

DATE	SOURCE	Summary and <i>quotes</i>
1989 April 12	GBRMPA: review of <i>Dredge spoil study</i> by Prof Kevin Starke (JCU Marine Modelling Unit)	Re seadumping, but refers to other issues. It questions if a marina at Oyster Point would be viable, given the level of siltation there.
2001 Feb 13	HRE article cites NQCC Jeremy Tager	<i>NQCC ... described it as another desperate bid to make the controversial development viable.</i>
2003 Dec	Cardwell Shire Correspondent	<i>Council discussed the size of the development application fee for the proposed Port Hinchinbrook Stage II at Cardwell. This will be a large project ... Cardwell Shire has no standard fee for such a development. Similar developments would apparently have incurred Council fees in excess of \$300,000, if the applications had to be considered by Townsville or Douglas Shires, according to a submission by the Town Planner. Nevertheless she proposed a fee of only \$20,000 to \$25,000 here, mainly to cover external consulting charges. This was despite the CEO, Mal Malyon, stating that this application would undoubtedly be controversial, and quite time-consuming for Council officers, with his estimation of over 6 months work, and \$200,000 of "internal Council costs" (overheads). Council finally fixed on a fee of \$25,000 despite Cr Silvestro advocating that "the developer should pay his way".</i>
2004 June 17	CSC Minutes. re discussions: Council differs from Mr Williams	<i>... Council has agreed to lodge the application for approval, subject to no costs being incurred by Council...</i> <i>Council has not entered into any discussion on the funding of the breakwaters as at this stage it is considered to be the responsibility of the Developer...</i> <i>Outlined is a current status of the proposal, including extracts of advices received from Mr Williams ... longer serving Councillors will most probably accept this statement as only Mr Williams' version of the discussions.</i>
2004 Oct 10	CMail article "Developer revives breakwater project"	This is the version presented to the public. Note contradictions (highlighted). Breakwaters construction, capital dredging, and maintenance dredging – these are separately funded projects. <i>CSC has applied ...but Mr Williams will pay... \$1m ...he will be repaid by Port Hinchinbrook Services ... body corporate ...</i> <i>Cardwell Mayor Hoe Galeano said ... application would be at no cost to ratepayers ...</i> <i>"Keith said he would never ask Council to dredge to keep the canals open, and we're holding him to his word on that" Cr Galeano said.</i> <i>Mr Williams said ... "Cardwell Council ... has never spent one cent on [Port Hinchinbrook].</i> <i>"[The breakwaters] are expected to reduce siltation to about 30% of current levels.</i> <i>This will probably save them about \$250,000 every six months in dredging fees..."</i> <i>About 90% of the first stage had been sold.</i> SEE AERIAL PHOTOS
? 2006	Q EPA comments on Coastal Services Assessment Report, part of CSC Application for breakwalls.	<i>2.0 Breakwater design:</i> <i>Sub-bottom coring indicates very soft underlying strata along the breakwater alignment (the report does not provide geotechnical details). The design will require the breakwaters to be founded sufficiently deep at stable depth. The report does not explicitly state</i>

