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Submission re the Nature Conservation and Other Legislation Amendment Bill 2012

This submission makes reference to research carried out by Professor Ralf Buckley. Professor Buckley is Director of Griffith University's International Centre for Ecotourism Research. He is eminently qualified and highly respected as an authority on tourism in protected areas.

Authorisation of privately owned and operated ecotourism facilities in national parks

Impacts outweigh benefits

The proposed amendment to section 35(1) of the *Nature Conservation Act 1992* represents a major change in national park management with the potential for significant environmental, social and economic impacts. Despite this, no evidence is provided to show that there will be significant benefits. The only justification provided is that the tourism industry wants the change.

The research findings of Professor Buckley indicate that the benefits to tourism will be minimal (Buckley, R. 2009). Assuming that to be correct, there is no justification for making such a significant change to the principles that have guided management of national parks in Queensland for more than 100 years. The Committee should not approve this amendment unless it can provide evidence that the benefits to tourism will be significant, hence specifically refuting Professor Buckley's findings.

Environmental impacts

Despite the provision in section 35(1)(c)(iii), there *will* be impacts on the land's natural condition and its biodiversity values. The primary purpose of the tourism facility will a return on investment and that will determine the nature of the facility and inevitably guide its operation.

Some indication of what kind of facility would be approved can be found in the Public Briefing of the Committee by Departmental officers on 28 November 2012. The amendment to the Dictionary adds a definition of an 'ecotourism facility'. It rules out an activity that "would require a significant change to the land's natural condition". Examples given are a golf course, amusement park or casino. However, in the Public Briefing, Mr Clive Cook, Acting Deputy Director-General, Queensland Parks and Wildlife Service, gave his interpretation of what would be ruled out as "mega golf courses and humongous resort type things".

Mr Cook further explained "the trick is not to unduly fetter the entrepreneurial enterprises as it were; to allow some flexibility around the design and operation", adding that "We have been careful not to put too many parameters around it".

Mr Cook referred to feedback from the tourism industry itself which he paraphrased as 'Don't tell us what we have to do, allow us the freedom to develop in that envelope'. Mr Cook essentially summarised this issue saying "we have had to sort of say that the extreme end of that spectrum is curtailed, but it is only a small part of that".

It would be reasonable to conclude that a very broad range of facilities and activities would be approved with only 'extreme' proposals rejected.

Social impacts

The Explanatory Notes recognise the issue that an "ecotourism lease granted could potentially provide exclusive access rights to an area that may once have been accessible by the general community as public land." It is proposed that this issue will be addressed by a policy framework. Whatever such a framework might be, the fact remains that there will be a private enclave within a national park that is the exclusive domain of paying guests of the facility and from which the general public who own the park are excluded.

Economic impacts

A tourism facility within a national park will have a commercial advantage over nearby accommodation facilities, outside the national park, with which they will directly compete. This could cause closure of such accommodation businesses and produce an overall reduction in tourism locally with a flow-on impact on other businesses dependent on tourism.

In short, the Government would be facilitating businesses that will unavoidably damage "the land's natural condition" in the park while punishing businesses outside the park that have no impact on "the land's natural condition".

Alternative ways of achieving policy objectives

The Explanatory Notes consider only one alternative way of achieving policy objectives and that alternative differs from the current proposal only in relation to permanency of infrastructure and lease term.

Apparently, no consideration was given to the benefits to tourism from embarking on a program to increase the area and number of national parks. Queensland, with less

than 5 per cent of the State protected in national parks, compares very unfavourably with other States.

It is of great concern and contrary to the overall objectives of this Bill that the Government proposes to convert national parks back to state forest or even freehold.

There are clearly other ways of increasing tourism in national parks such as improving facilities (e.g. walking tracks) and actively promoting the attractions our national parks offer. Apparently, none were considered in preparing the Bill.

It is reasonable to conclude that the Government has given little or no consideration to alternatives and is simply doing what the industry dictated.

The public interest

The Bill requires that the Chief Executive is satisfied that the ecotourism facility will be in the public interest. This indicates a misinterpretation of the concept of 'public interest'. Clearly, the ecotourism facility is primarily in the self interest of the tourism operator. We would assert that the public interest is in the conservation of the natural values of the national park and not in providing commercial accommodation for a very small sector of the public.

Further, the points made in this submission demonstrate that a privately owned and operated ecotourism facility in a national park is not in the public interest from any point of view.

Consultation

The Explanatory notes refer to consultation with 'conservation interests'. Consultation was very limited. The statement that "conservation interests expressed concerns regarding potential tourism impacts on national park values" grossly misrepresents the situation. Conservation groups collectively expressed total opposition to commercial developments in national parks.

Financial return to Government

The Explanatory Notes claim that the costs of assessment processes and administration will be outweighed by the revenue from leases. This is unlikely to be correct. Professor Buckley's research led to the conclusion that partnerships with tourism developers have incurred high costs, brought few visitors and minimal revenue (<6%), earned no net revenue for conservation, and reduced benefits for private recreational visitors (Buckley, R. 2009).

Public input into decisions

In the Public Briefing referred to above, a member of the Committee raised the question of public input into the process of approval of an ecotourism facility and the possibility of objection.

Mr Cook essentially responded by saying that public input would be restricted to the normal development approval process carried out by local government. Whereas an impact assessment may be required by local government, it is impossible to believe

that local government would reject a development application on the basis of environmental impact on the national park if the Queensland Parks and Wildlife Service has already given approval.

Amendments to the *Forestry Act 1959*

The general objective of the proposed amendments is to facilitate exploitation of state forests for gas extraction and mining. These state forests are commonly the only areas of native vegetation remaining in areas such as the Brigalow Belt.

There appears to be very little understanding of the biodiversity values of state forests, especially in the Brigalow Belt Bioregion, and no consideration is given to this matter in the Bill.

In 2004, as part of the Statewide Forests Process, the Australian Rainforest Conservation Society (ARCS) produced a 340-page report on the conservation values of state forests and timber reserves in the Western Hardwoods Area (principally the Brigalow Belt Bioregion). The report was favourably reviewed by six independent scientists, all highly regarded experts in their particular field.

As a result of the ARCS report, around 1.25 million hectares of state forest and timber reserve was identified by the Beattie Government for transfer to national park. The transfer was delayed while negotiations occurred in relation to grazing leases, exploration permits and mining leases that were in place within state forest areas.

It is imperative that the Bill recognises the biodiversity values of state forests and ensures that consideration of those values is embedded in any process to facilitate the issue of permits or leases over state forests.

References

Buckley, R. (2009). Parks and Tourism. *PLoS Biol* 7 (6): e1000143.
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