

“Land Rights” for Park Developers

by Keith Muir

At the end of April a copy of the “National Parks and Wildlife (Sustainable Tourism) Bill, 2010” came into the possession of the Colong Foundation. This Bill will introduce specific tourism provisions into the National Parks and Wildlife Act, 1974, including a long shopping list of development opportunities that would permit fast food joints, supermarkets, wedding reception centres, conference centres and resorts of all sorts.

The Colong Foundation sought the advice and assistance of Mr Tim Robertson SC, who in 2004 so admirably defended the Grose Wilderness from exclusive occupation by Fox Studios. Justice Lloyd in his judgment on that case found that the production commercial feature film “Stealth” (about rogue military aircraft), “has nothing to do” with the National Parks and Wildlife Act’s objects or the purpose for reserving land as National Park. The case was thrown out of Court, but not until after several local conservationists had been arrested defending wilderness.

If this “Sustainable Tourism Bill” is passed, then the legal action to stop “Stealth-type” activities will be virtually impossible and bad developments will sprout up in our precious National Parks.

The whole point of these changes is to destroy the nexus between uses of the national park and the conservation purposes for which the park was reserved, and with it the power of the Court to adjudicate on whether the Minister’s decision accords with those purposes. Under these new laws, it is the Minister, and not the Courts, who will decide whether a use accords with the Park’s purpose.

Mr Robertson advised that the proposed legislation “removes the legal protection of National Parks from uses which damage their ecology and landscapes, by destroying the principle that National Parks can only be used for a purpose which promotes the use of the land as a public park. It provides the legal authority for the privatisation of National Parks by enabling exclusive possession rights to be given for commercial purposes to private interests under the broad rubric of sustainable tourism. Under this rubric, National Parks will be able to be used for general tourist purposes, such as tourist resorts, convention centres, shopping centres, fast food outlets, sporting activities and fun parks, at the discretion of the Minister, even where those uses do not promote the conservation of the Parks.”

The tourism industry grab for ‘land rights’ over National Parks has to be stopped. Environment groups will be taking the issue to the people at the Penrith by-election and through the media.

Given the Coalition’s stance on Part 3A planning laws, it seems unlikely that the Coalition Parties will support these new park laws. The Shadow Environment Minister, Catherine Cusack wrote to the Nature Conservation Council in November 2009 and advised that she and the then Shadow Tourism Minister, Don Page, “do not support private accommodation facilities inside National Parks.”

The NSW Government should act to strengthen national park laws as they have repeatedly promised to do, not weaken them to facilitate commercial development. National Parks and Wildlife should not be selecting development sites in parks with the aim of offering these sites to the tourism industry in an ‘investor-ready’ form. Our parks should not become profit centres for developers.

There is no evidence whatsoever to support the notion that private development in national parks will boost the tourism industry or provide extra funds for park management. A stronger nature tourism industry for NSW with more people enjoying the parks is best achieved by encouraging tourism investment in nearby towns where it most benefits regional communities.

With our rapidly growing population, the integrity and protection of our parks is more important now than ever before.

How is it that the Coalition Parties seem capable of grasping these ideas, while the NSW Labor Government remains unresponsive?

Support needed, act now

Your support is needed to stop this legislation. We need funds to cover printing and advertising expenses, and volunteers who would like to letter box in the Penrith electorate. Call or email Keith at the Colong office 0412 791 404 (mob) 9261 2400 (wk), email keith@colongwilderness.org.au, send donations C/- the Colong Foundation for Wilderness, Level 2, 332 Pitt St, Sydney, NSW 2000.

Last year a broad coalition stopped National Parks being opened up for blood sports: hunting wildlife with dogs, guns and bows and arrows. The environmental credentials of the NSW Government will also be permanently tainted if this new Tourism Bill passes into law.

Don't let our National Parks become profit centres for tourism development. Tell Premier Kristina Keneally and Environment Minister Frank Sartor to throw this Park Development Bill in the bin. Also write and express your support for the strong stance taken by Shadow Environment Minister, Catherine Cusack, against the development of private accommodation inside national parks.

Let the NSW Government and the State Coalition know you want national parks to remain public and permanently protected, for nature and quiet enjoyment, forever. In your own words express your strong opposition to the "National Parks and Wildlife (Sustainable Tourism) Bill, 2010" which will facilitate commercial development and particularly the push for accommodation development, in national parks.