		<p><i>how this will be achieved, but section 4 ... states that ‘there will be no excavation works associated with the construction’. In this case, no further assessment needs to be conducted in relation to the impact of earthwork construction on the surrounding water body (pp1,2).</i></p> <p><i>A full assessment of structural stability ... cannot be undertaken without certain information. Such as the settlement or consolidation rates, or the bearing capacity of the underlying material (p2).</i></p> <p><i>No information exists on maintenance dredging apart from 40,000 m³ March 1998 ... (p6).</i></p> <p><i>This section ... states that “In the current situation, maintenance dredging is required several times each year” ... If maintenance dredging has not been required, this appears to contradict the above opening statement ... (p7).</i></p> <p><i>... the breakwaters will have an impact on long-term erosion . This impact can be mitigated by transfer of sand ... (p7).</i></p>
2005 May 17	Q EPA Ecoaccess Environmental licence	<i>Acid sulfate soils must be managed such that contaminants are not directly or indirectly release from the works to any waters ...</i>
2005 May 18	Marine Parks Permit	<p>DEFINITIONS:</p> <p><i>‘Harm’ in relation to the environment, ... direct or indirect ...</i></p> <p><i>b) any act of omission that result in water pollution of the Marine Park (p2).</i></p>
2005 March 3	Q NR&M comments	<p><i>... advice Cardno’s report ... that ... construction will consist of placing quarry material on top of the existing seabed ... Cardno’s report also states that the risk of displacement or aeration is minimal.</i></p> <p><i>However NR&M has some concerns with possible displacement of ASS in the landward sections ... it is possible that some material may be displaced outside of tidal inundation range , and into oxidising conditions, generating acid and iron leachate ... (p2)</i></p>
2005 April 4	Cardno response to Q EPA request for new information	<p>BREAKWALLS AN EXPERIMENT</p> <p><i>We are unable to confirm that the construction of the proposed breakwater walls will reduce the maintenance dredging requirements in accordance with the estimates presented in the reports supporting the application until after the breakwaters are constructed.</i></p> <p>...</p> <p><i>no further records of the maintenance dredging that has been required and carried out since the access channel was completed ... and the original desk assessment is the only information available to determine the optimum wall length...</i></p>

00-6-96 GBRMPA: Stakeholder Group comments on KW application (extract: two pages)

Reidel: doubts about proposed method of beach construction; predicts erosion and deposition on seabed.

Ridd (JCU: Physics): removal of large quantities of sediment ... adversely affect the foreshore ...”

26.05.94	Memo to Sue English 2pp	Eric Wolanski	Dredge spoil disposal problems discussed
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1977	Department of Harbours and Marine	Boat Harbour Feasibility Study for Cardwell Shire and nearby areas – Oyster Point unsuitable site for boat harbour
12 April 1989	GBRMPA	Prof Kevin Starke , JCU Marine Modelling Unit, Peer : peer review of <i>Dredge spoil study</i> by Prof Kevin Starke (JCU Marine Modelling Unit) Re seadumping and other issues. Prof Starke questions if a marina at Oyster Point would be viable, given the level of siltation there.
26May 1994	Eric Wollanski AIMS - Memo to Sue English 2pp	Dredge spoil disposal problems discussed
18-4-95	FOI minutes of meeting at JCU	(scientists and Cth-commissioned consultant W. Atkinson NECS) Larcombe , re likelihood of damage: "more time [needed] to consider a detailed response ..." "the only test would be to let the development go ahead and if it damages the environment the public would learn a lesson".
30-4-95	FOI minutes of meeting at AIMS	(scientists and Cth-commissioned consultant W. Atkinson NECS) re likelihood of damage: re dredge disposal: Reidel : "... about 50% of the material will be soft marine clays .." "estimates of siltation ... would be accurate within + or - 50% ... maintenance is the responsibility of the Cardwell Shire, and the designated size of the settlement pond on the Developer's land would be small ..."
11-4-96	FOI GBRMPA Ministerial Brief "Port Hinchinbrook Proposed Resort and Marine"	"The seagrass beds adjacent to Oyster Point form a significant proportion of the population of the whole of the Hinchinbrook Channel" "and placed in this zone (mud flat in the inshore zone) is unlikely to be stable. It is likely that it would be mobilised by wave action and contribute to smothering of mangrove roots in the mangrove fringe, killing the trees and thus reducing the integrity of the mangrove fringe. It is therefore considered that carrying out these proscribed acts would not be consistent with protection, conservation and presentation of the World Heritage values"
7-5-96	GBRMPA briefing	PH: Proposed Resort and Marina p6. [Accumulated opinion] "is that erosion is a potential threat to the adjacent seagrass beds." "Authority staff do not know what maintenance dredging will be required to keep the channel and marina open and cannot therefore estimate the potential hazard posed by regular maintenance dredging." P6. "The opinion of ... experts ... is that erosion is a potential threat to the adjacent seagrass beds." Turbidity and sedimentation: "absence of any scientific information ... significant increase may potentially damage the seagrass beds ..."
11-4-96	GBRMPA Ministerial Brief	"Port Hinchinbrook Proposed Resort and Marine" "It is important that such areas are given adequate protection so that declines [of dugongs] do not occur in the future"

