

THE COLONG BULLETIN

Bulletin 167

THE COLONG FOUNDATION FOR WILDERNESS LTD

March 1998

GLOUCESTER WALK, 88 CUMBERLAND STREET SYDNEY 2000 (ACN 001 112 143). TELEPHONE 02 9241 2702 FAX: 02 9241 1289 ISSN 1325-3336.

There will come a day when the wasteful people of Australia will wish, when it is forever too late, that a previous generation had fully realised their duty to themselves and posterity in regard to forest preservation... The speed with which the greatest material gift this continent was ever endowed with is disappearing brands us as destroyers.

Myles Dunphy – Journal No. 9

The Howard Government's latest series of regional forest agreements will pave the way for the wholesale destruction of Australia's wilderness areas. The agreements effectively mean no future wilderness areas identified can be protected without a payout to prospective developers for the resource foregone.

Senator Bob Brown addressing a Mittagong meeting, 14.11.97

Park Users Pay Park Developers

User pays philosophy is being embraced by the NSW National Parks and Wildlife Service. It is said to be a payment for use to recover management costs, to provide visitor infrastructure, to repair damage caused by use, and ration use.

The difficulty is that commercial considerations can overwhelm what is meant by appropriate park use. For example, facilities are generally provided for those who pay, but the provision of facilities in parks is primarily an ethical question and not an eco-

nomic one. Unfortunately, the NPWS Draft Nature Tourism and Recreation Strategy ignores the pervasivity of park development.

Embracing user pays will see less Service staff time and money going toward protecting the environment, such as pest species control (although user pays advocates and the tourism industry argue the opposite, it's well known that whoever pays the piper calls the tune).

Many of the attributes of the natural environment can not be traded on the open market. Dollar values do not accurately measure natural values such as clear air or water, wildlife or wilderness. And even if there were a market, it is not fair for park visitors to be singled out to pay for these services, as everyone benefits from these public goods.

Services have to be provided to part the park visitor from their money. So far such services have been limited to basic car parking, some camping and park visitor facilities. This level of infrastructure does not provide enough 'rateable services' to

In this issue...

Park Users Pay Park
Developers 1

Decibels Over the
Mountains 3

The Watchdogs Bite 4

Conservation's Poor
Relation 4

Meeting Dates 5

The Management of
Murramarang 5

The Telstra Slush Fund ... 5

Warragamba Spillway
Approved 6

Planning Disintegrates 7

The Helicopter Menace .. 8

Olympic Heritage 9

The 1997 Abuse Oscar .. 10

...continued on page 2

THE COLONG FOUNDATION FOR WILDERNESS

The Gloucester Walk, 88 Cumberland St., Sydney. Phone (02) 241 2702 Fax (02) 241 1289

PATRON: The Hon. Dr. Neville K. Wran, A.C., Q.C.

DIRECTORS: Pat Thompson, I.C.P. (Chairman); Jim Somerville, A.M., A.S.A. (Vice-Chairman); Alex Colley, O.A.M., B.Ec., H.D.A. (Hon. Secretary); Albert Renshaw (Hon. Treasurer); Tim Cadman B.A. (Hons), M.A. (Cantab.); Guy Dunphy; Peter Maslen, B.Sc.(Eng), B.Sc.(Botany); Peter Prineas, B.A., LL.B.; Jeff Rigby; John Sinclair; Andrew Wilson, B.Sc.

DIRECTOR: Keith Muir

HON. PHOTOGRAPHER: Henry Gold

HON. MEMBERSHIP SECRETARY: Shirley Dean

HON. AUDITOR: Arthur Andersen & Co.

BULLETIN DESIGN & TYPESETTING: Bungoona Technologies Pty. Ltd.

Park Users Pay Park Developers

...continued from page 1

justify the effort required to collect park visitor payments, except for the most popular parks.

The recent NPWS interest in broadening the range of services provided to park user groups boils down to park development. It is intended that park management will move away from taxation as the primary source of park revenue. The NPWS considers itself too vulnerable to funding cuts in this economically rational world. In taking this adaptive attitude toward economic rationalism, the NPWS opens the floodgates for park development. Revenue from park development may well be exceeded by expenditure on services. In the most developed park, Kosciuszko, revenue last financial year was \$12 million and total expenditure \$15 million.

This is not just subsidised park management, where users and commercial licencees provide 'top-up' funding, it is also Government subsidised park development. But managers will see more development as the solution to deficit budgets.

Pursuit of the Golden Grail

Economics matters, people and conservation generally doesn't. But when unpriced park values conflict with the almighty dollar, the dollar has been defeated by public protest at park exploitation.

Use levels are generally considered to partly estimate value. As access provision determines use levels, so, economically speaking, the more access, the more use, the better return on the park investment (if you can part visitors from their money). However, Echo Point Lookout has the greatest tourist visitation in NSW by far, at 2 million a year, eight times that of Uluru National Park and ten times Kakadu National Park but returns nothing for management. Blue Mountains City Council subsidises visitor services provided, while tour bus operators must be making a packet. So much for economic rationalism at NSW's number one tourist drawcard.

The easiest way to do reduce subsidy is to establish entry fees and have park visitors passively driving around in cars. This may be a solution at Echo

Point where parking meters could be installed but walkers will simply avoid entry gates. It appears then that walkers and wilderness are the enemies of economic rationalism.

In *Subsidies to the use of Natural Resources* by the Federal Department of the Environment, Sport and Territories, it is estimated that in 1994/95 \$200 million of taxpayers money was spent providing services to visitors of all the national parks in Australia. It is further estimated that \$40 million is recovered in entry fees, leaving \$160 million subsidy to direct park users. The subsidy to urban parklands, with real estate values at many billions, has never been calculated.

Entry fee charges must quadruple to avoid subsidy. If cost recovery is also sought by greatly increased resort and cabin development, a vicious circle of spiralling management costs and increased demand will destroy the primary purpose of parks, nature conservation. Many public services, such as those provided by the Opera House, the Arts and the Olympic games are subsidised - why not continue the relatively small sub-

sidy of park services?