Email your concerns to:

Premier Kristina Keneally: premier@www.nsw.gov.au and

Environment Minister Frank Sartor: office@sartor.minister.nsw.gov.au

Leader of the Opposition, Barry O'Farrell LOP@parliament.nsw.gov.au

Shadow Environment Minister, Catherine Cusack Catherine.Cusack@parliament.nsw.gov.au

Don't Sell Our Parks to cut Your Deficit

by Keith Muir

Citizens have every right to get really hot under the collar about the NSW Government's plans to develop national parks. Our national parks, the public's Crown jewels, should never be sold.

Nothing should give us more pride than standing on a wild and lonely South Coast beach or a breathtaking Mountains lookout knowing such untouched, publicly owned bushland is permanently protected in our national parks.

It may be understandable that in these rocky economic times, the Parks and Wildlife Group (formerly the NPWS) tried to cut its costs and accommodate staff wage increases with tough measures to curb fiscal blowout. The recent Parks and Wildlife restructure, which removed some of the most experienced middle management, is due to this efficiency push.

It is also understandable that developers in this economic climate might suggest to a 'fiscally challenged' Government that its contracting tax base can be supplemented by skimming off revenue from the development of new park visitor services. So it might just make sense to expand the budget of the Tourism and Partnerships Branch, for more staff and to commission expensive consultancies to implement a raft of park development schemes.

The promise of revenue from park development is, however, just developer PR spin. The sad reality is that Environment Minister Frank Sartor and his park bureaucrats are planning to develop our parks in a vain hope that it will cover or at least distract attention from their growing deficit.

The NPWS Strategic Plan

The Tourism and Partnerships Branch has commissioned a consultant to prepare a national park Tourism Strategy. A draft of the Strategy report has been obtained by the Colong Foundation under Freedom of Information laws.

The report reveals some very flawed thinking. Its garbled 'infospeak' is scary. Here's a small sample: "a variety of experiences at a range of different price points needs to be offered. This will provide one base from which marketing activities of parks can become relevant to a cross section of the segments, with the creation of a broader constituency through attracting new visitors to parks." Did you get that?

Here's a rough translation: In order to strip park visitors of their money, services must be provided. Many saleable and bookable facilities must be built to successfully market national parks through the usual advertising outlets. These market mechanisms are a way of giving parks a money value that everyone can understand and respond to. A wide range of park developments will ensure as many people as possible can consume what was once conserved in national parks.

This process is called "Monetising the Brand," and in this case it also will liquidate your grandchildren's birthright to pristine nature. The downside of the market approach is that national parks must be chopped up into bite-sized sellable commodities. Do you want to kiss wilderness goodbye, simply because it's a non-market nature-focused park management strategy? I sure don't!

On top of this, the consultant's Tourism Strategy is for throwing parks open to festivals, concerts and adventure challenges, as these events draw crowds of money spinning tourists. There is also a plan to boost national park access for every user interest group –horse riding, mountain biking and so on – activities proven to cause damage to national parks.

When the report states "A strategic approach to the delivery of a range of high-quality accommodation to match a range of market needs across the state will achieve social, economic and environmental benefits," we have to ask, for whom? And how on earth could environmental benefits result from building in a park?

Developments mooted

The report mentions specific accommodation proposals for the Minnamurra rainforest, Bungonia Gorge, Green Cape lighthouse, Greycliffe House and Gap Bluff. A commercial hut experience is proposed for the Main Range in Kosciuszko National Park and along the coast in Ku-ring-gai National Park with water-based access. The proposal for a "Govetts' Leap Sunset Restaurant", at Blackheath would really draw political heat, especially as the sun sets in the west and Govetts Leap faces north.

Prof Ralf Buckley of the International Centre for Ecotourism Research at Griffith University said that "Proposals for upmarket exclusive tourist accommodation within NSW national parks do not fit any of the successful models. The closest analogues are historic hotels in US national parks, and recent lodges in South African national parks, and neither of these have made net contributions to conservation or park budgets.

"Examples from many other countries and other states, however, show that fixed-state private tourism developments within public protected areas do not provide either funding or political support for the parks agencies, and bring significant social, economic and environmental risks and costs.

"Parks are indeed a major attraction for tourists, both domestic and international, but the maximum contribution to regional economies is achieved by keeping the parks as natural as possible. Low key public visitor infrastructure adds value to the experience but commercial tourism infrastructure, activities and accommodation should be kept outside park boundaries" (4 March, 2009).

Sure, picking the eyes out of national parks will make money for developers but it won't cut the National Parks and Wildlife deficit, as the profits won't flow their way. Visitors to remote resorts spend their money on-resort and not in the community. So what's bad for parks and rural towns will be good for developer profits. The Tourism and Transport Forum is a big donor to political parties, and that is why state and federal governments support park development.