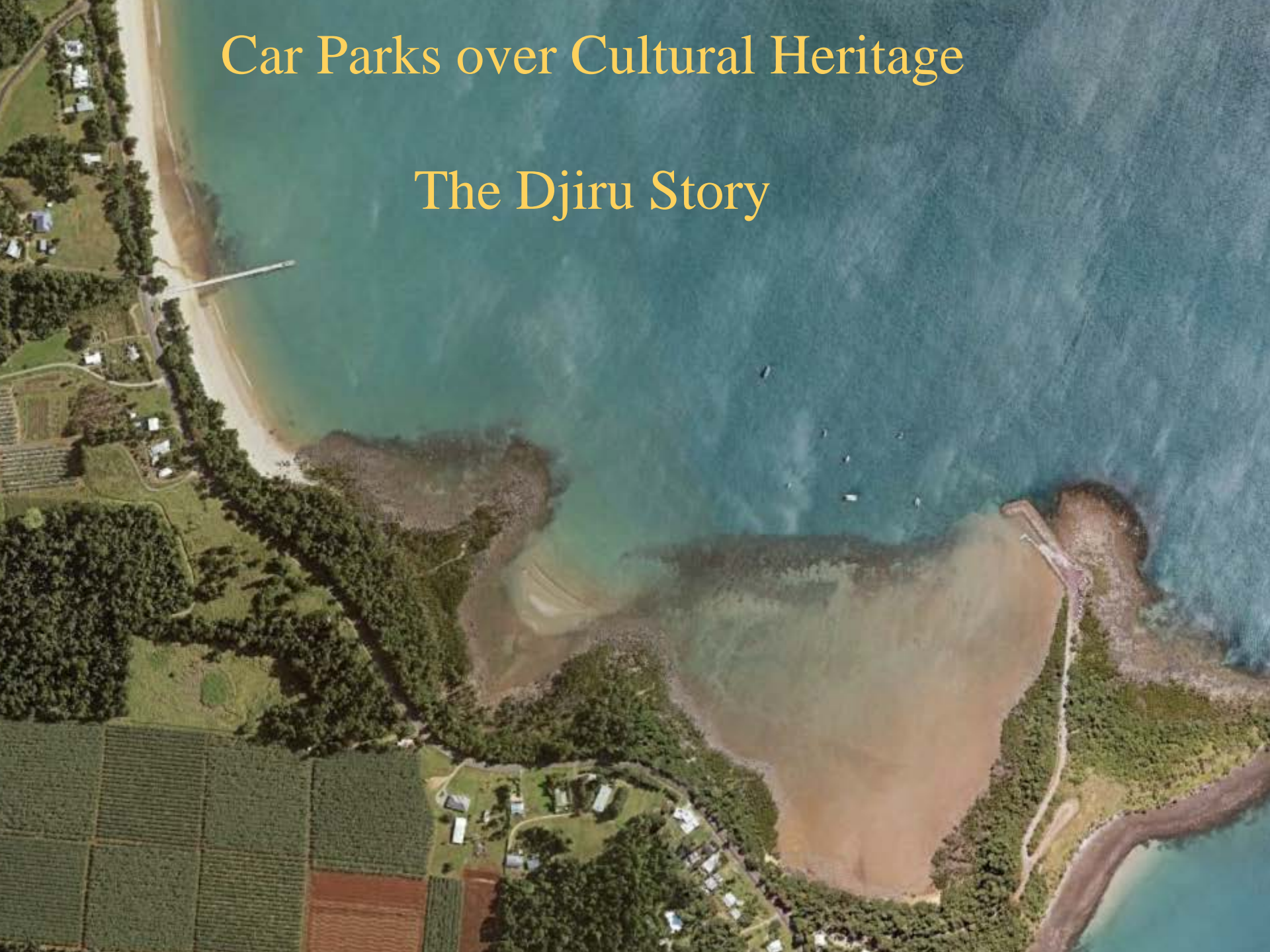


Car Parks over Cultural Heritage

The Djiru Story



Clump Point, Mission Beach

Djiru Homeland



1994 - Consultant Archaeologist opined;

“The identification of the stone alignments has proved problematic...Aboriginal people believe that they are the remnants of tidal stone traps built by their ancestors...Contrasting information collected from a long-time Mission Beach resident suggests that at least one of the alignments (site 1) is of European origin.”

