



SUBMISSION TO THE SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

TASMANIAN FOREST AGREEMENT BILL 2012

1. EXECUTIVE SUMMARY

Tourism Industry Council Tasmania (TICT) welcomes the opportunity to contribute to this important Select Committee review of the *Tasmanian Forest Agreement Bill 2012*.

Tasmanian tourism operators have a significant interest and stake in Tasmania's natural landscape resource. Many tourism operators work within or in close proximity to Tasmania's native forests and are passionate about their future use. Tourism is also one of the few significant industries generating economic activity out of Tasmania's nature reserve system.

In this context, TICT has maintained an ongoing interest and engagement in the Tasmanian Forest Agreement process since its inception in 2010, around two issues:

1. Land tenure, and ensuring ongoing access for current and future recreational and commercial tourism interests to any newly protected reserve areas; and
2. Ensuring adequate funding for the Tasmanian Parks & Wildlife Service in the expectation they assume management and responsibility for any newly protected reserve area.

TICT does not question the intent of the Tasmanian Forest Agreement to resolve the destructive forest debate in Tasmania, or secure a sustainable future for the Tasmanian forest industry. There are, however, significant provisions within the current legislation before the Tasmanian Parliament that will restrict the capacity for tourism to prosper in newly protected reserve areas.

These provisions reflect the exclusive nature of the Tasmanian Forest Agreement process including a small number of vested interests at the exclusion of other industries, user groups and communities with an ongoing interest in these publicly owned lands.

Through this submission TICT is proposing a series of practical and reasonable amendments to the current legislative framework recognising the important and growing role of tourism within newly protected reserve areas, and to provide confidence to our industry that existing access for tourism operators to these State forests will be maintained, this includes:

- Including Tourism activities as a permitted use under Schedule 1 of the purpose of the Act;
- Including tourism activities as a permitted use within new reserve areas;
- Restricting the capacity of the 'Special Council' to influence the Protection Order process for newly established reserves.

TICT has proposed specific amendments to the legislation within this submission that we encourage Honourable Members to consider.

We request the Select Committee fully scrutinise the funding provision associated with this agreement to the Tasmanian Parks & Wildlife Service to enable them to adequately manage new reserve areas without impacting on their existing services.

1. INTRODUCTION

Tourism Industry Council Tasmania (TICT) welcomes the opportunity to contribute this submission to the Legislative Council Select Committee scrutinising the *Tasmanian Forest Agreement Bill 2012*.

TICT is the peak industry body for Tasmania's tourism industry. TICT and its member organisations collectively represent over 1,800 Tasmanian businesses, including accommodation and hospitality operators; tour and transport operators; attractions, experiences and visitor information services. TICT is governed by a 24-member industry council directly elected by the membership.

Tourism contributes in excess of \$2.0 billion or 8.0% of Tasmania's total Gross State Product (GSP), which is well above the national average of 4.5%. Tasmania is second only to the Northern Territory in terms of the contribution of tourism to overall GSP. Tourism directly and indirectly supports 32,000 jobs in Tasmania or 13.5% of total Tasmanian employment. This is significantly above the national average, and the highest rate in the country.

The West Coast of Tasmania is the fifth, and East Coast, sixth, most tourism dependent regional economies in Australia. Hobart is also by far Australia's most tourism dependent capital city in terms of employment and economic contribution.

Just as there are many different views within the Tasmanian community about the Tasmanian Forest Agreement, so too are there a variety of contrasting perspectives on the Agreement within the Tasmanian tourism industry.

TICT is not representing a position on behalf of our industry on the overall concept of a Tasmanian Forest Agreement, or the genuine attempt by the signatories and governments to resolve the tired forest debate in Tasmania and secure a sustainable future for the Tasmanian forest industry.

We are, however, alarmed and have significant reservations about the implications of the current legislation before the Tasmanian Parliament as it relates to tourism opportunities within the newly established reserve area.

We find it unacceptable that a process purely about the future access of one industry to publicly-owned lands for a specific activity in forestry will restrict the access to these lands for all other industries and land uses. For other industries, user-groups and the Tasmanian public who have an interest in these lands, to not have the opportunity to contribute to that process is anti-democratic.