7 May 1996	FOI GBRMPA briefing PH	<p>Proposed Resort and Marina</p> <p>p7. Dugongs: Hinchinbrook Area should be “given adequate protection so that declines do not occur in the future ... Hinchinbrook is important in maintaining the long-term viability of dugong in a regional context.”</p> <p>“Operation of the marina and its long term impacts on one of the last strongholds of dugong in the southern GBR remains a concern for the Authority.”</p> <p>“... Authority officers feel that dugong would tend to be displaced.”</p>
18 June 1996	FOI Keith Williams “private and confidential” letter to Cth	<p>[re stakeholder comments on his application. Note untrue statement that Deed controls boating speed limits - The Deed does not, and never did, control speed limits]</p> <p>Dugongs and boat traffic: “<i>in reality this responsibility lies with the Queensland Government’s Department of Environment and the Department of Transport.</i>”</p> <p>“... we ...[undertake to] apply a twelve knot speed limit to large-displacement type boats... THE SPEED LIMIT REFERRED TO IS ENSHRINED IN THE TRIPARTITE DEED”</p>
28 June 1996	FOI Keith Williams “confidential” letter to Clive Cook GBRMPA	<p>re GBRMPA report 1995:</p> <p>“Without the marina and its connecting access channel there can be no resort at all ...”</p>
13 Sep 2004	Keith Williams (PH letterhead) to Cardwell Shire Council (CSC)	<p>“I am experiencing difficulties in getting a consensus of opinions from the members of Port Hinchinbrook Services Limited (PHS) It does appear that they would prefer to have from your Council an annual contribution to dredging in lieu of the maintenance of roads, landscaping etc...”</p>
2001 Feb 13	HRE article cites NQCC coordinator Jeremy Tager	<p>NQCC ... described it as another desperate bid to make the controversial development viable.</p>
9 Sep 2003	Marc Rowell part of speech on Marine Parks amendment bill 9 Sep 2003 Marine Parks Amendment Bill 3283	<p>= Mr ROWELL (Hinchinbrook—NPA) (2.50 p.m.):</p> <p>Down in my part of the world, Keith Williams of Port Hinchinbrook was reported as saying that consolidated Properties was facing much the same problems that he faced 10 years ago, and I think those problems are still ongoing. He did not receive any assistance from government to get himself out of some of the difficulties that he faced. He is putting together a really magnificent development.</p> <p>That development is providing for the people in the region to use a boat ramp where they can get in with a minimum of two metres of water at any time. That is particularly good, because looking at that coastal stretch nowhere between Mourilyan Harbour and Townsville is there an outlet with a capacity to take a boat at low tide that would draw 1.5 to two metres of water. That is what Port Hinchinbrook is doing. Many people said it was a furphy and that it would not go ahead. I have heard repeated claims by people in the opposition about Keith Williams's credentials and his ability to go ahead with that project. At present anywhere up to 10 to 15 houses are under construction. There are probably about 20 there already. I understand that there are plenty on the drawing board as far as the planning process is concerned.</p> <p>I also have a concern with access out of the Dungeness area in the Enterprise Channel. I wrote to the Premier about the issue. I believe that if we were going to provide these concessions in one area there are prospects for doing it in others. Over a period locals have been of the opinion that they required access out of Dungeness because a lot of small craft went up the Hinchinbrook Channel and so on. Of course over a period we saw the silting up of the Dungeness area and particularly the Enterprise Channel. It was essential that we got some resolution of that problem.</p> <p>Previous councils made every attempt to put up options such as geotextile liners. The EPA certainly was not all that helpful with providing more information. More was needed. Of course the cost for a council to really maintain such a facility was quite high. It would have required dredging. I believe they needed to put in some type of facility such as a geotextile liner that would have provided access in the initial stages as well as some minor dredging. We could have</p>

