MACDONALD—Are you an incorporated association?

Mrs Thorsborne—Yes.

Senator IAN MACDONALD—How do you join your organisation?

Mrs Thorsborne—You apply for membership and at a committee meeting your name is brought up and you have a proposer and a seconder.

Senator PAYNE—Do you pay a fee?

Mrs Thorsborne—Yes.

Senator IAN MACDONALD—What is the fee?

Mrs Thorsborne—It is \$5.

Senator IAN MACDONALD—I see from the submission that you are the honorary secretary. Who is the chairman at the current time?

Mrs Thorsborne—Mr David Haigh.

Senator IAN MACDONALD—He is from Townsville?

Mrs Thorsborne—Yes, he has a very strong interest in this area through his family connections. He is connected to a family that was here before Cardwell was even formed. Henry Stone was on the Valley of Lagoons in 1863. Henry Stone was the surveyor who was the first white man to measure the height of Wallaman Falls. David Haigh has a certain interest in connection with this area. It goes further back than I think anyone else here, even further than the Dallachy family.

Senator IAN MACDONALD—That is interesting. His father was the shire engineer on the Burdekin Shire Council when I was on it. I did not know he came from this area.

Mrs Thorsborne—Yes, that is the family connection.

Senator IAN MACDONALD—You said that the decision making process did not take into account fully the world heritage conventions.

Mrs Thorsborne—I think I would rather let Mr Haigh speak of those. He is our spokesmen mostly on those issues, unless you would like to say something, Ken?

Mr Parker—David will be talking tomorrow in Townsville and he understands the convention better than me and Margaret, although we do understand the implications of the act.

Senator IAN MACDONALD—You said that, though, or did I mishear that?

Mr Parker—No, I did not say that.

Senator IAN MACDONALD—That matter would have been raised in the full Federal Court and possibly the High Court hearings. Is that right?

Mr Parker—I would imagine it would have been, yes, although I was not at the hearings.

Senator IAN MACDONALD—I am just curious as to the motivation. Those matters were certainly argued at great length. It cost the Commonwealth \$160,000 in legal fees. It was a very exhaustive inquiry, yet all the judges do not seem to agree with you. They seem to think the process was correctly followed. You still do not accept that it was correctly followed?

Mr Parker—Yes, I should imagine I do not accept that the process was correctly followed. I know that the judge's decision turned our argument over and we lost the case and the appeal. I understand that. I still believe that this area and the convention covering the world heritage area was not taken into full consideration. Things like the economics of this development were taken into consideration above the environmental aspects.

Senator IAN MACDONALD—I would have thought the economics of the development are a matter for the developer and no-one else. If he goes broke, if he wants to risk his money, surely that is his role and not anyone else's.

Mr Parker—Yes, it is his money. If he wishes to waste his money, that is his problem. But I do not see that the minister should take the economic values or the economic reasons for this development into consideration when we are talking about an environmental concern and not an economic concern.

Senator IAN MACDONALD—The court determined that he did take into account all the relevant things. Do you feel any responsibility for the taxpayers having to spend

\$160,000 to defend a court case which all the judges indicated was irresponsibly brought and had no merit whatsoever? Do you feel any responsibility for that?

Mr Parker—As a member of the Friends of Hinchinbrook, we are responsible for that action. In defending that action, if the Commonwealth spent \$150,000, so be it. We are trying to achieve the best environmental outcome for this region. If that meant taking the federal minister to court because we believed his decision was invalid, then that is what we had to do. That was our best legal advice.

Senator IAN MACDONALD—But all the court decisions, right from the very first judge, Justice Sackville, have suggested that there was absolutely no merit in your claim, yet you kept going and kept imposing upon the Commonwealth taxpayer—that is all the people in this room and the rest of Australia—a responsibility to enter into a court case that the judges said had no merit and was just vexatious.

Mr Parker—The original judge, Justice Branson, allowed the first case to continue.

Senator IAN MACDONALD—I do not know that that is right. That is for the injunction, you mean?

Mr Parker—For the injunction.

Senator IAN MACDONALD—It is pretty easy to get an injunction, but it did not last long. The actual hearing on the merits suggested there was no merit in your case. I am concerned that the processes which perhaps others have followed really do not enhance the environment or those who support the environment.

Mr Parker—Our concern in that process was that the Prime Minister and the Deputy Prime Minister had already stated that this development would go ahead before the federal Minister for the Environment, Robert Hill, had given the go-ahead. This decision should have been the senator's decision alone and not the decision of the Prime Minister or the Deputy Prime Minister.

Senator IAN MACDONALD—Obviously the courts do not agree with your view on that.

Senator PAYNE—Insupportable claims, I believe they called them.

Senator IAN MACDONALD—Insupportable claims—my colleague reminds me of a quote of the courts. Do you concede that there is any way that development can proceed along the Hinchinbrook coast?

Mr Parker—Environmentally responsible development and development that is appropriate for this type of area, yes. But developments that are not appropriate for this area, no. I do not see that they should be considered if they are not appropriate.

Senator IAN MACDONALD—Are you able to indicate in a short general way what you consider is inappropriate and what you consider as appropriate?

Mrs Thorsborne—A small development. Where are you talking about? Are you talking about Oyster Point or the Hinchinbrook Channel generally?

Senator IAN MACDONALD—Hinchinbrook Channel.

Mrs Thorsborne—I would like to see no more expansion of the aquaculture there. I think it is such a beautiful area that it should be left alone. The Hinchinbrook Channel region is world famous. When you fly over it and see Oyster Point and the aquaculture, it really does come as a shock, because you expect Hinchinbrook channel to stay a wilderness area. That is not just the opinion of a lot of local people here. People all over Australia, and even from overseas, think this is a special place.

Senator IAN MACDONALD—But they also think that Hinchinbrook resort is on Hinchinbrook Island, don't they?

Mrs Thorsborne—Some people have that impression. Calling it Port Hinchinbrook to start with gives a somewhat false impression to some people.

Senator IAN MACDONALD—Did you give evidence to the previous inquiry of this Senate committee about the Commonwealth's roles in the port?

Mrs Thorsborne—Yes, I represented C4 there. That was an inquiry which I understood was about general matters. I had not been instructed by C4 to speak on anything else, so I spoke mainly about the Telstra money and how the riparian clearing was still going on. Telstra money was being spent on repairing what had already been done. The clearing was still going on and all of the selling of the whole of Telstra would not pay for what—

Senator IAN MACDONALD—Perhaps what is relevant to this inquiry is that I was interested in Mr Parker's comments before that the Commonwealth should take a greater role—I think he said the only role—in management of world heritage issues. Is that right? Was that the general thrust of what you were saying before?

Mr Parker—That was the general thrust.

Senator IAN MACDONALD—And so you would support Senator Hill's proposal to change the environment law to give the Commonwealth that power, would you?

Mr Parker—I would have to read the legislation and what Senator Hill intended before I could make that decision.

Senator IAN MACDONALD—Did you give evidence to that previous inquiry?

Mr Parker—I did not personally.

Senator IAN MACDONALD—Did the Friends of Hinchinbrook make a submission to the previous inquiry?

Mrs Thorsborne—No.

Senator IAN MACDONALD—Did the Community for Coastal and Cassowary Conservation, C4?

Mrs Thorsborne—Yes.

Senator IAN MACDONALD—Do you think that it is a good idea for the Commonwealth to take over the principal role of management of world heritage areas?

Mrs Thorsborne—Yes, I think that it should have powers, but there should be cooperation with the state and local governments with that too.

Senator IAN MACDONALD—Did your submission on behalf of C4 to the previous inquiry generally support the thrust of Senator Hill's proposals?

Mrs Thorsborne—It is felt that the Commonwealth powers should be expanded to support the Commonwealth's role in environmental matters.

CHAIR—Mrs Thorsborne, you say that in your view there ought to be mandatory assessment procedures for development. Have you had a chance to think what kind of development a mandatory assessment procedure should cover? How far have you gone in working out how difficult that might be? Is it clear in your mind?

Mrs Thorsborne—There should be environmental impact assessments to begin with, and it should not be seen perhaps as just a Cardwell issue. It should be an issue for the whole region. One development might not seem very much, but if different ones come like aquaculture, barramundi farming or Oyster Point it is the accumulative whole that is the problem.

CHAIR—How do you deal with that then? I suppose the problem that we always face on environment issues is that of small decisions adding up to very significant ones. How does your suggestion that there be assessment procedures in place for each of those deal with that question of the whole?

Mrs Thorsborne—I think one thing it needs is a change of public thinking, and thinking what we really want for our country just in the general public, besides our representatives. I really do not know how we do it, but it is something we have to do. Most of us love our country and do not want to see it degraded. Although we have lost so much, we have the opportunity here to be an example to the rest of the world in environmental care.

CHAIR—Mr Parker, you indicated earlier that there had been some intimidation of members of your organisation and others in the community. I do not want you to name names here, but to your knowledge has there been any intimidation of scientists and has that led to any changes in scientific material being brought forward?

Mr Parker—I believe that members of the scientific community have been threatened with legal action—I imagine it is a case of shooting the messenger. The Cardwell Chamber of Commerce, with the support of Senator Macdonald, was also involved in a campaign to sue the members of the Friends of Hinchinbrook for slowing down the work at the develop-

ment. There was money raised for this project which did not come to fruition. It was an intimidation act by the—

CHAIR—Can you explain the money raised for this project which did not come to fruition?

Mr Parker—Money raised for the funds to take the Friends of Hinchinbrook to court. Those actions were not followed. I would ask Senator Macdonald if he knows what happened to the money?

Senator IAN MACDONALD—I am very interested to question further about that myself.

Mr Parker—It was announced in the paper, which I do not have with me, that the Cardwell Chamber of Commerce would attempt to sue the Friends of Hinchinbrook for slowing the resort development down. You attended that rally and open day here in Cardwell—it was in 1996 or 1997—where the bucket was passed around to raise money to ensure legal action against the Friends of Hinchinbrook. That action has not been forthcoming. I was just asking you whether anyone knew where the money went?

Senator IAN MACDONALD—I have no idea. And about your suggestion that I was part of that, I appeared at the rally by invitation from constituents and there were over 1,000 constituents there at the time. I think all politicians were invited to attend. Perhaps even Senator Reynolds attended. I have no idea what happened to the money. Perhaps you should ask whoever collected it—it certainly had nothing to do with me. What I am more interested in is when the Friends of Hinchinbrook are going to pay the \$100,000-odd that the courts have ordered that they pay back to the Australian taxpayer.

CHAIR—I do not know that that is a relevant question, Senator Macdonald.

Mr Parker—I guess when the Commonwealth sends us the bill, Senator.

Mrs Thorsborne—That is being dealt with. We are taking legal advice on that and we are not commenting on it at the moment.

Senator IAN MACDONALD—When I inquired of the Commonwealth's solicitor yesterday, they had written to you asking for payment, and the letters had not even been acknowledged.

Mrs Thorsborne—I have not received them.

Mr Parker—We have not received the letters.

Senator IAN MACDONALD—Perhaps you had better check with your solicitors.

CHAIR—Senator Macdonald, maybe this is something that can be taken up outside the hearing.

Senator IAN MACDONALD—Certainly, Madam Chairman, but it has been suggested that I have been part of some fundraising and the moneys have gone astray, and also that I have threatened you.

Mr Parker—No, I have not said—

Senator IAN MACDONALD—I thought you said that the Cardwell Chamber of Commerce and Senator Macdonald have threatened us. I cannot speak for the Cardwell Chamber of Commerce, but I can speak for myself.

Mr Parker—The Cardwell Chamber of Commerce used legal action as an intimidation.

Senator IAN MACDONALD—And you suggested that I was part of that.

Mr Parker—I just said that you were at that meeting where money was raised.

Senator IAN MACDONALD—You did not say that. This is the trouble with you people—you make these broad statements.

CHAIR—Senator Macdonald, I think perhaps—

Senator IAN MACDONALD—My reputation has been impugned, Madam Chairman, and I intend to answer it.

Mr Parker—No, Senator Macdonald, I have not impugned your reputation at all.

Senator IAN MACDONALD—You made that general statement that I had threatened you, along with the Cardwell Chamber of Commerce.

Mr Parker—No, I did not say that.

Senator IAN MACDONALD—You should apologise.

CHAIR—Perhaps if you can give Mr Parker an opportunity to respond, we will listen to him.

Mr Parker—If I inferred that, I retract the statement that you were used in a manner not fitting of a senator.

Senator IAN MACDONALD—No. You retract that I threatened you.

Mr Parker—I retract that you threatened.

Senator IAN MACDONALD—Thank you.

Mr Parker—Threats are quite a common thing in this community. They happen quite often. There are threats of legal action, actual violence and intimidation.

Senator PAYNE—Evidence from the Chamber of Commerce this morning—

Senator IAN MACDONALD—Madam Chair, in answer to your question, you invited the Friends of Hinchinbrook not to be specific but to give a generalisation that scientists had been threatened. To pursue this matter and to get any real benefit out of that, we need to know which scientists have been threatened and by whom so that those who allegedly did the threatening have a chance to respond and defend themselves.

Mr Parker—From what I can gather from reading the newspapers, which is on the public record and which is not breaking anybody's confidentiality—either scientists' or my own—I believe that Dr Preen was threatened with legal action.

Senator IAN MACDONALD—You are quoting from a newspaper report?

Mr Parker—I am remembering an article in a newspaper, which was written by Dr Preen, which suggested that legal action had been threatened towards him as a way of shooting the messenger.

Senator IAN MACDONALD—By whom?

Mr Parker—By the current developer.

Mrs Thorsborne—I think that the reference is in our submission.

Senator IAN MACDONALD—We are going to get some other letters that were tabled earlier in this inquiry. Perhaps Senator Payne might ask you a question about those. Of the scientists, and there were many who gave the Commonwealth government advice which led to Senator Hill's eventual decision, are you suggesting that any of those many and eminent scientists who reported broadly, if I can use this term, in favour of the thing that caused Senator Hill to come to the conclusion that he did, were threatened and, if so, by whom?

Mr Parker—No, I am not suggesting that any of those scientists were threatened, or that they were threatened by anybody. I am answering that statement, I would suggest, that Senator Hill selected a small passage from that compilation of material by six scientists—

Senator IAN MACDONALD—That is another question.

Mr Parker—It was a very small passage within those documents that gave Senator Hill the opportunity—

Senator IAN MACDONALD—Someone might ask you that question, but we are talking about these alleged threats that the chair raised. I just want to make that clear. I repeat, you are not suggesting that any of the scientists who reported in favour of the development to Senator Hill were threatened by anyone?

Mr Parker—I have no knowledge that the six scientists that gave the advice to Senator Hill were threatened by anyone.

CHAIR—Is there anything further you would like to add to your presentation?

Mrs Thorsborne—It is difficult in a small town, if we take it as a local issue, to be a conservationist. It is much easier in a big city. A lot of people who do not want this development really do feel intimidated. They have, I think, good reason at times, as the rally down in the marine park at Oyster Point last September showed. I think that the claims that there is 99 per cent support locally for the development are really not true.

Senator PAYNE—I understand what you are saying, but we have in evidence tabled this morning by the Cardwell Chamber of Commerce a copy of a letter from the president of your organisation to the president of the chamber of commerce similarly threatening a defamation action based on statements made by that gentleman, which I think would equate fairly closely with other threats that have been referred to this morning. We also have a copy of correspondence from Neater Constructions Pty Limited detailing half a dozen attacks on their organisation because of, I assume, their involvement in the Port Hinchinbrook development. It would seem to me that the concerns you have raised perhaps cut both ways. Would that be a fair assessment?

Mr Parker—I have no knowledge of the letter from David Haigh to the Cardwell Chamber of Commerce. If David were threatening legal action for defamation, that would be a personal matter between David and the chamber.

Senator PAYNE—Indeed it would, Mr Parker, but it falls within the category that you were raising and putting forward as evidence for us to consider, so I think that in terms of what the Cardwell Chamber of Commerce were doing, tendering similar evidence—

Senator IAN MACDONALD—Were you involved in the campaign to destroy the business of Neater Constructions? Were Friends of Hinchinbrook involved in those signs?

Mr Parker—I have seen those signs.

Senator HOGG—Could we have those signs described for the purpose of the *Hansard*?

Senator IAN MACDONALD—They are in the evidence that has already been tendered: a letter from Neater Constructions addressed to the Cardwell Chamber of Commerce and containing some attachments urging people to boycott Neater Homes. Is that the doing of the Friends of Hinchinbrook?

Mr Parker—I believe those posters and banners were an initiative of the Wilderness Society.

Senator IAN MACDONALD—Okay. I think they are giving evidence next, aren't they?

CHAIR—Thank you, Mr Parker. Thank you, Mrs Thorsborne for attending today.

[11.56 a.m.]

FISK, Mr Paul, Executive Officer, Girringun Elders and Reference Group Aboriginal Corporation, PO Box 303, Cardwell, Queensland 4849

RIST, Mr Phil, Native Title Coordinator, Girringun Elders and Reference Group Aboriginal Corporation, PO Box 303, Cardwell, Queensland 4849

TURPIN, Mr Paul, Wet Tropics Liaison Officer, Girringun Elders and Reference Group Aboriginal Corporation, PO Box 303, Cardwell, Queensland 4849

CHAIR—Welcome. The committee has before it submission no. 143 which it has authorised to be published. Before we move to an opening statement, are there any alterations or additions you would care to make at this stage?

Mr Fisk—I have submitted what is effectively an executive summary of the large document that we gave you. It is what has come out after further reflection and discussion. It probably better presents the main points we wish to make.

CHAIR—This was with your original submission, Mr Fisk?

Mr Fisk—No, it was not. I gave it to the bloke over there. I thought that it would have been distributed, but it does not matter at this stage.

CHAIR—No doubt it is coming. Would you like to make a brief opening statement? If not, we could go straight to questions.

Mr Fisk—The first point I would like to make is to clarify our position. Girringun is a grassroots organisation which represents the traditional owners of the region specifically in the areas of native title and cultural heritage. The opinions in our submission and today come from that experience. We have been going for a year and a half. We have done a lot of talking with the local people around here and that is where our opinion comes from.

I was going to give a brief response to each of the terms of reference. Perhaps I will do that, but I will keep it brief. The first term of reference asks for comments on the relationship between government and developers. From our perspective, and from the indigenous people's perspective, the main response is probably indifference. Indigenous people have been marginalised from all these decisions for many years now so why have an opinion at all? That sort of attitude comes through fairly strongly. They have never been part of this process before and now that they are starting to become part of it, there is a catching up involved. They have been marginalised for so long that that is the position that they usually take.

The second term of reference asks about the effect of development on the environment. In our opinion the major effects—there are two major areas—are the loss of natural values and natural areas. For the traditional people, natural areas are also cultural values. Natural areas allow them to practise their culture in terms of hunting, gathering and that sort of

thing. Many natural features and areas are cultural values in themselves—waterholes, swamps and those sorts of things. When they are lost, cultural values are lost.

Another area where this impacts on indigenous people is where there is a reduction in opportunity to enjoy the natural environment. In many respects indigenous people have similar views to the wider community. If you ask a group of indigenous people about an environment, you will get a similar range of opinions. You will get developers and greenies. Having said that, there is a specific spin on it that comes from being indigenous or being a traditional owner. The specific things are the things I just mentioned. There are loss of traditional food, resources and cultural sites. There is loss of opportunity to practise culture.

The other area of impact—and this, we feel, is a major one, as well—is in the area of social and economic impact. Currently, Aboriginal people are in a very disadvantaged position. They are marginalised, not only in terms of decision making but also in terms of access to the economy and the mainstream society. If a development exacerbates that position, then it is an added effect on their place, their position. Social and economic impacts are certainly major concerns.

