

PART 3

IMPACTS ON THE PHYSICAL AND SOCIAL ENVIRONMENT

CHAPTER 5

THE ENVIRONMENTAL IMPACT OF TOURIST DEVELOPMENTS AND INFRASTRUCTURE

Introduction

5.1 The physical impact of tourist developments and infrastructure are more easily identified than the social and cultural impacts. The probable effect on the environment is regularly evaluated by environmental impact statements. Increasingly, community expectations about protecting the environment have come to influence the location and type of tourist developments approved.

5.2 The Committee heard evidence about the environmental impact of tourist developments in national parks and coastal zones, and notes that there will always be conflict between those who wish a particular site to remain in its current condition, and those who would develop the area. The Committee received submissions and heard evidence about two major developments which, in addition to factionalising communities, raised questions about the environmental impact of tourist developments. The developments, one in a national park and the other on the coast, are:

- the proposed Wilpena Pound resort in the Flinders Ranges National Park; and
- the Magnetic Quay project on Magnetic Island.

While these developments represent discrete examples, aspects of each case permit legitimate generalisations about ways in which associated problems can be avoided, minimised or managed. And the Committee has not limited its consideration of the environmental impact of tourism to such developments. It has also examined the physical effects on heritage areas and marine parks.

Heritage Areas

5.3 Australia's heritage resources are often fragile, valuable because of their uniqueness and, of course, limited. For these reasons heritage is of considerable tourist interest. In its submission the Tourism Task Force advised that Australia's national heritage areas have special significance for the tourist industry in that they are unique and cannot be substituted or copied in other countries. They represent one of the few areas of true advantage in the highly competitive international tourist industry, and have great value to our industry:

... the Tourism Task Force therefore supports wholeheartedly the protection of these areas from inappropriate development.¹

5.4 Given both its value and vulnerability, it is in the interests of Australian tourism to protect national heritage wherever it is situated. There are some excellent examples of such preservation. Historic homes, for example, were not constructed for tourism but for domestic use. Accordingly, at Calthorpe's House in Canberra the number of visitors is limited. In most heritage sites a monitoring of tourist impact is essential, and quota restrictions may be appropriate. For example, at Mossman Gorge on the Mossman River, restricted parking space is used to limit tourist numbers. The National Parks and Wildlife Service and the local Shire Council have agreed not to increase the parking capacity. On this issue the Tourism Task Force believes that in all except the most fragile environments, a reasonable degree of use can be sustained where appropriate resources are invested in land

¹ *Submission No. 69*, p. 7

management. The Tourism Task Force recognises that some areas of land have special environmental features which warrant complete protection from all forms of development. However, for most areas of land the answer lies not in preventing use but in managing the land in a manner that protects it from unacceptable impact whilst permitting varying degrees of public use and enjoyment.²

5.5 The Committee accepts this view. It also concurs with the advice given by Mr P. Donovan to the conference *Frontiers of Australian Tourism* in 1988. Mr Donovan noted that Tourism must become more professionally and scientifically based, with great care being taken to husband our precious, fragile, and finite heritage resources; these same cultural resources will help define and establish the quality of life of our successors. Mr Donovan suggested that those involved in the industry must take a national and long-term view to co-ordinate strategies to ensure their protection. There must be educational opportunities for tourist operators and promoters, and specialist advice readily available.³

5.6 Importantly, the Tourism Task Force made suggestions about measures to protect the national heritage from undesirable development:

Proposals to carry out development in a place listed on the Register of the National Estate, where that place comprises land owned or administered by the Commonwealth or where a determination in respect of the development is to be made by a Commonwealth Minister, fall within the provision of the Environmental Protection (Impact of Proposals) Act (1974). The responsible Commonwealth Minister is required to determine whether or not a[n] environmental impact assessment should be prepared in respect of such a proposal.

In some circumstances the proposal may also need to be assessed under a State or Local environmental law. The Tourism Task Force believes that this duplication of

² *Submission No. 69*, p. 8

³ *Frontiers of Australian Tourism*, 1988, p. 196

assessment procedures should be avoided through the preparation of agreements between the States and the Commonwealth of the type referred to in Appendix 1. The Tourism Task Force also believes that in matters pertaining to National Heritage Areas, the Commonwealth should have exclusive power to determine development proposals.⁴

National Parks

5.7 Australians have a long history of protecting the environment through national parks. The Committee was advised that South Australia was celebrating its centenary of national parks; Belair National Park was the tenth such park established in the world.⁵ This being the case, the Committee was concerned to examine the proposed national park development at Wilpena Pound in South Australia.

The Wilpena Pound Project

5.8 The Flinders Ranges National Park is the location of a site for a proposed tourist development that has caused considerable dispute. The Wilpena Station Resort has been planned for a site of 680 ha; it was originally envisaged to comprise a \$50 million development of 160 (four star) hotel rooms, 100 bungalows, 180 dormitory beds and 400 caravan sites. The project had been approved by the South Australian Government in 1989 - a lease was signed between the developer, Ophix, and the State Government in January 1989.

5.9 In January 1990, *The Advertiser* reported that the Wilpena developers wanted the Aboriginal Development Commission (ADC) to provide \$18 million for a one-third share in the project. The Director of the National Parks and Wildlife Service, Mr Bruce Leaver, had claimed that the ADC initiated interest in becoming

⁴ *Submission No. 69*, p. 7

⁵ *Evidence*, p. 836

involved. On 31 January 1990 *The Advertiser* reported that similar one-third share offers had been made to the State Government Insurance Commission and the Building Unions Superannuation Scheme. Subsequently the Australian Conservation Foundation (ACF) and the Conservation Council of South Australia lodged an application for a High Court hearing in a bid to stop the development.

5.10 The application in April 1990 by the ACF seeking leave to appeal was granted. However, that leave was held in abeyance by the Registrar of the High Court because pending South Australian legislation threatened to make it redundant. The appeal by the ACF would have questioned the validity of Government immunity from some planning controls. A ruling in the South Australian Supreme Court in April 1990 established that under the National Parks and Wildlife Act, the State Government was exempt from the provisions of the Planning Act.

5.11 In August 1990 the Premier Mr Bannon advised State Parliament that the Government would introduce a Bill 'to facilitate the development of the Wilpena Resort and associated infrastructure'. That legislation, the *Wilpena Station Tourist Facility Act 1990* was passed on 15 November 1990 and received assent on 6 December. The Act provides:

- That the development may proceed.
- That native vegetation in the development zone may be cleared.
- That the accommodation comprise:
 - a hotel of not more than 120 bedrooms;
 - not more than 40 bungalows;
 - dormitories for a maximum of 30 beds;
 - not more than 75 powered caravan or camping sites;
 - not more than 250 unpowered caravan or camping sites; and
 - sites for the accommodation of the passengers of not more than 10 buses.

- Under section 3(8) the Minister can increase the capacity of the resort to not more than 3,631 overnight visitors.