		<p>played it by ear to see the results in terms of providing an outlet.</p> <p>It is quite apparent that what was said in the Premier's letter to the EPA was not always right. I would have to agree with that. If it were not for the fact that they did run into trouble about any prospects of putting in these particular barrages to prevent sand and silt and that sort of thing coming in, we may have had the essence in the earlier stages of some sort of a breakwater to enable craft of around half a metre to three-quarters of a metre in depth getting out at low tide.</p> <p>Currently, you can walk across the face of the Enterprise Channel at low tide at certain times of the year. I think that is extremely disappointing for people who live in that area.</p> <p>The whole essence of what happened at Bluewater and the coastal management plan that we have had to contend with over the last couple of years has been a major battle to get development up and going along the coast of Queensland. We certainly have some great attributes. I agree with anybody who says that we have to be very careful about how we do it. We have to ensure that the essence of good management is put in place, because if we go ahead with this type of development it is critical in terms of job opportunities and tourism. We have a lot to offer people and a lot to show them, but if we cannot get access to the sea in a reasonable manner those prospects will diminish. In my part of the world that is essential because we are desperate to look to alternatives other than the indecision we have presently. Tourism certainly provides exactly that.</p>
16 Dec 2003	KW Letter to Michael Wilks, Mission Beach Advertiser	<p>“... the Council is not committed to expend one cent on the maintenance of PH because PHS Ltd ... are responsible for maintenance” (p2).</p> <p>“Such maintenance includes, dredging of PH waterways ...” (p2)</p> <p>“From day one of the development of PH we assured the Cardwell Shire Council that PH would ... not ask to be serviced by the Council’s use of rates being paid by other citizens of the Shire” (p2).</p> <p>“Although “Port Hinchinbrook Services Ltd” is committed to the dredging of the PH waterways the Mayor, Tip Byrne, and probably the majority of his councillors would agree that the Council should be shouldering some of the load firstly because of the fact that the majority of users of the public boat ramp and its access waterways are not residents of PH” (p2).</p>
January 2004	Northern Regional Ripples E-Bulletin Number 3	<p>1. Hinchinbrook Resort proposal divides electorate By Amanda Hodge The Australian January 16, 2004</p> <p>The north Queensland electorate of Hinchinbrook is best known for the coastal development alongside the World Heritage-listed Hinchinbrook Channel and islands. And it's that infamy that anti-Port Hinchinbrook campaigners such as Margaret Thorsborne are counting on to ensure the issue remains in the spotlight during Queensland's election campaign.</p> <p>The Port Hinchinbrook development currently consists of a housing estate, boat ramp and maintenance station at the southern end of the coastal hamlet of Cardwell, overlooking Hinchinbrook Island. But if developer Keith Williams has his way, it will soon be accompanied by a golf course, 100-room resort and 290-home canal estate.</p> <p>In May last year, Mr Williams was fined \$1500 after a drainage channel from the development leached salt water into a proposed national park adjacent to the site, killing a large number of trees. Last month the federal Government declared stage two of the development a controlled action because of its proximity to world heritage areas and endangered dugongs. Environment Minister David Kemp is considering what action to take.</p> <p>The development has been bitterly divisive and Mrs Thorsborne concedes the region is split more or less equally between those who support it as a means of buoying an economically depressed region, those who oppose it and those who couldn't care either way. But sitting member and Opposition primary industries spokesman Marcus Rowell, who holds the seat by a 2.7 per cent margin thanks to pressure from previous Independent and One Nation challengers, says he wholeheartedly supports Port Hinchinbrook.</p> <p>Mr Rowell says the development has provided valuable jobs for tradesmen at a time when they might otherwise have been forced to leave the region thanks to the sugar industry slump. Labor</p>