With respect to native title, there is an impact on native title in a reduced opportunity to practise traditional ways. There is that factor. Often associated with developments there are tenure changes which result in loss of native title property rights. To date, the impact from development on tenure changes has been relatively limited in our immediate area. There have been major changes in our region, but outside the Cardwell area.

The third term of reference asks: does government meet their obligations? The basic response to that is no, but in recent years consultation and a willingness to talk have increased markedly. We are reasonably happy with the level of consultation we are getting at the moment. But having said that, the consultation tends not to lead to anything tangible. We do a lot of talking and have a lot of meetings and nothing much happens. There have been a few exceptions and, certainly, we are happy with our relationship with the local people and, generally, we are happy with the response they have given to our requests and concerns.

In the broader picture, concerning cultural heritage assessments and protection, the current infrastructure for handling those sorts of things is basically inadequate. The main department handling this sort of thing is the Department of Environment. They are under-resourced. They have a terrible set of legislation to deal with. It does not seem to work. There is a structural problem there in resourcing and dealing with cultural heritage, even if they want to deal with it.

A second point in this area is that there is a lack of understanding of what is of concern to Aboriginal people in terms of cultural heritage. There is definitely a lack of understanding of how cultural knowledge is used and how it plays a part in the role of the indigenous people's society. So there is a lack of understanding which also does not help us.

As for native title, do governments meet their obligations under this? We have to say no because our experience has been that governments ignore it. We have been going for a year and a half and we have written letters and have raised native title in many forums but we just do not tend to get a response. If we do get a response, it is, 'That is all very nice. Your

letter is noted. We'll do something about it later.' It seems to us that the only way to get action on native title is to take action yourself—take a legal action and do a judicial review act appeal. Otherwise, there is a lack of response.

If we put in applications to the Native Title Tribunal, that tends to get things running and tends to result in native title being treated seriously. But the native title process tends to be a long, winding road to nowhere; it just goes on and on. It is very expensive. You have to prove right to the nth degree that the people you are representing are actually the people involved. You have to prove what native title is. They are all hairy questions which are not easily answered and they end up absorbing a lot of resources and a lot of effort.

Our approach here has been more to just front up and talk to people and try to reach agreements with the local people that we live with. If we have got a conclusion at the end of this process, it is that that is where native title is going to work. You have got to start with people who live together and work your way up to other areas. When the public debate on native title comes to the ground, it is so inappropriate and so absurd in many cases. Our main comment on native title is that we would like state governments, and developers for that matter, to treat it seriously and to treat it as what it is. It is a property right which is recognised under Australian law and it should be treated as such.

The fourth point is: what do we do from here? Where is the future? There are a couple of recommendations that we have here. The first thing that needs to happen is that there has to be a fundamental change in attitude. Native title has to be recognised for what it is. It is a property right under Australian law and it should be treated as such. We should not have to wait until we stick our oar in or throw a spanner in the works before we get a reaction. It should be treated now as a real issue and as an existing property right. Similarly, cultural heritage and social and economic impacts are issues that affect everyone in the community, not just indigenous people. At present they are not being given the value, the importance or the priority that they deserve. So there are basically two perceptual things that I think need to change.

To be more specific about where we go from here, we feel that native title resources should be directed towards local initiatives and local agreements. At the moment all the funding seems to go to anthropologists, lawyers and formal processes, whereas we are finding that the real action happens when we go and approach people up-front and talk to them about what our concerns are. That is where we are getting most of our progress, not in these formal processes. Having said that, I can say that we have one application here for vacant Crown lands and the response to that has been good. Although in the bigger picture nothing seems to happen, there are specific cases where it is seen to be happening. Our particular application here is working quite well and we are happy with the progress on that one.

Another recommendation that we have come up with is that we find the state governments do a lot of research into native title and they put a lot of time and energy into documentation and research. Our feeling is that that research should be available to everyone, not just to one party in a legal conflict somewhere which seems to be the attitude at the moment. It is held back. I have written letters to the state department here listing a whole range of tenure changes that occurred in our area and asking them how they were

assessed and how they came up with no response to us. The letter back was, 'We can't give it to you. Our work can't be made available to you.' Our recommendation is that that research should be a collaborative effort between the interests then we might make progress instead of being in an adversarial situation.

One of the major impacts—by a long shot—on the environment which I did not mention in the brief overview I gave before in this area has been the sugar expansion. We have got numerous cultural sites, historical sites and even grave sites of families that we work with buried under sugar cane. It continues to happen today; it is still happening right as we talk, as far as I know. The expansion of the sugar industry is definitely the biggest environmental impact in this area as far as we are concerned. As such, our recommendation is that development on rural land should be dragged into the normal process that everyone else has to go through. Somehow or other it seems to avoid town planning jurisdictions and it seems to avoid the normal regulatory processes and planning processes. It is starting to catch up, I suppose, but around here it is going to be too late. The damage is pretty well already done, but what is left is still being knocked over.

For indigenous people to get involved in the development process two things should occur. One is that we should be looking for employment for indigenous people. The message we get all the time is employment. They want to participate and they want to be part of the action of normal society. It has not happened. There is a numerous range of programs around the region here. They get trained up and there is no job at the end of it. We have looked into what work needs to be done around the area in terms of land management. You find that the agencies responsible are not addressing the real long-term on-the-ground problems like weeds, fire, ferals and track maintenance.

Those sorts of long-term permanent jobs are addressed by one-off project funding and by work teams that are formed around the project and then they break up and disappear because funding does not continue. Our feeling is that this sort of work is tailor-made for the indigenous people, the traditional owners. We should strongly recommend that employment be channelled in that direction. If the Murrumbidgee can get on the land and do the job that needs to be done any way, we are killing a number of birds with one stone.

The last recommendation is that for indigenous people to participate in the development process there has to be an organisational, almost bureaucratic, sort of capacity to deal with it. Giringun is trying to do that at the moment. We suddenly appeared as an organisation that agencies could relate to because we are like a mirror image of the things that they are. We were basically swamped with requests for advice, for assessments and for consultation sorts of meetings.

Although Giringun is heading in that direction—and that is through the Central Queensland Land Council, which has set up those groups called reference groups—I think it is a great idea but it needs to be appreciated that you cannot just do it, you just cannot front up and say, 'We'll do the referrals and do the assessments.' We need the technical expertise and we need the organisational capacity to deal with it. So those two recommendations I think would go a long way towards bringing indigenous people into the process.

Mr Rist—To reiterate what Paul has said, a lot of the time we find ourselves being forced into situations and we find that we are looked upon as a spanner in the works, if you like. So we would appreciate up-front negotiation—not just consultation but proper negotiation—in everything that happens. Like Paul said, that is the secret to success. I think if you are treated in the same vein as other organisations and other people, you are on your way to getting a better result. I think that is the secret to it. It is a long track trying to change people's mind-set, how they feel; it is a huge task. I think we are making some inroads into that and, hopefully, things will be a lot better in the future.

Mr Turpin—I feel that we have made progress since we set up this organisation in many areas. I work for the Wet Tropics Authority and there are ongoing negotiations after the finalisation of the Wet Tropics plan, which has been approved by the ministerial council. There is a review of the Aboriginals involvement document that has already been completed, but the process still goes on as to how we participate in the cooperative joint managements so that we can look at areas where there is job creation—land management, walk tracks, caretakers, training of young rangers and so on. I think we are making progress in those areas. I feel that we can continue to do that. Like Paul was saying, it is a long road and we just keep plugging away and we keep negotiating.

CHAIR—What was the consultation over the Port Hinchinbrook development?

Mr Fisk—I think it is documented in our submission. Indigenous people were part of the public consultation—so the door is thrown open and you have to write submissions. There is a normal process in which they could have participated, but for a number of reasons they generally do not so you do not get the indigenous perspective.

I believe there was an archaeological survey on the site before Keith Williams took over. We talked to Keith Williams twice, which resulted in promises. Basically, the line taken was that they wanted to participate, they wanted jobs and they wanted some benefit out of it. The line we got back that was, 'Yes, there will be benefits. They will come.' Nothing has happened so far, but I guess we can wait. That is about it. There was consultation, but it is more the normal process which the indigenous people had to join into rather than a specific thing.

CHAIR—Do you expect there to be jobs for indigenous people in this project? Are there any jobs at the construction stage?

Mr Fisk—No, there have been no jobs.

Mr Rist—I want to make one point. Consultation was Giringun initiated; we had to initiate that.

CHAIR—Can I just pursue that question of jobs?

Mr Fisk—There is no sign of it. We have had promises without anything being delivered, but it is early days. There is nothing going on there at the moment except for construction.

CHAIR—What were the promises?

Mr Fisk—There were general promises. It was sort of like, ‘Yes, there is room there for you. We’ll do cultural tourism, for example. Setting up some sort of shop in the centre is a possibility.’ It was all loose and airy without anything following through, or any real result.

CHAIR—Is it possible to give the committee perhaps a summary of the history of indigenous people in this area? Your submission does not go to this question. I do not know whether the executive summary does. For how long have there been Aboriginal communities in this area?

Mr Fisk—Before day one. Girringun represents five tribal groups in our region. In the Cardwell area there are the Bandjin people, who tend to be on the islands, the Giramay people on the coast here, the Jiddibuc people up near Tully, and the Nywagi and Wargamay people down at Ingham.

Turning to the history of the settlement of this area, I think Cardwell was settled in 1865. There was pastoralism and sugar really early on. Around the Cardwell area itself, the Aboriginal people were dispersed, as they called it. It basically means chased out during the violence of the regional settlement. The settlement moved up into the Tully-Murray area and, because of the terrain there—swamps and mountains and what have you—it was not a complete dispersal as happened elsewhere in the pastoral lands out west or in Herbert Valley. As a consequence, the traditional owners managed to stay on their traditional land, either in the bush nearby or in the backblocks of the paddocks.

This area, especially the Tully-Murray area, is a little bit different from other areas in that the traditional people managed to stay here and keep the culture alive in the post-contact bush camps. A number of families here have a continuous link from before day one. As well as that, the stories and the culture have been kept alive. Does that answer your question? What specifically were you after?

CHAIR—That is fine. I just wondered whether we know how long Aboriginal people have lived in this area, rather than just the history since white settlement.

Mr Fisk—I think there are cave paintings that go back thousands of years.

Mr Rist—Fish traps.

Mr Fisk—Yes. There is no doubt that they have been here forever, basically.

CHAIR—I understand that the fish traps are dated at 16,000 years. Is that correct?

Mr Rist—I am not too sure, but they go back.

Mr Fisk—There is plenty of evidence like that around. There is no question at all that people have been here from day one, and certainly in the last hundred years or so we know what families have been here and where they were. A lot of families around here can say,

‘That little tributary up there is my family spot.’ They can go back to a specific site that has always been part of their family.

Mr Rist—The beauty of this area is that it has always been relatively untouched in comparison to other areas—

Mr Fisk—There has been less impact.

Mr Rist—Yes. They still practise their culture and they still understand their language, so it is a unique set-up in regard to other areas along the coast where there has been major impact from sugar expansions and all that sort of stuff. The Girramay people in this area are pretty unique in that regard. That is why we take impacts from the development of sugar cane and so on very seriously. We do not want to see it being eroded any further. It is pretty unique.

CHAIR—Were there cultural sites at the Port Hinchinbrook development site?

Mr Fisk—As it says in this summary here, most of the damage to indigenous interests occurred when the previous development went in. That is when the tenures were issued and that is when the place was bulldozed. By the time the recent development came on board there was nothing much there to report. We do know that one of the traditional owners lived there for years prior to Tekin, and he is an example of how traditional owners hung around on the traditional lands. They went off to the margins outside of town, but they stayed where they belonged. This bloke was the traditional owner. He lived on Oyster Point for years. I presume that he got rogered off when the first development came in. I am not sure how he lost that position.

Senator HOGG—Your submission refers to the Hinchinbrook Channel development management plan and the Cardwell-Hinchinbrook regional coastal management plan. You ask: where are they? What role has your organisation had in those two things?

Mr Fisk—This is another one of those long winding roads to nowhere as far as we can tell. We have been to a lot of meetings. Phil has been doing most of them. We have contributed to meetings as they have occurred. We have raised native title and cultural heritage issues.

Senator HOGG—What has been the response?

Mr Fisk—The response has not been good. The most recent step in the coastal management plan has been a threatened walkout from indigenous interests because the group that was looking at that issue felt that native title was not being addressed and that proper recognition was not being afforded to indigenous people for their position in this area.

Senator HOGG—In the executive summary that you provided this morning, at paragraph 3.2 you refer to the problem that you have where cultural heritage assessments are made but the recommendations seem to just drift off into nowhere. Why is that?

Mr Fisk—I do not know really.

Senator HOGG—Do you follow that up?

Mr Fisk—Yes, but we did not in the case of the Port Hinchinbrook one. There was a specific recommendation there from Michele Bird who did the archaeological work that any further earthworks should be monitored with indigenous people on board. That never happened. We should have followed that up—you are right—but we did not. We are busy and we are under-resourced like everyone else. Also, the opinion we got from the people we represent was that they did not want to get involved in this blue that was going on in town over Port Hinchinbrook. Basically, that is it.

I heard the discussion earlier about intimidation. One woman told me that she wanted to be able to go shopping in town without being growled at. If the indigenous people came out strongly against Port Hinchinbrook, for example, for most whitefellas the Murris are all the same, one is the same as the next, and the agro would be directed to any Murri. That was the feeling that was coming back. Basically, they did not want to get involved in the blue in town.

Senator HOGG—You have got a diversity of opinion anyway.

Mr Fisk—That is right. There are people there who support it, people who are indifferent and whatever.

Senator HOGG—Is it fair to infer from what you have said to us that there has been a decided inaction by the DEH cultural heritage branch? Should they be involved more in seeking to protect the rights of your people?

Mr Fisk—I am sympathetic to their position. We find that they are basically doing a good job in a bad situation. The legislation—the cultural records act—does not provide very good guidelines.

Senator HOGG—Are you saying that that act needs to be looked at?

Mr Fisk—Certainly .

Senator HOGG—Do you have specific recommendations that you could give to us—not now, but at some stage?

Mr Fisk—Yes, I am sure there are. This is an issue that has been raised for years. I remember someone saying five or six years ago that the cultural records act does not work. It seems to provide fairly substantial protection for graves if you can document and prove that there is a grave there. That seems to be its greatest strength. After that, it does not seem to work. I am sure there are plenty of documents around addressing that. I could get that sort of stuff.

Senator O'CHEE—Where is the vacant crown land over which you have claims?

Mr Fisk—It is all coastal USL land from Five Mile Creek up to the Murray River. There are 29 blocks, big and small.

Senator IAN MACDONALD—What is USL?

Mr Fisk—Unallocated state land—vacant crown land.

Senator O'CHEE—What are you seeking in relation to it?

Mr Fisk—There is a native title application over it. We are now working through the process of what rights and interests occur on each of those blocks. Certainly, in our early discussions with the applicants they were more than willing to let community facilities go through. There is a proposed school on one of these blocks over here. When that was raised with the applicants they were quick to say that they would let it go ahead. There is no problem with that sort of thing. Really, amongst other things, they are looking for residential land, protection of cultural values—there are a few of them amongst the sites—and basically they want recognition for property that they feel they own.

Senator O'CHEE—Are you working with Colin Bond at Central Queensland Land Council? What is the chap's name?

Mr Rist—Russell Blair is the chief executive officer there. Bruce White is the anthropologist. We do a lot of work with him.

Senator O'CHEE—It was Bruce White. Thank you.

Senator PAYNE—Thank you very much for your submission. It is very comprehensive and very helpful in this particular issue. I wanted to ask you a question about one of the native title applications you referred to in 3.4 in the executive summary you distributed to us this morning—it is the Giramay application over the USL lands. Could you tell me more specifically why that is proceeding well? You seem to be very positive about that.

Mr Fisk—I think it is a clever application, for starters. It is USL, and any USL blocks that had registered interest in them were not put in the application. When we did the first tender search there was no registered interest in any of these lands. The other reason it is going well is because it comes down to attitude in many ways. The tribunal has been very helpful to us, the local council has been basically supportive and willing to deal with it, and we have no problems with the applicants themselves; they are clear about who they are and who is involved. It is a straightforward application and it does not directly affect other interests in that land. There are not many other interests and we are confident we can deal with the ones that are there.

Senator PAYNE—That goes directly to the recommendation you make in 4.4 that native title has to work on the ground first before it can be resolved in any other forum.

Mr Fisk—That is right.

Senator PAYNE—Thank you very much.

Mr Rist—If I could add to that, when we put the claim in we took a number of steps, including community consultation with everybody in the Cardwell community. We spoke

with the council and went through the land that we claimed and that sort of thing. We have been very open and transparent about what we were doing and what we were hoping to achieve. We included the broader community as much as possible at every step of the way. It was pretty much a consultative process up until the time we put the claim in, and we tried to involve everybody as much as possible. We had a public meeting here and everybody from the community was invited. We spoke very openly about the claim, and I think we had 40 or 50 people here. Two people opposed it and the rest told them to shut up, basically. It was that sort of process that managed to get us off to a good start. We claim, as Paul said, unallocated state land which is not as contentious as claiming national parks. We were just very open and transparent about the whole deal.

Senator IAN MACDONALD—Do you have a CDEP program in this area? Does it work and what is your view of it?

Mr Rist—Girringun has not got anything such as that, but the local Aboriginal community at Kennedy have. It seems to be working all right at the moment. From Girringun's point of view, we want to get something similar going but more ranger orientated, I suppose. At the end of the day, this is our land and we want to look after it, we want to manage it and we want to be given the resources to manage it. I think we are the most appropriate people to manage it.

Senator IAN MACDONALD—That program is reasonably well regarded. It is not thought of as being a second-class job or something.

Mr Rist—No. One of the points to remember as well is that these people are working for the dole and that is basically it.

Senator IAN MACDONALD—I was wondering—with the additional rangers and the other work that you are suggesting—whether that is an opportunity, but that leads me into the question: where do you see what I might call 'real jobs' in the Girringun area? How would those new jobs—particularly for young people—come about?

Mr Fisk—We looked at this fairly closely. In the areas of land and resource management, as I mentioned before, there are problems that need to be addressed which are not being addressed: tracks, fire, weeds—those perpetual, on the ground management problems. The agencies are not addressing those at the moment, and that is where we feel there is a gap for us to slot in with a permanent, indigenous ranger program employed to do weeds, tracks, fire and what have you.

Senator IAN MACDONALD—Those sorts of jobs come from government resources and depend on the government of the day and the budget of the day, but I was really trying to direct you towards tourism, ecotourism and that sort of thing.

Mr Fisk—Just to step back a bit, it becomes a question of priorities with the government and funding. I am not saying they should just throw more money into it, but there is indigenous funding around which could support government funding, and I think it is a question of priorities. Cultural tourism is certainly something that we have been looking at

closely, and we have done a bit of work on it. The Jumbun community have a number of operations which work reasonably well. So we are looking at cultural tourism for sure.

Senator IAN MACDONALD—Are there tour guides on the island and that sort of thing?

Mr Fisk—Not at the moment, no.

Senator IAN MACDONALD—Would you expect that that is the sort of thing that they might get involved in?

Mr Fisk—Yes.

Senator IAN MACDONALD—In your discussions with the developer of the resort, has that sort of thing been spoken about—that that is a role that your people would be best involved in?

Mr Turpin—It seems to be, yes.

Mr Fisk—That came up when we talked to Keith both times.

Senator IAN MACDONALD—I guess the reason things have not happened there is that the resort has not happened either.

