

**"Friend or Foe : Environmental Management
Conflict in the `90's"**

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**`THE PLANNING APPROACH TO
NORTH OF THE DAINTREE'.**

By Jeff Humphreys, BRTP(Hons), B.A., MRAPI, LGTP(Q)

Principal - Brannock Humphreys Planning & Environment Consultants *(See Bottom Of Page)*

PREAMBLE

This paper examines some recent planning initiatives in an important natural area, under pressure from tourism and settlement, namely the area between the Daintree and Bloomfield Rivers, in Douglas Shire, Far North Queensland, `the Daintree'. The paper documents the planning context in Section 1, identifying the natural and tourism values, and other planning issues. Section 2 identifies the existing legislation that underpins planning and management of the area. Section 3 describes the methodology of the planning approach taken. Section 4 discusses possible new legal instruments desirable to implement planning, while some conclusions are drawn in Section 5.

1.0 CONTEXT

1.1 The objectives for planning in the area north of the Daintree River in Douglas Shire, that make it of particular interest, are:

first, protecting the special ecological values of the area; and

second, promoting the development of a satisfactory, nature-oriented tourist experience in the area.

1.2 Ecological values

Twenty years ago, J.P. Stanton wrote of the area north of the Daintree:

"there is no other region in the State which contains in an area the same size, as much inspiring scenery or as great a diversity and abundance of life forms."

(Stanton, 1974.,p.6)

Most of the area between the Daintree and Bloomfield Rivers is contained within the Wet Tropics World Heritage Area, an indication of its ecological significance. In the report submitted by the Australian Government in its application for listing of the Wet Tropics World Heritage Area, it was stated:

"The Wet Tropics region of north-east Queensland is one of the most significant regional ecosystems of the world. It is of outstanding scientific importance and natural beauty and adequately fulfils all four criteria for inclusion of natural properties on the World Heritage List as set out in the 'Operational Guidelines for the Implementation of the World Heritage Convention'. (RCSQ, 1986., p.79)

One of the referees responded:

"There is no question that the tropical rainforests of Northern Queensland are the most important ecosystems with primitive flowering plants in the world as far as concentration and diversity is concerned. ... The region is really a priceless and irreplaceable possession of mankind as a whole. A disturbance and destruction of the tropical rainforest region of Northern Queensland would be a global fraud to the future of mankind." (ibid, p.155)

Godwin (1989) identified areas of high wilderness value in the wet tropics, specifying the Daintree-Cape Tribulation area as the most significant. (Godwin, 1989)

A recent analysis of the biological qualities of the area showed it to possess more plant taxa with primitive characteristics than any other tropical forest in the world; approximately 120 rare or threatened plants are assessed to occur in the area. Another recent, detailed survey found a total population of 59 Cassowaries, a keystone species, in the area, and there are other rare fauna present too.

Also of significance, such that the Wet Tropics World Heritage Area listing may be amended to incorporate its cultural importance, is the meaning of the area north of the Daintree River for the Kuku Yalanji rainforest aboriginal people.

For these reasons, a very high priority, the highest priority, must be given in planning the area north of the Daintree, to protection of the ecological values.

1.3 *Tourism*

The number of tourists visiting the Daintree has escalated in the last few years for the following reasons:

- (a) greater awareness of the area's intrinsic natural values, and a growing interest in such things;
- (b) the development of Cairns International Airport, and growth in its use, has increased the numbers visiting the Cairns region, and many of these visitors are seeking an experience of the North Queensland rainforests;
- (c) the Daintree has environmental pilgrimage standing after the blockade of the Cape Tribulation-Bloomfield Road in the '80's; and
- (d) a sense of remoteness and adventure contributes to the special quality of visiting the Daintree (even though much needs to be done to improve the quality of the tourist experience).

The special ecological values of the Daintree point to the development of nature-oriented themes, as tourism in the Daintree evolves. The goals and values that have been

expressed for eco-tourism, such as are found in the Commonwealth Government's eco-tourism strategy, are appropriate for planning for tourism North of the Daintree:

"Tourism that involves travelling to relatively undisturbed natural areas with the objective of admiring, studying and enjoying the scenery and its wild plants and animals, as well as any cultural features found there." (Ceballos-Lascurain 1991)

"Ecologically sustainable tourism that fosters environmental and cultural understanding, appreciation and conservation."

(Ecotourism Association of Australia 1992)

The draft National Ecotourism Strategy goes on to describe approaches to the integrated planning of ecotourism, to include:

"use of local themes to deliver a product that is authentic, unique and sustainable."