		<p>candidate Guni Liepens, a local shire councillor, is similarly supportive. But Mrs Thorsborne says the issue is bigger than the Hinchinbrook electorate and will be a hotly debated election topic.</p> <p>http://www.theaustralian.news.com.au/common/story_page/0,5744,8401161%255E30417,00.html</p>
2004 Oct 10	Courier Mail article “Developer revives breakwater project”	<p>[Note contradictions highlighted].</p> <p><i>CSC has applied ...but Mr Williams will pay... \$1m ...he will be repaid by Port Hinchinbrook Services ... body corporate ...</i></p> <p><i>Cardwell Mayor Hoe Galeano said ... application would be at no cost to ratepayers ...</i></p> <p><i>“Keith said he would never ask Council to dredge to keep the canals open, and we’re holding him to his word on that” Cr Galeano said.</i></p> <p><i>Mr Williams said ... “Cardwell Council ... has never spent one cent on [Port Hinchinbrook].</i></p> <p><i>“[The breakwaters] are expected to reduce siltation to about 30% of current levels.</i></p> <p><i>This will probably save them about \$250,000 every six months in dredging fees...”</i></p>
2005 April 4	Cardno response to Qld EPA request for new information	<p>BREAKWALLS AN EXPERIMENT</p> <p><i>We are unable to confirm that the construction of the proposed breakwater walls will reduce the maintenance dredging requirements in accordance with the estimates presented in the reports supporting the application until after the breakwaters are constructed.</i></p> <p><i>no further records of the maintenance dredging that has been required and carried out since the access channel was completed ...and the original desk assessment is the only information available to determine the optimum wall length...</i></p>
6 April 2005	CP P/L to Port Hinchinbrook Community (PHC) BAML Payers Association	<p>[context: PHC BAML Payers Ass. is apparently disputing the levy for the maintenance dredging].</p> <p><i>“... As a worst case scenario it is possible that PHS might be required to dry out dredge silt in an existing settlement pond and then truck the subject dry silt to an undisclosed site. This scenario would cost at least a further \$5 to \$10 per cubic metre ...” (p7).</i></p> <p><i>“The above is the reason why we, the DC, are pressing the EPA for approval to discharge your silt at sea which we believe will reduce the cost of dredging and disposing of silt” (p7).</i></p> <p><i>“... the DC is not going to pay for the breakwaters unless ... Port Hinchinbrook Stage II is approved” (p8).</i></p> <p><i>“PHS is a public company incorporated with the Australian Securities Commission as a company limited by guarantee ...</i></p> <p><i>... every property owner, lessee and sub lessee of a marina berth, owner of a private or commercial berth of jetty, business owner and concessionaire will be required to apply for membership in PHS at the time of signing the relevant contract, lease or concession agreements.</i></p> <p><i>The Development Company (“DC”) is also a member of PHS and will retain majority voting control of all members of PHS. Membership levies and contributions (comprising the BAML) will be required to be paid by members from time to time ...” (p9).</i></p>
15 April 2005	PHS Ltd (signed Ben Williams) to CSC (sample letter	<p><i>“... your senior staff is great to work with ...” (Newsletter p10)</i></p> <p><i>“ ... your Council should ... allocate an annual contribution towards the dredging of the Grande Canal and the access channel ...”(Newsletter p10)</i></p>