Mr Turpin—Of course, it is only one area. There are other areas, like the world heritage area, that we could utilise and specific areas where there are good one-day walk tracks. Now that the plan has been finalised and with the review of Aboriginal involvement in the wet tropics, once the agreement is in place it will give us the momentum to move ahead in these developments down the track.

Senator IAN MACDONALD—Are your people seagoing people? Are they good at the sea?

Mr Turpin—Oh, yes.

Senator IAN MACDONALD—Would you expect that in the future you might have more of your young people involved in the boat trade?

Mr Turpin—The tribal boundary which we operate under stretches from Mount Garnet and Ravenshoe right down to Rolling Stone, near Townsville. Then it goes out west and covers the islands of the coast. It varies a lot, but it is very important to those people.

Senator IAN MACDONALD—Are you related to the Kukuyalangi?

Mr Turpin—No, I am Kukutaipan.

Senator IAN MACDONALD—They have a dugong management plan themselves.

Mr Turpin—That is right.

Senator IAN MACDONALD—They are a bit further north. I thought they told me you were going to do one, too, down here. Is that right?

Mr Turpin—I think Phil could answer that one.

Mr Rist—We are trying to. We have not made much progress yet, but we are really hoping to have something similar to that in this area. Indicators are that it could be happening in the near future but we need to keep the ball rolling. Certainly the Kukuyalangi model is a good model.

Senator IAN MACDONALD—I am not trying to put words into your mouth—perhaps if I put it as a suggestion that you might comment on: would it be right to think that your younger people, if there were more tourists permanently staying here, might get involved in things like dugong tracking, dugong tours or bushwalks through the mountains? Is that something that is foremost in your mind or are there other—

Mr Fisk—Clearly there has to be a market for a tourist product. What we have been looking at is cultural tourism—specifically at tracks, bush tucker and that sort of thing. If the market is there, it would help that approach.

Senator IAN MACDONALD—Do some of your people know the ranges and the high mountains up the back?

Mr Fisk—Yes.

Mr Turpin—For sure.

Mr Fisk—If you look at what happened historically, where people got moved away earlier, the knowledge is much less in that area. Around Cardwell itself we find that the cultural knowledge is not as great as it is up there. When you go up in the mountains the cultural knowledge is abundant.

CHAIR—I think we have finished. Thank you very much for appearing before us today.

Proceedings suspended from 12.40 p.m. to 1.23 p.m.

GIANDOMENICO, Mr Giuseppantonio, Mayor, Hinchinbrook Shire Council, PO Box 366, Ingham, Queensland 4850

HARVEY, Mr Alan Sydney, Chief Executive Officer, Hinchinbrook Shire Council, PO Box 366, Ingham, Queensland 4850

SHEEDY, Mr Peter Edward, Manager, Canegrowers Herbert River District, PO Box 410, Ingham, Queensland 4850

CHAIR—Welcome. The committee has before it submission No. 59 from the shire council which it has authorised to be published. Before we proceed to an opening statement, are there any alterations or additions you would care to make at this stage?

Mr Giandomenico—Not at this stage, no.

CHAIR—Do you wish to make a brief opening statement or shall we proceed to questions?

Mr Giandomenico—Are we going to have all the senators here?

CHAIR—We have a quorum.

Mr Giandomenico—First of all, I would like to question the need for yet another inquiry given the cost of having these inquiries, not only on behalf of the federal government but also on behalf of the community and on behalf of state and local governments. The decisions, especially those for some of the developments, that this inquiry is looking at have been tested in every court in the country. They have been approved and I have very grave concerns that minority groups can stifle those decisions which have been approved by the majority of the community. I am concerned that there are mainly vexatious and mischievous reasons why these developments have been halted. With regard to the cost that I spoke of before, a lot of these groups are funded by the public purse. We, as a local community, have to fund the legal contribution to fight these minority groups that have power for whatever reason. We do not know who gives them the power.

One of the things that is concerning with regard to the Hinchinbrook Channel is the dugong. Dr Tony Preen himself, on numerous occasions, has said that the dugong numbers in the Hinchinbrook area have not only been static over the last 20 years but increased. If that is the case, it just goes to show that this community has maintained a balance and has looked after the environment more than any other area of Australia.

Dr Joanna Ellison, an expert in mangroves, has stated that in the Hinchinbrook and Cardwell shires not only has the population of the mangrove been maintained but it has also been proven that, since 1953, the mangrove tree is the only plant that has increased in numbers. So when we discuss issues of protecting mangroves and protecting dugongs, do not include us in the areas that have not been maintaining their status quo; include us in the area that we should be included in. We should be congratulated and not penalised for the manner in which we have managed our area.

There are a few other things that have come to the fore: fishing, tourism and speed limits through the Hinchinbrook Channel. Those are things that we have enjoyed over many years. Hinchinbrook Island is not a pristine area, as people would have you believe. Hinchinbrook Island has had numerous industrial pursuits conducted there, including mining, farming and numerous other things.

I believe that we should take stock of where we are going. We should manage the channel and surrounding areas. I do not have a problem with maintaining the environmental integrity, but I do have a problem with the lock-up mentality that a lot of groups seem to have. As far as the local authority and the local community are concerned, they believe that what has been happening to us in North Queensland should not be happening at all.

It is sad that we cannot see things that we would like to see in our respective shires. These things could be assets or a comfort for people when they are getting in and out of a boat, for instance, without having to slop through mud. We could be classed as second-rate citizens because we are not afforded the same enjoyment as our southern counterparts.

Just lately, I attended the boating expo at the Gold Coast. The trees that grow in the water down there must be different to the trees that grow in the water up here but there were properties and developments for sale which are exactly the same as the developments that we are talking about up here. As a matter of fact, it made the developments up here look quite ridiculous.

The media has a bit to answer for because lots of people, especially from the south, believe that one of the developments that we are speaking about is on Hinchinbrook Island and that there has been massive clearing on Hinchinbrook Island. Hinchinbrook Island is the same as it has always been, and I think that that has to be cleared up.

I think, at the end of the day, government has to take note of what the community needs are and what the community expects. Until that happens, you are going to have these haphazard sorts of governments that we are experiencing of late.

CHAIR—Mr Sheedy, we did not receive a submission from the Herbert River Cane-growers. Do you propose to submit one now or do you wish to simply speak?

Mr Sheedy—I propose to make some further oral submissions. Angelo DiGenti, a member of our executive, spoke at an earlier hearing of this committee in Townsville. On behalf of the executive, I want to make some oral submissions in support of the thrust of the Hinchinbrook Shire Council submissions.

So far as planning and approvals are concerned, we support the thrust of an orderly process that essentially follows the rule of law; that there be a means of having balanced development applications approved and dealt with, and then, having made the decision, that developments should be able to proceed and, where necessary, be monitored.

I would like to refer a little further to the sugar industry which, in my particular district, is at the bottom end of the Hinchinbrook Channel in the Hinchinbrook Shire, and to explain a little bit about the industry's approach to the environment.

CHAIR—I am sorry, Mr Sheedy, can you clarify the development? Which development are you referring to?

Mr Sheedy—I am referring to development generally and sugar industry developments in particular.

We have a community of 820 cane growers. We support something like 400 field workers in the harvest and about 600 mill workers at the two mills in Ingham. I think it is fair to say that sugar is the dominant economic driver for the shire of Hinchinbrook. The industry has been in the Herbert since 1868, but it has grown more rapidly since 1985.

At that stage, it was a two-million tonne industry annually. In 1997 we produced 5.3 million tonnes of cane. We have grown in size and, as a consequence, the state organisation of cane growers decided in 1994-95 to conduct an environmental audit of the industry. As a consequence of that, we moved to develop a code of practice. I have here a copy of the code of practice for sustainable cane growing in Queensland.

CHAIR—Do you wish to table that?

Mr Sheedy—Yes, I will table it. Within the Hinchinbrook Shire we have moved this year, in particular, to have a fairly complementary process of development approvals following that code of practice with the industry and the shire council. It is something that fulfils the needs of the shire's planning scheme and the requirements of the local board of the industry which issues the assignment for sugarcane growing in the Herbert. Under that process applicants for assignment or for more intensive agriculture, as far as the shire council is concerned, are required to submit an application for consent.

As far as the sugar industry is concerned, applicants for assignment are required to submit to the local board, with their application for either an increase in assignment or for a transfer of assignment to land that was not previously assigned, a property development plan.

The process that we have been developing this year with the council involves input from the property planning service of the state Department of Natural Resources. They take a whole of government approach, in terms of any concerns that the Department of Environment may have. We also have the mahogany glider as something of concern and of interest to people in our community. The planning needs of the mahogany glider are taken into account in the property development plans that are produced.

I have a sample here of the output of that planning process. We have a resource information centre that has a geographic information system, and this is supported by the council and the sugar industry. The HRIC was formed with a bit of support as well from the government.

CHAIR—Could you explain what the HRIC stands for.

Mr Sheedy—It is the Herbert Resource Information Centre. There was a collaborative mapping project, at first, undertaken by several state government departments, with support from the CSIRO and the shire council.

Once that mapping project was arrived at, it formed the framework of a geographic information system which is computer based and on which digital information is able to be held and reproduced to facilitate planning and identification of particular features of the landscape. This is one particular example of where we have, on the base orthophoto—a colour orthophoto that was produced after a flyover last year—soils data that was taken from a soils survey which was digitised several years ago. We also have the vegetation mapping from the Department of Environment that was made available to us for planning purposes earlier this year.

All of those aspects are then able to be built into a property development plan in order to consider the various interests and things that need to be considered in a property development plan. That goes to the shire council and then finishes up with the local board which decides whether to allocate assignment and on what conditions it might do so.

Senator HOGG—Does that include the opening up of new areas?

Mr Sheedy—The same process applies for the opening up of new areas.

Senator HOGG—One of the criticisms we have had before the committee this morning is that cane now is going out into areas where, whilst cane may well be grown there, it does in the longer term cause environmental degradation.

Mr Sheedy—I was not here for this morning's events.

Senator HOGG—I understand that. That is why I am raising it with you now, so that you may comment on that in addressing us on the picture that is before us now.

Mr Sheedy—Yes. These colours here, for example, indicate the different soil types. You can see underneath that the orthophoto actually shows you where the vegetation is. We have guidelines in our code of practice about the retention of riparian areas. That code of practice is not retrospective, though. Developments that took place years ago—

Senator HOGG—The inference we had this morning was that these are more recent developments.

Mr Sheedy—I cannot agree that that is the case with recent developments in the Hinchinbrook Shire and certainly in the Herbert River sugar industry. I can go on to say that, as far as the Herbert is concerned, as well, with the support of the sugar industry infrastructure package that was supported by the Commonwealth and state governments with a third funding and a third to be found locally through the industry and shire council, we are now in the process of going through a very detailed planning study for any expansion of cane growing in our district.

CHAIR—Mr Sheedy, can I interrupt there. It would be useful for the committee if you explain what those different colours mean in terms of the expansion of sugarcane, so that we can put that down and the secretary can sit down.

Mr Sheedy—Sorry. We might just look at the legend here. The deep green indicates class 1 soil.

CHAIR—That does not mean a lot to us without knowing what those classes are. Can you indicate, for instance, which areas are suitable for further cane?

Mr Sheedy—These three here are suitable; this one is marginal.

CHAIR—The orange one, and that coincides with a vegetative area?

Mr Sheedy—That is right. Class 5 is very unsuitable. You do not see any of that. There is some there, but it has no development on it.

To finish the other point that I was making about this very detailed planning study which we are embarking on in the shire, this study has an extremely comprehensive environmental impact study going with it. We have had a visit from the Queensland acid sulfate assessment team to identify and correlate soil types, et cetera, to be used in the EIS. The environmental impact study has been under preparation since 1994. It is not a quick and easy process.

We also have called and are interviewing consultants for this more detailed planning study over the next eight months that will help the industry and the council to appropriately plan the use of the land. We are very fortunate to have had a couple of very large leasehold property owners come forward in the last few days to participate in this planning process, which gives the planners the ability to make a whole lot of recommendations on appropriate land use and land swaps—considering conservation values as well as development interests. We are very confident that any further development in the sugar industry is certainly going to be on a very environmentally sustainable basis.

Senator HOGG—Does your plan interact with the regional coastal management plan in any way or does it work outside of that plan?

Mr Sheedy—We do not have a direct representative on the regional coastal plan but the shire does.

Senator HOGG—Why?

Mr Sheedy—Our catchment coordinating committee member, who is a member of my executive, is actually on it now and we do have that direct linkage with it at this point. Certainly, that plan and that process are going to be considered hand in hand with this.

Senator HOGG—I accept that, but it would seem fairly logical to me that your organisation should be directly represented on the regional coastal management plan with those people putting it together, as what happens as a result of your planning and your programming will impact on the coastal management plan, surely. I understand now that there is that cross-linkage, but it is not a direct link.

Mr Sheedy—One of the criteria that we have with assigning new land is that it should be above three metres AHD. There are some lands which are presently under sugarcane

cultivation which were developed years ago and which would be probably not quite three metres AHD.

CHAIR—What does AHD stand for?

Mr Sheedy—Australian height datum. The development that we are looking at from hereon in is all going to be above that level. When three-metres AHD was decided as a benchmark that was thought to be a good measure by our technical advisers from the Department of Natural Resources and the old DPI in Queensland in regard to acid sulfate soil disturbance—that you could cultivate the soils above that level without too much risk at all of disturbing acid sulfates that may be deeper down in the soil profile.

Anyway, that is certainly where any future development of sugarcane in our shire is heading—it is going in that very sustainable direction. I did not hear what people said this morning, but I can only say that they are obviously talking about somewhere else in the nation or a time frame that does not coincide with the developments that we are talking about.

CHAIR—Mr Sheedy, we will send you a copy of the transcript from this morning. I think that might be useful. You may wish to respond to some of the remarks that were made.

Senator IAN MACDONALD—Can I summarise that and just try to get a comment from Mr Sheedy now.

CHAIR—I am not sure whether Mr Harvey wanted to make a presentation.

Mr Harvey—Yes, I did have something to say and it will not take long. I do not want to unnecessarily take up the time of the hearing, but I guess I feel obliged to attend possibly to put some balance in the numbers against what appears to me to be an orchestrated approach by others, for whatever reason, to try to obstruct any reasonable approach for development or whatever in this part of the state.

I take on board what I heard Senator Macdonald say over the news the other day: it is the same faces, the same issues, the same positions and the same arguments. I guess, to a degree, I might be reiterating those and I am a bit embarrassed having to say that. My attendance here or at any forum on this subject is principally to support the views of the Hinchinbrook Shire Council, which basically reflect the community views, and I believe submission No. 59 captures the sentiments of the council and the community.

The people whom I come in contact with in the shire—just the average person in the street—have had it up to their back teeth with inquiries. I know that is nothing new for your ears perhaps, but they say it over and over again. They are sick of the obstructionism, the fact that nothing is happening and that minority groups come along and put their oar in the water. Basically, they have lost faith in the system to protect the majority rights. They are sick of the fact that local government planning schemes, anything, are overridden by the minority of people who set themselves up with some idealistic vision of the future without real regard to its impact on Mr and Mrs Australia.

In recent times we have probably seen that in another area. The average Australian is growing tired of either not being listened to or being overshadowed by minority groups that seem to get the airplay and the media attention. I would suggest we are going to see a lot more of that if the process that we are involved in now to the man in the street just seems to be recycling the same old arguments about the same old thing.

In relation to the development in the northern part of the Hinchinbrook Shire, which is the subject of this, the community has endeavoured over many, many years to promote and encourage proper and sustainable development. In fact, cane farmers themselves are trying to diversify. At least one farmer is, and he has been trying to do that for a number of years. I might quote from a fax I received yesterday from the North Queensland Conservation Council. This was in response to a town planning application to establish aquaculture ponds on what is currently a cane farming area. To my knowledge, there are no main roads on the site. It is currently cane farming. It has been the subject of reference to the DPI and the relevant government departments. The opening comment says:

NQCC opposes any expansion of the aquiculture industry in Hinchinbrook Shire unless . . .

That is, until all these things are put in place. I recall representatives of that particular organisation saying in the previous hearing that things do not go far enough. How far is far enough, in reality? That is what we are trying to come to, reality. They go on to say, in part:

We oppose further exposure of the aquiculture industry in North Queensland until . . .

Against that backdrop, what reasonable hope does anyone have? All it needs is someone in these organisations to block that process simply by putting that letter in. From memory, there is another 40 working days under IPA and then this project can be stifled. That is their form, and that is what is happening all around this part of the woods.

One issue at hand is the credibility of state, federal and local government resolve in relation to these matters. There is no doubt in my mind as to where the Hinchinbrook Shire Council stands in relation to proper and reasonable development. Our new town planning scheme promotes that. You have heard Mr Sheedy talk about the interface between industry, local government and planning. The mayor and I are members of the regional consultative group, and that is fairly heavy going. That is understandable, but there comes a time when people have to say, 'Enough is enough. Who is going to pay the bills?' Again I refer to Senator Ian Macdonald's comments: who is going to pay the bills? Who is going to pay the Hinchinbrook community's bills against the people who put up nothing? When is common-sense going to prevail? These are the questions we hear day in and day out on the streets of Ingham. I am sure that the mayor can more than support that. He cops a lot more flak than I do.

Our position on what we believe is a reasonable, qualified and quality development in a very small area of Hinchinbrook Shire has not changed. We will hit this stumbling block and, no matter what legislation or processes are put in place, until there is some demonstration of authority from those that are in power, we will be here this year, next year and the year after. That is all I have to comment on.

Senator O'CHEE—What efforts have been made to generate some sort of employment base in this area over the last 20 years?

Mr Giandomenico—A timber plantation has been planted by state forest. It is in both the Hinchinbrook and Cardwell shires. It is about to be harvested. The government is doing some planning towards that. Back in 1985 when the timber industry was closed down we, as a community—not only in the Hinchinbrook and Cardwell shires but also in the north—were promised that tourism was going to be a windfall, that it was going to provide the employment we lost from the timber industry. To date every tourist development that has been looked at has had nothing but crosses to bear. There have been some statements about the sugar industry, that some canegrowers may be doing something untoward. In any industry—whether it is developers, cane growers, politicians or the fruit shop down the road—there are cowboys. They are the ones that people seem to focus on. If you get a bad politician the media focuses on that person and makes every politician a suspect. It is the same with the cane growers. There have been cases where some cane growers have done something unacceptable and they have been penalised for it—perhaps not as appropriately as we would like—and they have given the rest of the industry a bad name. We have to try to live with that.

Senator O'CHEE—A study was done about three years after the wet tropics area was created showing that there were over 900, almost 1,000, direct jobs lost in the timber industry plus others in this area. Do you believe that the region has recovered from that loss of jobs or do you believe there is still further to go to get back to the level of wealth and employment that existed in 1987?

Mr Giandomenico—The problem is not the direct jobs that were lost. The industries that were surviving, like the local engineering works that repaired trucks or trailers, had to eventually close down because the local work was not enough to keep them going.

Senator O'CHEE—You need new industries.

Mr Giandomenico—We need labour intensive industries. That is really what we need. The concern is that, realistically, the only labour intensive industry in our shire is tourism or aquaculture. We have the DPI running around saying that aquaculture is the way of the future. You have heard the North Queensland Conservation Council saying that they are not interested in aquaculture. We have had about three aquaculture projects in the Hinchinbrook area knocked on the head, mainly because of environmental concerns. Somewhere down the track there has to be some proper management, at all times having respect for the environment. I have always said that you must have respect for the environment and where at all possible avoid any degrading effects. But at the end of the day jobs have to be created. Otherwise, are we going to limit the number of children people have and where people live? That is what has got to happen.

Senator O'CHEE—Earlier on today the Friends of Hinchinbrook were here. They said that they were not very happy with the process by which this development was handled. I suspect you may have views about the process, as well. I do not know whether you heard their comments. Would you like to comment?