Many of the state's tourism operators either directly or indirectly depend on the Tasmanian forests (and the values they protect) for their livelihood. Our forests are one of the State's greatest tourism assets, and while tourism must not be considered an economic panacea it is one of the few industries in Tasmania that has the potential to grow significantly and make a greater contribution to the State economy. It is also one of the only significant industries that generates economic activity from our reserve system and protected land areas.

Tasmania is blessed with some of the world's most pristine and spectacular natural landscapes and ecosystems. TICT holds the view previously vested interests have not permitted the

Tasmanian forests protected in National Parks to be utilised in a way that optimises the tourism potential they contain. Tourism interests must be considered in any process to determine the access and future use of Tasmania's natural landscapes.

TICT has maintained an active interest in and ongoing dialogue with the signatories of the Tasmanian Forest Agreement over the past two-and-a-half years. We have attempted to engage relevant State and Federal Ministers on a number of occasions.

This Select Committee now provides the opportunity for the clear deficiencies in the Tasmanian Forest Agreement Bill 2012 to be addressed to provide comfort and confidence to the many Tasmanians who have so far been disenfranchised by the process.

From a tourism perspective, this provides an opportunity to set a new direction for tourism development in national parks and other reserves in this State through provisions that encourage and permit responsible and sustainable tourism and recreation facility development (including private commercial development) in any newly established reserves that could have a significant impact on local economies and regional economic diversification.

2. VALUE OF TOURISM TO OUR STATE FORESTS

No other industry in the world has achieved greater advances in sustainable operation and development than tourism over the past 20 years and tourism is now considered one of the world's most sustainable industries. In Australia and indeed Tasmania the tourism industry's existence depends directly on maintaining the quality of the natural environment. To act responsibly and sustainably is to guarantee our future business.

To a large degree the sustainability imperative is driven by market demand. The experience seeker tourist, the main target group for Tourism Australia and Tasmania, is a highly educated and environmentally conscious traveller. They seek out places, experiences, operators and activities that can guarantee their visit will make a positive contribution to the environment and the local community. The Tasmanian tourism industry is exceptionally well placed to attract these high yielding visitors and deliver the quality experiences they seek, without compromising the quality of the environment.

The tourism economy is multi-faceted and involves contributions from many other industries. Tourism's capacity to distribute economic impact across many industry sectors and regions makes it unique.

The industry includes the visitors that generate the demand for products and services; and the supply side, which delivers the experience and spans small businesses such as outdoor shops, dive shops and tackle shops, local guides and tour operators, transport providers by air, water, and motor vehicle right through to wineries and luxury lodges; as well as the public sector through national parks and local authority facilities. All are essential components that make significant contributions, necessary to deliver the whole experience.

The commercial end of the tourism spectrum, which involves significant investment in planning, equipment, infrastructure, staff and facilities such as accommodation, transport and major attractions, is where the greatest economic impact can be achieved.

When TICT refers to tourism in the context of this discussion, it means all of the above, including the potential for tourism investment in protected publicly-owned land areas, where it is consistent with activities in these natural areas. We do not advocate freehold ownership of reserved areas rather ownership to remain with the Crown through Lease arrangements that provide security for commercial private investment.

Tourism and outdoor recreation provide important social, economic and environmental benefits to the Tasmanian community. Tourism and outdoor recreation contribute to public understanding and appreciation of nature, conservation and forest management, and makes an important contribution to the social, spiritual, psychological, physical and economic wellbeing of the community.

Demand for outdoor recreation and tourism in Tasmania is strong and growing. A market research study undertaken by Tourism Tasmania in 2011 identified Tasmania's wilderness and wildlife as the number one motivating factor for potential visitors to consider holidaying in Tasmania. It is also the feature of a Tasmanian holiday experience that potential visitors most associate as a uniquely Tasmanian experience that cannot be experienced to the same level in any other Australian State or Territory.

We know the desire to invest in our wilderness and protected areas remains strong, with some of most celebrated and award winning tourism developments over the past decade operating within or in immediate proximity to the World Heritage Areas, National Parks, and State Forests.