	<p>published in Newsletter 18 April 2005)</p>	<p>“ ... such payment can be justified to your ratepayers by stating that such payment is a contribution towards keeping open the access channel for your Council’s public boat ramp because we are not asking for a contribution to be used in dredging the marina basin although one third of the basin is public water” (Newsletter p12)</p> <p>“ .. stipulate a percentage of the general rate ...” (Newsletter p12)</p> <p>“... the Port Hinchinbrook marina is not a profitable operation at this point in time and most certainly could not fund the \$500,000 or more which is required for dredging” (Newsletter p12)</p> <p>“ ...this letter ...on behalf of Port Hinchinbrook Services Limited which we manage for a fee.”</p> <p>“The marina berth owners do pay an annual fee for maintenance but the percentage set aside for dredging would not cover dredging of the seabed beneath the marina at the present time” (Newsletter p12)</p>
<p>18 Apr 2005</p>	<p>PHS Ltd Newsletter for members</p>	<p>“In respect of Stage II the big bonus for property owners will be a substantial increase in BAML income with little or nil dredging in the lake” (p4).</p> <p>“As you are no doubt aware we have been restricted from dredging because of the possibility of sea water from our dredge spoil ponds seeping into the Unallocated State Land (USL)”</p> <p>“Pressure must be used in convincing the Cardwell Shire Council that they must contribute to dredging of Port Hinchinbrook’s waterways, especially the Grande Canal and access channel which is the thoroughfare for boats emanating from the Council’s public boat ramp and specifically the emergency services – Water Police and Volunteer Coast Guard” (last page).</p> <p>“As an example you will find in this newsletter a copy of a letter that Port Hinchinbrook Services Limited has forwarded to the Cardwell Shire Council requesting once again a contribution to your company, PHS, for dredging the Grands Canal and the access channel” (last page).</p>
<p>18 April 2005</p>	<p>Amendments to the “Port Hinchinbrook” & “Cardwell Boat Haven” development covenants. 18 April 2005</p>	<p>“... changes to the existing Development Covenants will be conformed under the final paragraph of the Development Covenants which states:</p> <p>“All conditions contained in this document can be modified or altered at the sole discretion of the Development Company (DC) ...” (Newsletter p15)</p>
<p>22 May 2006</p>	<p>PHS Ltd Newsletter for members</p>	<p>“ ‘Williams Corporation’ owns Port Hinchinbrook” (p3) –</p> <p>[Income from PHS (levies etc) goes to Williams Corporation. Keith Williams has the power (through being the director or otherwise having a controlling interest) to decide where these fees go – eg to Williams Corporation (WC) or Cardwell Properties.</p> <p>The residents have complained about the level of fees applied to them, and where the money goes. Some had evidently refused to pay].</p> <p>“The development of stage II is the answer” (p3) - to spread the currently high sewerage charges on PH residents. For the dredging costs:</p> <p>“Stage II when approved, will also lighten the pressure on existing members because the lock system and pumping water into the static lake will virtually eliminate silt in the subject lake but we envisage that Stage II property owners will be paying BAML on the same basis as our existing Stage I” (p5).</p>

		<p>Further increases in BAML can be expected (p5).</p> <p>KW exhorts PH block owners to pressure Cardwell Shire Council: <i>“Again I say that the Cardwell Shire Council will dismiss me as a developer but conversely they will listen to the voices of more than 300 property owners in their shire”</i>(p7).</p> <p>PHS block owners have complained: <i>“A few sceptics have made comments on our (Williams Corporation Pty Ltd) intended developments eg “Why should we accept your dreams when you have not performed”?</i> (p7)</p> <p>To which KW has responded: <i>“Please be assured that our proposed developments are under way and they will be completed in a short time frame”</i> (p7).</p> <p>KW listed proposed developments A to G, including a new application for an amended Stage II (p7).</p> <p><i>“We are working with our consultants so that our amended application will be in accordance with the EPA’s requirements. We have been advised by senior officers of the Qld Government that they would support appropriate development of the land we are holding for Stage II”</i> (p7).</p>
? 2006	Qld EPA comments on Coastal Services Assessment Report, part of CSC Application for breakwalls.	<p>2.0 Breakwater design:</p> <p><i>Sub-bottom coring indicates very soft underlying strata along the breakwater alignment (the report does not provide geotechnical details).</i> <i>The design will require the breakwaters to be founded sufficiently deep at stable depth. The report does not explicitly state how this will be achieved, but section 4 ... states that ‘there will be no excavation works associated with the construction’. In this case, no further assessment needs to be conducted in relation to the impact of earthwork construction on the surrounding water body (pp1,2).</i></p> <p><i>A full assessment of structural stability ... cannot be undertaken without certain information. Such as the settlement or consolidation rates, or the bearing capacity of the underlying material (p2).</i></p> <p><i>No information exists on maintenance dredging apart from 40,000 m³ March 1998 ...</i>(p6).</p> <p><i>This section ... states that “In the current situation, maintenance dredging is required several times each year” ... If maintenance dredging has not been required, this appears to contradict the above opening statement ...</i>(p7).</p> <p><i>... the breakwaters will have an impact on long-term erosion . This impact can be mitigated by transfer of sand ... (p7).</i></p>