



Australian Government
Great Barrier Reef
Marine Park Authority



Whitsundays
—plan of—
management
| POM |

Summary of comments

Whitsundays Plan of Management review

May 2017

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Executive summary

The Whitsundays is one of the Great Barrier Reef's most highly-visited regions, with the greatest concentration of users.

While the Reef-wide Zoning Plan underpins the protection of plants, animals, habitat and heritage, plans of management allow for finer scale protection.

The Whitsundays Plan of Management (the Plan) is a key tool for the Great Barrier Reef Marine Park Authority (the Authority) to help safeguard this spectacular environment while allowing for a range of experiences and types of use for those who want to enjoy the area.

Stakeholders, including tourism and recreational users, have requested increased flexibility under the Plan to accommodate and adapt new and different types of activities.

Fundamentally, the elements of the Plan will not change and will continue to ensure effective management of this iconic area.

Below are the key proposed amendments to the Plan that were released for formal public consultation:

- a) Update values, issues and management strategies to reflect new information and future trends.
- b) Remove reef walking as a permitted activity.
- c) Further protect seabirds at significant bird sites by extending 'no access' times for vessels and aircraft during key nesting periods.
- d) Offer greater flexibility through specific superyacht anchorages, more motorised water sports areas, additional scenic flight opportunities and private moorings.
- e) Enhance access for ships (specifically cruise ships and superyachts) that are at least 70 metres in overall length with two new anchorages near Hamilton Island and Dent Island, as well as an expanded anchorage at Funnel Bay.
- f) Update descriptions of management settings from 'buffer style' to coordinate-based to help clarify the boundaries of each area and the associated use allowed.

This report provides an indication of the key comments received from public feedback as a result of the formal public consultation process. After considering public feedback, the Plan and the consequential amendments to the Great Barrier Reef Marine Park Regulations 1983 (the Regulations) will be finalised and provided to the Marine Park Authority Board and the Federal Executive Council for approval. Once approved, these will be released as the final amending instruments. It is expected that the approvals process will be finalised in August 2017. Staged implementation of the Plan will then occur, with any changes communicated to those who are affected by the approved amendments.

Explanatory Note – November 2017:

The 2017 amendments to the Whitsundays Plan of Management commenced on 2 August 2017. Current information including maps and links to the 2017 amended Plan can be accessed at www.gbrmpa.gov.au.

References to the amending instruments within this document refer to the exposure drafts that were released during the public consultation period.

Background

Tourism and recreational use in the Whitsunday Planning Area¹ (the Planning Area) continually evolves and new information becomes available. To reflect and adapt to these changes, knowledge and projected trends — while continuing to preserve environmental values of the area — the Plan, which was first released in 1998, has been amended progressively in 1999, 2002, 2005, 2008 and now in 2017.

Significant targeted consultation with stakeholders and partners — including Traditional Owners, the tourism industry, recreational users, government agencies and the Authority's Advisory Committees — commenced in December 2014 and has shaped the amendments for formal public consultation. This process included considering the impacts to ecological values, both at a site level for each proposal and across the Planning Area more broadly.

Key information sources included the 2014 Outlook Report and 2012 Strategic Assessment (extensive documents that plan for the future state of the Reef), as well as technical papers, site-specific reef health data (long-term monitoring and reef health impact surveys), seabird monitoring, animal stranding data and valuable local knowledge.

¹ The Whitsunday Planning Area includes the marine area around the Whitsunday Island Group and the offshore Hardy Reef Unit within the Great Barrier Reef Marine Park. The Whitsunday Planning Area is geographically described in Schedule 1 of the Plan.

Consultation overview

Consultation methodology

The purpose of formal public consultation was to gather public feedback on the proposed amendments to the Plan, for consideration by the Authority prior to finalising the Plan.

It is a requirement of the *Great Barrier Reef Marine Park Act 1975* (the Act), under section 39ZE, to invite the public to make comments in connection with a plan of management.

In accordance with the Act, the Authority must give notice to the public when preparing an amendment of a plan of management. These requirements were met by:

- advertisements in newspapers (Whitsunday Times, Mackay Daily Mercury, Bowen Independent and The Courier Mail)
- a notice in the Commonwealth Government Gazette
- information on the Authority's website
- emails to permit holders and stakeholders
- articles in a range of newsletters
- media releases and social media posts
- two public information sessions hosted in Airlie Beach.

The period of formal public consultation for the amendments to the Plan was conducted from 6 March 2017 to 7 April 2017. During this time, tropical cyclone Debbie² impacted the Whitsundays region. When requested, an extension to 28 April 2017 was given to those affected.

The full range of supporting documentation for formal public consultation included:

- Proposed amended Whitsundays Plan of Management (marked up³)
- Amendment (Whitsundays Plan of Management) Instrument 2017
- Amendment (Whitsundays Plan of Management) Regulations 2017
- Map 1 – Whitsunday Planning Area Proposals Overview
- Map 2 – Proposed Designated Motorised Water Sports Areas
- Map 3 – Regular Aircraft Landing Areas
- Map 4 – Overview of Proposed Superyacht and Designated Anchorages
- Map 4A – Proposed Superyacht and Designated Anchorages (South)
- Map 4B – Proposed Superyacht and Designated Anchorages (North-east)
- Map 4C – Proposed Superyacht and Designated Anchorages (North-west)
- Map 5 – Proposed Setting Amendment Hook Passage
- Map 6 – Proposed Setting Amendment Lindeman Passage
- Map 7 – Proposed Setting Amendment Cid Harbour
- Map 8 – Significant Bird Site Boundaries.

During public consultation, the Authority met with Traditional Owners, permission holders, government agencies, industry, conservation groups, and the Authority's Advisory Committees.

Comments were obtained through submissions via an online submission survey, email, post or verbally.