5.12 There are many significant environmental issues involved in the proposed Wilpena Resort. According to *Habitat Australia* of December 1990, nearly 40,000 visitors a year make the Flinders Ranges National Park one of South Australia's most popular tourist developments. Most visitors travel to the Park by car, enjoying the opportunities for remote camping and bushwalking offered within several hundred kilometres of Adelaide.⁶ If Wilpena Pound Resort is developed, the pressure of visitors on the Park would increase. The Resort itself could reportedly host 55,000 tourists in its first year of operation and 110,000 annually after ten years.⁷ *Habitat Australia* claimed that this entails between 500,000 and one million visitor nights each year. At this stage the total effect of that number of visitors walking in the area can only be presumed to be significant.

5.13 There would also be an impact from the accommodation to be built. All buildings would be single story, built of natural stone with raw timber and corrugated iron roofs. However, while the developers envisaged environmentally sympathetic architecture for the resort, the demands of such a large number of visitors would impose significant pressures. The developer's project manager, Mr R. Morse, has been quoted to have said that providing infrastructure such as sewerage, power and water for the project had thrown up a host of problems to which environmentally viable solutions had to be found.⁸

5.14 Pressure on the environment, of course, would not be limited to the number of visitors, the accommodation deployed and the consequences of waste disposal. There also would be an effect from the associated infrastructure that will be required. In August 1990 the South Australian Government stated that it would

⁶ *Habitat Australia*, December 1990, p. 5

⁷ *The Weekend Australian*, 1-2 September 1990

⁸ *Ibid.*

support the construction of a \$3.6 million airport at Hawker, a town near Wilpena Pound. The provision of an airport would facilitate the visits of the large numbers of tourists already noted. Importantly, however, it is expected that 85 per cent of visitors would travel by car or bus, requiring a high standard of road and associated infrastructure. While there are some environmental benefits of sealed roads compared with unsealed, heavy traffic even on sealed roads will have an impact on fauna.

5.15 The Committee notes that the projected large increase in tourist visits to Wilpena Pound is accepted by some elements of the conservation lobby but not by others. *Habitat Australia* published an article in December 1990 which quoted without dissent the figures released by South Australian Tourism of up to 1 million visitor nights each year. By contrast, in a submission opposing the resort, Professor D. Shearman stated:

Population surveys conducted by the Government (but not published) indicate that a majority of tourists who already visit the Flinders Ranges are opposed to this large development. If built they will not use it, thus withdrawing one of the important financial infrastructures for any project, that is, its need to be used by the local population as well as by interstate and international tourists.⁹

5.16 Professor Shearman advised the Committee that this documentation had been read into Hansard in the South Australian Legislative Assembly. The Committee notes that this documentation concerned a survey about whether the Wilpena Pound development was 'agreed with'; no reference was made in the survey to the question whether the respondents would use the facility or not. And, despite disagreement with the project among those surveyed, the Committee considers it reasonable to believe that the Wilpena Pound development would greatly increase visitor numbers.

⁹ *Submission No. 71*, p. 4

5.17 In addition to the point about visitor numbers, Professor Shearman said in his submission:

- The water resources are unproven and the figures for water flow given by the Government are confusing and have never been clarified.
- A large area of native vegetation, in particular a rare form of Pine, will be destroyed in the National Park (at least 1,000 trees) to make way for the resort which is 1km long.
- Many eminent scientists are opposed to the project on the basis of the fragility of this arid region. In this regard, Sir Mark Oliphant, perhaps South Australia's greatest scientist, has indicated the following to the Government. 'A concentration of tourists in a calcareous shale environment will result in shifting trails to avoid bull dusting and the smothering of fragile vegetation, increased erosion and invasion of weeds.' He has also indicated that he has been assured by geologists that the adequacy of underground water supplies for a major project in a drought-prone country has not been proven. Sir Mark has remained firmly opposed to the project, and is at the forefront of opposition expressed by the ACF. He has personally lobbied the Government on several occasions without effect.
- The development was strongly opposed by all Conservation Groups.
- Most international tourists who have visited the region have publicly opposed the project.
- Population response with letters and donations to The Last Resort, a branch of the ACF formed to oppose the project, has been overwhelming, an indication that the project will never be accepted by South Australians. A wide political and social spectrum of the population is working against the project.¹⁰

¹⁰ *Submission No. 71, pp. 3-4*

5.18 Professor Shearman presented these views in the Committee's public hearing on 4 April 1991. In his public evidence Professor Shearman made the following additional points about the proposed development:

Firstly, it is in a national park, and we are unhappy about this. Experience in the United States says that this is not always a good idea. We do not believe this park can be protected. Because it is so fragile, in due course it may indeed require some limitation of visitors; and the way not to protect it is to say, we will raise some money from a huge development which will allow us to apply more park rangers to look after the thousands more people tramping over it. There is a limitation on what you can do in some areas. The Swiss have found this out in ski slopes and they have stopped development in some areas. We believe that this is not being looked at in a satisfactory manner in the Flinders Ranges. We are unhappy that because the Government had difficulties establishing this resort, it passed legislation to exempt itself from all planning laws and all laws in relation to the protection of the environment in that particular region; and it used retrospective legislation to do this.

Finally, there is a huge public response, across the board, because of this retrospective legislation. Many people, such as lawyers, business people and so on, have joined the opposition because they see it as inappropriate that the Government can walk around the laws that it has put forward for the protection of the environment.¹¹

5.19 The Committee considered carefully the evidence that it received about the Wilpena Pound resort for the following reasons:

- the development is planned for a national park;
- the development required specific State legislation; and
- the State Supreme Court ruled that the State Government was exempt from the provisions of the Planning Act.

¹¹ *Evidence*, pp. 811-2

And in considering these aspects, the Committee has noted that the following factors tend to mitigate the kind of concern that was expressed to the Committee:

- The development required an Environmental Impact Assessment (released by the South Australian Government in 1988);
- The development would proceed on pastoral lands purchased by the State Government and added to the national park in June 1988; and
- There is already substantial pressure on the park which needs to be subject to increasing, progressive management. (There were 27,000 visitors to the park in 1986-87.) This pressure has resulted in some environmental degradation.

5.20 Importantly, even the opponents of the development do not object to limited facilities in principle. Mr John Hunwick advised the Committee:

... one of my concerns about the motel complex is this: if in fact what had been proposed was the same level of development, the same type of development, the same number of facilities as presently exist but being moved two or three kilometres away from where they were, I and many of my colleagues would have found it very difficult indeed to sustain an argument against it. We would have had to accept that such a facility already existed, that it was run-down, that it was inappropriately placed both from the Aboriginal point of view and from a geological point of view, and another site might well be made.¹²

...