...

"inclusion of basic principles such as authenticity, environmental integrity and other regional goals, such as the maintenance of social and cultural values."

(DoT, 1993., p.25)

In all of these statements there is the implication that the appropriate form of tourism in areas such as that north of the Daintree River, is one that is focused on the special qualities of the area, the resource, the attributes of place.

Pursuit of this approach is also consistent with the 'Presentation' objective for World Heritage Areas, referred to below (Section 2.2).

The challenge in managing such an area is to enhance and facilitate appreciation of the intrinsic qualities of the area, its natural values, its authenticity, and minimise or avoid those phenomena that will jar, that will diminish the sense of place.

There arises the dilemma, of promoting the presentation of rich, natural values to as many people as possible, in a context which has not lost its naturalness, so that that experience is no longer enjoyable and appropriate.

As noted in the Ecotourism Strategy,

"Infrastructure may not always be perceived as appropriate for the ecotourism experience. For example, for visitors seeking a `true' wilderness experience, permanent installations can be viewed as intrusive and potentially in conflict with the objectives of ecotourism (a view often expressed of accommodation within national parks)."

and further

"The development of infrastructure will affect the quality of the tourist experience ..."
(ibid, p.29)

The issue is again raised, where in relation to economic difficulties faced by small-scale tourist operations, considered more appropriate to ecotourism values, it is noted that operating on a larger scale may result in "unsustainable levels of impact and failure of the experience to meet visitor expectations...". (ibid, p.39)

Bramley notes that the drive in the domestic market to find "greener and ... more participating holidays" arises because a segment of the market "will no longer be content with poor copies of overseas attractions or accommodations, or with middle of the road, branded products that have no sense of place". (Bramley, 1993, p.25)

At present, it is estimated that some 270,000 visitors are crossing the Daintree River each year, to visit the Area. With international visitor arrivals into Cairns expected to treble or more in the next decade or so, and the trend towards eco-tourism, enormous demand to visit the Daintree is expected. The challenge is to allow as many people as practical, to visit the Daintree, without the experience losing the appeal that has catapulted the Daintree to such levels of popularity.

There are two issues here:

- (i) degradation of the natural ecology; and
- (ii) degradation of the ecotourism experience, the sense of place.

With a reasonable level of management, the impact of tourists on the natural ecology can be minimised. The impact on the experience however, of accommodating much larger numbers, is relatively problematic.

1.4 Other Issues

To complicate matters, in the early 80's, about the same time that the Cape Tribulation - Bloomfield River Road blockade was on, the rezoning and subsequent subdivision of about one thousand one-hectare allotments, in the freehold, mostly lowland areas between the Daintree River and Cape Tribulation, was able to be arranged. There was no reticulated power required, and unformed, unsealed access roads. Much of the land was covered in rainforest, habitat to a wide range of plant and animal species, many of them rare and threatened, and a small number believed to be found only in these freehold areas. Progressively, the population of this area has increased, so that the latest estimate is that some 300 of the 1,000 allotments are occupied; problems include land clearing, domestic pets and a proportion of residents dissatisfied with the lack of power, job opportunities, community facilities and good roads.

2.0 EXISTING LEGISLATION

2.1 Introduction

At present, there are two main areas of legislation which provide the statutory basis for planning and management of the Daintree. By far the greatest proportion of the area between the Daintree and Bloomfield Rivers lies within the Wet Tropics World Heritage Area. The administration of this part is effected primarily through the provisions of the Wet Tropics World Heritage Protection and Management Act 1993, state legislation which in effect take over from the powers previously available to QDEH in relation to national parks, the powers available under the Commonwealth World Heritage Act and local authority town planning powers.

Outside the Wet Tropics World Heritage Area (WTWHA), the major legal basis for management and planning lies in the town planning powers and other administrative

powers of local government, established under the Local Government (Planning and Environment) Act 1990, and the Local Government Act.

2.2 Wet Tropics World Heritage and Management Act 1993

The Wet Tropics World Heritage Protection and Management Act 1993 is Queensland legislation which establishes the Wet Tropics Management Authority (WTMA) and sets out functions and powers consistent with a Primary Goal.

The Commonwealth and Queensland Governments have agreed on a Primary Goal to set the course for management of the Wet Tropics WHA. From the Primary Goal, five management goals have been developed in accordance with the World Heritage Convention, and it is these goals which form the fundamental basis of the management of that part of the area north of the Daintree River, within Wet Tropics WHA.