Personal information (including sensitive information) that was provided to the Authority via submissions is protected by the *Privacy Act 1988* (Privacy Act). The Privacy Act provides for 13 Australian Privacy Principles that regulate how the Authority must handle personal information. We collect personal information to perform or exercise our functions and powers under the Act and the Regulations. For more information, please refer to our [privacy statement](#) and [privacy policy](#).

² References to tropical cyclone Debbie made in this document refer to tropical cyclone Debbie, which hit the Planning Area on 28 March 2017.

³ The marked-up version showed what the Plan would look like after all changes had commenced.

Submission summary

There were a total of 52 submissions received. The total number of submissions by method received is illustrated in Figure 1. This included:

- twenty-four respondents completed the online submission form
- twenty respondents provided feedback via email (this included information provided directly into the submission form and provided as an attachment or in letter format within the body of an email)
- seven respondents posted their submissions using the submission form
- one respondent made a verbal submission.

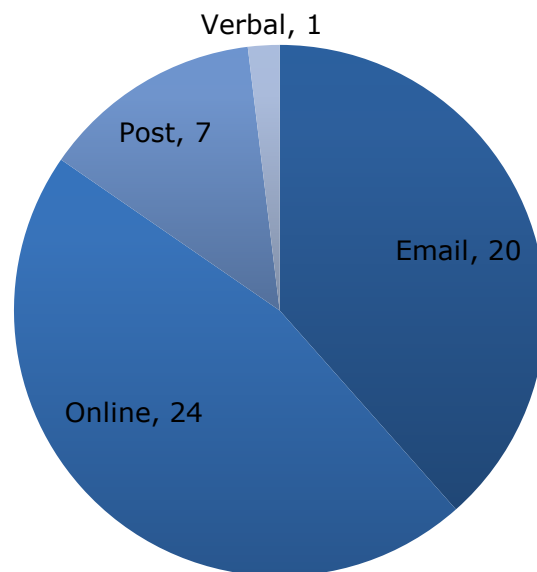


Figure 1. Total number of submissions by method received

Figure 2 shows the percentage of respondents that indicated whether their submission represented an organisation/representative body or an individual. This included:

- thirty-two respondents (61.5 per cent) represented organisations
- twenty respondents (38.5 per cent) represented as individuals.

Note: The classification of an organisation/representative body included businesses that encompassed a person, partnership or corporation engaged in business.

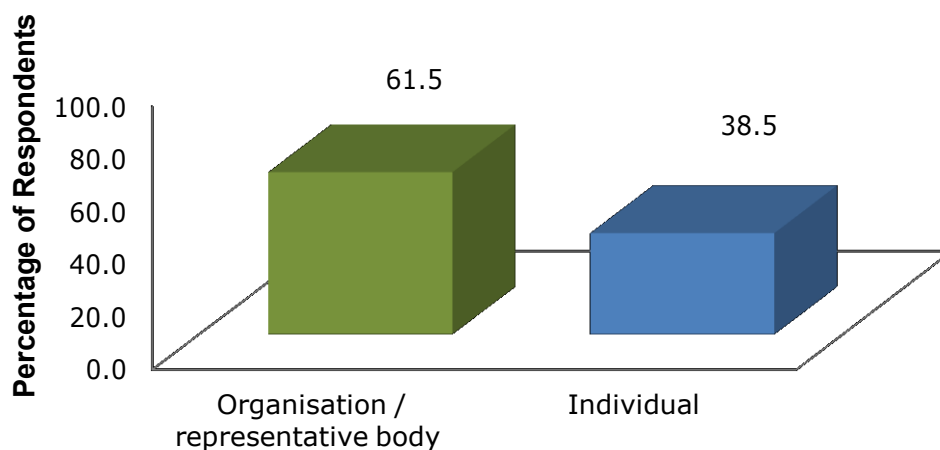


Figure 2. Percentage of respondents by representative type

The majority of submissions received (94.2 per cent) were by respondents in the Queensland region. Other regions where respondents described their location/geographical area included:

- two submissions (3.8 per cent) from other parts of Australia
- one submission (1.9 per cent) from overseas.

The main interest area of respondents in relation to the Great Barrier Reef Marine Park is illustrated in Figure 3. This included:

- the tourism industry as the largest main interest area (46.6 per cent)
- recreational main interest area (22.4 per cent)
- Traditional Owner main interest area (13.8 per cent)
- conservation/environmental organisation (10.3 per cent)
- government department (3.4 per cent)
- other (3.4 per cent).

Some respondents noted more than one main interest area.

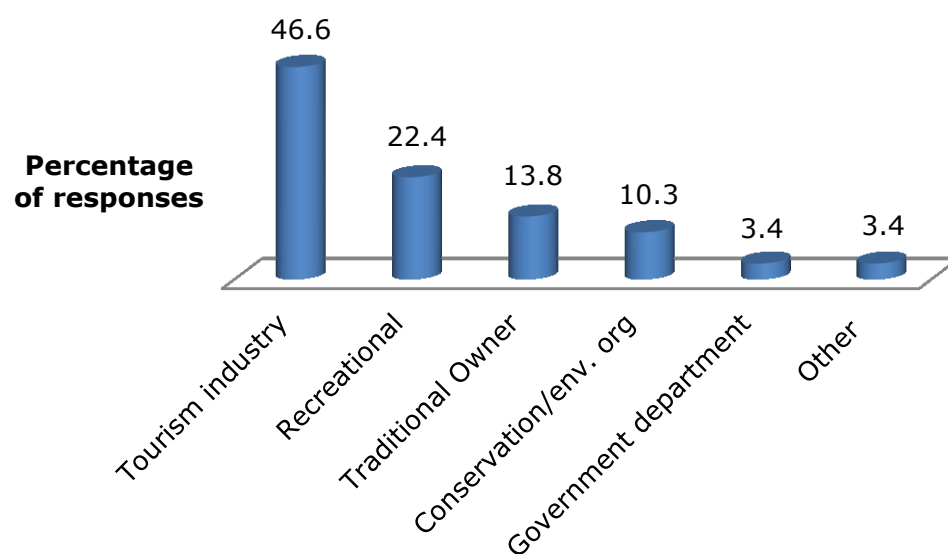


Figure 3. Main interest area of respondents

Results from public feedback

Please note particular references in the boxed sections:

