

Operational policy

Marine Management

Mangrove line interpretation for QI HP-14-05 East of Starcke River

Operational policies provide a framework for consistent application and interpretation of legislation and for the management of non-legislative matters by the Department of Environment and Science. Operational policies are not intended to be applied inflexibly in all circumstances. Individual circumstances may require a modified application of policy.

Purpose

The purpose of this policy is to provide guidance on the interpretation of the mangrove line for the area QI HP-14-05 East of the Starcke River specified in the Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004 (GBRC Zoning Plan). Policy guidance is required to support interpretation of creek mouth crossings along this mangrove line.

Background

In some situations, there is a need for local interpretation of the precise location where the mangrove line crosses the mouths of creeks in the boundary description. This policy provides such an interpretation of QI HP14-05 East of Starcke River, to be used by Queensland Parks and Wildlife Service (QPWS) staff for permits and compliance (Appendix 1).

Fishing and crabbing is permitted within the boundary of the habitat protection zone of QI HP-14-05 East of Starcke River. Areas offshore of the mangrove line are located within the marine national park zone and fishing or crabbing is not permitted in this zone. Reference should be made to the GBRC Zoning Plan for the entry and use provisions of the habitat protection zone and marine national park zone.

Definitions

QI HP-14-05 East of Starcke River, (as defined in the GBRC Zoning Plan, schedule 3, section 16), falls within the following marine park boundary –

- From where the mainland at H.A.T. intersects longitude 145°12.084' east
- Then westerly along the mangrove line for the mangrove forest just east of Starcke River to where the outer boundary of the forest intersects longitude 145°01.536' east
- Then south along longitude 145°01.536' east to where it intersects the mainland at H.A.T.
- Then easterly along the mainland at H.A.T. to where it intersects longitude 145°12.084' east.

H.A.T. means highest astronomical tide.

Mangrove forest means a community of mangroves that –

- a) as a continuous canopy; and
- b) an obvious outer boundary

Mangrove line, for a mangrove forest, means a line that –

- a) runs along the outer boundary of the forest; and
- b) at each point where there is a gap in the outer boundary of the forest, runs along-
 - i. if the gap is caused by a mouth of a river, creek or stream – the line that joins one side of the river, creek or stream to the other side by running in the general trend of the outer boundary of the forest; or
 - ii. if subparagraph (i) does not apply –
 - a. if the gap is near the mainland – the mainland at high water; or
 - b. if the gap is near an island – the island at high water.

Outer boundary –

1. The outer boundary of a mangrove forest is the boundary formed by the line that connects the trunks of the outermost mangroves in the forest.
2. For paragraph 1, the line that connects the trunks of the outermost mangroves in the forest must disregard any prop roots that extend further out from the trunk of any of the mangroves.

Policy Statement

To provide greater certainty for marine park users as to the location of the creek crossing lines, the creek crossing lines indicated on the attached map (Appendix 1) show where the mangrove line crosses the mouths of the creeks in the QI HP-14-05 East of Starcke River boundary description.

For enforcement purposes, areas landward of the creek crossing lines in the attached map are considered within the habitat protection zone (QI HP-14-05) and areas offshore of the creek crossing lines are considered within the marine national park zone.

Reference Materials

Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004

QPWS/Great Barrier Reef Marine Park Authority - Detailed map to the Great Barrier Reef Marine Park, MPZ5 Cooktown

Human Rights Act 2019 compatibility

The department is committed to respecting, protecting and promoting human rights. Under the [Human Rights Act 2019](#), the department has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When acting or making a decision under this Policy, officers must comply with that obligation (refer to [Comply with Human Rights Act](#)).

Disclaimer

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Science should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

Approved By

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Signature

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Date

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Appendix 1. Creek crossing lines for mangrove line boundary description for QI HP-14-05 East of Starcke River