A four fold increase in price would also lead to park development, as visitors would insist on value for hefty fees paid. It would also drive away from parks those that cannot afford to pay costly fees. Perhaps the NPWS could run a casino in Perisher or a lottery (under ICAC supervision)?

Parks are the birth right of every Australia, and access to parks on foot should be free as only fresh air, clean water and wilderness are enjoyed - all public goods. Payment should be made for any limited service provided, such as costly access roads to a primitive car camping grounds. If you can afford to travel to a park by car, you can afford the entrance fee. There are already 2,136 km of access roads, 1,334 km of walking tracks, 158 camping grounds, 400 picnic areas, 115 lookouts and 57 visitor centres in NSW parks. A further 500 km of roads pass through parks, and too many private resorts, cabins and leases exist in Kosciuszko and Royal National Park. Any further park development and you might as well not have a parks (or a Parks Service) at all. ■

Parkland Tourism Policy

The following motion was carried at the Nature Conservation Annual Conference:

THAT the Nature Conservation Council of NSW call on the Minister for the Environment to protect the primary nature conservation purpose of NSW National Parks and Wildlife Service (NPWS) parks by:

- a) restricting visitor use of NPWS parks estate to quiet enjoyment in nature-orientated, low impact recreation;
- b) confirming that public vehicle access is limited to approved and maintained public roads only, and that preferably such access should be short and located close to park boundaries;
- c) never allowing public vehicle access to be granted to beach areas in park estates;
- d) rejecting the controlled access system that is intended to provide exclusive 4WD club vehicle access to park management trails;
- e) excluding horse riding from wilderness areas, national parks and nature reserves;
- f) limited commercial vehicle access to guided tours on approved and maintained public roads and excluding such use from wilderness areas;
- g) banning any hardtop accommodation and other inappropriate commercial development within park estates (except for appropriately located visitor centres);
- h) prohibiting access for hunting, mining, logging, stock grazing, commercial fishing, beekeeping, or powerline easements and infrastructure development;
- i) establishing an accountable and transparent system for licensing commercial tourism operators that is subject to public comment and review; and
- j) developing codes of conduct for all park estate users consistent with minimising environmental impact.

Decibels Over the Mountains

The Badgerys Creek Airport E.I.S. offers no advice as to where the new airport should be situated. It does however provide ample evidence that it should not be at Badgerys Creek. It forecasts that passenger movements in and out of Sydney will increase from 20 million to between 50 and 70 million by 2023. Planned future capacity of Kingsford Smith is 30 million passengers a year. Since it will take many years to construct the new airport, the citizens of inner west and central Sydney face an even noisier future. The new airport would create a comparable future for the citizens of western Sydney. No doubt protests would be even more voluble than they are at present. There is only one way to divert aircraft from overflights of western Sydney. That is to divert the flight paths to the west - over the Blue Mountains. This is admitted by the Department of Transport and Regional Development, which stated in May last year that "maximum use would be made of airspace to the west." Because the Mountains reach an elevation of 1000 metres not far from Badgerys, the planes would not be far above them.

The Colong Foundation brought this threat to the amenity of the Blue Mountains Parks to the attention of the then Minister for Transport, The Hon. Laurie Brereton, three years ago. We received a reply from Mr O'Keefe, Parliamentary Secretary for Transport, saying that "implications for sensitive areas would be taken into account." We made a submission to the NSW Standing Committee on Public Works and sent a copy to Mr O'Keefe quoting the Heritage Act of 1974 requirement that the Civil Aviation Authority consider all prudent and reasonable alternatives before undertaking an activity that could adversely affect the National Estate. The Committee's report on State Infrastructure Requirements for Sydney West Airport

stated that it believed that overwhelmingly the Blue Mountains National Park would be free from overflights because of its position at a tangent to the runway at Sydney West Airport (SWA), but it was concerned that flight corridors for SWA might divert air traffic over Kanangra Boyd, Nattai and Thirlmere National Parks. The Committee also recommended that acoustic monitoring terminals be established at three points in the parks, 35, 45 and 55 kms from SWA, that the NSW Government enter into negotiations with the Commonwealth Government which emphasised the sensitivity of the acoustic environment in National Parks and would lead to the development of specific guidelines in Australia for monitoring and minimising aircraft noise in wilderness areas. It recommended that the negotiations would result in Air Services Australia being instructed to develop flight corridors for SWA which avoid overflying National Parks in the Sydney region.

The ten preliminary flight paths diagrams depicted in the E.I.S. make nonsense of the above good intentions. The flight paths fall short of Parramatta, Blacktown, Fairfield, Liverpool, Campbelltown and Camden (but not Penrith). They diverge around Glenbrook and cease before the other mountain towns, though they will not be far above ground level as they reach the crest of the range. All diagrams indicate flight paths extending 10-15 km. over the parks. However, noise impact modelling was not undertaken for the Mountains, nor were surveys of park visitors conducted to determine how many would be affected.

The E.I.S. presents no case for locating the airport at Badgerys Creek. It does however provide a good reason for locating it at Goulburn, which could be reached in 45 minutes by very fast train, as compared with the E.I.S. estimate of 74

minutes from Central to Badgerys.

The above conclusions are supported by two authoritative assessments. That report on the report, the SMEC Auditor's Report on the draft E.I.S., criticises the failure to discuss alternatives to proceeding with the proposed development (although it kept open 27 options for Badgerys). It states that:

"The Draft EIS does not assess the effects of noise upon users of affected National Parks and State Recreation Areas. The numbers and types of users are not discussed and the computer modelling did not extend over the Blue Mountains. The effects on wildlife are cursorily addressed."