We are not opposed to people visiting the park. We believe the alternative arrangement for an increase of visitors to the region can be obtained without this \$51m motel complex. Therefore, I am personally not opposed to the availability of roads; I am not opposed to the availability of showers and motel complexes. What I am

¹² *Evidence*, p. 824

opposed to is its absolute close proximity to the very heartland, in a natural environmental sense.¹³

5.21 While the Committee is sympathetic to the view that developments in national parks should be kept to a minimum, it is also concerned that those wishing to visit national parks be able to do so in reasonable comfort and with minimal environmental degradation. Perhaps a level of development such as that proposed for Wilpena Pound is necessary to provide facilities so as to minimise environmental impact. The Committee understands that there has been a significant removal of fallen timber and undergrowth, for example, by campers who have lit fires. While fires are no longer permitted, the Committee was told that they are still lit.¹⁴ Clearly, the provision of a level of facilities in the national park *where the visitors are* can ameliorate the potential for environmental damage.

5.22 For this reason the Committee considers environmentally appropriate facilities to be the kind of compromise necessary in order to provide access to environments that need careful management and protection. It appears that the lack of facilities is not deterring visitors from the Wilpena Pound area - rather, it is contributing to its environmental degradation. The balancing objective is to provide such a level of facilities that the number of visitors will not damage the park more than would be the case if minimal facilities (and a much lower volume of tourists) were involved. This is the kind of balance sought by the Western Australian Department of Conservation and Land Management:

Between the extreme views of those who advocate the maximum tourist exploitation of scenic and natural areas, and those who argue that national parks can best be protected by minimising human intrusion, lies a proper balance. Like many developing states with large land areas and small population, Western Australia does not have the financial resources to manage all of its parks effectively. Calls for the opening up of scenic areas by

¹³ *Evidence*, p. 826

¹⁴ *Evidence*, p. 819

better access roads must be considered against the availability for sufficient park rangers to cope with the resulting influx of visitors.

...

As the population increases, not only in Australia but also worldwide, the demand for tourist accommodation and other facilities, so that visitors can enjoy what will become increasingly rare - large tracts of natural and completely unaltered land - can only grow. CALM recognises this long term trend and is anxious to assist tourist developers in managing the increase in pressure on our natural places.¹⁵

5.23 In summary, the Committee concurs with the view put in the March 1989 discussion paper for the IAC inquiry on travel and tourism. That document, *The Environmental Impacts of Travel and Tourism*, concluded with regard to national parks:

Notwithstanding the interpretative guidelines suggested by [the] National Parks and Wildlife Service there seems no reason why commercial development should be totally precluded within National Park boundaries. By encouraging increased use of a reserve, and providing funding to maintain the environment within the reserve, such a development would appear to lie entirely within the intent of the National Parks and Wildlife Act. Even if the Act was interpreted to the contrary, the reality would remain that rational considerations focussing on almost any definition of the 'general well-being of Australians' would justify some commercialisation in nearly all cases ... given an appropriate and independent process of assessing environmental impact, and appropriate liability rules, there could clearly be justified a range of commercial enterprises varying in style according to the character of the reserve.¹⁶

¹⁵ Western Australian Tourism Commission and Environmental Protection Authority, *An Administrative Guide to Environmental Requirements for Tourism Developments in Western Australia*, 1989 pp. 19-20

¹⁶ *The Environmental Impacts of Travel and Tourism*, pp. 65-6

Marine Parks

5.24 In a paper *Management of the Great Barrier Reef Marine Park*, the Chairman of the Great Barrier Reef Marine Park Authority (GBRMPA), Mr Graeme Kelleher, stated that commercial fishing and tourism, recreational pursuits including fishing, diving and camping, traditional fishing, scientific research and shipping all occur within the Great Barrier Reef Region. The only activity which is prohibited throughout the Region is oil drilling. The paper stated:

Resort tourism is the largest commercial activity in economic terms. In 1983/84 there were an estimated 140,000 visitor trips resulting in 660,000 visitor nights spent on the 245 island resorts and the visitors spent around Australian \$60 million at the resorts. Resort guests make extensive use of reefs and waters for recreational activities including fishing, diving and snorkelling, water sports, sightseeing and reef-walking and some collecting.

The popularity of the Reef and adjacent coast region as a tourist destination increased forty-fold over the period from the 1940's to 1980 and is continuing to increase. Recently, interest has been expressed in building accommodation establishments directly on reefs and this could lead to a further expansion on accommodation capacity. The last five years has seen the introduction of several large, stable, high speed catamarans providing day trips to islands and outer reefs.¹⁷

5.25 While the establishment of accommodation directly on the Reef was not a success and is now not practised, the growth in tourist use of the Reef noted by Mr Kelleher has continued. In its submission the Association of Marine Park Tourism Operators advised the Committee that international visitors to the Great Barrier Reef region more than doubled in the period 1984 to 1986. The Association stated:

¹⁷ Graeme Kelleher, *Management of the Great Barrier Reef Marine Park*.

Infrastructure development in the Barrier Reef area has reflected the rapid expansion of the tourism industry. For example, in the area from Gladstone to Port Douglas the value of major tourism projects (worth more than \$5 million) under construction at the end of 1987 was around \$645 million and there were major projects worth \$1,918 million firmly committed at that time. The figures for March, 1989 quarter reveal that the development has continued apace with major tourism projects under construction being valued at \$906 million. In addition there was \$2,582 million worth of projects firmly committed.¹⁸

While the Association acknowledged in February 1991 that the figures for the September 1990 quarter were not beyond question, it suggested the figure for that quarter for major tourism projects under construction or firmly committed was \$3431 million.

5.26 It is, of course, difficult to convert outlays on tourism developments into projections of tourist impacts on the Reef itself. The GBRMPA claims, however, that the popularity of the Reef has increased with approximately 200,000 people visiting its aquarium during 1989-90.¹⁹ Despite the large numbers of visitors to the Reef, it is not necessarily the case that environmental pressure on the Reef has increased. The Association of Marine Park Tourism Operators suggested that while the number of visitors to the Reef itself have grown substantially, the quality of the visitor experience has been steadily improved through:

- better design in boats;
- the use of pontoons as on-reef bases of operations; and
- the availability of semi-submersible craft for Reef viewing.²⁰

¹⁸ *Submission No. 63*, p. 3

¹⁹ Great Barrier Reef Marine Park Authority, *Annual Report 1989-90*, p. 47

²⁰ *Submission No. 63*, p. 4

The Association stated:

These innovations have had a marked effect on the visitor pressures on the Reef. For example, on a vessel carrying 250-300 people on a Reef tour, it is unlikely that more than 25 per cent of these visitors will actually enter the water. This clearly is a vastly different situation from that existing when the marketing approach appeared to centre on providing the visitors with the opportunity to see the Reef by walking on it. Today operators generally are at pains to urge those visitors entering the water not to stand on the Reef.²¹

5.27 According to the Association, the use of moored pontoons on the Reef facilitates visitor access with low environmental impact. The Association claims that the mooring of large pontoons on sites on the Reef to act as operational bases provides visitors with an adequate experience of the Reef and obviates the necessity of actually entering the water and treading on the coral.²² In evidence before the Committee the Association's Executive Director, Mr Keith Nielson, suggested that the same held for semi-submersibles used on the Reef. A semi-submersible is a craft that sits in the water but does not go under the water. Mr Nielson²³ advised the Committee:

You find on a cruise boat going out there with, say, 300 people on it, that it would be a big day if 25 per cent of those people actually felt the need to go and snorkel, to get wet at all, because you will find quite a lot of them are very content to have the cruise out and to do the underwater sub, the semi-submersible trip. They get a very good experience from that and they are quite happy to not go in the water. The impact of that visitor on that area is really zero.²⁴

²¹ *Submission No. 63*, p. 4

²² *Submission No. 63*, p. 4

²³ *Evidence*, p. 327

²⁴ *Evidence*, p. 328

5.28 Importantly, visitor impact is only minimised for tourists who remain on board submersibles, boats and pontoons and who are transported over the Reef in boats that have sewage holding tanks. The Association assured the Committee that the professional operators have such tanks. Further, the large professional boats have moorings established on the Reef; in contrast with smaller mostly private boats, the large boats cause much less mooring damage. The Committee was advised that the smaller boats will drop the 'pick' over the side of the boat maybe eight times a day, which contributes to coral damage, and that the risk to the Reef from tourism and professional operators was less than from locals using the Reef.²⁵

5.29 The Committee would be particularly cautious about moves to restrict individuals and small groups from access to national parks. Nevertheless, on the basis of the evidence submitted about the Great Barrier Reef, it appears prudent to encourage visitors and even local residents to utilise the larger professional boats for visits to the Reef. Those vessels have the advantages of retaining all waste (including sewage) on board and minimising anchor damage to the Reef. Even where smaller boats retain their waste, they do not have the established moorings of the professional operators.

Coastal Regions

5.30 Tourism developments in coastal regions do not necessarily have adverse impacts. The inquiry received no complaints about major coastal developments such as the Mirage Resort at Port Douglas. The Committee's attention, however, was drawn to the Magnetic Quay development; it was examined in some detail. Strong submissions were received from those who opposed development of Magnetic Quay on what was supposed to be public land, the beach at Nelly Bay. An opposing view was put by those who supported different kinds of development at various sites on Magnetic Island for commercial reasons and because of the increased amenity that would be provided for the Island's residents.

²⁵ Evidence, p. 325

The Magnetic Quay Development

5.31 In 1985 a lease was granted by the Queensland Government over thirty hectares of beach, marine park, foreshore and dunes on Magnetic Island. The lease was provided to a company known as Bayvista which proposed to proceed with the development of the Nelly Bay area.

5.32 In February 1991 the Townsville Branch of the Wildlife Preservation Society published an article on this matter in its journal *Brolga*. Dr Ian Dickson of the association known as Island Voice used the article entitled 'The Blight of Bright Point', to set out the chronology of events affecting Bright Point and Nelly Bay. He noted that following the sale of Bayvista to other interests, new development plans were drawn up:

These were even more greedy than the ones submitted by Bayvista. Now Gustav Creek, which in the Bayvista plans was excluded from the marina, was to flow into the marina and to have a weir constructed across its mouth. Despite these radical changes to the plans no new Impact Assessment Study was ordered and residents of the island were faced with the prospect of a 500 bed hotel, a 400 bed backpackers hostel, a tavern, a condominium, townhouses, a supermarket and ferry terminal.²⁶

5.33 Dr Dickson went on to advise in the article that, with the implementation of the Great Barrier Reef Marine Park Act there was a requirement for the developers to submit to the Federal Government a Public Environment Report on the construction of the marina.²⁷ Subsequently, according to Dr Dickson, the Minister, Senator Graham Richardson, changed the rules and declared that only matters pertaining to the marine park could be considered and that

²⁶ *Evidence*, p. 1111

²⁷ *Ibid.*

socio-economic matters were outside the province of his department for consideration.²⁸

5.34 Dr Dickson's article advised that a second Environment Report was prepared and that the Great Barrier Reef Marine Park Authority (GBRMPA) had been given the task of reviewing the submissions. GBRMPA decided that the proposal as put was likely to have unacceptable environmental impact on the Great Barrier Reef Marine Park and that therefore the Authority could not support the issue of a permit on the basis of the existing proposal.²⁹ However, it went on to say that it should be practicable to modify the engineering proposal to reduce the risks of sedimentation and pollution significantly.³⁰ The Authority met with the proponents and a permit was issued.

5.35 Dr Dickson then set out what he describes as the 'legal phase of the battle'. Action was taken in the Local Government Court by a member of Island Voice. The hearing, which commenced in July 1989, took eight weeks. The case was lost and costs of \$250,000 were awarded against the Island Voice member. At this time GBRMPA was reviewing its decision to grant a permit, although it subsequently confirmed the permit decision.

5.36 Further, in April 1989 an action against the GBRMPA was initiated by Island Voice before the Administrative Appeals Tribunal (AAT). Dr Dickson's article notes that while the appeal was to have been heard in September 1989, it was delayed due to the ill-health of the Tribunal President. Nevertheless, in January 1990 it was decided that Island Voice had legal standing and were in a position to finalise their case. Strong representations were made by Magnetic Quay to have the case brought forward and the Tribunal agreed. The hearing was to be held in Brisbane, which meant Island Voice finding a Brisbane solicitor and briefing a new

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

counsel, which necessitated a visit to the island. On further representations from counsel for Magnetic Quay the hearing was brought forward another week, which meant that time and logistics made continuation of the action by Island Voice impossible.³¹

5.37 At the development site work proceeded. The rocky Bright Point at the northern end of the beach was blasted to provide a substantial amount of rock for breakwater construction. Dr Dickson has set out the subsequent events as follows:

Tenders were called for the construction of the hotel and other buildings that were planned when reclamation was completed. Notice was given that dredging of the channel was to start and would be completed by May, then July, then August, then no date was specified. Pumping out of the marina basin began after the completion of the breakwaters, but no matter how many pumps were used the water came back in through the porous coral sand substrate.

Then the pumping stopped. The trucks disappeared. The dredge was seen being towed back to town. The contractors had not been paid. Then the inevitable happened, Magnetic Keys went into receivership in December 1990.³²

5.38 The Committee carried out an inspection of the site on 1 May 1991 and found the beach and headland to be devastated. It might be pointed out, however, that removal of rock from Bright Point was always part of the plan for stage one of the Magnetic Quay development, and is not a consequence of the developer's receivership. A fence has been erected around the site, presumably to prevent injury to anyone inspecting it. The site is certainly dangerous with the dispersal of large rocks throughout the area of beach which has been unusable since work on it began.

