

REGARDING PETITION NO 4 MANGLES BAY MARINA TOURIST PRECINCT

SUBMISSION TO STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS.

Hands Off Point Peron ("HOPP") thanks the Standing Committee for the invitation to make a submission. Since the petition was drafted over 14 months have passed during which there have been many developments.

HOPP's motives in opposing this controversial proposal are five-fold :

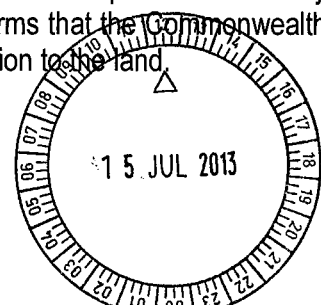
- 1.1. We believe that the proposal is essentially a canal housing estate and that no adequate rationale has been made for such an expensive and complicated project which has so many risks, particularly while a marina in the sea has been fully approved only 3kms away.
- 1.2. We believe that full public access to the Cape Peron part of Rockingham Lakes Regional Parks is essential for public health and the welfare of the residents of Rockingham and surrounds.
- 1.3. We believe that the EPA recommendation on the project is deficient because of lack of rigor in the science and lack of specificity in conditions in a number of areas.
- 1.4. We believe that complications with this project pose a serious financial risks to the City of Rockingham and the WA taxpayer.
- 1.5. We wish to see development at Cape Peron that is appropriate and meets proven local and tourist needs.

HOPP calls on the Committee to :

- 2.1. reject the proposal.
- 2.2. examine the 20 appeals presented to the OAC as part of its consideration of this matter. It has been noted that of the EPA approvals made in the past ten years, only two have received more appeals and those two were rejected by the Minister. Of particular importance are submissions by Dr Michael van Keulin, Dr Belinda Cannell, Dr Hugo de Boorder, Dr Nick Dunlop, and the one by the Urban Bushland Council. The first four report new research into seagrass, penguins, mercury pollution and geology. The last deals with deficiencies in the EPA Report #1471 giving conditional approval. Note also that an appeal has been lodged about the EPA's lack of fairness and transparency its assessment process.
- 2.3. request the Conservation Commission of WA to explain specifically why, having made submissions opposing the project to the PER in 2012 and to the OAC in May 2013, the Commission suddenly without explanation reversed its position eight days afterwards.
- 2.4. call on the proponents to submit the project to an objective peer-reviewed cost benefit analysis. Both the private and public sector proponents have engaged in misleading advertising and promotion, including making unsubstantiated and false claims about the so called economic and employment benefits of the project. Despite the exceedingly high risks of the project and the extent of public subsidies provided and contemplated, no objective analysis has been conducted. It appears that the proponents are keen to avoid such due diligence scrutiny. Most recently they have changed the proponent company from Cedar Woods to Cranford for unexplained reasons and leaked parts of a so-called Mangles Bay Economic Study while refusing requests to release the rest of the study.

HOPP's reasons for making these requests are as follows (using the numbering of the petition) :

- 3.1. The proposal is in flagrant breach of the 1964 conditions of transfer of the land from the Commonwealth and its approval would, at the very least, be ethically reprehensible and a gross breach of public trust. It may also be legally actionable. Ministerial correspondence from November 2011 confirms that the Commonwealth expects the WA Government to "honour the undertakings previously given" in relation to the land.



The view of the community in Rockingham, which has the primary interest in the use of this land, has not been sought. HOPP believes that the prevailing community view is that the land should not be privatised and should be retained as a public park under the management of DEC and developed with input from the local community. In spite of the fact that the community has been influenced by an expensive advertising campaign by the proponent, the overwhelming majority of letters to local papers have expressed opposition to the proposal. Community groups have produced a "Community Vision for Cape Peron" which was tabled in the House by the Hon Lynn MacLaren. The extent of clearing since settlement by European settlers and urban development in the City leaves only 7,267 hectares out of 24,430 hectares of "natural areas" remaining (A draft Green Plan for the City of Rockingham).

3.2 and 3.5. The Land includes 38 hectares of 'Bush Forever' which would be destroyed, thus causing loss of important habitat, restrictions on public access and permanently damaging valuable cultural and natural heritage elements of Point Peron. The project would also put at serious risk the ecological stability of nearby Lake Richmond, groundwater, seagrass meadows, marine water quality and precious thrombolites.

The EPA's conditional approval of the proposal is a sad reflection on the EPA and time will reveal the seriousness of the flaws in the EPA's assessment.

Appeals to the Office of Appeals Convenor against the conditional approval of the project by the EPA have raised issues regarding the status of the Bush Forever site and the unreasonable risks posed to seagrass, Lake Richmond's water quality, the TECS of thrombolites and sedge communities. The Appeals also deal with what are seen to be inadequacies in the EPA's conditions, in particular in the area of requirements for action should allowed limits of pollution be exceeded. Such pollution includes the sediment load in Mangles Bay for which evidence can be adduced showing that the current loads already exceed quality guidelines of the Cockburn Sound Management Council. There are serious concerns regarding the lack of adequate information that has been obtained about the subsurface geomorphology and hydrology. The risk of saline intrusion is very real, and has not been properly evaluated by the proponent or the EPA.

3.3. Such coastal canal subdivisions have been widely discredited and are completely out of step with coastal management international best practice. Point Peron and the seagrass shallows of Mangles Bay are especially unsuitable for a marina and canal estate from both a financial and environmental point of view, in particular hydrology, geology, marine biology, sedimentology and the three TECS.

3.4. and 3.6 The private and public sector proponents have failed to demonstrate the financial viability of the project. In view of the massive cost of 84 months of wet construction and the never ending remediation and maintenance work the project would entail, it is clear that it could only proceed with massive public subsidy and preferential treatment reminiscent of the worst examples of State Government deal-making from the WA Inc era. The fact that a marina in the sea has already been approved for only 3km away needs to be taken into account in a needs and cost-benefit analysis.

The City of Rockingham has unanimously voted that it will not become manager of this project because it is afraid of possible future costs of maintenance. It is well known that the Port Geographe Marina in Busselton, the Yunderup Canals and Mandurah Marinas have cost local Councils and residents dearly due to a variety of problems. Construction of the Mangles Bay Marina would be much more complex and fraught with more risks than any of the afore-mentioned marinas.

3.7. The Proposal is in fact preventing progress. It would deprive Western Australians of the opportunity to develop a world-class coastal conservation and recreation park that would provide enduring health, social and tourism benefits for both the Rockingham community and Perth's expanding population. It is creating uncertainty and standing in the way of the implementation of the long-standing community vision to create such a world class facility. The sooner this is allowed to proceed the better.

Submitted on behalf of Hands Off Point Peron by James Mumme,