On January 27th Pam Allan, Minister for the Environment, announced that the State Government had called on the Federal Government to immediately drop Badgerys Creek as an airport option. The immediate cause of this demand was three of the highest air pollution days on record in the past decade. The Minister said that if the Howard Government were to build a 24 hour operating Sydney airport in the Sydney Basin, pollution levels would rival conditions seen in cities such as Los Angeles and Mexico. Over 300 schools would be affected. The only way to prevent a repeat of the noise pollution nightmares of Kingsford Smith Airport was by siting a second international airport outside the Sydney Basin, served by a fast train. The NPWS was quoted as follows:

"The proposed Badgerys Creek airport would result in potentially severe and unacceptable noise and visual impacts on NPWS reserves which provide for recreational, educational and visitor opportunities. This includes Blue Mountains National Park, Burragorang State Recreation Area, Bents Basin State Recreation Area, Kanangra Boyd Wilderness Area, Nattai Wilderness Area, the Grose Wilderness Assessment Area and the proposed Blue Mountains World Heritage Area.

"Such impacts have the potential to significantly detract from the recreational amenity of the above reserves, a key purpose of which is to provide

...continued on page 4

The Watchdogs Bite

Mr. Ian Lloyd QC, prosecutor in some of Australia's most appalling murder cases, is now handling prosecutions for the Environmental Protection Authority. He sees the function of prosecuting environmental criminals as "equally, if not more important, than prosecuting murderers." In the last financial year fines for environmental offences more than doubled to \$700,000.

Land clearing is now classed as a criminal offence. It is subject to the new Native Vegetation Clearing Act of January 1st. There have been several successful prosecutions and the Department of Land and Water Conservation has at least 10 more under way. A very significant case was that of Oshlack, represented by the Environmental Defenders Office, vs the property developers Iron Gates. Irongates Pty. Ltd. was ordered by the Land and Environment Court to restore the North Coast bushland habitat of threatened species - including koalas - which it illegally felled for a housing estate, obliterating a proposed wild life corridor. Restoration may easily cost more than \$1 million. It was found that Iron Gates had breached both the development approval conditions imposed by the Richmond Shire Council and the National Parks and Wildlife Act, but it was left to Al Oshlack to bring the case to court. The right of third parties to take action confers very significant power on the environmental movement. It's a pity the Native Vegetation Conservation Act does not apply north of the border, on Hinchinbrook Passage.

Data from Murray Hogarth's article
Green Avenger, SMH 11.2.98

Conservation's Poor Relation

The deterioration of Australia's rural and biological resources by over-grazing, land clearing and cultivation is amply described in scientific literature. The State of the Environment Australia report describes soil as a finite and non-renewable resource. In a summary of soil loss on sloping lands it estimates soil loss in tonnes per hectare per year as 100-500 tonnes under tropical cropping, 1-50 under cereal cropping and 50-100 on bare fallow. On forested catchments the loss is 0-1 tonnes, rising to 10-50 after bush fires. (Is this the reason for our thin soils?)

Mary E. White's book, *Listen... Our Land is Crying*, expresses the need "to see the big picture with the extent of environmental degradation in context. It will become clear," she writes, "that our current practices, rural, agricultural and pastoral, and the rate at which we are using up our resources, are unsustainable." The text and photography of the book provide ample proof of this statement.

Both volumes recognise the significance or habitat maintenance for the preservation of biodiversity. The State of the Environment Australia Report states that "when habitats shrink populations decline and lose genetic biodiversity." Mary White writes that "if native species biodiversity is to be maintained refugia have to be protected." Twenty mammal species and 2.9 per cent of total flora species have already been lost and 3329 plant species are listed as rare or endangered.

In view of the degradation of the developed environment and the loss of biodiversity caused by destruction of habitat, preservation of what is left of

the natural environment should enjoy top priority. The 517 page State of the Environment Australia report devotes just a quarter of a page to wilderness, which is described as an Aboriginal cultural landscape. One sentence is devoted to conservation; it states that the protection of wilderness "may be important for conservation." Mary White devotes a few pages to wilderness, mainly concerning Tasmania, and some of the organisations campaigning for it. There is no mention of the 60 year campaign in NSW.

The Heritage Council of NSW has approved the funding of 474 projects under the \$5 million Heritage 2001 program. Most of the grants are for buildings, historic projects, better management and studies. Wilderness doesn't rate as a heritage item.

The slow progress of wilderness declaration, as described in the last Bulletin, is due partly to the paucity of resources devoted to assessment (one full time officer and several part time assistants) and the attempt to accommodate all the interests, both business and recreational, which seek to exploit wilderness regardless of damage to the natural environment. Wilderness continues to be accorded the near zero conservation priority it has been accorded since 1788.

Because it is scarce (5 per cent of the State) and irreplaceable, the Colong Foundation believes it should be accorded top priority. We believe that the book *Wild Places* together with Geoff Mosley's book *The Battle for the Bush*, which we expect to publish soon, and Peter Meredith's book on the Dunphys, also nearing completion, will help to promote wilderness to the top priority it

Decibels Over the Mountains

...continued from page 3

an understanding and enjoyment of the natural and cultural values of relatively undisturbed natural areas.

"The draft EIS provides predictive figures for aircraft noise events exceeding 70 dBA on an average day for each airport option. The NPWS considers that the intrusiveness of, for

example, up to twenty five flights over the Blue Mountains National Park exceeding 70dBA in a single day (equivalent to being 3 metres from a vacuum cleaner) is likely to significantly detract from a visitor's experience of nature during a visit to the park, which is a major tourist attraction to national and international visitors, attracting over 3 million visitors a year."

The Management of Murramarang

There is no more important national park on the NSW South Coast than Murramarang National Park. It is a narrow discontinuous strip and subject to gross overuse.

Milo Dunphy, in a letter to Tim Moore, 29.6.89

Murramarang National Park is second only to Kosciuszko in the extent of degradation caused by commercial exploitation. The Colong Foundation has campaigned for many years against ecologically unsustainable development of the Murramarang environment. We opposed commercial development at Depot Beach, logging on the shores of Durras Lake, a 45 square km. minerals exploration licence, development at South Durras caravan park, and the licensing of 105 unauthorised sites at Merry Beach.