³¹ *Evidence*, p. 1112

³² *Evidence*, p. 1113

5.39 The Committee sought information on the likely future of Nelly Bay. Dr Dickson stated that some people think it should be left as a monument to greed; however, he considered that something had to be done.³³ He advised that tenders had been called for completing the development to stage one, but he did not know whether any of them had been accepted. He confirmed that if the development was completed to stage one, the land would be reclaimed, and the ferry terminal and marina would be built. If that were done, the developers could freehold the land, which they could then sell.³⁴ In contrast with Dr Dickson's view, however, Mrs M. Hardy, President of Advance Magnetic Island Association, advised the Committee that because the project stalled, the receivers had only indicated their intention to complete the evacuation of the marina basin and the opening of the ferry and barge terminal, but did not intend to construct any tourist related buildings.³⁵

5.40 The effect on Nelly Bay of the Magnetic Quay work to this point has not been confined to the scarring of Bright Point headland or the present disarray on the beach. The Director of the Australian Institute of Marine Science (AIMS), Dr J Baker, confirmed the involvement of his Institute in this matter and told the Committee that sediment transport in quantity has been clearly demonstrated to be damaging to coral reefs. Potential environmental damage from the Bright Point development includes not only the coral reef of Nelly Bay, but also an extensive coral reef which is part of a park area of Geoffrey Bay.³⁶ Dr Baker informed the Committee that AIMS did a study soon after the dredging of the marina was completed and there was evidence of sediment drift into the reef areas which, if it continued, would adversely affect the reef.³⁷

³³ *Evidence*, p. 1131

³⁴ *Ibid.*

³⁵ *Evidence*, p. 1093

³⁶ *Evidence*, p. 1149

³⁷ *Evidence*, p. 1153

5.41 There are, then, two questions concerning environmental damage at Nelly Bay; they would apply to any development of an environmentally vulnerable site:

- What are the most significant levels of environmental damage, both short-term and long-term, that could/are likely to result from the construction process?
- What are the most significant levels of environmental damage, both short-term and long-term, that could/are likely to result from the existence and operation of the development?

With regard to Magnetic Quay, it appears from the research carried out by AIMS that there will be environmental damage to the adjacent coral reef from the process of developing the marina site. Whether that cost proves to be long-term remains to be seen. Further research by AIMS may not occur until 1992.³⁸

5.42 That said, it is most unlikely that any significant development on a coastal area would not have a short-term adverse impact during the construction phase and into the immediate future. In most instances that would be generally acceptable. Its acceptability would be increased if the environment were hardy enough to recover completely in a reasonably short space of time. That would also be the case were the area affected an environment that was commonly found, or was not regarded as environmentally very rich. In this regard Dr Baker advised the Committee:

We found that assertions as to the status of the Nelly Bay reef were inaccurate with respect to the richness of diversity of coral species in that area. That is not an unusual case because most of the situations that you see in evaluations of areas for development are superficial.³⁹

³⁸ *Evidence*, pp. 1153-4

³⁹ *Evidence*, pp. 1149-50

5.43 Provided that the deposit of sediment on the reef was not a long-term prospect, then, it is reasonable to presume that the Magnetic Quay project would be acceptable in terms of environmental damage at that level. Of course, as has been noted already, the facts concerning the matter will not be known until later in 1992 at the earliest. And the further construction of stage one of the development could provide additional hazards by way of sediment on the reef. The Committee understands that prior to the commencement of the Magnetic Quay development AIMS advised that sedimentation of the Nelly Bay reef would occur. In confirming its decision to issue a permit for the development to proceed, the GBRMPA clearly did not consider that prediction to be a determining factor.

5.44 Compared with sedimentation of the Reef, there are more immediately visible environmental effects of the Magnetic Quay development. The Committee understands that Bright Point is privately owned. Of course, that does not give the owner licence to exploit the headland at will; permission for a development that included removing significant amounts of rock required approvals through sixteen various authorities.⁴⁰ The community interest in a development such as Magnetic Quay extends to the aesthetics of the dominant topography; Bright Point is clearly of such significance. The Committee advocates that developments of this kind include the renovation of sites like Bright Point so that it does not require decades of weathering and natural plant regrowth for the area to appear unscarred.

5.45 While developments such as that at Nelly Bay can have very detrimental effects on the natural environment, the Committee notes the benefits of the built environment both for its own utility and in making possible greater enjoyment of the undeveloped natural environment. In the case of Magnetic Quay, for instance, the Committee has noted that Magnetic Island would benefit from a sheltered loading point for the safe reception of boats. It was suggested to the Committee that it would provide a safe harbour for medical evacuations.⁴¹

⁴⁰ *Evidence*, p. 1086

⁴¹ *Evidence*, pp. 1090-1

5.46 Further, the benefits of developments can extend beyond the particular amenity itself. The Advance Magnetic Island Association submission stated that the Magnetic Quay development has been considered beneficial because it would provide accommodation and amenities for tourists and employment and worthwhile facilities for island residents:

Large headworks charges will pay for the upgrade of various island infrastructure.⁴²

5.47 The Committee is aware that there is a range of ways in which developments can endow associated benefits whether by headworks charges as was envisaged in the case of Magnetic Quay, or by the actual building of complementary infrastructure such as roads. Notably, Magnetic Quay was to extend beyond the provision of a safe harbour. In evidence on behalf of Advance Magnetic Island Association, Mrs M. Hardy described the benefits associated with Magnetic Quay as follows:

- the provision of extra small business opportunities;
- employment, possibly for every level of the community from unskilled to semi-skilled;
- a safe harbour for medical evacuations;
- barge and ferry facilities;
- shopping facilities;
- a safe water swimming area to be provided by a stinger enclosure; and
- a public boat ramp.⁴³

5.48 The Committee is mindful that benefits of this kind have a cost, including to the environment. In April 1991 the House of Representatives Standing Committee on Environment, Recreation and the Arts tabled its report *The Injured*

⁴² *Evidence*, p. 1086

⁴³ *Evidence*, pp. 1090-1

Coastline. That report notes the potential environmental effects of the construction of breakwaters similar to that built at Nelly Bay:

Coastal protection structures such as seawalls, groynes and breakwaters are used to protect coastal property and shorelines. Indeed such structures are now accepted features of the coastal environment and tend to characterise more intensely developed areas of the coastline. An often overlooked aspect of the design of such protection structures is an assessment of the associated environmental effects. Engineered 'solutions' to coastal stabilisation often foreclose the environmental resilience of the natural systems, and frequently fail to take into account ecological processes and create artificial systems that become increasingly difficult to maintain with time.⁴⁴

5.49 The Magnetic Quay development has been a tragedy on more than one level. In terms of its social impact, it has clearly divided a quite small community of about 1,400 people. Had the development proceeded as scheduled it may have provided a significant economic benefit to Magnetic Island including the provision of a considerable number of employment opportunities. The adverse consequences in terms of relations between neighbours may be felt for years.

5.50 In terms of environmental impact there has been a higher price to pay through the stalling of the development than might have been the case otherwise. At this stage it is not clear when the outstanding work will be completed to provide the marina and ferry facilities. Until that is completed the particular beach area will be not only inaccessible to the public, but will comprise considerable visual pollution. And it remains possible that the current state of the site could compound the sediment drift onto the Reef. Had the Committee searched for an outstanding example of the need for efficient co-ordination of the planning and appeal process it could not have found a better instance.