- Amendment Reference or Map Reference refers to the amending instruments and map products released during public consultation.
- References to the Plan relate to the Great Barrier Reef Marine Park Amendment (Whitsundays Plan of Management) Instrument 2017.
- References to the Regulations relate to the Great Barrier Reef Marine Park Amendment (Whitsundays Plan of Management) Regulations 2017.

Section A: Motorised water sport areas and the use of high-speed vessels

There were two parts to this proposal:

PART 1: The creation of three new designated motorised water sports areas.

PART 2: The ability for a tourist program to use high-speed vessels to travel (i.e. transit) through certain inshore setting areas.

Part 1: Creation of three new designated motorised water sports areas.

Background:

Motorised water sports include irregular driving such as driving in a circle and towing a person in the air (i.e. parasailing). Currently, motorised water sports can be conducted in the following areas:

- setting 1 (intensive) area;
- a designated water sports area; or
- outside a setting area.

There is currently only one designated motorised water sports area in the Planning Area located on the western side of Daydream Island and North Molle Island.

Proposal:

The proposed new designated motorised water sports areas are adjacent to existing setting 1 (intensive) areas and will increase the area available for conducting motorised water sports for all users (i.e. recreational and tourism operations).

A1) The three proposed motorised water sports areas are adjacent to:

1. Hayman Island
2. Hamilton Island
3. Lindeman Island

Amendment Reference: The Plan, Schedule 4, pp.165-168.

Map Reference: Map 2

Comments in support

- Opportunities would be increased for this type of activity.
- Levels of crowding and congestion would be reduced in current areas available for motorised water sports.
- Above-water activities would provide alternative opportunities while the underwater environment recovered from the impacts of tropical cyclone Debbie.
- Economic growth and development would be encouraged.

Concerns raised

- Social concerns, such as amenity, included increasing noise levels and impacts on other people's enjoyment.
- Impacts to the environment in general and also to marine life such as turtles and dugongs.
- Public safety risks due to the potential increase in activities and vessels.

Suggestions/alternatives

- Buffers to protect environmental values such as the Reef, and turtles and dugongs.

- Surveys to gather environmental data and site information (e.g. current usage, site capacity) and measure environmental impacts from increased use.

Section A: Motorised water sport areas and the use of high-speed vessels

Part 2: The ability for a tourist program to use high-speed vessels to travel (i.e. transit) through certain inshore setting areas

Background:

High-speed vessels include a personal watercraft (i.e. jet ski), hovercraft or wing-in-ground effect or a vessel of any kind if operating faster than 35 knots. Currently all high-speed vessels (as part of a tourist program and recreational) can operate in the following areas:

- setting 1 (intensive) area
- a designated water sports area
- outside a setting area.

Tourist programs using high-speed vessels are unable to travel (i.e. transit) through a setting area. Recreational users are able to travel through a setting area if they are not conducting motorised water sports during their transit.

Transiting means: in transit, by the most direct reasonable route, to a place outside the area concerned.

Proposal:

A2) Using a high-speed vessel to transit between Airlie Beach and:

1. North Molle Island and Daydream Island Complex designated motorised water sports area
2. Daydream and West South Molle Island setting 1 (intensive) area
3. East Mid Molle and South Molle Island setting 1 (intensive) area
4. Happy and Palm Bay Resorts, Long Island setting 1 (intensive) area
5. Woodward Bay South Location

Using a high-speed vessel to transit between Shute Harbour and:

6. North Molle Island and Daydream Island Complex designated motorised water sports area
7. Daydream and West South Molle Island setting 1 (intensive) area
8. East Mid Molle and South Molle Island setting 1 (intensive) area
9. Happy and Palm Bay Resorts, Long Island setting 1 (intensive) area
10. Woodward Bay South Location

Using a high-speed vessel to transit between North Molle Island and Daydream Island Complex motorised water sports area and:

11. Daydream and West South Molle Islands setting 1(intensive) area
12. East Mid Molle and South Molle setting 1 (intensive) area
13. Happy and Palm Bay Resorts, Long Island, setting 1 (intensive) area.

Amendment Reference: The Plan, subclause 2.8(2), p.42-43.

Map Reference: n/a

Comments in support

- Additional flexibility would be provided for motorised water sports users to access inshore areas.
- Economic growth would be a positive outcome.
- Impacts would be minimal as transiting is a low risk activity.

Concerns raised

- Environmental impacts, specifically to marine life such as dolphins and also turtles, whales and dugongs.
- Negative impacts on the ability of the public to enjoy the area due to the disturbance caused by high-speed vessels transiting through setting areas. This included noise pollution impacting on personal enjoyment.
- Public safety was raised in relation to wing-in-ground vessels as these vessels are not compatible with other vessels that use motorised water sports areas (i.e.

yachts and bareboat charters) due to their ability to travel at very high speeds but with limited maneuverability.

Suggestions/alternatives

- The need for speed limits. This included the requirement of a traffic lane.
- Transiting of high-speed vessels to be limited to jet ski use and not include other high-speed vessels such as wing-in-ground and hovercraft.

Section B: Aircraft

There were three parts to this proposal:

PART 1: Changes to existing regular aircraft landing areas.

PART 2: Increased flexibility for scenic flights.