Two recent initiatives open a window of opportunity for park improvement. The first is the proposed Termeil Coastal Reserve, covering the area between Bawley Point and Tabourie. Though too small to become a wilderness reserve, it is relatively undeveloped. In view of the fact that there is only one wilderness area on the coast (Nadgee) we have submitted that it should become a national park and be managed on wilderness principles. The main outcome of such management would be the exclusion of vehicles and horses. The Steering Committee and Reference Group agreed that the high natural values of the area should be

protected and that it should offer opportunities for low impact use including primitive camping. They considered the area important because coastal primitive camping opportunities between Sydney and the south coast are in relatively short supply. (Maybe the lessons of leasehold management in the park have been learnt). The area was not seen as a recreational vehicle area and horse riding is to be investigated. Some believed that on environmental protection grounds there was no scope for vehicle based camping. These views were of course opposed by the ORV and equestrian interests.

The second initiative creates a precedent for vastly improved park management. The Pretty Beach Caravan Park lease expires on May 31st. Management will then revert to the NPWS. In section 3 of the redesign discussion paper issued by the Service the "constraints" now evident are listed. They include unattractive and poorly maintained buildings, dying trees, visually obtrusive electricity elements, sewerage and water supply systems in need of replacement and improvement and visually intrusive buildings.

The management plan aims to provide low key camping facilities. Its best feature is the abolition of permanent occupancy, but many of the planned facilities are not "low key." The facilities to be provided in the Preferred Concept Master Plan include many powered camp sites, cabins, bunk houses, kitchens and other facilities readily available in 10,192 sites within 72 caravan parks provided by private enterprise elsewhere in Shoalhaven Shire.

The reason for the provision of the by no means low key accommodation is that the plan is not conservation but market oriented. The paper states that "a mix of accommodation forms offer greater flexibility to capture new and varied market targets." The

The Telstra Slush Fund

The Hon. Duncan Kerr, Shadow Minister for the Environment, advises that although \$68.3 million of National Heritage Trust Grants have been allocated to Coalition seats, only \$4.6 million has gone to ALP seats. In NSW \$21.17 Million of the state's allocation has gone to Coalition seats and \$800,000 to ALP seats. It could be of course that most environmental damage is done by coalition supporters.

In its February journal the NPA of Queensland reports the siphoning off of NHT funds to replace budget allocations. Some \$40 million is likely to be diverted from the Tasmanian NHT to fund the Regional Forest Assessment. The Queensland NHT will fund a pasture extension officer for the Cattlemen's Union and a marketing officer for the Queensland Grain Growers. The administration of the NHT has been entrusted to a committee of about 20 including four sustainable production representatives (from industry), four from State Government departments, including only one from the Department of the Environment, and only two endorsed conservation representatives.

plan seeks to "cater for tourist caravanning and cabin-stay opportunities." One of the options presented "limits the site's ability to respond to market trends" and is stated that the site must be "economically viable."

The termination of the leases and licences on other parkland sites would enable transfer of management to the NPWS. This would enable the NPWS to cater for the enjoyment of nature instead of the tourist dollar. Given enough public support, which might be enlisted by the conservation movement, the purpose of national parklands - the conservation of nature - might prevail over the profit motive.

Colong supporters are urged to write to The Planning Officer, NPWS, PO Box 707, Nowra NSW 2541 supporting the decision to abolish permanent occupancy. ■

Meeting Dates

*Meetings will be held
on March 26th, April
9th and 23rd, and May
7th and 21st (ANNUAL
GENERAL MEETING).*

WARRAGAMBA SPILLWAY APPROVED

On 16th February the Hon Craig Knowles, Minister for Urban Affairs and Planning, approved the auxiliary spillway for Warragamba Dam, ensuring dam safety without substantial environmental impacts. The decision honours the Government's commitment to address dam safety and flood management without opting for increasing the storage capacity of the dam.

The spillway is five times cheaper than the alternative solution of raising the dam wall and will preserve the biodiversity of the wilderness areas upstream. The construction of the new spillway on the eastern side of the dam will not increase flood risk. The spillway solution to ensuring dam safety avoids the harmful effects to national parks and the Hawkesbury-Nepean River.

The decision follows ten years of studies and two environmental impact statements for Warragamba Dam. The spillway proposal was developed in 1987, but the proposal was not put on public display. A second proposal for raising the dam wall by 23 metres was then prepared but rejected in 1995 as an expensive and simplistic solution to the complexities of flood management. The EIS for the spillway was then released in November 1996.

Despite determined work by the pro-dam raising lobby backed by

those keen on more residential development in low lying areas and by the Penrith Press, the responses on the spillway EIS were overwhelmingly in favour of the proposal.

The dam raising proposal was estimated to cost \$280 million (but would have cost more than \$500 million as dam construction invariably runs over budget). The money saved by building the spillway can be spent on hospitals, schools and improved flood management for the people of Western Sydney.

The dam wall raising EIS background studies revealed that up to 75,000 new residential lots would become available in low-lying areas if the dam wall was raised. The wall raising is about real estate development as confirmed by Cr Rex Stubbs, Chairman of DAMIT. He anticipates an