⁴⁴ *The Injured Coastline*, p. 24

5.51 The scandal of the Magnetic Quay development is now well known, and it is clear that an investigation of the approval processes involved is warranted. The Minister, the Hon. Ros Kelly, indicated on 14 January 1992, that an investigation into the Great Barrier Reef Marine Park Authority's granting of a development permit on Magnetic Island would be undertaken.⁴⁵ This Committee will give close attention to the results of that investigation.

State Policies Concerning the Environment and Development

5.52 Given the impact of tourist developments and infrastructure, there is a demonstrated need:

- to ensure that the social and physical impact of tourist developments are assessed adequately;
- to ensure that there are consistent and streamlined approval processes; and
- to provide guidance about the nature and extent of developments particularly in coastal zones and national heritage areas.

Clearly, the States and Territories have a significant regulatory role.

Queensland

5.53 The Queensland Government noted in its submission growing acceptance that responsibility for the environment should be shared among the States and the Commonwealth, with jurisdiction clearly defined where appropriate.⁴⁶ Examples of joint responsibility between the Queensland and Commonwealth Governments are:

⁴⁵ The Hon. Ros Kelly, *Press Release*, 14 January 1992

⁴⁶ *Submission 100*, p. 9

- management of the World Heritage listed Wet Tropics of north Queensland; and;
- the close working relationship between Queensland's Department of Environment and Heritage and the Great Barrier Reef Marine Park Authority.⁴⁷

5.54 With regard to its own administrative responsibilities, the Queensland Government has articulated a policy relating to tourist development, planning and the environment. In a submission to the Committee, it stated:

The Government is committed to ensuring that Queensland's resources and environmental assets are used in a way which is consistent with the concept of ecologically sustainable development. This term describes the use of natural resources in a way which meets the needs of the present generation without compromising the ability of future generations to meet their needs. Such a commitment extends to the tourism industry.⁴⁸

The Government has recognised the need for policies relating to:

- Wet Tropics World Heritage areas;
- Fraser Island;
- Coastal Protection; and
- Sea Dumping.⁴⁹

5.55 The Queensland Government's Coastal Protection Strategy is of major interest; the Magnetic Quay development may not have been approved had the Queensland Government's Green Paper on coastal protection been implemented at the time. That Paper proposes a 100 metre buffer zone between new developments

⁴⁷ *Submission 100*, p. 9

⁴⁸ *Submission 100*, p. 8

⁴⁹ *Submission 100*

and the foreshore or wetlands. It also proposes a height restriction for buildings within 500 metres of the coast.

5.56 Of course, if implemented such a policy would have very extensive consequences for tourism infrastructure. *The Weekend Australian* reported the research of Brisbane legal firm Gadens Ridgeway on the proposed policy:

The Queensland Government's Green Paper on coastal protection threatens 460 tourism projects worth more than \$30 billion, according to a Brisbane legal firm ... Because of the tendency for development to focus on the coast or river systems, the vast majority of developments falls within the scope of the legislation ... Research commissioned by Gadens Ridgeway showed that 460 proposed projects along Queensland's coast involved at least 50,000 hotel and motel rooms and 94 golf courses ... People with developments now under consideration should address all the issues raised by the Green Paper ... Environmental experts should be engaged for advice on the implications of a development in coastal areas and such developments should not take place without regard to the issues raised by the paper ... Planning and environment law partner at Morris Fletcher Cross, Mr Russell Bowie, said governments needed to recognise the inevitability of conflict between interests with legitimate but totally incompatible objectives.⁵⁰

5.57 The Committee understands that an extensive process of public consultation has taken place since the Green Paper was released. A proposal on the matter was forwarded to the Queensland Cabinet in March 1992.

New South Wales

5.58 *The Injured Coastline* was tabled in the House of Representatives on 11 April 1991. In that report the House of Representatives Standing Committee on

⁵⁰ *The Weekend Australian*, 8-9 June 1991, p. 51

Environment, Recreation and the Arts described the New South Wales Coastal Policy in the following terms:

In September 1990 the New South Wales Government released its Coastal Policy, the primary aim of which is to 'protect the coastline and beaches for the enjoyment of future generations and to ensure that coastal development is balanced, well-planned and environmentally sensitive'.⁷

The policy covers the entire coast of New South Wales excluding the Sydney metropolitan region, the City of Newcastle and the City of Wollongong. While it is not legally binding on local government councils, they are required to take the provisions of the policy into account when considering development applications and preparing local environmental plans. For the purposes of the policy, the coastal area covers the one kilometre landward strip from the low water mark and extends three nautical miles to sea.

The principal elements of the policy are:

- . The continuation of the existing State program to bring unique coastal land into public ownership; public access to beaches will be ensured.
- . Urban coastal development will be limited primarily to areas adjacent to existing towns and cities.
- . Major tourist developments will generally be clustered around identified tourist growth centres to minimise intrusion on the coastline.
- . The height and concentration of developments will be sensitive and appropriate to the local environment.
- . Representative coastal species and ecosystems will be protected through continuation of existing wetland and littoral policies.
- . A coastline hazards policy to assist local government in dealing with natural coastal hazards and processes.

Responsibility for monitoring the implementation of the policy rests with the Coastal Committee, which the New South Wales Government established to 'overcome the fragmentation of responsibility and ad hoc decision making that has hampered coastal management in the past'.⁸

⁷ Government of New South Wales, *Coastal Policy for New South Wales*, 1990.

⁸ *ibid.*⁵¹

5.59 In a report in *The Sydney Morning Herald* of 15 April 1991, it was suggested that a State Parliament Committee would call for the reversal of several key Government coastal planning policies, 'charging that the present development laws have failed to protect the NSW coast'. This article stated that the Legislative Council's Standing Committee on State Development would claim in a report that there were too many State Government agencies responsible for coastal development. Due to the NSW election in May 1991, the report was not tabled until later that year; it is dated September 1991.

5.60 *The Injured Coastline* had confirmed that the coastal management responsibilities of the New South Wales Government are undertaken by 'at least 19 departments and authorities'. That report listed the following:

- The Department of Planning;
- The Public Works Department;
- The Department of Lands;
- The Soil Conservation Service;
- The State Pollution Control Commission;
- The National Parks and Wildlife Service;
- The Department of Agriculture and Fisheries;
- The Department of Minerals and Energy;

⁵¹ *The Injured Coastline*, p. 31

- The Coastal Committee of New South Wales; and
- The Sydney Water Board.⁵²

It then advised:

Other government agencies with an interest in coastal zone management in New South Wales are: the Department of Business and Consumer Affairs; the Fish Marketing Authority; the Forestry Commission; the Hunter Valley Conservation Trust; the Hunter Water Board; the Lake Illawarra Authority; the Maritime Services Board; the Tourism Commission; the Waste Management Authority; and the Department of Water Resources.⁵³

5.61 *The Sydney Morning Herald* article claimed that, in acknowledging this problem, the Legislative Council Committee report recommended that the Department of Planning should be merged with the Environment portfolio. The Department of Planning, the article advised, had failed in a number of critical areas, including its role of adequately co-ordinating the government agencies involved in coastal development.⁵⁴