PART 3: Aircraft taxiing to Whitehaven Beach Location.

Part 1. Proposed amendments to existing regular aircraft landing areas.

Background:

A regular aircraft landing area is an area described in Schedule 7 of the current Whitsundays Plan of Management. Their purpose is to provide areas on the water for aircraft to land and take off daily.

There are currently 11 regular aircraft landing areas in the Planning Area.

Proposal:

B1) Boundary amendments at five of the regular aircraft landing areas:

1. Plantation Bay and Seaforth Island, Lindeman Island
2. Whitehaven Beach, Whitsunday Island
3. Happy Bay and Fish/Palm Bays, Long Island
4. Cid Harbour, Sawmill Bay, Hunt Channel and Dugong Inlet, Whitsunday Island
5. Chance Bay and Moon Island, Whitsunday Island.

Amendment Reference: The Plan, Schedule 7, pp.168-173.

Map Reference: Map 3

Comments in support

- An increase in safety would result with an increase in area of regular aircraft landing areas.
- The extension of boundaries would assist pilots to land their aircraft in the required area.

Concerns raised

- Noise disturbance from aircrafts would impact people's level of enjoyment and also impact wildlife.
- Risk of harm to marine life, such as turtles, would be increased as a result of boundary increases in regular aircraft landing areas.

Suggestions/alternatives

- Regular aircraft landing areas should be located away from campsites and separate from where vessels anchor and moor.

Section B: Aircraft

Part 2: Increased flexibility for scenic flights

Background:

Currently 15 unallocated daily permissions are provided for in the Whitsundays Plan of Management. Five of these permissions are available for persons who are Traditional Owners in respect of any site or area located in the Planning Area.

Proposal:

B2) The proposal will allow the ability to grant up to five of the unallocated permissions for regional tour operations involving aircraft conducting scenic flights (i.e. non-landing).

Amendment Reference: The Plan, subclauses 1.36 (1) and (2) p.30.

Map Reference: n/a

Comments in support

- Non-landing flights would not disturb people's enjoyment of the area as they fly above low altitude heights and make minimal noise.
- Non-landing scenic flights as a positive way to experience the Planning Area as the underwater and above-water environment would not receive direct impacts from such activity.

Concerns raised

- Aircraft traffic would be increased further, increasing use in an already busy area. This is because there could be multiple short flights per day by each permitted aircraft.
- An increase in aircraft traffic would subsequently impact negatively on visitor experience by detracting from the natural experience of the area.

Suggestions/alternatives

- Conduct surveys to determine impacts on the environment and other users.
- Different opinions were recorded in relation to a preferred number of permissions available for allocation as well as the allocation of permissions to different user groups.
- A cap on the number of flights per day, necessary especially to control noise pollution for visitors.
- No cap on fixed-wing aircraft, with the view that fixed-wing aircrafts have less impact than other aircraft types.

Section B: Aircraft

Part 3: Aircraft taxiing to Whitehaven Beach Location

Background:

Currently aircraft can access each Location in the Planning Area for two days in any seven-day period. Locations are areas which extend approximately 500m from the island or reef and are described in Schedule 3 of the current Whitsundays Plan of Management.

Regular aircraft landing areas provide areas on the water for aircraft to land and take off daily. Regular aircraft landing areas are separate to Locations.

Proposal:

B3) The proposed amendment will allow a person to taxi an aircraft (by the most direct and reasonable route) between the Whitehaven Beach regular aircraft landing area and that area of the Whitehaven Beach Location to the south of the regular aircraft landing area more frequently than two days in any seven day period.

Amendment Reference: The Plan, clause 2.7, pp.183 -184.

Map Reference: n/a

Comments in support

- Increased safety would result from the ability to access this location in various weather conditions.

Concerns raised

- Negative impacts to people's level of enjoyment. This included noise disturbance from aircraft taxiing.
- Safety concerns in relation to incidents between aircraft and vessels using the same location as well as public safety whilst people snorkel or swim.

Suggestions/alternatives

- Aircraft to disembark guests at the section of the beach closest to their designated regular aircraft landing area to minimise noise and disturbance to other users rather than needing to use all of the southern Whitehaven Beach Location.

Section C: Anchorages

There were three parts to this proposal:

PART 1: Designated anchorages.

PART 2: Superyacht anchorages (superyachts less than 70m).

PART 3: Booking requirement.

Part 1: Designated anchorages

Background:

Currently there are eight designated anchorages available for large ships, cruise ships, superyachts and other vessels 70m in length and above in the Planning Area (listed in Schedule 1 of the Great Barrier Reef Marine Park Regulations 1983).

A maximum of three cruise ships per day can access the Planning Area. A booking is required to access a designated anchorage.

Proposal:

C1) The proposed amendments will extend the existing designated anchorage at:

1. Funnel Bay and allow two large ships to be anchored at the same time

Provide for two new designated anchorages adjacent to:

2. Dent Island

3. Hamilton Island.

Amendments to the Great Barrier Reef Marine Park Regulations 1983 will be required to give effect to the proposed amendments. To view the specific coordinates for the proposed anchorages please refer to the reference below.

Amendment Reference: The Regulations, Division 3 of Part 3 of Schedule 1, p.6.

Map Reference: Maps 4 and 4A

Comments in support

- Economic growth would result from more vessels accessing the region, using services and purchasing goods on the mainland.

Concerns raised

- Environmental harm, including the negative impacts to habitat on the sea-floor and the marine life that rely on this habitat for its survival.
- The need for additional compliance and enforcement to ensure that vessels anchor within the boundaries of the designated anchorages.
- People's enjoyment of the area would be negatively impacted as a result of crowding, and noise and light pollution.

Suggestions/alternatives

- Surveys to be conducted prior to establishing and extending locations of designated anchorages to determine underwater environmental values.