Primary Goal

"To provide for the implementation of Australia's international duty for the protection, conservation, presentation and rehabilitation and transmission to future generations of the Wet Tropics of Queensland World Heritage Area, within the meaning of the World Heritage Convention."

Protection Goal

"To protect the World Heritage values of the Wet Tropic WHA through effective statutory and administrative arrangements."

Conservation Goal

"To conserve the World Heritage values of the Wet Tropics WHA through the active control and elimination of threats to their integrity."

Rehabilitation Goal

"To rehabilitate the World Heritage values of the Wet Tropics WHA through the restoration of natural conditions in degraded areas."

Presentation Goal

"To present the World Heritage Values of the Wet Tropics WHA through the provision of opportunities for the community to understand, appreciate and enjoy them."

Transmission Goal

"To transmit to future generations the World Heritage values of the Wet Tropics WHA through an actively supportive community." (WTMA, 1992, p.10)

Specific functions of the WTMA relevant to planning and management north of the Daintree River include the following.

Voluntary Land Acquisition

WTMA may fund or assist with funding voluntary crown acquisition of land of World Heritage significance or for improving World Heritage management. This land may be within or outside the Wet Tropics WHA. The WTMA recommends acquisition by voluntary negotiation.

Co-operative Management Agreements

WTMA enters into a joint agreement with a land owner, landholder, or Aboriginal people setting out how a piece of land should be managed. The WTMA will offer financial or material assistance or various works and services in exchange for the landholder's agreement to manage the land's World Heritage values.

Management Plans

WTMA is currently involved in the preparation of a Management Plan for the whole of the Wet Tropics WHA, as well as an area specific Management Plan for that part of the Wet Tropics WHA generally north of the Daintree River and south of the Bloomfield River. The draft Management Plan for the Wet Tropics WHA and the Cape Tribulation - Daintree area are due for release in mid-1994. The Wet Tropics Plan will provide overall direction for the Wet Tropics WHA whilst the Cape Tribulation - Daintree Management Plan will provide detailed management policies and strategies for issues unique to the Cape Tribulation - Daintree area.

As statutory plans, Management Plans represent powerful tools for environment management. Whilst these Management Plans only apply to land within the Wet Tropics WHA, and therefore provide guidance only for resolving the freehold-land-related issues of this study, it is probable that the boundaries of the Wet Tropics WHA will be extended through voluntary acquisition and World Heritage management extended through Co-operative Management Agreements.

Local Authority and WTMA Co-operation

Where there may be inconsistency between a Wet Tropics WHA management plan and a local authority planning scheme, the Wet Tropics plan prevails and local authorities must not give any development approval, consent or permit that is inconsistent with a management plan.

Developments Neighbouring the Wet Tropics WHA

For developments neighbouring the Wet Tropics WHA, the WTMA may also declare by Regulation types of developments as 'relevant development'. The Council must consult with and have regard to the advice of the Authority for any application for relevant development neighbouring the Wet Tropics WHA.

Other

The WTMA is also able to direct funds and resources into land management initiatives such as rehabilitation and weed and feral animal control, as well as presentation initiatives including provision of visitation facilities, and educational and promotional

services both inside and outside the Wet Tropics WHA, joint ventures being a favourable possibility in this respect.

The use of certain words, in particular Wet Tropics WHA titles, in connection with business trade without written consent of the WTMA is prohibited. This creates the opportunity for the WTMA to negotiate with businesses, such as tour operators and tourist accommodations, for appropriate land uses and activities, in exchange for use of the Wet Tropics WHA titles in the course of their business.

2.3 Town Planning

The second major source of planning and management power for the Daintree lies in the town planning powers of the Douglas Shire Council (DSC), set out in the Local Government (Planning and Environment) Act.

The existing town plan for Douglas Shire was prepared in 1981, with the current strategic plan added in 1985. While considered obsolete now, to meet present and emerging needs, the 1985 Strategic Plan nevertheless was meritorious and still relevant, in its recognition of the area north of the Daintree River as primarily an area of "recreation emphasis", as distinct from the area south of the Daintree River, which was to be the area of "tourism emphasis", with Port Douglas as the main accommodation centre.

Since that time, a proposed development control plan was prepared in 1987 and never adopted, and amendments to the Strategic Plan diluted earlier intent to maintain the Daintree as a low key tourism destination.

In June 1992, DSC adopted the "Strategic Principles for DCP-3 Daintree-Bloomfield", which set out parameters for controlling development in the Area, for the period until the new planning scheme was to be introduced, at the same time setting the framework for finalising that planning scheme, in relation to the Area.