Mr Giandomenico—Which developments are you referring to?

Senator O'CHEE—Port Hinchinbrook, in particular. They said that they were not happy with the process, not only because it did not deliver the outcome they wanted but also because they were unhappy with the way the process evolved.

Mr Giandomenico—I have been involved with that right from the start—before Mr Williams was involved. As far as Mr Williams and that project are concerned, he thought he was walking into a project that had been approved and was ready to build. In fact, it was approved and there was a company that was going to put the development together. I do not know whether they went broke or whether the partnership dissolved but it did fall apart. Realistically, whether this is about the fact conservation groups do not like him personally, or whether the government departments do not like him personally—I do not know. Honestly, I do not see what the hullabaloo was all about. That development was approved many years prior to Mr Williams coming on-board. Have a good look at the size of the development. It is a housing development with a marina attached to it, and a bit of accommodation. That is really what it is. In realistic terms the community benefits. All you see down there at the moment are boat trailers. The community has benefited. I do not think Mr Williams has benefited much at all, at this stage. The cost that has been incurred by his company is ludicrous. He has said something similar before and I do not blame him, I would do the same myself. If I were looking at a development, there is no way in the world I would be looking at North Queensland, mainly because somebody has to stamp out the cockroaches that are doing the damage to industry here.

Senator O'CHEE—If you were to put together a blueprint, recognising that people have different views and so on, how would you say to this committee, 'We should handle development in coastal areas'?

Mr Giandomenico—In my personal opinion this is what you should do. You have a coastal management plan in place. You have to look at the environmental issues, but at the end of the day you have to make a decision as to whether a development is going to benefit the community and whether it is a community need. As everybody knows, Cardwell has never had a decent boat ramp. Now they have a wonderful boat ramp; it is virtually one of the best on the east coast. That is a community benefit. Cardwell have never had a safe anchorage point; now they have. Those are issues that you have to take into account. If they are detrimental to the environment in a minute way—that is my personal belief—then you have to accept it. If you are going to build a road you are going to have to clear land. Anything you do is going to have an impact somewhere along the line. At the end of the day you have to minimise those impacts, assess them and try to improve things somewhere else. It can be done.

If you are looking at mangrove, there are areas, might I say, where there was never mangrove. I can show you photos from 100 years ago. There was never mangrove there. Those mangroves grew there of late—in the past, say, 40 or 50 years. It was a tea-tree swamp where the development is now. That is what it was. If you believe that that tea-tree swamp was of value, then maybe the government should have said, 'You may remove that tea-tree swamp but you must reinstate a swamp of that nature, with that amount of water and

trees and whatever, in another area.' There is heaps of land up further where that could have happened.

Stony Creek was a dry, mongrel, mosquito-infested drain. That is what it was. Now, it is a proper creek. I can guarantee you that you can catch fish there now. I do not think you would have caught anything there before. At the end of the day, Mr Williams has, if anything, improved the area. As far as I am concerned, it is an improvement on what was there before: an improvement for the community and for people's wellbeing.

CHAIR—Mayor, I suggest that you keep your comments a little shorter, because we are going to run out of time in asking you questions.

Senator O'CHEE—What test should be in place to resolve disputes? What is the test we should apply when you have got one group of people who say the development should go ahead and another group of people who say it should not? What is the test? How do we balance out the interests of the local community with claims from outside?

Mr Giandomenico—How do you test who is in power? Democratically; and I think that is the way it should happen. It should be democratically evaluated. The other thing is—

Senator O'CHEE—Within the local area?

Mr Giandomenico—Within the local area, yes. At the end of the day in the local area, we should have regard to people who want to use the area; but it is the local people who should be in control of their own destiny. I can guarantee you that it gets up my nose when people from Canberra, South Australia or Melbourne tell me what we should do with our district.

Senator O'CHEE—You don't tell them how to plan Sydney, do you?

Mr Giandomenico—That is exactly right.

Senator PAYNE—My question is in relation to part of your submission, Mr Giandomenico, where you indicate your support for ecotourism ventures that will provide employment opportunities and you also refer to further aquaculture development. In terms of getting the best system to provide these sorts of facilities—best for the local community and best for the environment—what do you think is the appropriate method of interaction between local, state and Commonwealth governments and the community, to produce the best result?

Mr Giandomenico—I believe that if state, local and federal worked together and had regard for what the local people said, you would then really be getting somewhere.

Senator PAYNE—We have had some evidence today that would suggest that there is a view, particularly at community level, that only the Commonwealth, for example, should have a role in, say, world heritage properties—in areas such as this, in many cases. What effect do you believe the exclusion of the local community would have?

Mr Giandomenico—That is very disastrous, because it means that the local community, although the local community has to go out and vote for its federal member, does not have a choice in making decisions for its own area. As far as I am concerned, that is a disastrous sort of precedent to set.

Senator IAN MACDONALD—For Mr Harvey's benefit, I have to remind you and everyone else that this inquiry is a parliamentary inquiry of the Senate, not one of the government: there is a difference. I really wanted to come back to both the council and the cane growers, to repeat some of the evidence we have heard this morning and we have seen elsewhere. I have had the privilege of looking over some of the cane growing areas of Ingham and some of the tremendous environmental work that is being done.

I take the mayor's point that there are a couple of bad apples but that generally the attitude is changing; there is some very good environmental work being done in the sugar areas, and congratulations to the sugar growers for that. But there is a concern—which I share, I might say—that some of the new land being opened up is too close to the sea: it does have an impact on the wetlands and the mangroves, and it does cause acid sulfate run-off because the acid sulfate soils, which were always there, have been opened up and then subjected to escape, in the opening up of new cane lands. Would anyone care to comment on that? I know that Mr Sheedy is well aware of those concerns.

Mr Sheedy—I will have a go at it. In this wide ranging planning study that I am talking about, we do have the opportunity as well—in view of the fact that a couple of large leasehold properties are now expressing interest in earlier relinquishment of their lease, to be part of the holistic planning study for the future of the industry in the Herbert—to think about such things as land substitutions, where they are appropriate. We perhaps have not had that opportunity in the past. If the land that is suitable for sugar cane does become available, we can also consider the other values as well, and there would naturally be input from all of the government departments as well as from the shire, industry and other stakeholders in the consultation process. I would still say that, as far as the Herbert is concerned, under the guidelines that the industry now subscribes to, you are unlikely to see any more of the sort of development that you are concerned about.

Senator IAN MACDONALD—I think it was even suggested this morning—and someone might help me, here—that there was currently an expansion going on which—

Senator PAYNE—A clearing.

Senator IAN MACDONALD—A clearing going on that did cause those sorts of problems.

Mr Sheedy—Certainly not in the Herbert, I would expect. Was there reference to the Herbert?

Senator IAN MACDONALD—I assumed it was, I must say. I think Sunfish were making—

Mr Sheedy—Sunfish do make some statements at times that do not have a very scientific basis to them, unfortunately.

Senator IAN MACDONALD—You are saying that, as far as you or the council are aware, there is currently no clearing of coastal land in the shire, are you?

Mr Sheedy—It depends on what you mean by coastal land. I am talking about land above three metres AHD for sugar cane. We really do not have an influence on what people who own property below three metres AHD do with that property, whether it be for aquaculture or whatever. Peter wanted to make a comment quickly.

CHAIR—Mr Sheedy, could you make that a little clearer? Are you saying that, if the property is lower than three AHD—

Mr Sheedy—Than three metres AHD—

CHAIR—it is outside this process?

Mr Sheedy—It certainly will not get an assignment for sugar cane. It may be that the property owner develops it for some other purpose, but certainly not for sugar cane.

CHAIR—I see: it may be cleared, but not for sugar cane.

Senator IAN MACDONALD—Not for sugar: that was the suggestion, as I recall.

Mr Sheedy—There is grazing and so forth in some areas, but it certainly will not get an assignment for sugar cane.

Mr Giandomenico—I think the clearing that has been referred to was actually for cattle grazing. It was clearing regenerated areas. I have heard Sunfish mention it, but it is nowhere near wetlands or anything. All the wetlands at the moment have been mapped, and we as a council, in conjunction with the canegrowers, are working vigorously to stop any expansion anywhere near wetlands. We are proactive. We are not reacting to complaints or anything. We have been planning this for a while.

CHAIR—We have come to the end of our time and there are still some further questions to put to you. I invite Senator Hogg to ask his question and I have a number that I would like to ask. Perhaps you could take them on notice.

Senator HOGG—My question is in the form of ‘what if?’: what if the situation proves to be that development should go ahead at the wish of the community and then in 15, 20 or maybe 30 years time the result is that, because it was a community desire and community wish and the big nasties from Canberra or Queen Street or wherever were not listened to, there is substantial damage caused in the local environment which needs remediation? Who should bear the costs under those circumstances, if there is substantial damage? The reason I say this is that there are parts of Australia where people have undertaken development and, as a result of that development, there has been substantial damage. The remediation costs to a certain extent are now being picked up by the federal government. I just do not want to see

us in another 30 years time—whilst I hope not to be still in parliament at that stage—having to pick up the cost.

Mr Sheedy—Can I comment on that? As far as the sugar industry is concerned, we have got a cooperative research program that the Commonwealth and the industry subscribe to. It supports a lot of researchers at CSIRO, James Cook University and other institutions. An important program of that cooperative research centre is about managing the impact of the sugar industry on the environment. We are trying to make sure that the decisions that we make and the developments that we undertake are sustainable. We have got people looking at mud residues in Hinchinbrook Channel, and water quality is being monitored. We have got a lot of monitoring going on, and so far we are finding that the information as far as sugar is concerned is not too bad. But, if there is a problem, then we have to manage it and we have to do what is environmentally sound and sustainable, by getting the best information to start with.

Senator HOGG—Should there be some form of sinking fund—for want of a better word—where local councils and local government that take on the responsibility for development of their areas must put—

Mr Sheedy—But there is a community benefit from sugar: there is \$2 billion per year spent in the economy.

Senator HOGG—I am not denying that, but could there be some form of sinking fund where money is put aside, such that if there is substantial environmental damage it is met out of that sinking fund in the years to come, rather than out of the public purse?

Mr Giandomenico—Is that the same sinking fund that the federal government was going to give us when they removed our timber industry?

Senator HOGG—I am just asking you.

Mr Giandomenico—That is what I am saying. Realistically, we as a local authority and a local community have had to bear the costs of a lot of damage that the federal government has created. Realistically, if you want—

Senator HOGG—I am talking about environmental damage.

Mr Giandomenico—Environmental damage, yes. We are talking about environmental damage. There has been a lot of mining that has happened north of us that has impacted gravely on us. If you want to say—

Senator HOGG—The mining was not done by the federal government, though. The mining was done by—

Mr Giandomenico—It was approved by the federal government.

Senator HOGG—No; I think that a mining lease would be approved at the state government level. This is why I am trying to find out who has the responsibility.

Senator IAN MACDONALD—I think the mayor is saying that there was not a world heritage stop order put on it by the federal government. We did not approve it, but it was not stopped by the federal government. Is that what you are trying to say?

Mr Giandomenico—That is exactly right.

CHAIR—We really must stop in a couple of minutes. I have some questions that I think you can answer quickly. Is the coastal management plan that you mentioned earlier in place now?

Mr Giandomenico—No, it is not in place. We will have a plain English version by December.

CHAIR—You did say it was in place though.

Mr Sheedy—No. The coastal management plan is still being developed. There are a number of other plans that are being developed at the same time as that plan is being developed.

CHAIR—So they are in place but the coast management plan is not?

Mr Sheedy—No, they have not been finalised. Both of them have not yet been absolutely finalised. The shire council has a planning scheme. The coastal management plan is being developed for the regional coast between—

CHAIR—When is it expected to be available? When will it be finalised?

Mr Sheedy—That will be the plain English version—in December this year.

CHAIR—The other issue relates to the document you tabled on guidelines for cane growers. What was the date that that was produced? What is its current status?

Mr Sheedy—That is current—this year. It was approved by the Minister for the Environment in March 1998.

CHAIR—What about its status?

Mr Sheedy—It is current.

CHAIR—Yes, but are all cane growers obliged to comply?

Mr Sheedy—It is a code of practice under the Environmental Protection Act. If people are doing the things that that code indicates, it has status under that act.

CHAIR—So it is recommended only?

Mr Sheedy—Yes. It is good practice.

CHAIR—Thank you very much for appearing today.

Mr Sheedy—We have some other stuff that you may be interested in. This was a satellite image of Cyclone Justin. It shows the mouth of the Herbert at the bottom end of the—

CHAIR—Do you wish to table that, Mr Sheedy?

Mr Sheedy—Yes, just simply so you are aware that it exists. It illustrates where the flood plume was offshore off Hinchinbrook. You can see Cardwell right up there not experiencing—

CHAIR—Are you able to leave that with us?

Mr Sheedy—That is the only one we have, but it is available from the resource information centre.

CHAIR—We will make a note of that. Thank you.

[2.22 p.m.]

ANDERSON, Ms Denise, Treasurer, Concerned Residents of Cardwell Shire Association Inc., PO Box 21, Cardwell, Queensland 4849

KUSKOPF, Mr Colin, Vice President, Concerned Residents of Cardwell Shire Association Inc., PO Box 21, Cardwell, Queensland 4849

CHAIR—The committee has before it submissions Nos 7 and 11 which it accepted as confidential. I now invite you to make a brief opening statement.

Ms Anderson—As locals we have noticed over the past few weeks that many of the palms of the Port Hinchinbrook development have been lifted out of the ground with a crane, new soil placed around them and then replanted. In other cases the trees have been removed and new trees planted in their place. Although we have had a more than adequate wet season and the palms have been planted for around nine months, we have noticed that they have failed to thrive and have, in some cases, died. We wonder why.

As locals we have concerns that the water supply for Cardwell and district is barely adequate in the dry season. There are many farms in the district and some of these draw their water supply directly from Meunga Creek, which is also the source of our town water supply. Banana farmers are high volume users of water and in summer both farmers and households are placed on water restrictions from around September until January or until the wet begins. It is stated by the council that cane production will increase fourfold in the next few years in the Kennedy Valley.

CROCS have often questioned council on where the water supply will come from for this large development and the future requirements of the district. We have never received a satisfactory answer from the council. They simply state that the water supply is adequate until the next decade, but that is only two years away and no solutions seem to have been found.

Council also told a CROCS meeting that the dredging associated with the Port Hinchinbrook development would be paid for by council and then recouped via rates to a Port Hinchinbrook development. If the rates are not paid for three years, the council could sell the property to recoup the rates and dredging charges. We are, however, concerned that the ratepayers of the shire could have to carry the cost of dredging for three years and longer while a buyer was sought for the property if hard times were to befall the development and the rates were not paid.

We have noticed that the sign at the public boat ramp says:

Ownership of the canal in which this boat ramp is situated and its foreshores will remain the private property of Cardwell Properties Pty Ltd until the canal has been completed and handed back to government in accordance with requirements of the Canals Act. While the canal is under the ownership of this company, all members of the public who support the Port Hinchinbrook development are welcome to use the canal, subject to conditions as determined from time to time at the sole discretion of Cardwell Properties Pty Ltd.

As a lot of locals do not support the Port Hinchinbrook development, it appears that they are not welcome to use this public boat ramp. Council are presently seeking to close the public boat ramp in Sheridan Street. Council gave assurances to our group that there was no intention of closing the Sheridan Street boat ramp or the Meunga Creek boat ramp. Council now appear to be stepping back from these assurances.

Many locals do not support the Port Hinchinbrook development for one reason or another, but they are afraid to say so publicly. After witnessing very hostile and abusive scenes at public meetings and at on-site demonstrations, many were shaken by the experience. They are simply too frightened to voice their opinions. This is not at all the case with supporters of the development. In contrast they are very vocal and non-supporters feel very intimidated. One local family that does not support the development but that chose to use the public boat ramp received a very vulgar and abusive anonymous letter in the mail.

It is inferred that if you are not a supporter you are therefore anti-progress or anti-jobs, which is of course not the case. We also have families and wish to see the area prosper, but development must be appropriate and sustainable. Many people who do not support the development simply love the area for its natural beauty and quiet lifestyle and do not wish to see such a beautiful asset destroyed and turned into another Gold Coast.

Other locals can see that such a huge development will have a devastating effect on the tranquillity of the island and waterways, and result in disaster for the marine and land based animals and birds. Still others have concerns about acid sulfate soils and run-off, which have the potential to do a great deal of harm to the surrounding area. Others are simply worried about the potential for escalating crime rates and an increase in council rates, et cetera. Many locals and visitors actually love the quiet lifestyle and come here for that very reason. We also wonder if it is wise to have a large-scale waterfront real estate and resort development before a coastal management strategy is in place.

As the Chamber of Commerce said in their submission, our teenagers are leaving town. We make the point that it is rather a normal thing for teenagers to want to live in a city or to go to university and start to live their own lives. We live here because we like the quiet. This does not necessarily suit teenagers. Small towns can never hope to provide all the facilities of a large city. When people choose to live in an area they do so knowing all of the facilities available in that area.

Mr Kuskopf—I would like to comment on the division in the community which has unfortunately come about over this project. My family came to Cardwell from the Sunshine Coast area back in about 1947 from a little town called Maroochydore. Having seen the development in those areas, I worry about Cardwell's future if something like that were to happen here.

Getting back to truthfulness, one of the things that has caused division in the community is the lack of truthfulness. We had it rammed down our necks that 99 per cent of the people supported this project. We know that that was not the case. When signatures were asked for back in 1994, there were some 600-odd from the north here and some 300-odd from Cardwell and from within a radius of 20 kilometres. We have had things like a circular from

the local Chamber of Commerce telling us to get behind this project that was going to bring us a health centre, a high school and all these other things.

We are also referred to as a handful of irresponsible people that did not support it. It is refreshing to be referred to as a cockroach rather than a greenie. I am neither. I am just a long-time ratepaying resident of Cardwell. I just think it is a shame to see the community divided in the way it has been.

One of the things that I cannot understand is how governments can approve something like this development and the plan that was put out in 1994 and the one in 1996. It is obviously a real estate development covered by the magical word 'integrated'. That is about all I would like to say, except that I might refer to truthfulness again. The mayor from Ingham stated that 50 years ago there were no mangroves at Oyster Point. He is wrong. There were.

CHAIR—Could you expand on that?

Mr Kuskopf—I have a photograph of the area.

CHAIR—Do you have that with you today?

Mr Kuskopf—No.

Senator IAN MACDONALD—Is it possible to get a copy of that? Is this a wartime photograph?

Mr Kuskopf—No. This is a photograph that was taken around the early 1950s. The mangroves were well established then and the ones that were destroyed in 1994 were 25 feet high.

Senator IAN MACDONALD—I have seen wartime photographs where there were no mangroves so they must have grown in five or six years.

Mr Kuskopf—It is a fairly large area there. There is a sandy spit that probably had no mangroves on it.

Senator IAN MACDONALD—Is it possible to get a copy of that photograph?

Mr Kuskopf—Yes. One of the things about jobs that I would like to raise is that we have thousands of hectares of pine forest ready to be harvested in our local area. We are told now that the most likely scenario is that these trees will go to Ingham to be milled, rather than have a mill set up in our own district. I think that is a great pity. I know Mr Katter is a strong supporter of this project. He goes on about youth suicide. We have had several attempts at suicide in this district and, unfortunately, a couple of them have been successful. A little mill for this area would be great. Ingham already has two sugar mills and a couple of timber mills.

CHAIR—Ms Anderson, could you explain the activities of your group a little more? Was it set up just because of this protest or do you have wider concerns?

