

11-1-9.

WILDLIFE PRESERVATION SOCIETY OF QUEENSLAND
TOWNSVILLE BRANCH

PO Box 857, Aitkenvale, Qld 4814
<http://townsville.wildlife.org.au/>

Sub # 25
RECEIVED
18 DEC 2012
HEALTH AND COMMUNITY
SERVICES COMMITTEE

**A SUBMISSION ON THE
NATURE CONSERVATION AND OTHER LEGISLATION AMENDMENT BILL 2012**

Our organisation and interest

WPSQ Townsville was established in 1968 and for nearly 45 years has maintained an active interest and concern for the natural environment, wildlife and biodiversity of our region. We have always had a special concern for Queensland's National Parks – their creation, protection and management – regarding them as the one place where our natural heritage, and all it encompasses, is given full protection above all other considerations.

In keeping with our aims of raising awareness of natural heritage values and promoting environmental education through nature-based educational and recreational activities, we have always supported and encouraged public access to our Parks – always provided such access does not damage their natural values or interfere with their primary conservation purpose.

We strongly support the expansion of Queensland's National Parks estate, noting that the current percentage of land area so preserved – approximately 5% – is well below that of other Australian states.

Cardinal principle of management

We support the cardinal principle which, for over half a century, has embodied the fundamental duty of management. This principle states unequivocally that *"the permanent preservation, to the greatest possible extent, of their natural condition"* is the overriding aim and purpose of National Parks management.

Adherence to this principle has protected the Parks from many activities – from horse-riding to the building of tourist resorts – which would have compromised their integrity and degraded their natural values.

Purpose of National Parks

National Parks were created for the purpose of nature conservation: to protect habitat, wildlife, native vegetation and vegetation communities, and to preserve areas of outstanding, beautiful or geologically significant natural landscapes. In our view, to allow commercial development within National Park boundaries would conflict with the cardinal principle of management and would compromise and weaken the whole purpose and intent of the National Parks system. The capacity of National Parks to attract visitors, and the consequent generation of tourist income, is one of the advantages Parks bring to the State - *but it is not the purpose for which they were, or are, created.*

Public access and the values of National Parks to the community

We recognise many educational, recreational and social benefits which a National Parks system brings to the community. Parks can enhance public appreciation, knowledge and understanding of natural systems. They provide for nature-based activities such as camping, swimming, walking, photography, bird-watching and other wildlife observations. We are aware that for many people National Parks provide spiritual refreshment and creative inspiration or simply an opportunity to escape day-to-day pressures and relax in beautiful, natural surroundings.

Economic benefits flow from tourists who come to Queensland, or travel within it, specifically to enjoy the National Parks. Other important benefits arise from scientific research which sometimes can only be undertaken in such highly-protected areas.

For all of the above reasons we support and encourage public access – only excepting areas classed as National Park (Scientific) or in those particular circumstances where restrictions are necessary in order to prevent damage or wildlife disturbance.

In recognising and celebrating all of the above values and benefits we nonetheless repeat that these are secondary to the primary purpose of a National Park, which is to protect the natural condition of the environment within it. Moreover, if the primary purpose is degraded or not fulfilled, the other benefits are lost.

Tourist developments and National Parks

Historically, in some areas tourist developments lie adjacent to National Park boundaries or are even surrounded by National Park – usually as a result of additional areas of land being gazetted as National Park *after* the tourist development was established. In the 1960s some areas of island National Parks were excised to allow the building of tourist developments, so that they could be constructed outside the new Park boundaries. On Hinchinbrook Island an area of land was controversially excised from the National Park at this time in order to grant a lease for a tourist resort. Although for many years this resort was operated in a low-key and environmentally sensitive manner, from time to time it has nonetheless presented a number of problems for the management and integrity of the adjacent National Park. On at least two occasions less thoughtful owners made demands which were in serious conflict with responsible National Park management and threatened to cause major damage to the Park. The current dysfunctional status of this resort poses yet more problems for the Park and its management.

Current proposals for eco-tourist developments

We strongly oppose those Amendments to the Act, which will allow the establishment of tourist developments *within National Park boundaries*. Reasons for this opposition and our concerns with the Amendments Bill are itemised below.

1. Such developments would necessarily be in conflict with the cardinal principle of National Park management and the primary purpose of the Parks. Eco-lodges or other tourist facilities cannot be constructed *without* damage to the natural condition of the Park in the leased area – ie loss of vegetation, disruption and displacement of wildlife, fragmentation of habitat – and may well also have negative impacts beyond the lease boundaries.

2. Such developments would be likely to *restrict* public access by requiring that the leased area be reserved for guests only. The Notes on the Amendments acknowledge the likelihood of this, yet offer no provisions to overcome it. It is most unlikely that a high-class eco-lodge, where guests are paying 'top dollar' for accommodation and privacy, would allow general public access other than perhaps to a gift shop or café.
3. For practical reasons, preferred sites for such developments are likely to be at or near a Park's most accessible point (ie near its main entrance) where they would of necessity reduce and impinge on those areas previously most accessible and most used by the general public. On the other hand, if located at more remote sites, there would be even greater environmental cost through the provision of access roads and infrastructure (exacerbating problems of weed and feral animal invasion and the spread of plant and animal diseases), as well as a serious, negative impact on the Park's wilderness values and the experience of other users.
4. We have seen no evidence that there is public demand for such a dramatic shift in our use of National Parks and no such evidence is provided in the Notes on the Amendments. We suggest it is unlikely that such demand exists outside some sections of the tourism industry. We believe it is much more likely that there would be strong opposition to a move that would essentially see areas of National Park land, which Queenslanders currently regard as belonging to everyone, handed over to private interests.