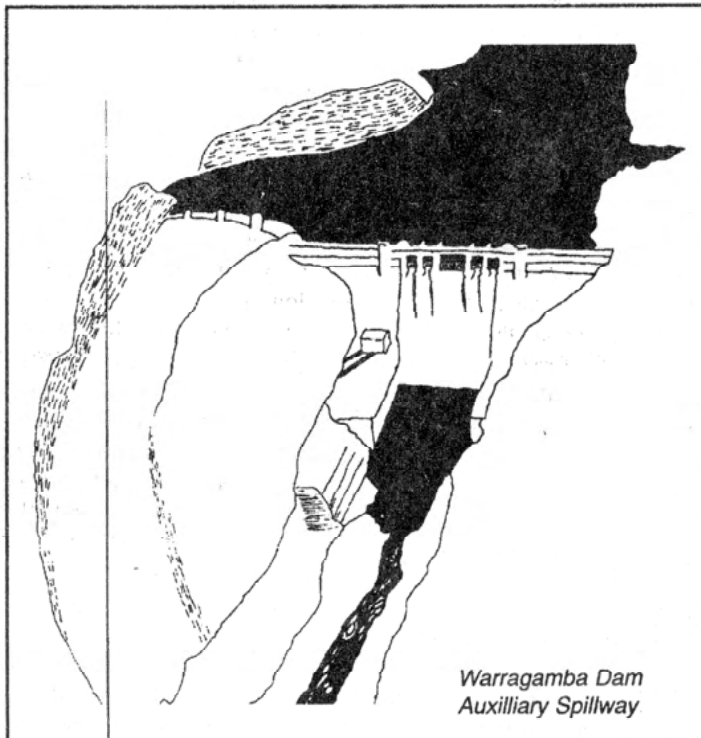
additional 150,000 residents on the floodplain (Hawkesbury Gazette, 17/12/97). Allowing development would have meant a no net flood protection gain from the mitigation dam. More people would have been at risk from floods in the new suburbs. And with the complete loss of flood awareness arising from the belief that the dam wall raising made them safe, greater loss of life would arise if the dam was raised.

The 1867 flood has been used as a bench mark for assessing options for flood mitigation. There is, however, no strong evidence that the 1867 flood came from the Warragamba River. Reference to the 1867 flood is misleading, as the dams since constructed on the Cordeaux, Cataract, Avon, Nepean and Warragamba rivers limit flooding.

Even if the dam wall was raised it would not stop the floods on the other rivers in the Hawkesbury-Nepean River catchment or the giant tsunamis up to 100 metres tall that would have covered the Hawkesbury-Nepean floodplain. Professors Bryant and Young, in a recent study, estimate that giant tidal waves have occurred at least six times in the last eight thousand years. If another tsunami the size of the most recent one was to strike Sydney, it would cause massive damage (SMH, 19/2/96).

Protection from tidal waves, if possible, would require a very costly barrage at the lower end of the floodplain. This would prevent floods but further burden the State's finances far into the future.

Opting for the spillway means that the flow down the Hawkesbury-Nepean River will be more natural, the downstream fisheries and wetlands will benefit from more natural flows, urban development will remain contained by current flood planning levels and the southern Blue Mountains wilderness areas remain safe from flood inundation. ■



At the end of last year, the main rumour circulating the NSW Parliament was the State Opposition's support for Minister Knowles planning amendments was to ensure the Government would be blamed for subsequent community conflict.

The legislation, which could be proclaimed at the end of June 1998:

- allows government agencies, like State Forests to evade environmental impact statements;
- abolishes the mandatory check list for considering the environmental effects for a proposed development;
- confounds public comment, as citizens will not know what environmental aspects the decision maker will address;
- denies effective notification of neighbours about developments, such as house extensions;
- abolishes protections given to threatened species in the case of subdivisions;
- creates two more categories of Ministerial determination of major development, increasing centralisation;
- allows private certifiers to take decisions for property subdivision and residential development out of the hands of elected Councillors;
- enables these private certifiers to be paid by the developers but only when the development is approved (satisfaction is guaranteed);
- prevents appeals for approvals given by dodgy certifiers but developers can appeal in secret;
- fast tracks development while denying a statutory mechanism for government agencies like the Environmental Protection Agency 'to stop the clock' and have a closer look at dubious projects;
- requires State agencies to give preliminary approval (or refusal) of a proposal without seeing the detail necessary for say a pollution control licence and subsequently the agencies are not allowed to reverse an approval, regardless of overwhelming scientific data and public opinion received during the assessment process.

In speaking to the proposal the Hon Jeffrey Shaw, Attorney General, said that "the proposed reforms will exclude critical habitat and wilderness areas from exempt and comply-

Planning Disintegrates

ing development". Whilst this sounds reassuring (except that no critical habitat is gazetted and there is virtually no wilderness on private land), approvals for these types of 'minor' development may be rubber stamped without public consultation in council parklands, open space, environmental protection zones, wetlands, littoral rainforest, foreshores, and scenic protection areas and bushland.

The legislation assumes that there is a nexus between minor development and minor environmental impact. This is not the case, especially when minor development involves clearing environmentally sensitive environments, or where pollution from minor development pollutes waterways and wetlands (eg. agricultural development).

Any development that a Council considers exempt or complying can be approved in the most environmentally sensitive areas. That could mean pavilions, surf clubs, parking lots, certain roads, lookouts, recreation facilities of all kinds being developed in environmentally sensitive bushland.

Balance

The legislation is claimed to provide a balance between economic growth and high-level environmental assessment. 'Balance', however, means more development. In this case it has been achieved by privatising approval processes for some categories of development and curtailing public comment. Furthermore, the Government's attempt at integrated development between local councils and state agencies will in effect remove state agencies from properly considering whether a particular development can meet community expectations.

In his speech, the Hon Ian Cohen quoted Mr Gary Sturgess's report to the Greiner Government on red tape. He said red tape is "aimed at meeting community objectives such as envi-

ronmental protection" etc and is "the price we pay for open accountable government".

In moving away from red tape and something the Attorney General called "public sector monopolies" to a thing called a "more contestable model", developers now pay for a private consultant to approve their development in accordance to a set of rules. That will certainly cut red tape! The Australian Consumers Association has expressed doubt that a private consultant can be at arms length from the development in these circumstances. While the scheme only applies to so called minor development, such as residential development and subdivision, it will have disastrous consequences in the Blue Mountains.

The Hon Richard Jones described the legislation as a developer's bill. He unsuccessfully sought to move amendments to require certifiers to consider threatened species when assessing subdivision proposals etc. To illustrate the case Mr Jones referred to the Blue Mountains planning scheme.