However, the land tenure and reserve protection of these lands heavily influences the investment outcome. With each additional layer of reserve protection the regulatory and financial impositions on developers and investors increase significantly.

Developers seeking to achieve capital tourism investments within National Parks and World Heritage Areas also have to contend with fierce opposition from the conservation movement and Green parties with an ideological opposition to any form of private commercial activity within protected areas.

The forest areas earmarked for reserve under the Tasmanian Forest Agreement, including Wielengta, Bay of Fires, Western Tier, Blue Tier, Tarkine, South Bruny, Huon Valley and the Upper Derwent Valley, all have existing commercial and recreational tourism activity within their boundaries, or within immediate proximity to these areas.

All these regions offer significant potential for future commercial tourism activity, including guest accommodation; walking and day tours; motor touring; or access by aircraft; boat and motor vehicle. Sites such as South Bruny, the Huon and Upper Derwent Valley have established tourism access road and visitor infrastructure, including viewing platforms.

3 CONCERNS WITH THE *TASMANIAN FOREST AGREEMENT BILL 2012*

TICT is disappointed that until now the interests of tourism have not been considered as part of the Tasmanian Forest Agreement process.

Since the initial concept of a Tasmanian Forest Agreement was proposed nearly three years ago, TICT has maintained an active interest in the process and has attempted to formally engage with

the respective State and Federal Government Ministers, along with the Signatories, around two specific issues:

1. Land tenure, and ensuring ongoing access for current and future recreational and commercial tourism interests to any newly protected reserve area; and
2. Ensuring adequate funding for the Tasmanian Parks & Wildlife Service in the expectation they assume management and responsibility for any newly protected reserve areas.

In looking at the details of the Tasmanian Forest Agreement Bill 2012, we have concerns about specific provisions within the Legislation as they relate to these two issues:

3.1 POWERS OF THE SPECIAL COUNCIL OVER PROTECTION ORDERS

TICT is concerned the signatories to the Tasmanian Forest Agreement (TFA) have written themselves into the Legislation through the provisions and powers of the 'Special Council' (Part 4, Section 9, Clause 1).

The makeup of the 'Special Council' is a direct reflection of the TFA signatories. As it stands the Special Council is two-dimensional (Forest Industry and the ENGOs). This is to the exclusion of other interests and stakeholders. This will protect the vested interests and policies of the signatories but excludes the interests of other industries that have the capacity to make important economic and social contributions to the process and the future use of public lands.

The primary role of this Special Council is to ensure durability of the TFA, however, under the proposed legislation, the Special Council also has an important advisory role, and has the potential to impart influence and authority to affect change in ways that protect or enhance the interests of its members, particularly through the Protection Order process. Given the significant areas of public lands involved; land that belongs to all Tasmanians, such authority cannot be referred to such a narrow representation.

TICT does not believe any vested interests – forest industry, ENGOs, or any other interest groups - should have any special or exclusive rights of authority through legislation in determining the future access and land tenure of publicly owned lands.

3.2 PROTECTION ORDERS AND LAND USE

Under Section 10 of the Bill the Minister can set aside land for the 'purposes of this Act'. The purposes of the Act are defined somewhat by the IGA under the preamble to the Bill.

TICT is seeking certainty within the legislation that the purpose of the Act explicitly includes commercial tourism activity and access, and tourism is a legitimate contributor to achieving the objectives of the Act and the Tasmanian Forest Agreement by contributing to regional economic diversification.

TICT respectfully submits that Schedule 1 of the Bill requires amendment to ensure the interest of tourism, including built infrastructure, public and visitor infrastructure, and all forms of transport access, is a permitted use of the reserved lands, where it is consistent with activities in natural areas.

TICT submits that presently Schedule 1 is weighted entirely towards the forest industry and conservation interests and gives no consideration for other values. TICT recommends that paragraph (a) of the schedule be amended to include tourism. Such a simple amendment would rightfully reinstate tourism into the process, as a fundamental and accepted value within protected areas.