Ms Anderson—No. Most people in our group would certainly never consider themselves to be greenies or anything like that. They are just a bunch of local people who want to keep an eye on development in the shire. It is more to do with our local government and trying to get things done locally and keeping our eye on what is going on locally.

CHAIR—How long ago did it set up?

Ms Anderson—In 1994.

Senator IAN MACDONALD—Could you tell us something about your association? How many members do you have?

Ms Anderson—We have 38 financial members.

Senator IAN MACDONALD—Do you stand for office in the local government elections?

Ms Anderson—Did I?

Senator IAN MACDONALD—No, does the association support a candidate?

Ms Anderson—No. We would like to but no-one has ever been willing to do so.

Senator IAN MACDONALD—Does that say something?

Ms Anderson—Yes, it does.

CHAIR—You say that palms planted nine months ago have not grown so far. Do you attribute that to lack of water? Is that what you see as a problem?

Ms Anderson—We had a very big fuss about the palms being watered last summer. Apparently the development was tapping into a mains water supply for the town, and there was some fuss about it. Apparently the council then asked the development to pay for the water they had used. I do not know whether or not that money was ever received. They did water them extensively with trucks and sprinklers, and we had a very adequate wet season. It would have been ideal for the palms to settle in and look healthy. As I said, many of them have been replaced and a lot of them have been lifted and had new soil put around them just in the last two weeks.

CHAIR—Water supply is an issue that has come up in a number of submissions so far. Does this concern your organisation as well?

Ms Anderson—Yes, it does. We have written many letters to the council concerning the water supply to do with the development. As you know, 1,500 beds are going to take a lot of water and we are always on restrictions in summer—the farmers and the householders as

well. It is going to be a big problem. There are not many big rivers close by that could be tapped into, so I really do not know where the water is going to come from. No-one has been able to tell us. Council did say they have a plan in that shows where the water is coming from, so we will be pleased to see that.

CHAIR—You have made a number of references to ratepayers' money. Have rates risen in this area recently, and do you attribute that rise to the development? What is the cost to the ratepayers here?

Ms Anderson—The rates have definitely risen.

Mr Kuskopf—That is one of the things we worry about. We have heard about what went on in Port Douglas after the development there, and people here worry that our rates will skyrocket with the value of land prices if they do go up. But probably our biggest concern is water and the lack of it in the summertime.

CHAIR—You referred earlier to the dredging process and water. That does not come from the town water supply? The dredging process does not use that water?

Ms Anderson—No.

CHAIR—But you say that the council pays for the dredging in this development.

Ms Anderson—CROCS had a meeting with the engineer of the shire and some of the division 3 councillors, and we asked them who was paying for the dredging. Council said that they were paying for the dredging but that they would recoup that money by rates to the development. However, if the rates were not paid for three years, they could sell the property to recoup their money.

CHAIR—We will follow that up with the council when they appear.

Senator O'CHEE—On that issue of dredging, it is my understanding that the cost of dredging to the Stoney Creek canal will be under a benefited area scheme. Is that correct?

Ms Anderson—I am sorry, I am no expert on all this.

Senator O'CHEE—It is just that you made the argument.

Ms Anderson—All I know is that we asked the council about the dredging and who would be paying for it and that is the answer they gave us. I do not know any other details about Stoney Creek or any particular area of the development.

Senator O'CHEE—Do you know how other councils handle the matter?

Ms Anderson—No, I do not. Do you? Can you elaborate?

Senator O'CHEE—My understanding is that you have a benefited area scheme so that the people who are in the area pay a levy to meet those costs.

Ms Anderson—Council have not informed us of that. We do not know what will happen. We just know that they said that the council will pay for the dredging and then recoup the money from the development.

Senator O'CHEE—I thought that if you raised the concern you might have some particulars as to why it is a concern.

Ms Anderson—It is a concern because it will be a substantial cost for the ratepayers of the shire and, if the rates are not paid, the ratepayers are paying for the rates.

Senator HOGG—Can I just clarify something you have said to Senator O'Chee, that is, council are going to pay for the dredging and recover it from the developer. Did you get an indication over what period of time? Is it going to be recovered within six months, 12 months?

Ms Anderson—I presumed it would be on a yearly basis or half-yearly, like a normal rate charge for the rest of the shire.

Senator IAN MACDONALD—Is this the ongoing dredging?

Ms Anderson—If you direct these questions to council, I think they will be able to answer them a lot better.

Senator HOGG—I am just trying to get what your view is so that when the council comes along we can then ask them.

Ms Anderson—We got the impression that they would be levied like normal rates—six monthly or yearly, however you like to pay your rates.

Senator HOGG—This is not a one-off cost recovery, in your view?

Ms Anderson—No, it would be an ongoing thing.

Senator HOGG—Thank you.

Senator O'CHEE—Earlier today we had evidence that increasing the number of rateable properties in the shire would in fact be beneficial, for the simple reasons that 67 per cent of the shire is non-rateable and therefore the burden is being paid by a very small number of people. Do you agree that increasing the number of rateable properties reduces the burden on individual ratepayers or allows more benefits to flow for the same amount of rates?

Ms Anderson—Not necessarily, because when you have a big increase—and you are talking about more than doubling the size of the town—you have all the infrastructure costs as well, which are very substantial, as council can tell you. The water costs are huge. After 200 people occupy the development, they have to put in a sewerage system. I am not sure who is paying for that, but all these costs are very substantial and, naturally, they tend to come back to the ratepayers of the shire.

Senator O'CHEE—Developers normally pay for the sewerage costs on their developments.

Ms Anderson—That is good.

Mr Kuskopf—That is something that I would like to ask you about because, on my reading, the 1994 tripartite agreement said that until the local council sewage treatment works was working there would be a treatment works established on the site. I have seen septic tanks on the site and I have since been informed that the idea now, when there are two houses almost completed, is that if anyone is to occupy them the arrangement will be that those septic tanks will be pumped out and I suppose taken to Tully which, to me, seems to be incredible for a \$100 million project. I wonder if any of you senators inquired about that yesterday when you were on site?

Senator IAN MACDONALD—I thank you for raising all of these issues. You have raised them with some allegations, and you have no evidence on them, but thank you for raising them because I think the council are turning up next—perhaps they are in the room already—and we will be able to—

Senator HOGG—We have not got the answers to your questions.

Senator IAN MACDONALD—No, but we will be able to get them from the council.

Senator PAYNE—We did not raise them.

Senator IAN MACDONALD—Yes, we did not raise them. I could not quite follow your point about the sign on the boat ramp. You were indicating that if you did not support it you were not allowed to use the boat ramp. What was your point in raising that?

Ms Anderson—The point is that it is a public boat ramp so, surely, your religion or the way you think about a development or the colour of your skin or anything about a person should not affect whether you can use that boat ramp or not. If it is a public boat ramp, it should be open to the general public. As it is, the canal is privately owned, so if the canal is privately owned and you can be thrown off the waterway, you certainly cannot get onto the boat ramp, or if you get on the boat ramp and get in the water, you can be thrown off the water. It just seems a rather curious situation to have.

Senator IAN MACDONALD—I thought you read the sign out and that the sign indicated that until it was handed over to the government it was private property.

Ms Anderson—Yes, but it has not been handed over, as far as I am aware.

Senator IAN MACDONALD—So the private owner can let who he likes onto the property?

Ms Anderson—Yes, exactly, but it is a public boat ramp.

Senator IAN MACDONALD—After it is handed over—and after it is handed over any member of the public can, I guess. I am not arguing the case. I just could not quite follow the point you were trying to make.

Ms Anderson—At the moment it is being classified and branded a public boat ramp for all and sundry to use, but that is not the case—all and sundry are not welcome to use it at the moment.

Senator IAN MACDONALD—Would you think all and sundry would want to use it?

Ms Anderson—Yes. We have an example of a local family who have used Stoney Creek as a launching spot for many years, they still choose to do so, and they got a very nasty and abusive letter in the mail because they were using the boat ramp. They feel it is their right—they have used the boat ramp for 30 or 40 years so just because it is now a private development does not mean they cannot use it. It is a public boat ramp.

Senator IAN MACDONALD—But isn't it private land that you have to cross to get to it?

Ms Anderson—It is private land, but they have given council easement to the boat ramp. I do not know how that affects the general public—

Senator IAN MACDONALD—Perhaps that is something else we can—

Ms Anderson—and I do not know how it would affect the situation if there was an accident on the property. Are people covered because it is private property?

Senator IAN MACDONALD—That is fairly much conjecture from me and you, so you having raised it perhaps we will work that out with the council. When you say the rates have increased in recent times—

Ms Anderson—We have lived in the shire for 16½ years and our rates now are double those when we came here.

Senator IAN MACDONALD—What do you pay now? Are you on an average house block?

Ms Anderson—We are on an average house block. We pay just under \$800 a year. That is with the 15 per cent discount if you pay it early.

Senator IAN MACDONALD—That is about the average right across Australia.

Ms Anderson—These shires were always renowned for having very low rates generally. Someone told me recently—I couldn't say whether it is true—that we are one of the highest rated areas around.

Senator IAN MACDONALD—I think you will find that financial assistance grants are granted to all councils in Australia but that there is a requirement that they all rate appropriately. Where does your water supply come from now?

Ms Anderson—Our water supply for the whole district, which supplies Kennedy township as well as the farmers, comes from Meunga Creek, which has its headwaters up behind the Kennedy Valley.

Senator IAN MACDONALD—Is there a weir on it or something?

Ms Anderson—No. It is just a natural creek and they have put a little floodgate on it. It is not really a dam or anything.

Senator IAN MACDONALD—There was some evidence this morning that the developer wanted to use his own water supply from the property and that the council insisted he hook into the council scheme.

Ms Anderson—I found that rather curious. I read recently that there is a big fuss going on at Mission Beach about sewage, which involves our council plus the Johnson Shire Council. There was talk of water smelling foul and disease spreading because of the septic systems in the area, but that seemed a little far-fetched to me. I think the point is that the water would be more likely to be salty because it is so close to the Hinchinbrook Channel and the waterfront.

Mr Kuskopf—There is a bore on the site that they were using, and I think they are using it at the present time, but when the dry times come, as far as I know, it dries up and that is when the developer starts using the town supply.

Senator IAN MACDONALD—I guess we can ask the developer when he gives evidence.

Ms Anderson—That is when everyone starts using the town supply.

CHAIR—Thank you for your evidence today.

Proceedings suspended from 2.47 p.m. to 2.57 p.m.

ADCOCK, Mr Ian Douglas, Director, Corporate and Community Services, Cardwell Shire Council, PO Box 401, Tully, Queensland 4854

HUNT, Mr Ronald Alexander, Deputy Mayor, Cardwell Shire Council, PO Box 401, Tully, Queensland 4854

McINTYRE, Mr Frank Christopher, Town Planning Officer, Cardwell Shire Council, PO Box 401, Tully, Queensland 4854

PETTIGREW, Mr John William, Deputy Director, Engineering Services, Cardwell Shire Council, PO Box 401, Tully, Queensland 4854

CHAIR—I welcome representatives of the Cardwell Shire Council.

Senator IAN MACDONALD—Madam Chair, before you continue, I would like to apologise to you and the committee but I have government business I have to attend to in Hobart tonight, so I have to leave now with Senator Payne. Senator O’Chee will ask all of the questions we would have asked. We have carefully perused the submissions and we will catch up with the committee later. I apologise, and I apologise to the council as well.

CHAIR—Do the witnesses have any comments to make on the capacity in which they are appearing?

Mr Hunt—For the record, I live in Tully, I was born in Tully, I did live in Cardwell for several years and I started school here in Cardwell, so I have a little bit of a touch with both.

Mr Adcock—I reside in Tully and have been an officer with the council for the past 32 years.

Mr Pettigrew—I have been in an engineering position with the council for 25 years. I also live in Tully.

Mr McIntyre—I have been town planning officer for the Cardwell Shire Council for the last eight months and I live in Tully.

CHAIR—The committee has before it your submission which it received this morning, so it has not been authorised to be published as yet. Are there any alterations or additions that you would care to make at this stage?

Mr Hunt—No, Madam Chair.

CHAIR—I invite you to make a brief opening statement. If you do not wish to do so, we can proceed straight to questions.

Mr Hunt—Fine, Madam Chair. I would like to apologise on behalf of our mayor. He is currently doing battle with the state government in Mission Beach over the Mission Beach sewerage, so he cannot be in two places at once.

Just briefly in relation to Senator Macdonald's thoughts on the mangroves that were or were not supposed to be at Oyster Point, I can remember as a boy when I started school here that, yes, Oyster Point was a sandy little beach. That was in the 1940s—1941, 1942. So, yes, it was a sandy little beach; it did not have much mud on it at all.

I would like to give a brief overview of the development from its inception. The council's involvement in the Port Hinchinbrook development started in 1984 through a public tender process that sold three parcels of freehold land in the Oyster Point area containing about 12 hectares to Resort Village Cardwell Pty Ltd. Additional to this, a special lease tenure was obtained by Resort Village Cardwell over an adjoining area of crown land of about 44 hectares. The purpose of the land acquisition was to establish a boating marina for safe all-weather boat harbourage and launching facilities for the Hinchinbrook Channel.

It is probably interesting to note that, at that time, the Queensland Department of Primary Industries, in a letter dated 11 May 1983, confirmed that the site was within a locality zoned by this department as an access point, in which provision of access and infrastructure for waterway use is consistent with management of the overall estuarine and channel areas between Cardwell and Lucinda. This site is not with any declared or proposed reserve for fishery purposes. That was in 1983.

Subsequent to purchase of the land, application was made to the council in 1987 for rezoning of the total site to special facilities, and this change was gazetted on 12 May 1988. Following the rezoning approval, extensive land site clearing, including mangroves, began. I believe mangroves were cleared in the late 1970s. This happened in the mid-1980s and, of course, further mangroves were cleared in 1990. This work that was commenced in the mid-1980s also included a part excavation of the marina basin off One Mile Creek. It should be noted that all of these operations were carried out with various government department approvals.

Several years after the work commenced, the project stalled in the late 1980s. Council became very concerned, at the time, at the degraded condition of the project site. In October 1993, ownership of the development site transferred to Cardwell Properties.

As a prerequisite to any further development of the site, council at this point sought to have a deed of agreement drawn up to provide for the protection of the environment, for the proper planning and management of the development and to satisfy the statutory duties of state and council in relation to further permits and approvals. Council felt this to be a very responsible agreement and promoted best practice environmental management. It accelerated the development of important infrastructure such as sewerage, provided critical public facilities in the form of a public boat ramp and associated facilities and, very importantly, promoted much wanted tourist development in the region.

It was a prime objective of council to ensure that a commitment was made by the developer towards meeting all infrastructure needs generated by the development. The deed, dated 29 September 1994, was tripartite: it was an agreement executed between the council, the state of Queensland and Cardwell Properties. In 1996, this agreement was amended to include the Commonwealth of Australia.

Substantial works commenced in late 1996 and have continued through till the present. The public boating facility was opened in December 1997—I repeat, a public boating facility—satisfying one of the major requirements of council in respect of public infrastructure. Support for these facilities was evidenced at Easter 1998 when a survey, I believe, revealed something like 150 boat trailers had used the facilities over that period. So the public facility is being used.

It is also important to note that seven different elected councils of the Cardwell shire have dealt with the concept and the development of Port Hinchinbrook through its various stages over a period of some 20 years. All seven councils have supported this project fully. You have our submission with the various references to the terms of reference, so I will not go through that.

Adding a little bit to that, Australia is probably like a long, poorly lit country street. All of the residents want street lights, but not in front of my place, thank you very much—so long as it is front of someone else's place. In 1986, world heritage was thrust upon the residents of North Queensland by the rest of Australia. Most North Queenslanders agreed with the concept of world heritage but vehemently disagreed with the way it was implemented. Cardwell shire lost four sawmills and a healthy forest industry. This affected Cardwell itself greatly, and its unemployment, because Cardwell was really the hub of the Cardwell shire forest industry.

In December 1997 the regional coastal management plan, that everybody has spoken so much about today, looked to the public like it was following in the steps of the way world heritage was implemented, and the public did disagree with it vehemently. It has now gone back for a rethink and I believe that possibly the revised structure will be acceptable to local government and to the public of this area. Thirty-two per cent of the Cardwell shire is rateable land. Sixty-seven per cent, that is almost 3,000 square kilometres, is national park, state forest or world heritage area. The bulk of the 33 per cent that is rateable has been cleared and is used for residential or agricultural purposes.

Cardwell shire has been looking after its waterways to the best of its ability since the mid-1980s. A Cardwell shire river improvement trust was formed about 10 years ago. That was really to control clearing and any undue discharges into our local waterways. That was brought about in 1980. To date, there have been something like 134 notices issued. So, yes, it is active and it is working.

The sugar industry infrastructure package was formed approximately three years ago. The infrastructure side of it got in place very quickly but the wheels seem to have fallen off the water management section. The water management section was gazetted in April 1998 by government appointments. It has wide representation from all agencies on this, but it possibly, in my view, has been held up through its process by posturing by some of the departments. I believe GBRMPA have now finished with their submissions and it is now back on the department of environment's side to come up with it. This is something that was formed three years ago and it is still going through the process of being in forwards and backwards land, if you like, trying to come to grips with what the various departments require. Madam Chair, that is the bulk of my opening statement.

CHAIR—Thank you. Does anybody else wish to add to that?

Mr Adcock—Will the committee be putting questions to us about the SIIP package or the river trust operations?

CHAIR—Not necessarily. If you wish to address those questions, I suggest you make some remarks about them.

Mr Adcock—Perhaps to elaborate a little bit further on the SIIP package, Councillor Hunt mentioned the Water Board formation, which was gazetted in April of this year. The SIIP package, as far as the council's involvement is concerned, goes back some three years. The council's involvement was with the water management side of the project. The cost of that is in the order of \$4.6 million. The technical papers and the consulting work have been completed and the hold-up at the moment is with the department of environment, and I am talking now about both state and federal departments.

As a result of that, the area of the farming lands, particularly in the Murray Valley area where all the cane expansion has gone on, has all been developed without the sugar package being in place. A lot of uncontrolled development has occurred in that period. This has resulted in some difficulty for council and the trust to try to implement proper controls with drainage, with on-farm works, with environmental type controls on our preferential flow paths. The problem with that, I think, is quite evident. I think that the delays that have occurred through the problems with the government agencies dealing with this package have created untold harm in that Murray Valley area.

Insofar as the river trust is concerned, it is a separate statutory authority that is mainly involved with the management of the shire's rivers and streams. It has been quite active in the past 10 years in trying to control the riparian vegetation along the major rivers and streams in the shire, and it does this through the implementation of river improvement notices. They are issued at development stage on all rivers and streams where developments take place. It protects the vegetation within the 20-metre zone for the tops of banks of rivers and streams. That is all I would like to add at this stage insofar as the trust and the SIIP package is concerned.

CHAIR—Could I start with an issue which has been raised by a number of people here today, and also in the written submissions. It relates to the question of water supply. As I understand it, during the winter months, which is your lowest rainfall period, there are water restrictions. The question has been raised: what will be the effect of an extra 1,500 beds, presumably during that season primarily, on the water resources that are currently available?

Mr Hunt—I might start. Briefly, in answer to some of the queries that were raised before, Cardwell Properties or the resort development has a rather large bore that is in place now for the watering of all their plants. The reason that some of the palm trees died was that they were inadvertently planted too deep. With a palm tree, you probably would know that it must be sitting above the ground with the roots exposed, otherwise it gets root rot very easily. I believe the other palms are being dug up at present so they can be replanted higher so the same fate will not befall them.

Currently, the water usage of this site, of the town reticulated water, is not very much. I cannot remember just exactly how many metered sites we have there, but the bulk of their usage is from their own bores for their watering and for their facilities there at this stage.