Mr Jones reported that under the 1991 planning scheme "west-facing, fire-prone, ridge-top areas would be subject to detailed planning controls and all development control would be subject to council consent. The strength of the plan for the bushland backblocks relied on council discretion to determine each proposed small-scale residential development. Somehow the conflict between bushland conservation and development was to be resolved by allowing piecemeal unserved development." ...

"Under the integrated development assessment legislation now being considered the residential growth that is now occurring sporadically by ad hoc development proposals, as exemplified in the Blue

...continued on page 8

Park Cabins Deprive Local Business

The Coonabarabran Chamber of Commerce has written to the NPWS strongly opposing the provision of roofed accommodation in the Warrumbungle National Park. The reasons for its opposition are:

1. The provision of roofed accommodation would deprive the local community of patronage.

2. Such development, together with the necessary infrastructure inside national parks, is ecologically unsound and impinges on the wilderness nature of national parks.

It is pointed out that Coonabarabran has thirteen motels/hotels caravan parks/farm-stays etc. which provide accommodation for approximately twenty five hundred persons per night. Should more accommodation be required, the Chamber writes, "local business should be approached to expand accommodation in Coonabarabran NOT in the Warrumbungle National Park".

No Resorts in the Park

The Victorian Government has a ready solution of the problem of resort construction in parks. Simply excise the necessary site from the park. Two hundred and eighty five hectares have been excised from the Alpine National Park for additions to the Falls Creek Resort.

Planning Disintegrates

...continued from page 7

Mountains, could rapidly obliterate memorable landscapes with urban ugliness. An example is Kings Tableland where residential subdivision is now beginning to spoil views from famous Blue Mountains beauty spots, such as Sublime Point." ... "Delegating planning control for subdivision and residential development to private certifiers, as proposed by this legislation, will lead to suburbia rushing across fire-prone areas almost as quickly as a bushfire, and with about as much control." ■

The Helicopter Menace

Low flying helicopters have just been approved that will operate over the Blue Mountains National Parks, a move that could endanger threatened species and the peace and tranquillity enjoyed by visitors to these parks. The 'eco tour' involves a one way helicopter flight, a 4WD tour through the Blue Mountains and lunch by the Cops River.

Operation of commercial helicopter tours will greatly exceed the background noise in the Kanangra-Boyd wilderness but was approved by Oberon Council in February, reversing its previous decision to ban the proposal. No environmental impact statement was required by the Council.

The developer, Heliscenic, will start with 1,500 helicopter flights a year over the national parks to a property in the Megalong Valley. The operation provides lunch at a 'restaurant' on the junction of the Little and Cops Rivers. The already constructed eating establishment is yet to be approved by Council.

Four years ago, a survey by Blue Mountains City Council found that many visitors and residents are concerned about aircraft interference with the peaceful and tranquil environment that a lot of people come to the Mountains to find. At the time the NSW Environment Protection Authority expressed concern that "unrestricted helicopter flights could destroy the very experience that attracts visitors to the area" (SMH, 8.12.93).

The Foundation considers that the self regulation of helicopter joy flights does not work. A second operation, conducted by Sydney Helicopters on an occasional basis, uses the facilities at Mountain River Riders. This outfit also flies fishermen to the Armstrong's property, Konangaroo, on the junction on the Kanangra and Cops Rivers in the middle of the wilderness. The helicopter

operation has not been approved by the EPA. Neither operator has provided information on proposed flight paths for consideration by Council, the NPWS and the local community.

There is evidence that endangered species, such as the peregrine falcon and the brush tailed rock wallaby can be affected. Rock wallaby's are terrified of low level aircraft, and have been known to jump to their deaths. No survey of endangered species has been undertaken along the yet unspecified flight path(s). Approval of flight paths are not part of the development assessment process, so a key impact from the development is overlooked.

The remotely located 'restaurant' also raises serious issues regarding disposal of rubbish and sewage, and 4WD vehicle access down a mountain side where no formed road exists must be hazardous to participating tourists. The access has a one in three grade in places and 4WD tourist vehicles have been known to overturn in wet weather on the slippery dirt tracks in the nearby Burrangorang Valley.

The development site on the river junction is only 15 metres from a platypus colony that lives in the banks of the Little River. This timid animal should not be driven out by hordes of inquisitive tourists.

Although the Oberon Council has now approved the helicopter part of the operation, the Environment Protection Authority must licence the landing site. The EPA has previously scrutinised the licensing of excessive helicopter operations in the Blue Mountains that impacted upon the environment. The Colong Foundation has sought EPA intervention to protect the solitude and peace of the wilderness in the Heliscenic and Sydney Helicopter operations. If helicopter tours become an established element of commercial tourism in the Blue Mountains, then the amenity and solitude of these parks will decline. ■

Olympic Heritage

At last, major progress is being made towards Blue Mountains for World Heritage. A tender document seeking consultants for the nomination report has been finalised, and the State and Federal Governments have provided a total of \$80,000 for the report. A community-based Reference Committee has met three times since June last year to provide community input to the preparation of the nomination for World Heritage listing.

As expected, the key decisions on the nomination were made prior to community consultation. At the Committee's inaugural meeting it was announced that the Commonwealth and NSW Governments were committed to a eucalypt-based nomination. This approach tangles the nomination up in the National Forest Policy. Under the policy, all forests in Australia are required to be assessed for World Heritage values.

'Themed' Heritage

A eucalypt-based nomination is an example of the experimental 'thematic' approach to World Heritage nominations. Conservation representatives on the community-based Reference Committee strongly criticised this approach, especially since the nomination has been approved by both governments as a stand alone proposal.

Themes are not part of the internationally accepted criteria used to assess natural area nominations. Thematic World Heritage nominations risk being narrowly-based, as other 'themes' of equal importance receive less emphasis. Both the Geoff Mosley and the Royal Botanic Gardens reports on World Heritage values found that the Blue Mountains met all four assessment criteria for a natural area. To emphasise only one value limits the chances of success.