After 8 in the Conservation Section of Schedule 1, TICT recommends that an additional clause be added:

‘A protected area system that provides opportunities for other uses that are compatible with the conservation values and activities in Natural Areas, including commercial tourism and visitor services activities, and public access by all forms of transport’.

The introductory paragraph to Schedule 1 should include a reference to those industries or activities that would be permitted uses within the proposed new reserves.

It should be noted that tourism is an objective of management in seven of the ten land classes under the *National Parks and Reserves Management Act, 2002*.

3.2 SUPPORT FOR TASMANIAN PARKS & WILDLIFE SERVICE

While not considered by any specific clauses within the proposed legislation, TICT is very concerned about the implications of the agreement on the Tasmanian Parks & Wildlife Service, and we request this committee explores this issue in detail.

We do not believe the \$7 million in funding proposed to be available under the agreement to manage these areas is adequate, when it is understood Forestry Tasmania spends as much as \$20 million each year managing these same areas.

These additional responsibilities, without appropriate funding support, could undermine PWS capacity to effectively manage the existing reserve system, which includes many of Tasmania’s major tourism drawcards.

PWS have already absorbed major funding cuts over the past two State Budgets and been given additional responsibility for management all Crown Lands and public infrastructure thereon and this has been severely felt by the industry through the reduced service provision in many regions of the State.

Nor we do not see anything in the agreement providing the public infrastructure investment needed to bring any new reserve areas up to the standard needed to stimulate tourism activity and commercial investment

We ask that this Select Committee inquire into the modelling and business case undertaken by the Tasmanian Government in determining the figure of \$7 million in additional funding to PWS each year to manage these areas.

We are seeking certainty there will be no associated depletion in PWS services to existing reserve areas, and there is adequate funding to enable PWS to ensure any newly protected

reserve areas are able to achieve their full tourism potential. This could ultimately require amendment to the Legislation to ensure adequate funding is ensured in perpetuity.

4. PROPOSED CHANGES TO LEGISLATION

In summary, TICT requests the Select Committee recommend to the Tasmanian Parliament the following changes to the legislation:

1. *The Tasmanian Forest Agreement Bill 2012* nominates the permitted uses that can occur within the proposed reserves.

After 8 in the Conservation Section of Schedule 1, TICT recommends that an additional clause be added:

‘A protected area system that provides opportunities for other uses that are compatible with the conservation values and activities in Natural Areas, including commercial tourism and visitor services activities, and public access by all forms of transport’.

2. Tourism should be cited as permitted use of the proposed new reserves. To that end Schedule 1 of the Bill should be amended to allow commercial tourism to be considered a permitted use of the reserved lands, where it is consistent with activities in natural areas.
3. That the amendment to Schedule 1 include references to specific permitted tourism uses including commercial developments including: visitor accommodation, visitor services and infrastructure, tour operators, and visitor access by air, water and road.
4. The Bill amended to exclude the Special Council from having any direct or implied authority over the reserve protection order process, by the removal of the requirement for the Minister to seek a durability report form the Special Council before determining protection orders and land tenures for any newly established reserves.
5. The Bill should establish within the framework the requirement for appropriate levels of public funding needed to underpin or incentivise tourism and recreation development in both public and private lands, including adequate funding to the Tasmanian Parks & Wildlife Services to maintain newly established land reserves.

We also recommend that the Select Committee recommend to the Tasmanian Government that the following provisions be made to the Agreement to encourage the economic diversification of regional Tasmanian communities, including:

1. Provision for a detailed investigation of potential commercial tourism development sites in priority tourism development zones for iconic or critical public, private or public private partnerships (PPP) tourism developments. The National Guidelines for Tourism Development in Protected Area be used as a guide in this process.
2. A Regional Tourism Development Fund be established that would provide opportunities for local governments and local community groups to access tourism stimulus funding. This should include support for essential infrastructure and services i.e. water/power/effluent, jetties, visitor amenities, and access points which may be used to facilitate private capital investment.

TICT appreciates the opportunity to contribute to this Select Committee process, and looks forward to working with Honourable Members through its inquiry into the *Tasmanian Forest Agreement Bill 2012*.

Yours sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Luke Martin
Chief Executive Officer