Section C: Anchorages

Part 2: Superyacht anchorages (superyachts less than 70m in length)

Background:

A superyacht means a high-value, luxury sailing or motor vessel in use for sport or pleasure.

Superyachts can be either part of a tourist program or a vessel charter operation (where they are required to have a Marine Parks permission) or used recreationally.

Vessels more than 35m and less than 70m can currently anchor:

- within a setting 1 (intensive) area
- at a designated anchorage
- outside setting areas.

Proposal:

C2) The proposed amendments will create 21 superyacht anchorages for superyachts less than 70m throughout the Planning Area. Up to 12 guests can be on-board the vessel, not including the crew.

Amendment Reference: The Regulations, Schedule 1A, pp.6-10.

Map Reference: Maps 4, 4A, 4B, 4C

Comments in support

- Economic growth would result due to an increase of superyachts accessing the Planning Area.

Concerns raised

- Social elements included:
 - larger vessels would impact use by smaller vessels
 - access would be restricted for other user groups
 - there is sufficient access for the superyacht user group.
- Motorised water sports, in particular jet ski use, from the superyachts would impact on people's level of enjoyment.
- Environmental impacts, predominantly in relation to impacts to the sea-floor as a result from anchoring, but also general harm to marine life.
- Technical issues in general but also at specific sites proposed. These issues comprised of the risk of grounding vessels due to shallow water as well as unsuitable holding ground for vessels.

Suggestions/alternatives

- Surveys to be conducted of the underwater environment prior to approving the proposed superyacht anchorages.
- Using moorings rather than anchorages as these will have less negative impact on the environment.
- Vessel tracking devices to be activated when using superyacht anchorages to assist with compliance.
- Environmental management charges or bond charges for superyachts.

Section C: Anchorages

Part 3: Booking requirement

Background:

Currently all anchorages in the Planning Area are designated anchorages, commonly known as cruise ship anchorages. They are described in Schedule 1 of the Great Barrier Reef Marine Park Regulations 1983.

Currently only cruise ship operations need to book to use a designated anchorage. Recreational users and other tourism operations are encouraged to book.

Bookings provide tourism operations and recreational users access to the Planning Area for a specific period of time. Bookings are made online at www.gbrmpa.gov.au.

Proposal:

- C3) The proposed amendment will require bookings by all vessels (recreational and commercial) to use:
1. Designated anchorages (generally vessels more than 70m)
 2. Superyacht anchorages (vessels less than 70m).

Amendment Reference: The Plan, clause 2.4 and 2.5, pp.40-41; subclause 2.4(7A), p.40.

Map Reference: n/a

Comments in support

- Positive outcomes for the environment generally as booking anchorages would promote accountability, improve compliance and hence management of the area.
- Equity of access across all users and certainty of access would be provided.

Concerns raised

- Impractical for small vessels to be required to book as weather conditions dictate anchorages for small vessels.
- Impractical for a permit that has 365-day access.

Suggestions/alternatives

- Vessels to activate vessel tracking devices to assist with compliance.
- Include crew when counting pax (the total number of people).
- A minimum vessel size to be exempt from a booking requirement.
- Environmental management charges or bonds to be paid by all that make a booking.
- An educational component to be completed as a condition of making a booking.

Section D: Setting changes

There were three parts to this proposal:

PART 1: Hook Passage.

PART 2: Lindeman Island.

PART 3: Nari's Beach, Whitsunday Island.

Part 1: Hook Passage

Background:

The setting in Hook Passage is currently a setting 4 (low use) area.

Proposal:

D1) The proposed amendment will convert the setting 4 (low use) area to a setting 3 (moderate use) area at Hook Passage.

Amendment Reference: The Plan, Schedule 2, p.57.

Map Reference: Map 5

Comments in support

- Access for people would be increased.
- Greater flexibility in areas to access with the change in setting area.
- Crowding issues experienced in other areas would be decreased as a result of the conversion of this setting area.

Concerns raised

- Increasing access to this area would impact negatively on people's level of enjoyment and restrict other users — particularly smaller vessels as there are limited anchoring areas available for this vessel size.
- Safety risks due to the difficult holding ground for anchoring because of the currents and winds experienced in this area.

Suggestions/alternatives

- Surveys to be conducted to determine if coral is present with the aim of providing visitors with optimal experiences noting that in response to the findings settings may need to be changed.

Section D: Setting changes

Part 2: Lindeman Island

Background:

Setting 1 (intensive) areas are located adjacent to urban areas and resort facilities. They are the main access points to the Planning Area and a focus for intensive tourism and recreation. The areas are heavily used by a wide range of craft and contain permanent facilities (for example, marinas, jetties and boat ramps).

The current setting 1 (intensive) area at Lindeman Island includes a jetty and dredged channel and swing basin. The current boundary confines intensive use to important areas of coral reef habitat. The proposal will assist with managing intensive use away from important coral habitat, consistent with existing policies to protect coral from dredging activities. Compared to the existing setting 1 (intensive) area, there is a lower concentration of coral reef habitat in the expanded area.

Proposal:

D2) The proposed amendment will extend the setting 1 (intensive) area to Billy Goat Point on the south-western side of Lindeman Island.

Amendment Reference: The Plan, Schedule 2, pp.50-51.

Map Reference: Map 6

Comments in support

- The proposed setting boundary would provide additional opportunities for use of the area.
- Movement away from important coral habitat would be made possible.

Concerns raised

- Negative impacts on the environment particularly harm to coral.

Suggestions/alternatives

- Suggestions were in relation to the boundary of the setting area. This included:
 - an increase to the setting 1 area boundary
 - a reduction to the area boundary not to include the National Park located adjacent to the proposed setting
 - a reduction to the area boundary so that access to coral habitat would be reduced.