The 'thematic' approach also tends to limit the extent of the areas identified and could leave out large chunks of existing parks out of the World Heritage property. Developing a 'theme' would of course set a further hurdle for the nomination, as the pro-

posal must be accepted on the internationally agreed World Heritage criteria.

Then there is the obvious problem that the nomination may be seen as just a small part of a larger proposal dealing with other eucalypt-based World Heritage proposals across Australia. The World Heritage Committee may be puzzled why the eucalypt-based Blue Mountains nomination is not part of a larger eucalypt-based proposal including Western Australian, the Alps, the South East and North East forests of NSW, East Gippsland and Tasmania forests.

If a comprehensive approach based on the existing assessment criteria is not used, there is a real risk

"Thematic World Heritage nominations risk being narrowly-based, as other 'themes' of equal importance receive less emphasis."

that some World Heritage values will not receive protection, or worse, the proposal could fail or be referred back to the Federal Government for further work. The latter outcome occurred twice with the recent Macquarie Islands proposal. The area was finally accepted by the World Heritage Committee once values other than the pet geological 'themes' were nominated for protection.

The Olympic Challenge

The Blue Mountains World Heritage proposal was planned to reach fruition in the Olympic year, bringing high profile international recognition to Sydney's nature conservation achievements. To achieve this end the appointed consultant must write the World Heritage nomination in only two months (not only must our athletes be fast)!

Fortunately no further investiga-

tion or assessment work is needed. The 1994 Royal Botanic Gardens report provides the data necessary for the nomination report. The areas identified by the Gardens report complements the original work by Geoff Mosley for the Colong Foundation and forms the core area of the proposal. The limited time available also precludes further detailed assessments of eucalypt values in preference to other values.

Further assessment of World Heritage eucalypt values under the Forest Policy should happen after the nomination is lodged. The updated eucalypt data will assist with the management and protection of the integrity of the World Heritage property. Somewhere along the line, it is hoped the experiment of nominations based on themes will disappear as a 'storm in a tea cup'.

The Senate investigates

In October 1997, the community-based Reference Committee received a request from the Senate Reference Committee conducting an Inquiry into Commonwealth Environment Powers. The request was to consider the Blue Mountains nomination as a case study of Commonwealth powers.

The Reference Committee declined the request, not wanting to politicise the Committee's work. The Colong Foundation was not so restricted and made two submissions. The first submission by Alex Colley OAM made the point that "national heritage should be a matter of national significance and that the Commonwealth should have the power to make sure that the nation's interest are respected, as often they are not by the states." Alex also made the point that the Commonwealth needs to take a more active role in the proposal for World Heritage for the Blue Mountains.

In its second submission the Colong Foundation suggested that the Commonwealth Government should establish formal processes for accepting, examining and preparing nomination reports for World Heritage proposals submitted by community groups. The submission put the case that if proposals like the Blue

...continued on page 10

Olympic Heritage

...continued from page 9

Mountains which receive broad community and bipartisan political support experience difficulties, then the administrative arrangements for progressing nominations must be subject to performance standards.

The Foundation's four page submission was accompanied by a large box of evidence. The evidence was intended to form the backbone of the Inquiry's case study of the Mountains. The evidence recorded the Foundation's National Estate funding applications to prepare the World Heritage nomination that were officially encouraged by Government bureaucrats and subsequently refused, twice. It also highlighted the ten years of effort to secure broad support from the community was, along with the evidence of bipartisan support and the response of Government agencies.

The Foundation's second hearing of the Inquiry caused such a stir that it was reported in the *Herald* under the headline "Heritage Hopes Slipping". At the hearing, the Foundation warned that the World Heritage Committee should not have to be placed in a position of assessing value of the thematic approach as applied to eucalypt forests as well as the merit of the Blue Mountains as a potential World Heritage property.

The Foundation then explained to the Senators that the nomination is running mainly on eucalypt values because an expert panel on World Heritage was unreasonably dismissive of the geomorphological values of the Mountains (see Bulletin 164).

The Inquiry members visit the Mountains

On Friday 18 December, Democrat leader Senator Meg Lees, Democrat Senator Lyn Allison and Liberal Senator Tierney visited the Mountains, accompanied by representatives of the Colong Foundation, the Blue Mountains Conservation Society and a retinue that included the Committee Secretary and Research Officer, and a Hansard reporter equipped with a short-hand computer. The site inspection, with computer in tow, examined controversial development sites, scenic vantage points in Leura and Wentworth Falls that afforded views of the urban sprawl along Kings Tableland and the advances being made with diverting sewage out of the proposed World Heritage property. "The Edge", John Weiley's movie of the natural heritage of the Greater Blue Mountains was also enjoyed by the Committee as a positive example of catering for mass tourism.

The inspection generated a dramatic controversy when Blue Mountains Councillor/developer Ralph Williams barred access to his property. The

Senators wanted to see his land in Coughlan Rd, Blaxland, which adjoins the national park. An environmental consultant had found the endangered red crowned toadlet on the site, but despite this, the development had been approved. When the Colong Foundation approached Cr Williams for access to his site he said "that as far as I am concerned the Committee can stay in Sydney". He later claimed that no one from the Senate Committee had approached him to ask permission. But while the Senators met local residents, Cr William's son drove by shouting "If you try to go onto Ralph William's land, we will have the police there waiting for you so don't try to trespass."

When the group went to view the site from a public reserve, Cr Williams, his son and his three dogs waited on his side of the boundary. The Hansard record of the field inspection should make most interesting reading.

The site inspection and Senate debate should prime interest in the proposed Blue Mountains nomination, or at least provide a handy reference to Federal Parliamentarians when the issue comes up for debate. The nomination is due to be lodged with the World Heritage Committee in Paris on 1st July this year, provided the consultant can break records in report preparation.