*Queenslanders have a history of vigorously opposing both the revocation of National Park land for the benefit of private interests **and** the loss of other public land, with significant natural values, to private development. Indeed Queenslanders have often fought to have such areas declared National Park in the belief that they would then be permanently protected. Such struggles have transcended political boundaries.*

5. We believe that the establishment of private resorts and facilities within National Parks would adversely affect the current enjoyment and appreciation felt by many visitors to the Parks. This could well deter tourists and locals from visiting Parks where such developments were established.
6. We suggest that the establishment of such resorts could have a serious and negative impact on existing tourist establishments, and on small business such as bus tour companies, providers of interpretive walks and tours, and bed & breakfast businesses in the region.
7. We do not oppose genuine well-managed, sustainable, eco-tourism ventures near or adjacent to National Parks but assert that there is no justification for such ventures to be located *within the Parks*. Indeed we suggest that there is likely to be more economic benefit to a regional or local community if such a venture was established within, or close to, that community, rather than separated from it within a National Park.

8. There appears no guarantee, or evidence, that any economic benefit will flow from such developments into National Park management and upkeep. There is likely to be a risk that additional costs and burdens to Park management could arise from the impact of these developments. The Bill does not address the consequences and cost should one or any of these eco-resorts fail and become abandoned.
9. If we are serious about increasing visitation to our National Parks, making them more accessible and enhancing the visitor experience, we need to *expand* Queensland's area of National Parks, so that it keeps pace with other States. We should not effectively reduce it by leasing off areas to private interest.

We should also be far more effectively and comprehensively *upgrading, maintaining and promoting* those facilities and activities which are already known to attract people to the Parks and enhance their experience: walking tracks, campgrounds, scenic look-outs, interpretive materials.

10. We are worried by the loose definition of the term "eco-tourism" and "eco-tourist" in the Amendments and Notes. Many facilities and operators use the "eco-tourist" label with, if their methods and practices are examined, very little justification. It is hard to see how any facility constructed *inside a National Park*, and thereby involving destruction and fragmentation of protected vegetation and habitat, could possibly be called "eco" anything. To give examples of casinos, golf courses and amusement parks as being inconsistent with the definition, and therefore disallowed, is hardly reassuring or helpful. The Bill needs to clearly define exactly what type and size of facility qualifies as being eco-tourist, and precisely what is, and is not, allowable in terms of activities, structures, operation and management methods and practices. We suggest internationally agreed definitions and standards are explored and adopted to make clear to the public, and to would-be operators, exactly what standards will be required, what activities will be allowed and what will not.

Similarly, the use of the term "public interest" is unclear – especially as it is hard to see how the transfer of areas of land from public use into private hands can possibly be in the "public interest" (even if a few members of the public will be able to become paying guests at the eventual facility), unless some quite extraordinary and unimagined benefits can be predicted to flow to the public sector as a result. As some of our comments above will have indicated, this seems most unlikely.

Proposed amendment of Forestry Act (1959) to remove limits on the term (period) and extent (area) of occupancy

Unless Government greatly increases its vigilance and enforces compliance, removal of the 7 year and 10 ha limits from the occupancy permits will further reduce Government control over what happens in these State Forest areas. Without either vigilance or compliance we are likely to see habitat fragmentation, loss of important vegetation communities and loss or displacement of wildlife.

Many of these forests are of considerable to very high conservation value and would be worthy additions to Queensland's National Parks estate. They need to be scientifically assessed to establish their status and significance. Permit provisions should not be relaxed where this is likely to result in reduction of conservation values or loss of biodiversity.

Conclusion

Maintaining nature conservation and protection as the first priority and overriding purpose of National Parks does not mean Parks are "locked up" from the public. Conservation and wildlife groups such as ours have always supported and actively encouraged greater public access to, and appreciation of, Queensland's National Parks.

We believe that there are two fatal flaws in the proposals contained in the Amendments regarding the leasing of National Parks land to private operators. Firstly, the proposals run directly counter to the cardinal principle of National Park management and secondly they are based on a misconception of the primary purpose of National Parks. We also believe that the proposals may 1) *prevent or restrict* general public access to some areas of National Parks, 2) *discourage* many habitual Park users from visiting Parks which they had previously enjoyed, and 3) *degrade* the quality of the nature-based experiences and the natural, undeveloped visual amenity previously afforded to Park visitors.

With regard to claims that the proposals will attract more international tourists to our Parks, no evidence of this is provided. The construction of such facilities within the Parks may actually have the opposite affect and discourage overseas visitation. We note that the National Parks Association has found that there is no expectation, among overseas visitors, of finding such facilities within Australian or Queensland National Parks. In fact it is far from the norm for eco-lodges or resorts to exist inside National Parks overseas; they are much more commonly found nearby but outside Park boundaries. Of the very few that do exist within overseas Park boundaries, most pre-existed the creation of those Parks.

Earlier this year our organisation was concerned by the transfer of responsibility for National Parks away from the Environment portfolio to one whose other concerns were recreational and commercial, namely Sport, Recreation and Racing. We feared that this signalled a major shift in attitude towards the State's natural heritage embodied in our National Parks estate, placing the primary focus on human use and economic profit rather than on conservation and protection. It is with great regret that it now seems that these fears were well-founded.

We respectfully request that the proposed Amendments to the Nature Conservation Act (1992) and the Forestry Act (1959) be urgently and thoroughly re-considered.

~~~~~

*Submission prepared by Liz Downes on behalf of Wildlife Queensland (Townsville Branch).*

*16 December 2012*