Section D: Setting changes

Part 3: Nari's Beach, Whitsunday Island

Background:

The setting adjacent to the campground at Nari's Beach, Whitsunday Island, is a setting 2 (high use) area.

Proposal:

D3) The proposed amendment will reduce the southern boundary of the setting 2 (high use) by changing it to a setting 3 (moderate use) area adjacent to Nari's Beach, Whitsunday Island.

Amendment Reference: The Plan, Schedule 2, pp.60-62.

Map Reference: Map 7

Comments in support

- The protection of the environment would be improved by changing the setting to a moderate use setting area where access is reduced.
- This change would create alignment with state policy and legislation.
- People's level of enjoyment would be enhanced by providing a more natural setting.

Concerns raised

- Respondents who made comments on this proposed amendment did not specifically report any concerns.

Suggestions/alternatives

- The setting area to be further reduced as the area contains extensive coral bommies.

Section E: Other proposals

There were eight parts to this proposal:

PART 1: Significant bird sites

PART 2: Woodward Bay

PART 3: Up to 20 new private moorings

PART 4: Reef walking

PART 5: Removal of five unallocated daily permissions

PART 6: Removal of clauses that stop fishing/collecting at Langford/Black Islands Area (as part of a tourist program)

PART 7: Revised Part 1 of the Whitsundays Plan of Management

PART 8: Technical and administrative

Part 1: Significant bird sites

Background:

The threats to birds nesting or roosting in, or adjacent to significant bird sites (listed in Schedule 6 of the current Whitsundays Plan of Management) are managed by limiting the approach of vessels and aircraft during timeframes when the birds are most vulnerable.

Currently the timeframe when a person must not operate a vessel in significant bird sites at East Rock, Edwin Rock and Olden Rock is between 1 October and 31 December. Also significant bird sites are described by name only (e.g. South Repulse Island — western beach only) rather than with a defined boundary.

Proposal:

E1) The proposed amendments will:

1. Extend the restriction timeframe to 31 March in significant bird sites at:
 - a. East Rock (see number 2 on Map 8)
 - b. Edwin Rock (see number 3 on Map 8)
 - c. Olden Rock (see number 9 on Map 8).
2. Create boundary descriptions for each significant bird site that include the 200 metre buffer area in which access is limited.

Amendment Reference: The Plan, subclause 1.24A, pp.174-175; Schedule 6, pp.178-182.

Map Reference: Map 8

Comments in support

- Environmental values would be improved, specifically the protection of birds in these locations but also for the environment generally.
- Improved clarity would be provided by boundary descriptions which would enhance understanding, compliance and management.

Concerns raised

- Respondents who did not support this proposed amendment did not provide any reasons for concern.

Suggestions/alternatives

- More stringent protection of significant bird sites.

Section E: Other proposals

Part 2: Woodward Bay

Background:

Currently Woodward Bay is a setting 3 (moderate use) area. This restricts the facilities that can be installed and activities that can be conducted.

Historically there has been a small private resort adjacent to the Woodward Bay South Location. The resort is being used in conjunction with local tourism operators.

Proposal:

E2) The proposed amendments will allow (in the Woodward Bay South Location):

1. The installation of up to three private moorings
2. An unlimited number of small tourist facilities such as marker buoys
3. Allow the hire of non-motorised craft (e.g. kayak).

Amendment Reference: The Plan, clauses 1.27 and 1.28, pp.26-27; subclause 2.14(5), p.44.

Map Reference: Map 1 to view where Woodward Bay is located along the coast.

Comments in support

- Providing more access for users would be positive.
- Environmental impacts of the proposals would be minimal.
- Private moorings were preferred to anchoring due to lower environmental impacts.

Concerns raised

- In general, of the three proposals above, the issue of concern was negative environmental impacts. This included environmental harm in general but also specifically to marine life, as well as the potential for oil pollution and marine debris.
- Specific to private moorings and tourist facilities, the issues of concern were social aspects, including amenity. This included the increase in access and that other users will experience restricted access. And overall that people's level of enjoyment will be negatively impacted with an increase in access.

Suggestions/alternatives

- Establish a set limit to the number of small tourist facilities.
- There was a range of recommendations regarding private moorings. These related to a preferred number of private moorings (less than three) and the allocation of private moorings to different user groups.

Section E: Other proposals

Part 3: Up to 20 new private moorings

Background:

A permission is required to install private moorings within the Marine Park.

Currently new permissions for private moorings will not be granted in areas other than:

1. in a setting 1 (intensive) area
2. in the Location described as Hardy Reef
3. as part of its temporary relocation under the Marine Tourism Contingency Plan for the Great Barrier Reef Marine Park (subclause 1.26 (6)).

Proposal:

E3) The proposed amendment will grant up to 20 new permissions for private moorings to be installed in the Planning Area, subject to the preparation of a site plan.

Amendment Reference: The Plan, subclause 1.27(4), p.26.

Map Reference: n/a

Comments in support

- Moorings were preferred to anchoring due to the reduced impact on the environment.
- Private moorings would provide certainty of access.

Concerns raised

- Private moorings would restrict access by other users.
- Private moorings not being maintained and, as a consequence damaging vessels, insurance uncertainty, and public safety risks from using unmaintained moorings.
- The negative impact on the environment in general from increasing use and as a result of marine debris from unmaintained private moorings.
- The process of requesting permission to use private moorings was raised as an issue.

Suggestions/alternatives

- Dedicated use of public moorings as the preferred model to allocate use.
- Different opinions were recorded in relation to the allocation of private moorings to different user groups, for instance, for existing permit holders only and reserving a set number for Traditional Owners.
- Consider the location of private moorings as dependent on potential environmental impacts and safety issues.