Despite being “impossible for the consultant to determine the exact origin...It is recommended that these sites are preserved and any interference with these structures should be avoided.”



2003 - EXPLANATORY NOTES

Aboriginal Cultural Heritage Bill 2003 (Qld.)

Reasons for the Bill

...The *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987* fails to provide adequate protection to Indigenous cultural heritage by focusing on the protection of archaeological evidence of human occupation of Queensland. It fails to protect areas of Queensland, significant solely because of their significance under Aboriginal tradition or the history of traditional owners of country.

The Bill addresses these issues by providing proper protection for significant Aboriginal cultural heritage and creating flexible and workable processes for addressing land use impacts with certainty.

Mission Cove Island 2010 Proposal



Mission Cove Island

1. Commercial Precinct

- 1.1 Commercial terminal and associated businesses building
- 1.2 Commercial berths [large]
- 1.3 Super Yacht berths [2]
- 1.4 Fuel dock
- 1.5 Coast Guard Base
- 1.6 Coast Guard Berth
- 1.7 Private marina berths
- 1.8 Boat storage and light maintenance facility
- 1.9 Marina Toilets & Laundry

2. Residential Precinct

- 2.1 Boatel - 3 -4 star family accommodation - approx 30 units
- 2.2 Berths - up to 10 meters for Boatel Units / guests / owners

3. Public Trailer Boat Precinct

- 3.1 Public ramp and Pontoon
- 3.2 Public car, trailer and coach parking
- 3.3 Public toilet facilities
- 3.4 Public swimming pool and kiosk [optional]



MISSION BEACH
SAFE BOAT
HARBOUR

MASTER PLAN
INDICATIVE CONCEPT

181 MARINA BERTHS



BEACH

BOAT CLUB

5 SHORT TERM
BERTHS

FUEL
DOCK

PUBLIC
FACILITIES
PRECINCT

MANGROVE
HABITAT

CARPARK

SUPER
YACHT
BERTH

MARINA
176 BERTHS

PUBLIC
BOAT RAMP

FISHERMANS
VILLAGE

CLUMP
POINT

BILANCED
TRAILER BOAT
RAMP

hunt

Architecture
Master Planning
Interior Design

FEB 2011

1 September 2011

Native Title Determination

Hart on behalf of the Djiru People # 2 v State of Queensland [2011] FCA 1056



1 September 2011

Hart on behalf of the Djiru People #2 v State of Queensland [2011] FCA 1056

6. ...below the High Water Mark are the non-exclusive rights to:

- (e) maintain places and areas of importance or significance to the native title holders under their traditional laws and customs and protect those places and areas from physical harm; and



1st July 2013

The Department of State Development Infrastructure and Planning (DSDIP) invited offers for “Mission Beach Safe Boating Infrastructure”

“This \$16 million project aims to provide boating infrastructure that the local community values, catering for recreational and commercial users while respecting the natural environment and cultural heritage of Mission Beach... should facilitate local economic development by providing infrastructure that supports new commercial operations,...Twenty concepts have been evaluated ...construction is planned to start in April / May 2014 with completion by the year's end, weather permitting.”



29th November 2013

DSDIP announced...the preferred infrastructure solutions selected using a Multi Criteria Analysis process.





22nd October 2014

NQLC wrote to Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA) (as it was then) :

“We are still in discussions ...to ascertain if the proposed development can be modified so as not to impact on the significant Aboriginal cultural heritage.

This letter is to advise that we may need your Department’s assistance to protect the site in accordance with the *Aboriginal Cultural Heritage Act 2003* should DSDIP not amend the proposed development.”



28th October 2014

NQLC provided the Assistant Minister for Aboriginal and Torres Strait Islander Affairs, Mr. David Kempton as with plans and maps and asked for suggestions to;

“...get the message through that this site is protected by law and cannot be covered by rock fill.”