5.62 Whether or not the draft report was as described by the newspaper, the report, as published, took a different approach. The report, *Coastal Planning and Management in New South Wales: A Framework for the Future*, advocates a reorientation of the Department, but not an amalgamation of the environment and planning portfolios:

Recommendation 58

The Standing Committee recommends that the State Government gives a new role to, and facilitates the

⁵² *The Injured Coastline*, pp. 28-9

⁵³ *The Injured Coastline*, p. 30

⁵⁴ *Sydney Morning Herald*, 15 April 1991, p. 1

reorientation of the Department of Planning.(Chapter Thirteen)

Recommendation 59

The Standing Committee recommends that the reorientation of the Department of Planning be completed by 31st December 1992 (Chapter Thirteen)

Recommendation 60

The Standing Committee of [sic] State Development recommends that the reoriented and revitalised Department of Planning be responsible for the preparation of regional strategic planning and management instruments (Chapter Thirteen)⁵⁵

5.63 In fact, the recommendation to merge the departments was made in a Statement of Dissent to the report by three of the seven members of the Committee. That Statement, at page 104 of the report, advised:

This statement of dissent relates specifically to Recommendations 58, 59, and 60 of the Committee's Report. These recommendations deal with a new role for, and reorientation of the Department of Planning. However, the above Members of the Committee are of the strong view that the portfolios of the environment and planning should be recombined under the one Minister. During the course of the Inquiry, in written and oral submissions to the Committee, significant community support was shown to exist for this proposition. In fact, the proposal to recombine the planning and environment portfolios was the agreed bipartisan position of the majority of Members of the previous Standing Committee.

The reunion of the portfolios of environment and planning under one Minister makes very good sense, for the following reasons:

- 1) A combined environment and planning portfolio would be a significantly more important Ministry in Cabinet, would attract a more senior Minister,

⁵⁵ Legislative Standing Committee on State Development, *Coastal Planning and Management in New South Wales: a Framework for the Future*, Vol. 1, September 1991, p.6

and a greater share of resources than is possible under a [sic] separate Ministers.

- 2) Departmental planning functions under a combined portfolio would be more sensitive to environmental matters. Better quality planning decisions (with regard to environmental impact) would be the result.
- 3) Disputes between the Planning Minister and the Environment Minister would be a thing of the past.

Accordingly, the above members of the Standing Committee cannot support Recommendations 58, 59, and 60 of this Report. Further, in light of the above, we have serious reservations concerning the transfer of the Coast and Rivers Branch to the Department of Planning in Recommendations 66 and 67. Nevertheless, we strongly support the overall recommendations of this Report, and the overall goals of the Report; to reduce conflict in the coastal development process, produce a system which is more proactive in nature, and achieve ecologically sustainable coastal development.

The Legislative Council Committee report had recommended the establishment of a State Coordination Agency (to be vested in the Premier) to give effect to the following key aspects of the broad framework:

- creation of a comprehensive vision for the coast;
- classification of coastal resources and natural assets according to conservation value;
- more effective coordination between government departments and agencies;
- expansion of public participation; and
- greater use of alternative dispute resolution processes.⁵⁶

⁵⁶ *Coastal Planning and Management in New South Wales: A Framework for the Future* , p.exec.1a

Northern Territory

5.64 In its submission the Northern territory Government outlined a range of policies relating to the location of tourist developments and the interaction between the Northern Territory Government and the Commonwealth:

When a development is on Commonwealth land or the Commonwealth has a direct interest, for example through funding or matters relating to external affairs, formal environmental assessment is currently performed jointly by the Territory and Commonwealth Government.

...

Currently a formal agreement concerning joint assessment procedures is being developed.

...

Consultation and liaison between Federal and Territory Governments on matters relating to environmental protection and tourism are essential to the suitable development of the tourist industry.

The submission noted that the Northern Territory Government had adopted a policy of encouraging the dispersal of visitors, so that pressure can be alleviated on key attractions.⁵⁷

5.65 In relation to coastal management policy, the Northern Territory submission stated:

Coastal Management

The Northern Territory Coastal Management Policy was adopted by Government in July 1985. Implementation of the Policy is co-ordinated by the Coastal Management Committee (CMC) which comprises the Department of Lands and Housing and the Conservation Commission

⁵⁷ *Submission 18*, pp. 3, 11, 12

and the Department of Primary Industry and Fisheries thus reflecting a co-ordinated approach to coastal management in the Northern Territory.

The primary objective of the policy is the protection of the coastal zone from physical and aesthetic deterioration through erosion, pollution and misuse. Other objectives include:

- . ensuring that major development proposals affecting the zone are subject to environmental assessment; and
- . maximisation of public access to coastal recreation opportunities to an extent consistent with necessary coastal protection and other planned development.

Tourist development and other issues are addressed through Coastal Management Plans, which specify management objectives and provide firm guidelines for the future management and development of the area. They are offered for public comment before adoption by the Minister for Lands and Housing as Planning Instruments under the Planning Act.⁵⁸

Western Australia

5.66 According to the Western Australian Tourism Commission and the Environmental Protection Authority, it has been government policy in Western Australia to restrict access to some of the remoter sections of national parks.⁵⁹ The inherent conflict between tourism and the conservation of parks is acknowledged. The Department of Conservation and Land Management takes a pro-active role concerning tourist accommodation adjacent to national parks, and seeks the assistance of developers in maintaining and enhancing park values.⁶⁰

⁵⁸ *Submission No. 18*, p. 11

⁵⁹ *An Administrative Guide to Environmental Requirements for Tourism Developments in Western Australia*, p.19

⁶⁰ *An Administrative Guide to Environmental Requirements for Tourism Developments in Western Australia*, p.19

5.67 Two publications have been prepared for the Western Australian Tourist Commission and Environmental Protection Authority that relate specifically to tourism development: *An Administrative Guide to Environmental Requirements for Tourism Developments in Western Australia* and *The Eco Ethics of Tourism Development*. The Guide has been produced to assist developers with the legal process and as an aide-memoire to reduce the risk of some important issue being overlooked.⁶¹

5.68 Further, the Western Australian State Planning Commission published a *Country Coastal Planning Policy* in 1987. This plan recognises that:

Management problems along the coast arise from the inherent fragility and sensitivity of some coastal environments, from land use pressure and conflicts and from simple mistreatment and ill-advised development.

The goal of coastal planning and management is to achieve a balance between the protection of environmental quality and provision for the social and economic needs of the community.

The State's concern with coastal planning and management is not one of purely environmental management. Substantial financial costs are incurred when environmental processes are ignored and it is the State Government's responsibility to reduce these costs, and the ultimate burden on the taxpayer, through wise use of land.

...