Section E: Other proposals

Part 4: Reef walking

Background:

Reef walking is currently a capped provision for tourism programs (except at Hardy Reef and Black Island Reef).

Proposal:

E4) The proposed amendment will no longer permit reef walking as an activity.

Amendment Reference: The Plan, clause 1.30, p.27.

Map Reference: n/a

Comments in support

- Environmental aspects included the reduction of harm to corals and subsequently the marine life living within such habitat.
- Reef walking considered as an outdated activity and new ways of experiencing the reef exist that are more environmentally friendly.

Concerns raised

- Impact to the economic advantage that reef walking provides. This encompassed the educational component provided by reef walking and the minimal impact on the environment of this activity.
- Clarity of what defined reef walking in terms of location of activity and user group.

Suggestions/alternatives

- The activity of reef walking to be provided to particular user groups.
- Allow historical use to continue.

Section E: Other proposals

Part 5: Removal of five unallocated daily permissions

Background:

There are currently 15 unallocated daily permissions allowed for in the Whitsundays Plan of Management. Five of these permissions are available for persons who are Traditional Owners in respect of any site or area located in the Planning Area.

Proposal:

E5) The proposed amendment will remove five of the 15 unallocated daily permissions allowed for in the Whitsundays Plan of Management.

Amendment Reference: The Plan, subclause 1.36(1) and (1A), p.30.

Map Reference: n/a

Comments in support

- Latency and crowding would be addressed.

Concerns raised

- Opportunities for economic growth would be reduced.
- Existing crowding and noise levels would not be addressed by the removal of only five permissions.

Suggestions/alternatives

- Reduce or remove the number of permissions available.
- Allocate permissions to different user groups, in particular, Traditional Owners.

Section E: Other proposals

Part 6: Remove clauses that stop fishing/collecting at Langford/Black Islands Area (as part of a tourist program)

Background:

Currently fishing or collecting as part of a tourist program is not allowed in the Langford/Black Islands Area, adjacent to Hayman Island.

Proposal:

E6) The proposed amendment will remove clauses relating to no fishing or collecting as part of a tourist program in the Langford/Black Islands Area, adjacent to Hayman Island.

Amendment Reference: The Plan, clause 2.13, p.44.

Map Reference: n/a

Comments in support

- Environmental impacts would be minimised through the application of existing legislation and processes, such as the Zoning Plan and the permissions system.
- Removal of this clause would simplify interpretation of legislation, creating clarity for users, without affecting use.

Concerns raised

- Environmental factors in general but predominately in relation to harm to the fish and marine life that would be fished and collected.
- Increased access would impact negatively on people's enjoyment of that area.

Suggestions/alternatives

- Enhance public education about all fishing related activities within the Plan and the Public Appreciation Special Management Area under the Zoning Plan.

Section E: Other proposals

Part 7: Revised Part 1 of the Whitsundays Plan of Management

Part 1 of the Plan outlines the values, issues and management strategies for protecting identified values and managing use within the Planning Area.

Proposal:

E7) The proposed amendments will replace the Foreword and Divisions 2 and 3 to update the key values, issues and management strategies. Additional amendments have been made throughout Part 1 that relate to site planning, increased flexibility to have a low adverse impact consistent with the plan's objectives and special tourism permissions. Please see the website (www.gbrmpa.gov.au) for a copy of the Great Barrier Reef Marine Park Amendment (Whitsundays Plan of Management) Instrument 2017.

Comments in support

- General support was provided for the revised Part 1 without specifying the reasons for support.

Concerns raised

- General harm to the environment in relation to the increased use of the area and its impact on people's level of enjoyment.

Suggestions/alternatives

- Increased flexibility within the Plan to allow activities that have low or no impact.
- Include the issue of new technologies (e.g. drones) being used in the Planning Area.

Section E: Other proposals

Part 8: Technical and administrative

The key proposed technical and administrative amendments can be viewed in Appendix A.

It is intended that these will not alter the intent of the Plan. To view all technical and administrative amendments refer to the amending instruments for both the Whitsundays Plan of Management and the Great Barrier Reef Marine Park Regulations.

Comments in support

- General support was provided by stakeholders that supported these proposed amendments.

Concerns raised

- Including the length of the vessel within anchorages was unfeasible.

Suggestions/alternatives

- Changes to specific definitions.
- Only the vessel's anchor to remain in the designated anchorage and not including the vessel.

Out of scope comments

Many respondents provided comments on matters outside the scope of the Plan's review. Although these comments are relevant to the management of the Great Barrier Reef Marine Park, they do not specifically relate to the proposed amendments. Where relevant some of these matters will be addressed through the implementation of the Plan.

Out of scope comments have not been considered further in this process but, where relevant, have been forwarded to the appropriate section in the Authority for consideration. Out of scope comments are detailed in Table 1.

Table 1. Out of scope comments

Comment topic	Why it is out of scope
Latency/crowding/congestion	<p>The Authority's policy on Managing Tourism Permissions to Operate in the Great Barrier Reef Marine Park (including Allocation, Latency and Tenure) provides guidance on permit latency. The Authority has committed to beginning a review of this policy during the 2017/18 financial year.</p> <p>Sites plans will be developed for sites in the Planning Area as part of the implementation of the Plan. Site plans identify the significant values and management arrangements at a particular site, concentrating on the specific use issues and cumulative impacts.</p>
An increase in compliance and enforcement required	<p>Compliance management is undertaken by the Australian and Queensland governments' joint Field Management Program. Surveillance patrols run day and night and are undertaken by a number of agencies and include vessel patrols, fixed-wing aircrafts, helicopters and land-based patrols. The Field Management Program encourages the local community and those who use the marine park to report suspected incidents of illegal activity.</p> <p>The Authority implements an annual compliance program whereby risks are evaluated each year and the highest risk targeted.</p> <p>As part of the implementation of the updated Plan there will be a focus on education and communication of changes before the commencement of targeted compliance patrols.</p>
Equity of access for recreational and commercial users to the Planning Area. This included: <ul style="list-style-type: none"> - financial contributions to be made from the recreational sector - larger vessels impacting on access of smaller vessels - the growth in the number of recreational vessels accessing the area is not being addressed. 	<p>While equity of access to sites has been considered in this review of the Plan, the broader request for financial contributions from the recreational sector is a Marine Park-wide matter and could only be considered as part of a review of those regulations relating to the Environmental Management Charge (EMC).</p> <p>Growth in recreational use will be examined at individual sites as part of site planning activities during the implementation of the Plan.</p> <p>The Recreation Management Strategy for the Great Barrier Reef Marine Park provides an overarching framework for managing recreation by the Authority.</p>
Water quality	The Plan is not the tool used to enhance water