CHAIR—I guess what people are talking about is at the completion of the project when the houses are filled and when the resort has its expected number of inhabitants.

Mr Hunt—The Cardwell Shire Council has a benefited water rate system—in other words, the water rates are uniform right throughout the shire itself. I will let our engineer answer some of that but, before we get on to that, the particular water system that Cardwell draws from has a Water Board at Meunga Creek, and that Water Board is comprised of a couple of council members and relevant farmers from the area.

They never have raised the spectre of there not being enough water to supply Port Hinchinbrook from that, and to this date I do not know of any alarms that have come in to say that system will not cope. I believe the council is looking at further water supply systems. The water supply issue has been addressed in our deed of agreement as to how Cardwell Properties has to—

CHAIR—Can I just take you back to that question? You say the council has addressed this, or you think they have addressed it. In what sense have they addressed it?

Mr Hunt—How do you mean?

CHAIR—Infrastructure. Did you not say that the council has addressed further infrastructure?

Mr Hunt—It is suggested in the deed of agreement with—

CHAIR—For our benefit, could you perhaps say what that means?

Mr Pettigrew—Within the deed of agreement, there is provision for the DPI—which is now the Department of Water Resources, I think; it used to be the Department of Primary Industries when this deed was drawn up—the company as a developer and the council to complete an engineering feasibility study to determine the full water supply requirements. Our director of engineering, who is our water supply engineer, is quite satisfied that the Meunga Creek intake can supply the development and Cardwell for many years, at least to 2005, at present growth figures.

CHAIR—What is the demand from that project?

Mr Pettigrew—That is the development plus the anticipated growth of Cardwell to 2005.

CHAIR—What are the water requirements of the project?

Mr Pettigrew—At this stage we are committed to—

Mr Hunt—Is that in litres?

CHAIR—Litres, yes.

Mr Pettigrew—There is a complicated formula in the deed. The maximum we are committed to supply at this stage is 750,000 litres per day.

CHAIR—And at times when there are water restrictions, such as normally at this time of the year?

Mr Pettigrew—The main reason for the water restrictions in the past has been, like with any small town, the overuse of water by the residents: it is easy to leave your sprinkler on and pour water straight into the sand. Over the last two years the council has installed water meters and that has significantly decreased the demand at peak periods.

CHAIR—So do you expect that once the project is online, there will be further restrictions and that people will be less inclined to use water?

Mr Pettigrew—The deficiencies in our system at present are basically in our storage component and in the reticulation through town where the four-inch main cannot handle expanding areas. We are addressing that as part of the development proposal. The developer is committed to meet all costs of the infrastructure required for his development plus the normal headworks for our intake structures and trunk mains. At the same time we will take the opportunity, through the deed, to negotiate with the developer to pick up blind spots in our existing reticulation to hook into a trunk main that will be installed at the developer's cost to overcome a few black spots.

CHAIR—When will that work proceed?

Mr Pettigrew—I think the trigger point is when the development reaches a population of 200 people, from memory.

CHAIR—So it does not happen until 200 people are on site?

Mr Pettigrew—That is the trigger point for the developer to meet his commitments for it—to provide an external mains to the site—or, if he requires water sooner, he can negotiate to provide it sooner.

CHAIR—When does the headwater infrastructure go into place?

Mr Pettigrew—Most of the infrastructure—the intake and the major truck main—is in place. The additional reservoir capacities for the town will have to be put in as the need arises. As you probably realise from the history of it, it has been going on since 1988. We are at the stage now where we thought we would have been in about 1990, so our initial planning may be well out of kilter with what is actually happening. The council engineer as late as last week, I believe, had another discussion meeting with the developer on short-, medium- and long-term needs. It is an ongoing thing but we have to keep one step in front of the developer's program. It is no good putting the final infrastructure in if it is not required for another 10 or 15 years.

CHAIR—So you have not been asked at any stage to waive the costs of that headwater treatment?

Mr Pettigrew—No. It is written into the body of the agreement that the developer is committed to meet all costs arising from the development.

Senator O'CHEE—So the rather vague allegation that was made by the Concerned Residents of Cardwell Shire Association Inc. that somehow the other ratepayers would be paying for the cost of water to the development is incorrect?

Mr Pettigrew—The only cost to the ratepayers, as I understand the deed, is by any requests that council puts on the developer to upgrade a section of main for the benefit of the township.

Senator O'CHEE—But the cost of all the provision of water to the development area and the reticulation to there will be met by the developer?

Mr Pettigrew—The commitment has been made by the developer to meet that cost. It is written into the deed.

Senator O'CHEE—You also made some mention of fixing problems of reticulation in the town of Cardwell itself. They would relate to the black spots, as you put it?

Mr Pettigrew—That is right, yes. In regard to our initial discussions, we go back to inch mains. As for what we are looking at, say the calculations for the development require a nine-inch main. The council will be looking at upgrading sections of that to 12 inch and taking a branch main off to hook into the town reticulation to overcome those problems. The developer will only have to pay for his requirements. If we ask for the main to go from nine to 12 inches, the council has to pay the difference, but that is probably cheaper to the council than coming in trying to fix up its own problems as a one-off case.

Senator O'CHEE—Because you already have existing problems with reticulation?

Mr Pettigrew—That is correct.

Senator O'CHEE—So, in fact, some of the cost of meeting that is going to be borne in part by the developer?

Mr Pettigrew—In theory, yes.

Mr Hunt—I think really what will happen is that residents of the town of Cardwell will benefit from the extra water supply that will be going through to Port Hinchinbrook. The increase in that will be paid for partly by the developer, and council has to contribute towards it. You must also remember that our water supply system is a benefited one that covers the whole of the shire so if there is any slight increase, individually the Cardwell people will not suffer from it. It is taken over the whole of the shire.

CHAIR—Mr Hunt, does the fact that so many people have raised this as a concern suggest that you are not communicating your answers to this potential problem adequately?

Mr Hunt—What was raised just a while ago nearly made us fall off our chairs, to tell you the truth. It came as a complete surprise to us. Have you heard of that before, Ian?

Mr Adcock—No.

CHAIR—So nobody has written to you expressing concerns?

Mr Hunt—Not to my knowledge.

Mr Adcock—There were concerns prior to about 1989 when there was a very poor water supply scheme here. At that time the council spent something like \$1.4 million to upgrade the scheme. In particular, the intake of Meunga Creek was upgraded as part of that cost. Also, about that time the council amalgamated its three water supply schemes in the shire. The purpose behind that was to lessen the impact of the rate burden on a particular area where money was being spent on capital works. As a result, the shire enjoys a total charge per year of \$270, which is subject to a 15 per cent discount. That rate is uniform throughout the whole shire; that is, Tully, Mission Beach and Cardwell. The impact of all the expenditure that was put into the intake upgrading here has been met by the whole shire.

CHAIR—Have there been water restrictions since you spent the \$1.4 million?

Mr Adcock—We do not like to call them water restrictions, we call them water controls. They mainly restrict sprinkling in certain hours, that sort of thing.

Senator HOGG—They are water restrictions.

Mr Adcock—No.

Mr Hunt—If I could just answer briefly: Tully is probably the wettest town in Australia. Babinda argues and lies about that title, but we are the wettest town in Australia. Having water meters in Tully sounds like something you should not have in the wettest place in Australia. I disagreed with water meters per se before becoming a councillor, but not after seeing what they have done to the water usage in the Cardwell Shire, especially in Tully. Water meters came into place two years ago and they really came into force in the last 12 months.

Council had budgeted to build two new reticulation reservoirs in the town area. One in particular was urgently required and was due to go ahead. Since the advent of water meters—and our water policy is probably one of the most liberal ones in Queensland, we have not had any blood in the streets from it—we have had no need to build that urgently required reservoir. It has been waived and put on the backburner. So that is how much water meters have controlled the use of water.

CHAIR—There have also been questions raised about the sewerage. Can you clarify the situation? Is sewage to be treated on site at the Port Hinchinbrook development?

Mr Pettigrew—Once again, it is a negotiated final agreement. The deed allows, under the old water and sewerage by-laws, for septic tanks—up to 100 persons.

Senator HOGG—You say 100 persons: is that 100 persons permanently resident on site, is that 100 guests? What constitutes the 100 people—the 100 bed nights?

Mr Pettigrew—The 100 persons referred to is the site population. The site population by the deed—

Senator HOGG—Is it a permanent population though?

Mr Pettigrew—No, the population by the deed is to be for the accommodation part of it—that is, the hotel/motel/resort part of it. At this stage it is to be calculated at two persons per bedroom. It is an ongoing calculation. The individual houses have a population of 2.5 persons per house. The resort units are two persons per unit.

Senator O'CHEE—That is the total base?

Mr Pettigrew—That is the total population, theoretically—not whether they are permanent or motel units added up. That is septic tanks too.

Senator HOGG—Does that include staffing accommodation?

Mr Pettigrew—Any accommodation.

CHAIR—If 50 blocks were sold in the real estate section, and I understand that there is at least that many, would that constitute the maximum? Are those septic tanks put into place or what was is the arrangement?

Mr Pettigrew—The deed allows for two lots of 100 persons, or two septic systems dealing with 100 persons. Once it gets more than 200, the developer has to provide a package treatment plant on-site.

CHAIR—So none of the sewage will come to Cardwell or be trucked to Ingham or anywhere else?

Mr Pettigrew—No, it will be treated on-site through a package plant once the population reaches 200 persons.

CHAIR—Where is that located on the plan?

Mr Pettigrew—The location has not been finalised yet.

Senator HOGG—What is the level of treatment?

Mr Pettigrew—The discharge will be whatever the Department of Environment requires at the time of the application for a discharge licence or treatment licence. At this stage all licences in the estuarine area, as we call it, are tertiary treatment.

CHAIR—Cardwell itself is sewerred; there are no septic systems here?

Mr Pettigrew—Cardwell is not sewerred. Council saw it as an opportunity by writing into the deed that once the population on the package plants gets to 350 persons or sooner, if the developer agrees, we negotiate with the developer for a combined sewage treatment plant. The council would sewer the town, the developer would to sewer his development and it would come into a combined treatment plant.

CHAIR—So in the meantime the septic tanks that have been put in individual houses—if that is how it works—is up to 200?

Mr Pettigrew—It can be, yes.

CHAIR—What happens to them? Do they go on being on the septic?

Mr Pettigrew—No, once the treatment plant is put in, they will have to be connected to the treatment plant.

Senator O'CHEE—And every other house here is septic?

Mr Pettigrew—Every other house in Cardwell is purely septic with absorption by underground absorption.

Senator O'CHEE—So there is no special arrangement in favour of this development in terms of letting it go septic?

Mr Pettigrew—No, for the first 200 persons it is treated just the same as any other individual dwelling around Cardwell. Tully at present is the only place in the shire that is sewerred because of ground condition and heavy rainfall. It has been sewerred for about 30 years now.

CHAIR—Can you comment on the structural suitability of the residential subdivision so far. What is council's role in relation to the structure of foundations for buildings?

Mr Pettigrew—Our main concern is with the individual buildings that are going to be put on-site. Because of the development that was done after 1988 to 1990, there was a fair bit of uncontrolled fill put there from the original marina excavation. With the additional excavation that has gone on in the last couple of years, there has always been an uncertainty as to what is underneath. Council is asking for an independent geotechnical investigation and engineering design of the foundations for each building.

CHAIR—Which particular part of the project is this?

Mr Pettigrew—The whole project. Individual houses that are going up have to—

CHAIR—They are mostly on the foreshore at present, are they not?

Mr Pettigrew—No, a lot of fill has been put underneath there as well. No-one can remember what happened back in the 1980s on the standard of fill. It was uncontrolled fill at that stage.

CHAIR—With respect to the two structures that currently look to be three-quarters completed, are there any problems with either of those?

Mr Pettigrew—No, two houses are under way now. I believe that the actual building pads were excavated down to about 1.2 to 1.5 metres and controlled compacted fill was placed for that depth back up to the surface. Consultant engineers designed the foundations to suit, and that is a council requirement on any building in that development.

CHAIR—So each of the building sites will have to have that?

Mr Pettigrew—Once a building site is determined we will ask for a full geotechnical investigation and engineering design for the foundation.

CHAIR—What sort of material was used for the fill?

Mr Pettigrew—Mud out of the marina, virtually. That was the first stage.

CHAIR—Yes, I understand. So that area is raised from what it was originally. Why was fill necessary?

Mr Pettigrew—In the initial approvals, because of greenhouse concerns, the developer had to fill the site as part of the special lease conditions and we nominated a level of 3.5 metres AHD which was a prediction for the coastline here with the greenhouse effect. Some of those sites have probably got two metres of fill on them from the original.

CHAIR—Another issue which has been raised a number of times is a cyclonic surge, I think it is called, or some weather conditions which might affect especially the blocks of land which are right on the beachfront. What responsibility does council have for possible erosion, firstly, and secondly, for very high tides and the surge conditions which might bring water up around those houses? What is your role in that and are you confident that no such conditions will affect the houses?

Mr Pettigrew—We are confident to the extent that the best information was available to the council at the time. That is why the 3.5 metres was set. It takes into account the highest astronomical tide plus the greenhouse plus the tidal surge.

CHAIR—So the council is confident that in a tidal surge those houses will not be inundated with seawater?

Mr Hunt—You cannot be confident of anything; just look at what happened in Papua New Guinea.

CHAIR—I said a tidal surge, not a tidal wave. I am sure we would all be inundated under one of those.

Mr Hunt—But even so, this coastline from Cardwell through to Innisfail has housing and residential development built right on the beachfront, on the esplanade. You cannot stop people who have a beachfront block and want to build on it. If it is below a certain tide mark, yes, but you cannot turn around and say, ‘Hey, you might have a tidal wave or a tidal surge.’

CHAIR—But with respect, these houses are right on the beachfront. They are not separated—

Mr Hunt—As they are at Hull Heads and Tully Heads and Mission Beach. This is no different from anywhere else.

Mr Pettigrew—The 3.5 AHD was set based on the best information that was available to council at the time. It is the same level that has been set right through the foreshore of our shire where we can enforce it.

CHAIR—So there is other housing as close as that to the high-water line or closer?

Mr Adcock—I suppose the way the council has approached all its beach areas in the shire—Mission Beach and Cardwell in particular—is through its evacuation plan for storm surges in those areas. We do have an evacuation plan in place that has been developed by the Cardwell Shire Counter Disaster Committee. That mainly deals of course with lives, not property. There are appropriate plans in place which are reviewed annually to move people out of these areas in times of cyclonic conditions and in particular with storm surges.

CHAIR—Is there insurance you can get against storm surges?

Mr Hunt—That has not been tried yet, probably.

Senator HOGG—A couple of issues were raised earlier. The first is the question of the new boat ramp. It is mentioned as being a public boat ramp in your submission. Is it truly a public boat ramp because I thought we had evidence—

Mr Hunt—It is. The reason I mentioned the word ‘public’ is that the public have full access to it and I believe once it is handed over to the state authorities and to the council—

Senator HOGG—When will that be?

Mr Pettigrew—As far as I know the boat ramp has been handed over. The land where the car parking area is situated has been transferred to council, or if it is not transferred in fee simple, it is with the titles office and being transferred now. The documentation on that was submitted probably eight weeks ago. For the access road, council has an easement to allow the council and the public free access rights through to the boat ramp.

Senator HOGG—We were told of a notice there that warned off those people who did not support the—

Mr Pettigrew—I do not know of any notice. The only part that has not been handed to council yet is the access channel, because that cannot be handed over until all the canal works and everything have been finalised. There has been a commitment from the developer that he is not going to restrict any sensible people from using that access ramp.

Senator HOGG—Even those people who might have opposed it?

Mr Pettigrew—I cannot speak for the developer but—

Senator HOGG—I can see Mr Williams; we cannot record nods, but he is nodding that those people will not be restricted.

Mr Pettigrew—That is the council's understanding for free access.

Senator HOGG—I had to raise that question, but I do not want to prolong it, in the interests of time. The second issue is the issue of who is paying for the dredging of what was Stoney Creek.

Mr Pettigrew—The construction dredging or construction works are being paid for at the full cost by the developer. Under the Canals Act, normally a local authority is responsible for maintenance dredging which may be required every two or three years or whatever. The normal procedure is to levy a benefited area rate and it is part of our normal rating system to cover that cost. As part of the negotiations and as written into the deed, the developer has committed to meet all costs of dredging the canal because the canal is only a small part of the development. Without the canal being dredged, he will not have access to the marina. The marina is under the Harbours Act where it is not the local authority's responsibility.

Senator HOGG—Is there any cost to the community?

Mr Pettigrew—Not at this stage. If there is any cost, it should be recouped from the development site by benefited area rate.

CHAIR—But was there or not?

Mr Pettigrew—There has been no cost to the community as yet. By the negotiated deed, there is no anticipated cost to the general community. If anything happens, it will only be a cost to that development site as a benefited area for the canal dredging.

CHAIR—I have actually got a fairly long list of questions I would like to raise. Since we are running out of time, is it possible to perhaps ask you some questions on notice in writing?

Mr Hunt—Yes, it is not a problem.

CHAIR—We do not want a long response. As I understand it, there have been some changes made in terms of the land use in this development and there is more real estate now

than there was previously proposed. Do you have the figures on the number of units that were or the amount of land which has now been given over to residential rather than—

Mr Pettigrew—We could get them. I have not got them off the top of my head.

CHAIR—Okay. But there has been a shift?

Mr Pettigrew—The shift, as it is tending now, is getting more and more close to the original development that was approved back in 1988 where there was a combination of beachfront cottages and beachfront terraces. There was nothing shown on the plan to say whether they were going to be individual titles, strata titles or whatever. The first stage of the development is actually a land subdivision to give individual titles so that an individual residence can be built on its own title. I do not see that as a major variance from the residential component of the original concept back in the 1980s.

CHAIR—The resort aspect of the development is not optional. That is part of the deed of agreement, is it? What are the requirements on the developer to proceed to the next stage of the resort?

Mr Pettigrew—Through the deed we are just relying on the special facilities zoning which sets out a list of allowable uses, including motels, caravan parks, everything associated with a resort, houses, the whole works. We could supply a copy of the zoning.

CHAIR—So the developer may choose to sell off the real estate and then make the rest into a caravan park? Is that allowable?

Mr Pettigrew—It is allowable by the zoning. It would mean he would only take up part of his special facilities zoning and not the total zoning.

CHAIR—So some of the special facilities zoning is specific to the use?

Mr Pettigrew—Special facilities zoning even goes down as far as making provision for a bakery in the definition.

CHAIR—But there is no requirement to put a bakery there, is there?

Mr Pettigrew—There is no requirement. The original developer covered all his wishes in the special facility zoning definition. There is no onus to develop to the whole extent.

CHAIR—Okay, so we could end up with a development which has real estate only?

Mr Pettigrew—Probably, in theory.

CHAIR—Thank you very much. We have run over time. I thank you for appearing before the committee today.

[3.41 p.m.]

PRIOR, Ms Margaret Elizabeth, Proprietor and Chief Pilot, Cardwell Air Charter, P.O. Box 225, Cardwell, Queensland 4849

WHITEMAN, Mr William Grant, Pilot and Business Associate, Cardwell Air Charter, P.O. Box 225, Cardwell, Queensland 4849

CHAIR—I call the committee to order and welcome to the table representatives of Cardwell Air Charter. The committee has before it submission No. 88 which it has authorised to be published. Before we go into a brief opening statement, are there any alterations or additions you wish to make to that submission?

Ms Prior—No.

CHAIR—I invite you to make a brief opening statement, or we could go straight to questions.