The response was

“Thank you for your email to David Kempton and please be advised that it has been forwarded to him for his attention.”

10th December 2014



CONTROL MARK SET-OUT

POINT	COORDINATES	MARK
1	40418.000	REINFORCED CONCRETE
2	40444.000	REINFORCED CONCRETE
3	40468.000	REINFORCED CONCRETE
4	40492.000	REINFORCED CONCRETE
5	40516.000	REINFORCED CONCRETE

NOTES:
 1 DET. LINE IN RED FOR NOTE
 2 CONTROL LINE IN RED FOR SET-OUT
 3 CONTROL LINE IN RED FOR SET-OUT

FOR APPROVAL

NO.	DATE	BY	CHKD.	DESCRIPTION
1	10/12/14	[Signature]	[Signature]	ISSUED FOR CONSTRUCTION
2	10/12/14	[Signature]	[Signature]	REVISIONS

Scale: 1:1000



NO.	DATE	BY	CHKD.	DESCRIPTION
1	10/12/14	[Signature]	[Signature]	ISSUED FOR CONSTRUCTION
2	10/12/14	[Signature]	[Signature]	REVISIONS

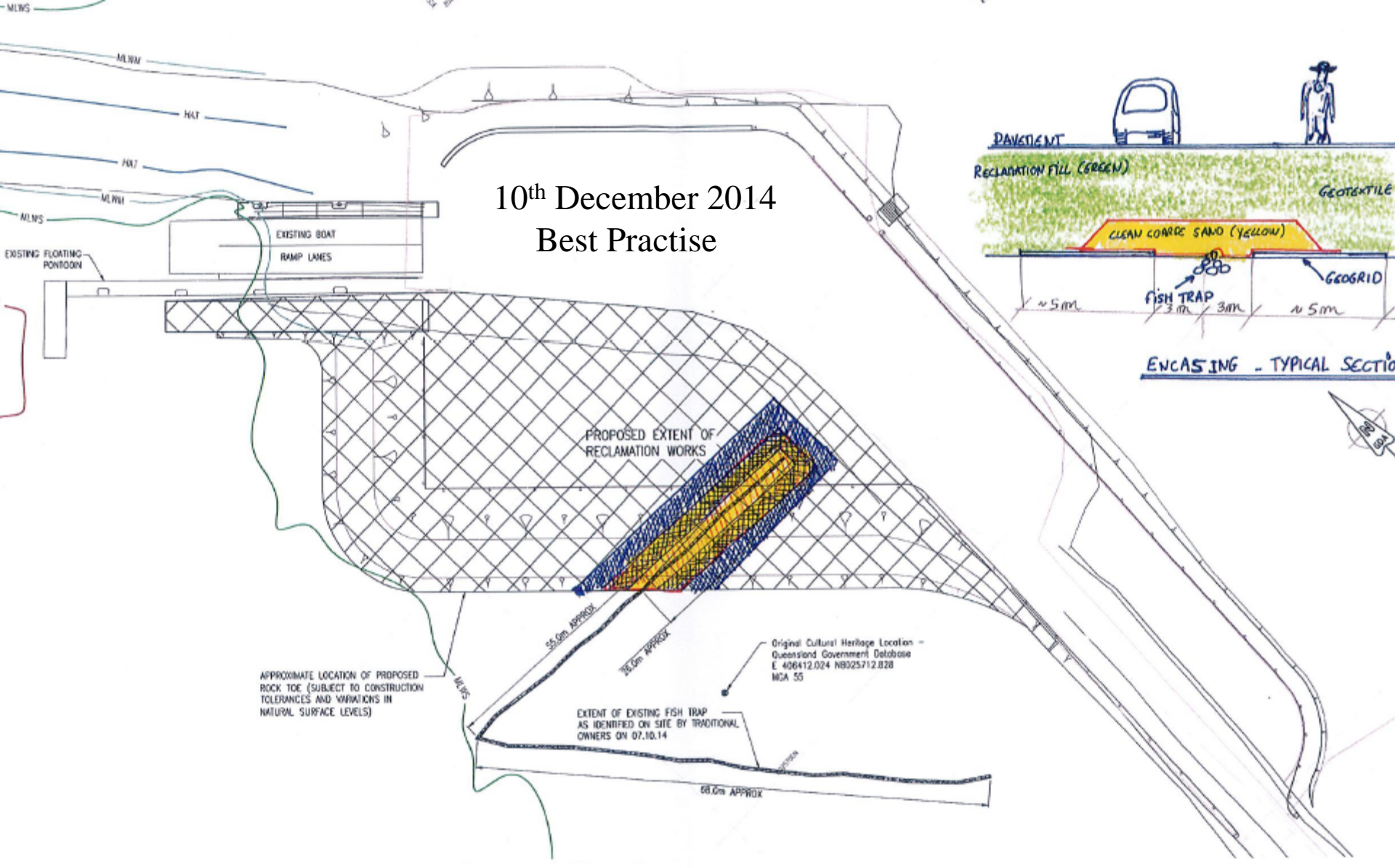
MISSION BEACH SAFE BOATING INFRASTRUCTURE
 PERRY HARVEY JETTY OVERTOPPING BREAKWATER
 CONTROL LINE AND SET-OUT DETAILS