The policy is intended to assist local government, developers and planning consultants by providing a set of general guidelines which set out the Commission's approach.⁶²

⁶¹ *An Administrative Guide to Environmental Requirements for Tourism Developments in Western Australia*, 1989, p.4

⁶² *Submission No.2*, p. 7

5.69 The Planning Policy sets out policy guidelines for three objectives:

To encourage orderly and balanced development on and adjacent to the coast consistent with the protection of coastal resources.⁶³

To protect, conserve and enhance, as appropriate, coastal resources.⁶⁴

To permit public access to the coast consistent with the protection of coastal resources.⁶⁵

Tasmania

5.70 In July 1991, the Premier of Tasmania provided a submission to the Committee which advised in relation to coastal planning and tourist developments:

2.7 The Government is currently developing a coastal land use policy which will be complementary to current Commonwealth initiatives. This and other land use policies will be incorporated into new integrated planning legislation shortly to be introduced to State Parliament.

2.8 The Tasmanian Government strongly believes that adequate mechanisms and safeguards already exist to ensure appropriate environmental protection without the need for the Commonwealth to impose any additional environmental guidelines for coastal or national heritage areas.⁶⁶

⁶³ *Submission No. 2*, p. 8

⁶⁴ *Submission No.2*, p. 9

⁶⁵ *Submission No.2*, p. 12

⁶⁶ *Submission No.101*, p.4

South Australia

5.71 The South Australian submission stated that the Department of State Development and Technology recognises that in many cases fine judgments are necessary when examining proposals in the form of long term balance between the benefits of jobs and commercial development on the one hand and the protection of the natural environment that attracts the development, and therefore tourist, on the other.⁶⁷

5.72 In relation to coastal tourist developments, the Premier of South Australia advised the Committee:

Coastal regions, as locations of some of the most 'sought after' destinations, require special attention. Specifically, it is appropriate to acknowledge and support:

- the necessity of identifying any coastal areas requiring protection (by virtue of special significance or fragility);
- that priority of usage should be on the basis of established environmental capability, with public use having priority over private use;
- research into various options of establishing a central information registry (storage and retrieval system) to enable maximum access to the Australia-wide experience in coastal management, with particular emphasis on the policies, practices and monitoring of tourist developments which rely upon a coastal setting.⁶⁸

⁶⁷ *Submission 41, p.1*

⁶⁸ *Submission No. 41, p.3*

Victoria

5.73 Hon John Cain, then Premier of Victoria, advised the Committee in December 1989:

The Victorian Government believes that the States should take responsibility for guidelines and principles for tourism developments in coastal and marine areas, National Parks, forests, wetlands, remote areas, etc.

This State has strong policies in place, with its State Conservation Strategy and Land Conservation Council process, which have been successful in protecting and enhancing the State's coastline while being of assistance to both developers and land managers. It is Victoria's view that this State role would be duplicated by the Commonwealth if the Commonwealth was to introduce its own detailed policies.⁶⁹

Commonwealth Policy

Heritage Areas and National Parks

5.74 Prime Minister Hawke announced in his 1989 statement on the environment that:

Tourism has risen dramatically to become Australia's second largest earner of foreign exchange. Our climate and our natural environment - wilderness, world heritage areas, beaches, forests and deserts are major attractions for Australian and overseas tourists.

Many of the popular sites occur in fragile areas. In some cases, tourism is dramatically changing the size and nature of local communities, particularly in the more remote parts of the country. Careful and sensitive planning and management of growth is required to

⁶⁹ *Submission No. 60*, p.1

ensure that vital natural areas which is the basis of much of our industry are not compromised.

In view of the damage that can be done to fragile places by individual tourists and tour operators, the Commonwealth welcomes not only the initiatives of the States to develop planning strategies for regional tourism development, but also action taken by the tourism industry (through the Australian Tourism Industry Association) to develop a Code of Environmental Conduct for the industry.⁷⁰

Coastal Regions

5.75 The States and the Northern Territory acknowledge the importance of coastal protection; some have emphasised that jurisdiction over coastal exploitation is properly a State/Territory matter. The Commonwealth is reviewing this question. In the July 1989 Statement, *Our Country Our Future*, Prime Minister Hawke confirmed:

The coastal zone is a diverse region where competing pressures for land use have led to conflict and controversy in recent years.

This zone is the location of most of Australia's population and most of its secondary industries. This places intense pressure on the coastal zone; for example in the form of marine pollution from land based discharges. The coastal zone is also a popular domestic and international tourist destination as well as being home to a large variety of wildlife, and an important source of the rare earth minerals.

In particular our coastal waters provide breeding grounds for important fisheries. Australia has a reputation for producing high quality seafoods. The future of this industry will depend on our ability to maintain the integrity and diversity of the marine environment.

⁷⁰ The Hon. Robert Hawke, *Our Country, Our Future*, July 1989, p. 59

Conflicts over resource use in the coastal zone occur where the development of one industry threatens another or where the development threatens conservation and cultural values. The potential for conflict between the various interest groups will increase as the pressure on coastal resources increases.

The Government has decided to refer coastal zone issues to the Resource Assessment Commission. It will be consulting with States and Territories and other interested parties on the terms of reference, as required by the Act.

The Commonwealth will also establish a National Working Group on Coastal Management with representatives from all levels of government and industry and community groups to facilitate dialogue on coastal zone issues.⁷¹

5.76 On 10 October 1991 Mr Hawke asked the Resource Assessment Commission to inquire into building, tourism, mariculture and associated developments in Australian's coastal zone. By 25 November 1993, the Commission is to examine and report on:

- the integrated management of Australia's coastal zone resources, particularly outside metropolitan areas; and
- the use of regulatory and economic instruments and institutional arrangements to promote integrated coastal management.⁷²

The RAC publicity document released on 10 October 1991 stated:

There is particular interest in how governments can promote coordinated coastal zone management.

...

⁷¹ *Our Country Our Future*, p.58

⁷² *Resource Assessment Commission Bulletin*, Monday 11 November 1991, p. 1

The Coastal Zone Inquiry will work closely with all governments to help provide a clear definition of the roles and responsibilities of the different spheres of government.

...

Conclusion

5.77 The issue of how to balance tourist development with ongoing concerns about the social and physical impact of those developments is one which is increasingly occupying the minds of Australians, and of those who must make decisions about planning, infrastructure and the environment. The case of the Magnetic Quay Development and the Wilpena Pound Project highlight the need for careful checks and balances. We must ensure processes are in place to accommodate the need for development and infrastructure, which support one of our most important income generators, and at the same time to protect the environment. The environment is one of the reasons why tourists visit this country. Importantly, the process for determining this balance must take account not only of the more obvious physical consequences of development, but also the impact these developments have on local communities.

5.78 All States and Territories have detailed policies relating to tourist developments and sensitive environmental sites. The Committee notes that despite such policies a tension will continue between development and the environment, and that responsibility for this issue will continue to lie with State, Territory and Federal Governments.

Recommendations

5.79 That empirical studies of the likely effects of developments on environmentally sensitive sites be commissioned by developers at the concept stage of a development.

5.80 That projects likely to cause significant environmental scarring only receive development approval conditional upon an undertaking to renovate the area.