Ms Prior—My written submission was based on two very fundamental statements—one, that we tourism operators recognise that we have a fantastic resource in the unspoilt nature of this area so we want to protect and nurture it and, two, that there is absolutely no point in preserving a pristine wilderness if it is locked up and no-one can see it.

This inquiry has focused on the Hinchinbrook Channel and the areas bordering it but the channel itself, strictly speaking, stretches from a line joining George Point and Lucinda to a line joining Hecate Point and the mouth of Meunga Creek. It should, though, be divided into two categories—the main wilderness in the big middle section and the inhabited areas at both ends. The triangle bounded by Oyster Point, Hecate Point and Meunga Creek is certainly not wilderness. There are already dozens of boats in that area, many of them have permanent moorings in front of Cardwell, so even on the grounds of visual amenity, there is no justification for restricting the use of this northern triangle. I am sure the same applies around Dungeness at the southern end.

If this division between parts of the channel adjoining the settled area is ignored and it is pretended that they are part of the wilderness, it causes a sort of contempt for plans which claim to protect the pristine nature. However, the area south from Oyster Point to Fisherman Point is a magnificent unspoilt area, but it contains a public waterway and therefore must be accessible to members of the public. Short of having a large and expensive policing force, it is virtually impossible to monitor people with private boats to make sure they treat the area with the respect with which conservationists and tourism operators want to see it treated.

Tourism operators, though, can be monitored and that is already being done. We have to apply for permits to operate and these are subject to rigorous assessment. In a way, that is like preaching to the converted, but it is worse than that. The assessment process is unwelcoming. The assessors seem to regard commercial operators as trying to rip what we can from the area, whereas nothing could be further from the truth. As I said at the start, our very livelihoods depend on preserving the area.

I am not advocating that commercial permits should be discontinued, but applicants with plans demonstrating a sustainable use of our wonderful resource should be encouraged. I conduct scenic flights, which of course take nothing from the region and which have absolutely no impact on it. However, my permit imposes severe limitations on the frequency of flights and the height at which they are conducted. I do not see any justification in there being a height limit, other than the limits under the civil aviation regulations. These days, people and even animals just do not notice an aircraft, provided it proceeds in a straight and level manner.

But what is really unfair is that no permit is required for flights which merely transit the area. Military, agricultural, private and charter flights pass along the channel area every day at 500 feet, whilst my scenic flights, which are subject to a permit and have to pay environmental management charges to both GBRMPA and the Department of the Environment, have to fly at 1,500 feet. In other words, the people paying most for a good look at the area are the only people forced to a level which is not the optimum for sightseeing.

Even more restrictive is the frequency limitation. Perhaps there would be some justification for limiting frequency if there were lots of operators here. After all, we do not want it to be another Ayers Rock or Bungle Bungles. But at present, I am the only one. There are only two ferry permits allowed for Cardwell, and if one assumes that the number of air operators will be similarly restricted, why am I limited to one flight per day over any part of the channel, and on only six days a week? It seems like an attempt to make my business unviable. My aircraft carries just six passengers. I am sure you can see what I mean about the present system being unwelcoming.

Getting back to general aspects, it is very easy for people from outside an area to make snap judgments based on preconceived impressions. For instance, when I first heard about the Port Hinchinbrook development in 1994, and that it had been halted by Senator Faulkner, I thought it was a good victory for conservation. However, at that time, as a visitor, I did not know any of the details of the type of facility Port Hinchinbrook would be, its environmentally friendly practices and the eco-based opportunities it would provide. And I knew nothing of the wants, hopes and, more importantly, the needs, of the people of Cardwell. It is ridiculous for outsiders to be able to destroy the lives of any community.

Because of this I believe the local authority is the body that should decide what can or cannot take place in its area. Of course, they must take into consideration federal and state obligations, and I would expect them to seek advice from experts, but they must ensure that those experts are truly independent and are not driven by some private agenda which manifests itself as interference in our region.

I now look to each member of this inquiry to ensure that Cardwell can move forward to become a vibrant community, showing with pride and expertise the absolutely wonderful region we have here.

CHAIR—Mr Whiteman, do you wish to make any remarks?

Mr Whiteman—No, questions are fine.

CHAIR—I should declare to those present and to the rest of the committee that Senator Hogg, Senator Woodley and myself went on a flight down the channel last night.

Senator O'CHEE—Is that where you were going?

CHAIR—We had a seat for you.

Senator HOGG—It should be made clear that it was done through the secretariat, and the flight was made available to all members of the committee.

Ms Prior, I understand your problem from your explanation last night. For the sake of the record would you tell us who restricts your flights over the channel to one per day. Is it the civil aviation authority?

Ms Prior—No, it is GBRMPA in this case. The channel area is not actually part of the marine park, it is state waters, but it is covered by my GBRMPA permit as opposed to my Department of the Environment permit.

Senator HOGG—What reason have they given you for restricting you to one flight per day?

Ms Prior—None.

Senator O'CHEE—Are there any birds that nest in the area that you are likely to upset?

Ms Prior—Not in the channel area that I am aware of. In the rest of the GBRMPA area there are a number of places that are bird nesting sites and you are required to remain one nautical mile or 1,500 feet distant in those places. But the channel is not listed as a bird nesting site amongst those things.

Mr Whiteman—It is also important to note that on any given day, if you were to stand on the end of the Cardwell jetty, there would be literally dozens of aircraft including Chinook helicopters, Caribous and even Hercules, flying down the channel at less than 1,500 feet. There are also crop dusters and light aircraft transiting between Townsville and Cairns. It is the light aircraft laneway.

Senator O'CHEE—So it is not even to prevent the mullet taking fright.

Mr Whiteman—No.

Ms Prior—Not that I am aware of.

Senator HOGG—Is it a matter of the use of airspace, the separation of aircraft for safety reasons?

Ms Prior—No, not at all, it is all outside controlled airspace.

Senator HOGG—What would you put to us as being a reasonable number of occasions, on a daily basis, that you should be able to fly the channel?

Ms Prior—I would like to see it not limited at all but I would suggest something like six, eight or 10, something like that, if a limit had to be put on it.

Senator HOGG—Are there any other government departments involved in setting the limit, besides GBRMPA?

Ms Prior—The Department of the Environment, I believe, requested GBRMPA to include that. I believe that is the case.

Senator HOGG—Why would they have requested that?

Ms Prior—I think that it is perceived as mainly their area because they are state, as opposed to GBRMPA, which is federal. As I say, the channel is a slight anomaly in that the waterway itself is not a national park. But it is also not part of the Great Barrier Reef Marine Park because it is inside the island rather than outside the island. The channel is actually termed as state waters, as I mentioned before. It comes under the state, but they have lumped it in with the GBRMPA permit which, of course, is a federal one.

Senator HOGG—The other issue is the issue of the height restriction. You mentioned that you are limited to 1,500 feet.

Ms Prior—Yes.

Senator HOGG—Normal aviation 500 feet.

Ms Prior—Yes.

Senator HOGG—Why?

Ms Prior—It is published in a set list of bird sites and all that sort of thing. The Hinchinbrook Channel is on that list as one of the areas where you are not to fly below 1,500 feet. However, if you did not apply for a permit, you would be unaware of that. There is a section in the en-route supplement which is a thing with all aerodromes and various things that pilots need to know. There is a section at the back of that which mentions the Great Barrier Reef Marine Park and it says that there are various restrictions and pilots should contact the GBRMPA to find out what those restrictions are. However, I do not think the average pilot, private or commercial, would actually notice that they are there. Only people like myself who are looking to start up here and are going through absolutely every detail they can that would find that. I suspect that anyone on an ad hoc basis, or even a fairly regular basis, would not bother to contact GBRMPA and say, 'Are there any restrictions that I should observe?' They would just assume it is an uncontrolled area and therefore they were limited only by the civil aviation regulations over non-settled areas, 500 feet.

Senator HOGG—Let us say that there are regular light plane operators who fly through the area: do they have to get a permit, as you do?

Ms Prior—I do not think so, not as far as I know. I would not get one.

Mr Whiteman—This is a loophole in the legislation. If someone were based anywhere other than Cardwell—say, Innisfail—and that person wanted to do a scenic flight through the area, he or she would simply say that it was a scenic flight to Ingham, or over the jetty at Lucinda, that happened to transit this area on the way there. There would be no restrictions on that person at all, as there are not now.

Ms Prior—That was actually put to me.

Senator HOGG—Yours is a problem peculiar to yourself?

Ms Prior—Yes. It was actually put to me during the Department of the Environment assessment—which is nothing to do with the channel, but with the crossing of the various national parks. It was said to me that even I would not have to adhere to any of these things if I were just, say, taking people to catch the plane in Townsville. I said, ‘That is fine. I will take everyone from here to Lucinda and just happen to tell them about the scenery on the way.’ They said that that was outside the spirit of that and I said, ‘I will accept that.’

Mr Whiteman—The management plans for the area identify the visual amenity as being a consideration. Someone sitting in a boat enjoying the peace and tranquillity of fishing in the channel might be offended by a light aircraft flying over. I guess that there are two arguments that do not support that. One is the huge amount of air traffic that is travelling through that area that is not restricted in any way, including huge aircraft. Hercules are aircraft of substantial size and at 500 feet and less they make quite a bit of noise.

The other issue is the boat traffic up and down the channel, as I am sure your committee would be aware, having experienced the ride yesterday in the national park launch—which, incidentally, is named *Serenia* which is the zoological name of the group of animals known as dugong manatees. Having travelled up the channel at the 25 or 30 knots that that large vessel cruises at, you enjoyed the magnificent splendour of the area. I suppose it might have been offensive to someone sitting in their dinghy to watch the national park launch go by making that noise, but it is a public waterway and it is a broad, open area. There is provision to allow reasonable access to the area and there are still plenty of places to go to if you want to get away to a quiet spot.

Ms Prior—If you talk about visual amenity, my aeroplane is 37 foot 9 inches long and it gets out of the way fairly quickly.

Senator HOGG—One of the issues you raised yesterday was that if you travel a route other than the channel route you inadvertently transgress into the channel area and that counts as your one channel flight for the day. Would you explain that to us, please.

Ms Prior—Five basic flights are offered in my brochure with different routes. The No. 4 flight is the grand tour which goes out over the hills and around the other side of the island. After going up to the Brook Islands, it comes across Missionary Bay and then comes across to look at Oyster Point. It is convenient to then turn behind Oyster Point and behind the town and go back up to the airstrip. It was expressed to me during the assessment process

that when I travelled from Hecate Point to Oyster Point I had crossed the strict legal position of the channel. As I said, the channel goes up to a line from Hecate Point to Munga Creek, so in coming across from Hecate Point to Oyster Point I had crossed the channel, and that would constitute my 'once a day' in the Hinchinbrook Channel.

Senator HOGG—Is it you who has the restriction placed on you or the plane?

Ms Prior—It is the operator. The permit is issued to Margaret Prior trading as Cardwell Air Charter. That permit says 'limited to once a day'.

Senator HOGG—If Mr Whiteman operated a completely different company it is quite likely that he could have access once a day as well.

Ms Prior—Yes.

Mr Whiteman—I would probably take everyone on transit through the channel and never bother about a permit, in hindsight.

Senator HOGG—What does a permit cost?

Ms Prior—The application fee, which is non-refundable whether you get it or not, is \$450 for the GBRMPA permit. There is then no cost for the issue of the permit, but there is an environmental management charge per head. That is distinct from a Department of the Environment permit, for which the application fee is \$160 and then it is about \$150 for the issue of the permit, and then there is an environmental management charge.

Senator HOGG—How much is the environmental management charge?

Ms Prior—It is 80c in GBRMPA and \$1.15 in the Department of the Environment.

Senator HOGG—Right. It is the same as the sea charges, is it?

Ms Prior—Yes and no. In GBRMPA it is 40 per cent of the sea charge for the scenic flight.

Senator HOGG—Why is that?

Ms Prior—Probably because we do not touch the water—we do not touch the environment. But I really do not know. It is under a list of—

Senator HOGG—So it is 40 per cent of the sea based charge?

Ms Prior—Yes, the sea based charge is \$2, but it is still 80c.

Senator O'CHEE—I wouldn't touch that one.

Ms Prior—It certainly has stayed at 80c. I thought it would go up, but it did not.

Senator HOGG—We will talk to GBRMPA tomorrow, so we will ask them that question.

CHAIR—Ms Prior, you said to us last night that you would not want to see the Hinchinbrook Channel become similar to Uluru or some other tourist projects. Can you describe for the committee what is wrong with those developments in your eyes?

Ms Prior—It is just the volume, really.

CHAIR—There is an argument for controlling the volume. You are not suggesting that there is not?

Ms Prior—No.

Senator HOGG—And you are not suggesting that you should be limited as the only operator, are you?

Ms Prior—To being the only operator, do you mean?

Senator HOGG—Yes.

Ms Prior—Wouldn't it be nice!

Senator HOGG—It would be nice, but that is not your suggestion.

Ms Prior—No, it is not, no.

Senator HOGG—I have no further questions.

CHAIR—Perhaps to tie this into the inquiry that we are conducting, do the passengers on the flights make comments about the Port Hinchinbrook development as you fly over? What sort of feedback do you get from that development?

Ms Prior—I am very often asked to tell them the whole story and that sort of thing. I get the comment as well that has been mentioned today, 'What is all the fuss about?'

CHAIR—So that remark would be common?

Ms Prior—Yes, very common. I guess the lack of ability for the passengers to talk to me while we are in flight and the reading of the brochure that I am actually going to fly them past Port Hinchinbrook and that sort of thing probably negates the comments to me that they thought it was on the island. But I am often in the ferry office and I am often talking to both my customers and the ferry customers there. So many people believe that the Port Hinchinbrook development is on the island, believe it is going to be a high-rise development and believe that the channel is being dredged up.

CHAIR—Do you think if it were called 'Port Cardwell development' that would alleviate the misconceptions?

Ms Prior—It would a bit, but I think the people opposing it are likely to oppose it still. And, as I mentioned in my written submission, I believe that is as much because of who is developing it as the fact that there is a development.

CHAIR—Would you like to expand on that?

Ms Prior—It was well before the time I came to Cardwell, but I believe there was no substantial opposition to the original permit being granted to Tekin enterprises. It was only when Keith Williams actually bought the site with all the permits in place that people started objecting.

CHAIR—How do you account for that?

Ms Prior—I think it is some personal political agenda—that people do not like Keith Williams perhaps.

Mr Whiteman—Senator Allison, in response to your earlier question about the impressions, one of the most impressive features from the air is just how vast and extensive the mangrove areas are. When you get above Cardwell, you can see to the far horizon to the north and the whole coastline for over 40 kilometres is all mangroves. You can look down to the south to the channel and to the vast area of mangroves down there. There are 17,000 hectares of mangroves growing around the island in area. I guess it puts Port Hinchinbrook into perspective in terms of just how vast the natural resources are and how small Port Hinchinbrook is by comparison.

CHAIR—Is that an argument for further developments of that scale?

Mr Whiteman—No, I am not suggesting that at all. I think it is probably an argument to justify what is there, though.

Ms Prior—Yes, I would agree with that.

CHAIR—Thank you. There being no further questions, I thank you very much for appearing before the committee this afternoon.

[4.04 p.m.]

KIMBLE, Mr David Alan, Management Committee Member, Community for Coastal and Cassowary Conservation, P.O. Box 165, Mission Beach, Queensland 4852

MULLER, Ms Carolyn, Honorary Secretary, Wildlife Preservation Society of Queensland (Tully & District Branch), P.O. Box 771, Tully, Queensland 4854

SUTTON, Mr Paul Joseph, President, Wildlife Preservation Society of Queensland (Hinchinbrook Branch), P.O. Box 1184, Ingham, Queensland 4850

CHAIR—Welcome. The committee has before it submission Nos 101, 22 and 49 which it has authorised to be published. Before we move to opening statements, are there any alterations or additions that you wish to make to those submissions?

Ms Muller—No.

CHAIR—I invite you to make a brief opening statement.

Ms Muller—I am making this statement on behalf of the Tully and District Branch of the Wildlife Preservation Society of Queensland. The Wildlife Preservation Society of Queensland is a state-wide organisation. It has over 25 branches throughout Queensland. Our branch has been in operation in Tully and districts since 1981. The environmental concerns for Hinchinbrook Channel are not a recent phenomenon. Tully and District Branch of the Wildlife Preservation Society of Queensland has been corresponding with federal and state governments, our local council, various government bodies and others for at least the last 10 years about concerns for the Hinchinbrook Channel. Our main concern continues to be for the environmental integrity of the Hinchinbrook Channel and nearby islands to remain intact as it includes both world heritage areas and unique wilderness areas.

If sound planning had been in place to protect the environmental values of this area, the situation today is likely to have been very different with threats to the channel minimised. One major difficulty is that the land and waters are under different controls and planning processes, but the land and the water are integral to each other and a holistic plan needs to be set in place. Hinchinbrook Channel cannot be considered isolated from the adjacent lands and islands.

Possible threats to the Hinchinbrook Channel that we have corresponded about over the years include the proposed development at Oyster Point. We have been expressing our concerns since the first proposal was suggested in 1987. We started corresponding at that time, so it certainly has not been a recent situation with us with correspondence. In the period we also corresponded during the development proposals and during the latest proposal. As early as 1988, we wrote about possible threats to mangroves in the proposed development and the need for an esplanade to be developed, and more recently about threats to dugongs. Appendices 1 and 6 in our submission, both written in 1990 before the current development, particularly show our concerns. In 1993, the Department of Primary Industries stated in a letter to us that they were particularly interested that the mangroves area to the

south of Oyster Point remain undisturbed and that the offshore seagrass beds remain minimally disturbed. To this day, we are still concerned about these issues.

The proposed Oyster Point development is certainly not the only issue of concern. Other issues that we have corresponded about include run-off and effluent from aquaculture on land close to the channel, expansion along the channel in acid sulfate soils, proposals such as pearl farms in the channel, the need for speedboat limits in the channel and control of waterskiing, cleaning of melaleuca forests, the need to control visitation numbers to the islands including Hinchinbrook Island and Brook Island, and the need to preserve habitat for the recently rediscovered endangered mahogany glider.

There are many ways in which the current potential threats to the channel could have been avoided. Firstly, when the first proposed development at Oyster Point was mooted towards the end of 1987, we started corresponding about the need for an environmental impact study before work commenced. As early as 1977, the Department of Harbours and Marine boat harbour feasibility study for Cardwell shire and nearby areas recommended in the main against a boat harbour but also stated that, if a boat harbour were to be considered, an environmental impact statement was necessary. If this sound advice had been heeded, the current potential threat to the channel may never have eventuated. We were still writing about the need for an environmental impact study many years later.

Not only are independent environmental impact studies important but they must also be available for public scrutiny and comment. As well, any environmental agreement entered into between a developer and a government or government authority, such as for Oyster Point, should also be available to the public and be properly policed by an acknowledged scientific expert panel who are allowed to ensure that environmental conditions are met.

Secondly, the coastal protection strategy policy initiative of the Goss government offered hope of sound planning but did not fulfil its early potential. Thirdly, the need for sound planning for the Hinchinbrook Channel and the surrounding islands was recognised in the draft plan produced by the National Parks and Wildlife Service for the management plan for Hinchinbrook Island, Brook Island, Goold Island and Garden Island. There was also a proposal at that time to develop a similar management plan for Hinchinbrook Channel. These plans, to our knowledge, have never been declared. The draft that was released for the management of the islands, as it was essentially proposed, would have limited visitors to numbers that were not likely to be detrimental to the natural wilderness values of these areas. We have to ask: why have these plans not gone ahead?