Queensland
 Project No. 14/14
 Contract No. 14/14
 Drawing No. 14/14

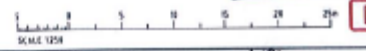
10th December 2014



10th December 2014
Best Practise



PLAN - GENERAL ARRANGEMENT
SCALE 1:250



NOT TO SCALE

Associated Job No	SURVEY DATA			
Auxiliary Dig file	<table border="1"> <tr><td>Horiz. Grid</td></tr> <tr><td>Height Origin</td></tr> <tr><td>Units</td></tr> </table>		Horiz. Grid	Height Origin
Horiz. Grid				
Height Origin				
Units				
Scale	1:250 @ A1			



Drawn	
Checked	
Designed	
Verified	
Design Reviews (PPC)	

MISSION BEACH SAFE BOATING INFRASTRUCTURE
CLUMP POINT BOAT RAMP UPGRADE
ENCASING GENERAL ARRANGEMENT

ENGINEERING CERTIFICATION (RFLC)			
ENG. AREA	NAME	SIGNATURE	DATE

For scheme approval status refer to:
 Job No.
 Contract No.
 Drawing No.
 Series Number

Queensland
 State of Queensland
 Transport and
 Infrastructure

 Job No.
 Contract No.
 Drawing No. SK-
 Series Number



29th January 2015

NQLC on behalf of Djiru wrote to DATSIMIA (as it was then)

“The Department’s most recent proposal ...will amount to damage, injury, desecration and destruction of Djiru aboriginal cultural heritage.”

Schedule 2 Dictionary, *Aboriginal Cultural Heritage Act 2003*

“*harm*, to Aboriginal cultural heritage, means damage or injury to, or desecration or destruction of, the cultural heritage.”

30th January 2015

DATSIMIA (as it was then) advised:

“Ultimately, future management of this site will need to be negotiated with any prospective land user.”



1st April 2015

NQLC on behalf of Djiru wrote to the DSDIP and suggested an alternate car park expansion site.





2nd June 2015

DSDIP replied

“In your letter... and at our last meeting it has been made clear the Djiru will not support and agree ...to “encase” the stone alignments to protect them...

Despite previous communication...please advise...whether The Djiru People wish to sign a CHMP ...including “encasing” the stone alignments? ...if we cannot reach agreement, the Department will seek assistance of the Land Court.”

8th December 2015 proposal



CORAL SEA

2nd February 2016
Djiru People executed
Cultural Heritage Management Plan

PERRY HARVEY JETTY - NEW
SUBMERGED BREAKWATER
REFER DRG. No. JE-10

PERRY HARVEY JETTY
- NEW ACCESS RAMP
REFER DRG. No. JE-03

550NR7351

CLUMP POINT BOAT
RAMP UPGRADE
REFER DRG. No. BC-01 TO 08

540NR7350

OVERFLOW CARPARK
REFER DRG. No. P1-02 AND
P1-05 TO 08

































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