1994 Planning Scheme

The revised planning scheme, which includes notably, a new Strategic Plan and a Development Control Plan for the Daintree-Bloomfield Area (The DCP), has been prepared during the period since 1991, and is currently on public exhibition.

The town planning powers provided by the Act were seen to create the potential for planning, through preparation of the following documents:-

(i) a Tourism Report prepared by Brannock Humphreys, which is an Appendix in the Strategic Plan Planning Studies, and which analyses tourism trends affecting the Shire, its tourism resources, strategic issues and alternatives, and puts forward a Tourism Development Strategy;

(ii) a Conservation Report and a Landscape Report, prepared by Chenoweth and Associates, also Appendices to the Strategic Plan Planning Studies, and which provide a 'green base' for the planning scheme;

(iii) the Strategic Plan Planning Studies, which otherwise allocate the need for tourism infrastructure to the various parts of the Shire;

(iv) the Strategic Plan, which contains goals and objectives in relation to Ecology, Landscape and Tourism, and statements of principle relevant to the future planning of the Area;

(v) DCP-3 Daintree-Bloomfield, which relates to the area between the Daintree and Bloomfield Rivers, as well as natural areas west and north within the Shire, and which contains many detailed statements of intent for planning in the Area.

(vi) the zoning scheme, which among other things sets up some special land use controls that are directed towards achieving certain strategic objectives in the Daintree area.

2.4 Other Statutory Powers

Department of Environment and Heritage (National Parks and Wildlife Service)

The Cape Tribulation National Park ('the park') covers approximately 17,000ha stretching from the Daintree River to the Bloomfield River and west to incorporate the main coastal ranges. Around 80% of the park is within the study area, this portion also being almost entirely included in the Wet Tropics WHA.

Relevant functions and powers of the National Parks and Wildlife Service in managing the park include:

1. Provision of Recreational Facilities

Facilities within the study area include camping grounds and walking tracks.

2. Regulation of Visitor Activity

A number of activities are prohibited in the park including:-

- bringing domestic animals into the park;
- lighting fires;
- driving off formed roads; and
- bringing fire-arms, axes, chainsaws and generators into the park.

Codes of conduct promoted to visitors also encourage visitors -

- not to use soaps and detergents in waterways;
- to take garbage out of the park.

3. Commercial Activity Permits

The DEH administers a permit system to control and assist commercial activity within national parks, as well as on state forests and recreation management areas.

Permits are given on a yearly basis and at present, commercial operators are permitted to take a total of some 700,000 visitors annually into the Cape Tribulation National Park, well in excess of actual commercial visitor numbers.

Nature Conservation Act

The Nature Conservation Act 1993, administered by the DEH, may ultimately be a powerful tool in achieving conservation on privately owned land.

Whilst the act is at present not fully proclaimed, it includes a number of provisions whereby private land may be declared to be a Nature Refuge, Co-ordinated Conservation Area or Wilderness Area and co-operative management agreements made between the land holder and the Minister of the DEH. Where the co-operation arrangements cannot be reached, and only where the land in question is significant for the protection of nature, provision is made for compulsory declaration of a nature refuge. Whether by co-operative

agreement or compulsory declaration, some level of control may therefore be gained over land uses and other activities on privately owned land. Providing it is becomes fully proclaimed, this act will represents particularly appropriate legislation to achieve environment protection in the study area.

Native Title, Aboriginal Land Act

The resolution of native title considerations and also the possibility of land claims under the Aboriginal Land Act, are other factors that may come to influence the planning and management of land north of the Daintree River.

2.5 Administration

Because of their related responsibilities in planning and management of the Daintree area, the Douglas Shire Council, Wet Tropics Management Authority and Department of Environment and Heritage have formed an informal committee known as Daintree Planning Co-ordination Group, which meets regularly but informally to discuss planning and development issues north of the Daintree, with a view to co-ordinating strategy, expenditure and other action.

3.0 METHODOLOGY

3.1 Two Tasks

This paper describes primarily the planning initiatives undertaken in two bodies of work carried out by Brannock Humphreys Planning and Environment Consultants, namely:

- (i) the preparation of the 1994 Douglas Shire Planning Scheme; and
- (ii) the Daintree Planning Package, a more wide-ranging study funded by the Commonwealth Government and commissioned by Douglas Shire Council.

Concurrently, considerable research and policy formulation was being undertaken by Wet Tropics Management Agency, resulting in the formulation of the Cape Tribulation - Daintree Management Plan, directed primarily at those areas north of the Daintree River within the WTWHA.