Today we are still awaiting the next proposal which was to be the Cardwell Hinchinbrook Regional Coastal Management Plan including Hinchinbrook Channel. It is our understanding that the memorandum of understanding states that such a plan would have been in place but there appears to have been a considerable time lag between the proposal and actually bringing this about. In conclusion, there are many other issues involved, particularly the difficulties faced by those trying to express their concerns about the current proposed development.

In our submission, we have stated that other groups have become more active on the issue since 1993. One of the reasons why our group was not as active was that it seemed to

us that the issues had become very complex and legal issues were always looming so, unless a community group had the time and expertise, it became very difficult to follow issues through. If our country is to develop in this age of constant change and of many pressures on the environment, it is essential that proper environmental planning be in place and that public accountability on environmental issues be fully realised. The proposed new Environment Protection and Biodiversity Conservation Bill 1998 does little to increase our confidence about Australia protecting environmental areas of national significance such as the Hinchinbrook Channel.

Mr Sutton—I really wish to use examples from the past to look forward to better planning processes in the future. I note that one of the inquiry's terms of reference was to look at that process and look forward, so I am really much more interested in looking forward than in looking back at this point.

I think the key problem is summed up by a description of Hinchinbrook as a magnificent, accessible wilderness area. Therein lies the management problem. It is magnificent and I am sure that on your flight last night you saw some of that magnificence. If you had been sitting on the water at sunset, you would have seen a very different view but equally as beautiful—quite spectacular. If you had been on the other side of the island on the Thorsborne Trail, you would have had yet a different experience, again equally magnificent. So this relatively small piece of real estate can provide some vastly different experiences, depending upon where you approach it from.

It is accessible. Last June when I walked Hinchinbrook I met the Brown family on the track, who had left Brisbane at 8.30 in the morning and were walking on Mulligans Beach at 2.30 in the afternoon at the start of a five-day adventure. There are very few wilderness places in the world in which you can do that, so that makes it particularly precious.

I think that the wilderness part needs a little emphasising as well. One of the things that you do when you walk Hinchinbrook or stay on Hinchinbrook is realise that you are totally dependent upon your own preparations. There are not too many places in the world now where you have that sense of total self-dependence and it is important that there be a place in which we can experience that.

It requires very little imagination when you are on Hinchinbrook to see what it has been like for many generations. There is an opportunity to sit there and reach back and touch our ancestors. We come to understand our indigenous as well as our non-indigenous ancestors and what it was like for them in the past. That is one of the things that we get out of wilderness.

The magnificence means that many of us want to see it, experience it and live near it. The accessibility means that we can access it easily. It is easy to put a lot of pressure on this beautiful place. For example, at the moment there is no management of private day visitors. I, as a private day visitor, can go over there any time I like and as often as I like. That is not going to be able to continue in the future, I suspect, and there will be some pain for locals in understanding that and in coming to terms with it.

Finally, the wilderness bit is lost if a wide range of impacts are allowed. If there are too many people on foot, you lose the sense of isolation that it is possible to get. If there are too many in boats, again you lose the beauty of sitting there, watching the sunset and feeling that it is just yours to see for that one particular moment.

On noisy boats and intrusive aircraft, I would have to say that, having walked the island many times, aircraft are very intrusive because their noise is quite loud and travels substantially. An aircraft flying overhead is really quite intrusive when you have been sitting there and the only noise you have made during the day is pushing through the bush yourself, occasionally meeting someone else, listening to some birds. While I wish to see a balance there, I do think it has to be recognised that there is a noise amenity that needs to be preserved and it is not possible to do that with a lot of aircraft noise.

I think the other point that needs to be recognised is that we have done the easy developments in the past. When we say, 'Look at how we developed the Sunshine Coast'—which was my home originally—'or the Gold Coast,' it is very easy to see that we made the easy decisions there on where it was obvious to put things. Sometimes we look back and wish we had not quite done it that way, but we are living with it now. So we have some areas, such as the Gold Coast, which are highly hardened. We have other areas, like the Sunshine Coast, which are not quite so hard.

We had a magnificent opportunity up here to look at perhaps hardening the Cairns area and the Daintree area to cope with a large number of visitors, keeping the southern side of Cairns planned for the lower impact experiences such as occur on Fraser Island at the moment. I think we have lost that planning opportunity, but I would hope that this inquiry is part of a process that does the best it can to catch up now and put in place some good planning protocols that enable us to keep the best of what we have and still share it as much as possible with those that want to come and visit it.

Mr Kimble—I would like to make a short statement. In reviewing the written submission that we have made, I pointed out that the federal government has responsibility for the World Heritage Properties Conservation Act and, because of the world heritage areas in the area, they have a responsibility to use that legislation. The use of the proclamation over the Oyster Point mangrove clearing was exercised over too small an area and too late. We would look to see an extensive use of the World Heritage Properties Conservation Act in order to cover the wide-ranging impacts that the Port Hinchinbrook development will bring to the area and also to integrate the impacts of that with the impacts from other developments in the area.

The area itself is also very special because of the endangered species which live there. We have the southern cassowary, the mahogany glider and the dugong. The southern cassowary is an endangered species at the state level but not at the federal level. This is something that needs to be addressed. Under the federal government's endangered species legislation, they should be creating and following up on recovery programs for these endangered species to try and remove them from the endangered species category.

Although the ALP governments at state and federal levels back in the early 1990s brought forward a mahogany glider recovery plan, unfortunately that has been inadequately

funded since the changes of government, and has proved to be a considerable problem. That is partly because our local member, Bob Katter, is not a friend of mahogany gliders.

There are many impacts on the area and I do not propose to deal with each of them in detail. What should be happening, however, is that there should be a comprehensive coastal management plan on the statute books as soon as possible. It was part of the arrangement of the federal government giving the Port Hinchinbrook development the go-ahead that the state government move ahead with its Cardwell Hinchinbrook Regional Coastal Management Plan. Unfortunately, state governments do not like taking orders from Canberra and National Party governments like doing so even less. Consequently, the Borbidge government dragged its feet deliberately over the implementation, or at least the preparation, of a coastal management plan. It should have been in place by May 1998, but the current state of affairs is that it will not even be published in draft form until early 1999.

One of the ways they have been able to delay this process has been by delaying the appointment of a regional consultative group. The request for nominations went out in September 1996 and yet the group was not finalised until October 1997. Then it came out with an unwieldy 26 members. I am sure you realise that if you take 26 people from different strategic backgrounds and ask them to work together on a complicated piece of legislation it is going to get bogged down, and that is what was intended from the very start.

I was talking to the office of the Queensland Minister for the Environment this morning and asking him for the latest on this position. We wrote this submission immediately after the state government election and it was not clear at that stage who the state government was going to be. He assures me that it is definitely intended that a coastal management plan will be persevered with and is being treated as a priority. At the moment there are no plans to change the situation which is going to result in a draft plan being available by 31 December this year. However, C4 is entering negotiations with the minister over scrapping the situation that we have at the moment where the regional consultative group is writing the plan when the group itself contains no members that are regional planners, and to pass responsibility for preparation of the plan back to the Department of the Environment, raising their discussion paper to the status of a draft plan, which could be done within the next week and which would carve five months off this development timing.

I would very much like the Senate to use whatever responsibility it can find in Canberra to twist as many arms as it can to get the coastal management plan for the Cardwell-Hinchinbrook region into legislation as soon as possible.

CHAIR—To pursue that point for a moment, I think you said, Ms Muller, that there was a need for it to be a comprehensive coastal management plan, and there is some indication in your submission that it is not thorough. Can you explain what its limitations are and why it is not comprehensive or thorough?

Ms Muller—Mr Sutton is our representative for wildlife on the actual coastal management planning process, so he would be better able to speak on this than I.

Mr Sutton—I am happy to field questions on it. There are some tensions here. It would be very nice to get such a plan in place quickly but if you do that you do not have local ownership of it. I think you will have heard enough today to realise that local ownership of a planning process like this is very important. It is not effective to simply impose a plan on a group of people if they are not comfortable with it. The really time consuming process is that public consultation process that allows the local people to see the sense of the plan and feel a sense of ownership of it. In the end they will be ones who police it and drive it. So I think there does need to be a time consuming process to get there.

The point that David made about the delay in getting it up and running is exactly right; it is a historical fact. The reality is that, now we are here, we have a large group of people that are trying to find a consensus. The interesting thing about it is that the consensus for what we would like the place to look like in 20 years time is very strong. There have been some public meetings held where people were asked what their vision was for this area in 20 years time. There was very little disagreement about what we would like it to be in 20 years time. The major area of disagreement is how we get there in small steps. That is the process that is going to be time consuming and will take a long time to get through.

The question of comprehensiveness is a difficult one. I should clarify that the plan comes in two parts. The first is a control district in which there will be legislative controls with a fair bit of clout. That control district will probably be fairly small and close to the coast, extending out to sea. There will also be a policy area, for want of a better term, which will extend inland to try and capture all of those areas that have an impact on the coast. The Herbert River has impact on the coastal zone here right back up as far as Herberton. Things that happen up there will have an impact down here. It is not reasonable nor possible in the time that is available to develop a control plan—that is, one that has legislative teeth—that extends all the way back to Herberton. So this lack of comprehensiveness is a compromise. It is to try and get an area which we have some tight controls over and an area which we put some policies over. I suggest that it has to be seen as an interim thing. It will be reviewed over a period of about seven years.

CHAIR—Is it interim? Will it be reviewed over seven years?

Mr Sutton—It is proposed that it be continually reviewed to see if it is meeting its needs. We would be a remarkably successful group if we managed to get it right the first time. I do not believe there have been too many instances in human affairs where that has happened with something as complex as this.

CHAIR—If this management plan was in place 10 years ago, would we have seen the Port Hinchinbrook development proceed?

Mr Sutton—That is a good question. I think it is fair to say that many of the people on the committee are keen to see no more Port Hinchinbrooks. But it would not be fair for me to say that the people on the committee want to see this one go away. I think that is a reasonably honest statement, as best as I can read people's minds. I am only guessing. I cannot read people's minds and honestly tell you what they were thinking. There would have been a section of the community 10 years ago that said, 'Yes, we do want a sudden kick-start to our development.' There would also have been a large section of the community that

said, 'No, we want a more cohesive and gentle evolution, rather than a kick-start approach.' That is the basis of human nature, and I think that is what would have happened 10 years ago. This plan would have been an equally difficult process to put in place 10 years ago, although it has been complicated by the controversy surrounding Port Hinchinbrook. I would really like to sidestep that one because I do not think I can give an honest, authoritative answer.

Senator O'CHEE—You said that one of the problems in putting the management plan into an area is that you cannot impose it on people. It would be a fair assessment that at least a reasonable majority of people in this area want the Port Hinchinbrook development to go ahead. I do not think that anybody who has been opposed to it has attempted to say that they constitute a majority of the people in the area. Why shouldn't we let it go ahead if that is what the people want? You, yourself, accept the fact that a plan will not work if it is against the wishes of the community.

Mr Sutton—That is a reasonable point. However, the critical bit you have to define there is what you mean by 'area'. I talked, in my opening statement, about the Browns who left Brisbane at 8.30 in the morning and at 2.30 in the afternoon were walking on Hinchinbrook Island. They have a sense of ownership of that island now too, because of their five-day experience on it. I do not believe you can exclude those people by drawing a line around the place and saying, 'I am sorry, these are the only people who can have a say here.' You have to be very careful about how you define the area. I certainly want to see the aspirations, the hopes and the dreams of the local people respected, but not at the expense of those who are further away who have an equally passionate interest. Similarly, I do not want the far ones to dominate the locals.

Senator O'CHEE—Shouldn't there be some sort of preference given to locals? These are people who live with it every day, not people who happen to come here for five days once in their life. Let us use some sort of theory of utility or something like that. Surely the impact on somebody who lives here massively outweighs—more than I can do the mathematics; you are the mathematician—that on somebody who visits here for five days in their life. That is probably a large visit compared to that of most people who only visit for a day or half a day.

Mr Sutton—Again, that is a fair question. But you have to define 'local'. Is a 'local' someone who has been here for five years or 50 years? Are any of us going to live here for more than 100 years? 'Local' also includes the future generations that will live here. 'Local' is not just the people who are here now. Any of those terms that you want to bring up—about locals or distance or any of those—have to be put in a much broader context. To some extent, we have to ask ourselves that, particularly in your job, in looking at the planning component for the future. It is really planning for future generations, not for the locals who are here now.

Senator O'CHEE—You are not really answering the question, are you? Mr Sutton, with respect, we can talk about future generations and we can talk about what is going to happen in the year 3000. The way politics works is that you look at what is here now and you look at what people want now. When you judge the future, you look at what the people who exist here now say about the future. I think it is a bit obtuse to say, 'Look, local is somebody who

may live in Brisbane in 500 years time.’ Surely the definition of ‘local’ in a real sense is the people who live here, not the people who may have some fleeting association with it or the people who may never even have an association with it—rather like a postcode that somebody has sent them.

Mr Sutton—Let me take an example. Suppose you go to a doctor and you say, ‘I’ve got a cough, a bit of a rash and a few of these symptoms.’ He says, ‘Right, we’ll take two-thirds of the cough and three-quarters of the rash. The rash is on the outside, so it is most important. We think you have got meningitis. We’ll treat you for that.’ Would you be happy with that?

Senator O’CHEE—Yes, but it is my body.

Mr Sutton—Exactly.

Senator O’CHEE—It is in the backyard of these people.

Mr Sutton—That is the problem here—the Hinchinbrook Channel is not any one person’s body. It belongs to the future as much as the present. So some wise decisions, recognising long-term consequences, have to be taken. I do not believe that we can consider only the locals, and I do not believe I could generate a mathematical formula which would give you the right balance, because in the end what we are looking at here are value judgments, not adding up and taking away. We are looking at trade-offs and compromises—value judgments that try to deliver some long-term outcomes.

Those long-term outcomes are the amenity of the locals in 20 years time. They are what it is going to be like for the next generation. They are preserving some of that accessible wilderness for the next generation. They are all fair outcomes to aim for. I do not believe that one group in one time should be allowed to make such a big impact that we jeopardise some of those. I do not mean in that statement that Port Hinchinbrook personally is going to do that. That is not my intent in making that statement. It is a much broader statement that all of the activities that we collectively do will have a large impact on our future and the future of the amenity of this area.

Senator O’CHEE—The problem is that the last time somebody made some long-term judgments about the future of this area was when they closed down the timber industry and they directly lost 900 jobs in this area.

CHAIR—That sounds like a statement rather than a question.

Senator O’CHEE—My question to you is: when are the people who make these value judgments going to start paying for the consequences? Why do we always have to keep coming back to this same area of people and saying, ‘Sorry, we’re going to take that off you as well’?

Mr Sutton—The person who sat in this chair before me now has a business that is associated with tourism, which has been a job that has been created since then. So yes, you may be able to identify 900 jobs that have been lost then, but come back to me when you

can tell me how many have been created and I think we will have a much better discussion. The reality is that we need both of those pieces of information in order to make a good decision. I do not want to say you are wrong, because you are not. I want to say we need both pieces of information to make an informed quality decision.

Senator HOGG—I must say I enjoyed your submission, Mr Sutton. I am not denigrating any of the other submissions because it is yours that I want to ask two questions on. In your submission you refer to the Tekin estimates of silt depositions. Your submission says it suggests that 60,000 to 150,000 cubic metres of saline silt will need to be removed each year. Where will this be stored in the long term? I want to know the source of your figure of 60,000 to 150,000 cubic metres of saline material. Where is that removed from?

Mr Sutton—That estimate comes out of the studies that were done by Tekin and published at the time. I have not got it with me. My daughter is actually using it.

Senator HOGG—Are these the old Tekin spoils?

Mr Sutton—Yes.

Senator HOGG—On the southern side?

Mr Sutton—No, I do not believe Tekin—

Senator HOGG—Is that what you were referring to?

Mr Sutton—Tekin would have done some dredging. I cannot answer that with accuracy. The estimates were for—

Senator HOGG—Could you suss that out for me?

Mr Sutton—Yes. The estimates were based on the amount of silt that comes down the Hinchinbrook Channel, primarily out of the Herbert River. The Herbert has been estimated to produce some two million tonnes of silt per year, and that is work that is done by CSIRO.

Senator HOGG—So this is silt where?

Mr Sutton—This is silt that basically—

Senator HOGG—Not on the Oyster Point side?

Mr Sutton—No, in the area of the Oyster Point channel—the access channel to Oyster Point and marina. Basically whenever the water stops moving, silt starts to deposit. So every time there is a tide change, there is potential for silt deposition. Over a period of a year, the estimates from Tekin were that number.

Senator HOGG—Pardon me for interrupting. This would be an area 250 to 300 metres off the shoreline. Is that right?

Mr Sutton—No, this would be the marina basin and access channel which, in Tekin's time, was estimated to be about 600 metres long. That is the amount of silt they anticipated would deposit in the marina basin and the access channel associated with the marina basin.

Senator HOGG—So this is an ongoing problem that you are referring to?

Mr Sutton—Yes, the siltation in the area is an ongoing process.

Senator HOGG—The second issue I wanted to raise briefly is the point at page 4, where you refer to 'disturbing evidence that the developer was too close to the deed'. Would you elaborate on that, please?

Mr Sutton—Yes. I do not have a copy of the particular material that was picked up under the FOI procedures, but I have seen it. There are handwritten notes in the margin which have been attributed to Mr Williams and would appear to be a process of sharing that deed of agreement with him in order to allow him to make comment. I have no problem with that as such. I have a problem with it when it is not done openly and other people do not get the same chance to make similar comment. My real concern is the differing levels of opportunity. I certainly respect Mr Williams's right, as somebody who is putting a large amount of money at risk, to have a sizeable input. I just do not believe that input should be behind closed doors. I think it should be open, like everyone else's.

Senator O'CHEE—I just have one last question, on the issue of siltation. When this passage was first surveyed in January 1864, the deepest point was nine fathoms, or 54 feet, which corresponds to roughly 17 metres. It is actually deeper now than it was in 1864. Would you like to comment?

Mr Sutton—Well done. I do not think it is particularly relevant, quite frankly. We are talking about digging a hole in it and making it locally deeper. When that is left, that hole gradually fills in again so you have to dig it out again.

Senator O'CHEE—But all the silt—the two million or 20 million tonnes of silt that comes down here—ultimately goes somewhere. It has not all stopped here. It ultimately flows out to sea somewhere—

Mr Sutton—That is right. An equilibrium is established.

Senator O'CHEE—Yes. You can take it out as well.

Mr Sutton—That is very true. But it is like digging a hole in the sand on the beach. What happens when the tide comes in? It fills in again. The next day you go back and you can dig another hole and build another sandcastle, but the tide will come in and take it away again. That is the same process that occurs with siltation, but obviously on a much longer scale and it is a much slower process. When you dig your hole on the beach, the sand fills it in again. If you dig a hole and put a marina in and put an access channel in, over time the silt gradually fills it in again and it has to be removed. It is as simple as the process of building a sandcastle on the beach and coming back the next day and finding it is not there, except it is much slower.

CHAIR—On that point, we will close today's proceedings. Thank you very much for appearing. Can I say thank you, too, to our very large audience of people from this area. It has been a great pleasure for us to be here, and you have all been extremely patient throughout the proceedings.

There were a number of people who requested an opportunity to make some statements at the end of this process. Unfortunately we are not able to allow that, but I do invite you to put those statements in writing and forward them to the secretariat, and they will be circulated to the committee. There were also a number of people who made submissions and asked to be heard, and those people were not able to be heard because of the strict timetable constraints. We thank you for coming and invite you to make further comments as a result of what you have heard today. All those people who submitted will be given copies of the transcript of their submissions and, likewise, we invite you to make clarifications or to add to those at a later stage.

Committee adjourned at 4.40 p.m.