The 1997 Abuse Oscar

The Colong Foundation awards the 1997 Abuse Oscar to Blue Mountains Councillor Ralph Williams. The last was awarded to Peter Cochran, for his effort of charging the Colong Foundation with lying at least sixteen times in a speech made at a public dinner in Tumut.

Councillor William's abuse does not reach such great heights as the Shadow Minister for Emergency Services, Mr Cochran, but he earns last year's Abuse Oscar for his comments in the Blue Mountains Gazette last December. Cr Williams refused to allow the Senate Reference Committee examining the proposed Blue Mountains World Heritage area onto his property.

After threatening a Senate Committee with trespass, he said to the Gazette that "hell would freeze over before I'd let Mr Muir and his crazies on here, willingly and knowingly..."

"If Mr Muir is so against subdivision he obviously lives in a humpy in the bush, unlike the rest of us ordinary people."

Unlike Mr Cochran, Cr Williams is not a reader of the Colong Bulletin. If he was he would know that the Colong Foundation is just as vigorously opposed to private dwellings (including humpies or shacks) in national parks as residential development on fire prone ridges overlooking national parks. The Colong Foundation is not opposed to environmentally sensitive urban consolidation of the existing Blue Mountains towns.

Threats Identified and Approved

The Australian Alps Liaison Committee reports that its Disturbed Mountains Catchments workshop identified the current major threats to mountain catchments as development of resorts, access and industry infrastructure. There is no mention of the proposed increase in resort accommodation. Access for 4WD drivers and horseriders is to be improved by a guide to routes into and through the parks and provision for recreational horseriding. The report is illustrated by a photograph of workers rehabilitating a stream crossing which looks very like part of a 4WD and horseriding trail.

BULLETIN SUBSCRIPTION

Membership of the Colong Foundation for Wilderness covers Bulletin subscription fee.

Non-members of the Foundation may subscribe to the Bulletin for a fee of 10.00 (covers all issues of the Bulletin to 31.12.98 &

A BEQUEST

Please remember us in your will. The Law Society of NSW recommends the following wording:

"I bequeath the sum of \$..... to the Colong Foundation for Wilderness Ltd. for its general purposes and declare that the receipt of the treasurer for the time being of the Colong Foundation for Wilderness Ltd. shall be complete discharge to my executors in respect of any sum paid to the Colong Foundation for Wilderness Ltd."

MEMBERSHIP

Membership fee of \$20 covers Bulletin subscription.

If you are not personally known to the Foundation, the Secretary will nominate you and ask one of the directors to second your nomination. The signing of this application will be accepted as evidence of your support of the aims of the Foundation.

Return to The Hon Secretary, Colong Foundation for Wilderness, The Gloucester Walk, 88 Cumberland Street, Sydney 2000



SUPPORT THE COLONG FOUNDATION!

The Treasurer, Colong Foundation for Wilderness Ltd
The Gloucester Walk, 88 Cumberland Street, Sydney. 2000

The enclosed remittance or advice covers the item(s) indicated by a tick
(One cheque is sufficient to cover subscription and donation)

- ☐ Membership application (use form below)
(N.B. Membership fee covers Bulletin subscription)
- ☐ Life Membership (\$500)
- ☐ Membership renewal (\$20)
- ☐ Colong Bulletin Subscription to 31/12/98 (\$10.00)
Non members only

Tax deductible donation of \$..... to the Colong Wilderness Fund
(cheques to be made payable to the Fund)

NAME (Mr. Ms. Mrs. Miss).....

ADDRESS.....

.....POSTCODE.....DATE.....

Signed.....AMOUNT.....

MEMBERSHIP APPLICATION FORM

I hereby apply for membership of the Colong Foundation for Wilderness Ltd.

I am nominated by..... and seconded by

I subscribe to the Foundation's aim of preserving Australia's wilderness remnants. I accept the liability provided in the Colong Foundation's Articles of Association to guarantee \$20 should it be needed in the event of the winding up of the Foundation

SIGNED.....AMOUNT.....

ENCLOSED.....

NAME.....

ADDRESS.....

POSTCODE..... DATE.....

PROGRESS OF THE FOUNDATION

The Colong Foundation originated as the Colong Committee which was appointed in 1968 by a meeting of conservation societies to prevent quarrying of Colong Caves. Shortly afterwards the Committee extended its objective to cover the saving of the Boyd Plateau from becoming the site of a 15,000 acre pine plantation. Both objectives had been achieved by 1975, when three new objectives were adopted. The first of these was the creation of a Border Ranges National Park, an objective which escalated to become the rainforest campaign. The other objectives were the creation of a Greater Blue Mountains National Park and a Kakadu National Park. The rainforest parks and Kakadu are now World Heritage areas. The Greater Blue Mountains Park is in being in fact, through not in name, and the Foundation is campaigning for World Heritage listing for the Blue Mountains. Recent campaigns for the Gardens of Stone and Nattai National Park have been successful. The Foundation's proposal for a Wilderness Act was accepted in 1987. It has been supplemented by the Red Index of Wilderness now being updated and extended to other states. The Foundation is working for the preservation of old growth forests, particularly those of wilderness value and for scenic river legislation. A more detailed history of the Foundation is available in its introductory brochure.

THE COLONG FOUNDATION

SENDER – THE COLONG FOUNDATION FOR WILDERNESS
The Gloucester Walk, 88 Cumberland Street, Sydney NSW 2000



PUBLICATIONS AVAILABLE FROM THE COLONG FOUNDATION

	Price Posted \$
The Colong Bulletin, bi-monthly per annum	10.00
Blue Mountains for World Heritage	16.00
The Colong Story	8.00
How the Rainforest Was Saved	8.00
Park or Pines	8.00
Wilderness – The Future	25.00
Red Index – Complete	100.00
Red Index – Summary Brochure	2.00
Red Index – Listing of Individual Areas	5.00
Myles Dunphy's Gangerang and Kowmung Maps	5.00 ea
Wild Places	34.95