	<p>quality in the Whitsundays.</p> <p>The Authority is working in partnership with the community, industry and other government agencies to improve the quality of the water entering the Reef from the catchment through the Marine Monitoring Program.</p> <p>The Authority's Marine Monitoring Program monitors the condition of water quality and the health of key marine ecosystems such as coral reefs and seagrass.</p>
Lack of funding for infrastructure, compliance and environmental monitoring.	<p>The Australian and Queensland governments' joint Field Management Program maintains land-based infrastructure including walking tracks as well as undertaking compliance activities.</p> <p>A \$300,000 contribution by the Australian Government has been provided to construct a walking track and lookout at the southern end of Whitehaven Beach. It is expected that the Queensland Government will match this commitment.</p> <p>From 2017–2018, over the next three financial years, \$5.5–7 million from Australian and Queensland government funding for capital expenditure across the Whitsunday Islands.</p> <p>A number of environmental monitoring programs are conducted Reef-wide. There has been recognition to integrate monitoring as a whole across catchment and reef. The Reef 2050 Integrated Monitoring and Reporting Program (an Australian and Queensland government initiative) is in the design phase and will provide additional critical environmental monitoring.</p>

Appendix A

Listed below are the key proposed technical and administrative amendments. It is intended that these will not alter the intent of the Plan. To view all technical and administrative amendments please refer to the amending instruments for both the Plan and the Regulations.

Proposal:

E8) The proposed technical and administrative changes:

	Amendment	Reference in the amending instrument
1.	Amend the definition of a year to reflect a calendar year.	Plan Schedule 9, p.185
2.	Clarify that anchor equipment and the vessel are to remain inside the designated anchorages.	Plan Subclause 2.4(7), p.40
3.	Clarify that anchor equipment and the vessel are to remain inside the superyacht anchorages.	Plan Subclause 2.4(9), pp.40-41
4.	Amend all schedule boundaries from buffers to coordinate-based boundaries.	Plan Schedule 2
5.	Clarify the intent of Part 2 in Part 1 in relation to motorised safety tenders being able to be used to support non-motorised tourist programs.	Plan Amendment 93, p.34
6.	Definition of a large vessel and a ship to be adjusted so that a vessel that is exactly 70m is classed as a large ship, not a large vessel.	Plan Schedule 9, p.33
7.	Insert a definition of a superyacht into the Great Barrier Reef Marine Park Regulations 1983.	Regulations Subregulation 3(1), p.2
8.	Insert a definition for public mooring and private mooring into Schedule 9 that refers the reader to the Great Barrier Reef Marine Park Regulations 1983.	Plan Schedule 9
9.	Amend the coordinates of the no anchoring areas in Schedule 5 (new location – Regulations) to reflect the current location of the reef protection markers and include the two new areas installed in June 2015 (Black Island and Dumbell Island).	Regulations Schedule 1B
10.	Remove Schedule 5 (No anchoring areas) and place in the Great Barrier Reef Marine Park Regulations 1983.	Regulations Schedule 1B
11.	Clarify the application of the Marine Tourism Contingency Plan – temporary relocation of tourist programs/facilities which have been impacted by a severe environmental incident.	Plan Subclause 1.26(6), p.26
12.	Clarify that the Great Barrier Reef Marine Park Authority may not grant new permissions which override limitations in Part 2 apart from continuations of existing permissions and those granted under the Marine Tourism Contingency Plan.	Plan Subclause 2.3A, p.38
13.	Confirm that older permissions which met eligibility criteria as set out in earlier versions of the Whitsundays Plan of Management are able to obtain a replacement permission.	Plan Clause 2.3A, pp.38-39
14.	References to <i>cruise ship anchorages</i> to be changed to <i>designated anchorages</i> .	Plan Subclause 1.32(7), p.28
15.	Replace Schedule 3 Locations to reflect current site names and reef identification numbers that may have changed since the last amendment in 2008.	Plan Schedule 3
16.	Amend the definition of <i>transiting</i> to include references to the vessel being propelled in a forward direction.	Regulations Subregulation 3(1), pp.2-3

17.	Amend <i>will</i> to <i>may</i> in subclause 1.36(1) regarding granting of new permissions.	Plan Subclause 1.36(1), p.30
18.	Amend subclause 1.24(2) to clarify when 'new' permissions may not be granted.	Plan pp.24-25
19.	Include a clause to clarify that there can only be a maximum of two ships anchored at the Turtle Bay Designated Anchorage and Funnel Bay Designated Anchorage at any one time.	Plan Subclause 1.32(7) (note), p.28
20.	Update the definition of <i>regional tour operation</i> to differentiate it from the definition of <i>standard tour operation</i> .	Plan Schedule 9
21.	Amend the definition of Bowen operation to use a vessel less than 70m to clarify what size vessels can be used and to be consistent with the definitions for a <i>regional tour operation</i> and a <i>standard tour operation</i> .	Plan Schedule 9