There was input from WTMA to the preparation of both the Planning Scheme and the Daintree Planning Package, which combined with the liaison mechanisms established through the Daintree Planning Group, has allowed a reasonably high consistency of approach to be obtained.

3.2 1994 Douglas Shire Planning Scheme (DSC, 1994a)

The proposed Douglas Shire Strategic Plan deals explicitly with tourism, environmental conservation and settlement issues, and the area of the Shire lying north of the Daintree is the subject of a Development Control Plan that covers a wide range of land use issues particular to that area.

The draft town plan sets the scene for land use management north of the Daintree River, at least within the extensive freehold areas that are found in the coastal lowlands of Cape Kimberley, Cow Bay and Cape Tribulation.

In relation to the Strategic Plan, a number of tourism objectives are included, which are designed to guide the development of all tourism activities, and the tourism context, throughout the Shire. These may be categorised as objectives relating to the quality, functioning and impact of tourism. (DSC, 1994a, pp.1.6-1.9)

The application of these objectives has resulted in an approach to tourism that can be characterised as providing accommodation and secondary tourist facilities mostly in Port Douglas, and conserving elsewhere the existing unspoiled rural and/or natural qualities of the countryside, including in the natural areas north of the Daintree River.

The promotion of an appropriate approach to tourism, consistent with ecotourism objectives, and protection of the World Heritage values of the area north of the Daintree River, may be inferred from the central aim of the Development Control Plan, which is:

"... to provide for an extent, nature and configuration of visitation and development which is consistent with retention of the Area's attraction as a low-key, undeveloped, nature-based recreational environment. It is also sought to conserve the natural environment, limit population growth and provide suitable facilities for the resident population." (ibid, p.4.2)

The major threats to the natural environment and to the sense of place that is fundamental to the area as a destination, in the first instance, are related to the level of development in the area: the residential settlement of the approximately 700 allotments remaining unoccupied, the development of tourist accommodation and tourist facilities. Accordingly, the Strategic Plan states:

"Two principles underlying the Tourism Development Strategy are firstly, that only a very minor proportion of the Shire's tourism accommodation and built facilities should be located north of the Daintree River, and secondly, that the nature and extent of tourism development permitted north of the Daintree River should be restricted to that which is necessary to facilitate the exploration and appreciation of the natural environment." (ibid, p.1.7)

In the Development Control Plan, relevant to protecting the environment and managing the development of an appropriate style of nature-oriented tourism, the following objectives were adopted.

"General Access Objective

- To avoid the need for upgrading of the Daintree River ferry crossing.

Tourism Objectives

- To conserve the Area as an undeveloped, low-key tourist and recreation experience, based on the exploration and appreciation of the natural environment.
- To provide only for those uses and facilities which are necessary to support visitors' exploration and appreciation of the natural environment.
- To encourage tourism which is sensitive to the natural environment and consistent with the relatively isolated, nature based recreation experience, which is an intrinsic part of the Area's tourist appeal; and where necessary to limit tourism development to promote those qualities.

Residential Objectives

- To minimise housing development and population growth in the DCP Area.
- To provide for limited shopping and community facilities as necessary to meet only the local needs of the Area's residents.

Environment and Landscape

- To conserve the natural forested landscape character and scenic quality of the Area.
- To minimise the physical, ecological and other environmental impacts of development, recognising the outstanding international heritage significance of the area.
- To avoid or reverse change in the predominant character of the Area from a low-key, undeveloped natural environment to a productive rural environment, or an environment that shows the character of human settlement.
- To ensure that any development is sympathetic and sub-ordinate to the natural landscape character of the Area in terms of scale, density, architectural style and landscape treatment." (ibid, pp.4.2-4.3)

3.3 Daintree Planning Package

The Daintree Planning Package has been produced this year for Douglas Shire Council, funded by the Federal Department of Environment, and more broadly directed than a land use planning scheme. This study was conceived to examine the broad range of environmental, tourism and community needs of the area north of the Daintree, not just those readily the subject of existing local authority powers. It picks up the themes of the town plan, but goes further towards attending to planning and management issues, including:-

- management of access and traffic;
- development of visitor infrastructure;
- environmental protection and management;
- rehabilitation of degraded areas;
- community development.

3.4 Planning Strategy

The proposed Douglas Shire Planning Scheme, and the Daintree Planning Package, between them propose the following range of solutions, to protect the natural environment, maintain and promote the desired sense of place, and achieve improved living conditions for residents.

- a. Attempt to limit settlement, through a costly package of incentives and public purchases (which are simultaneously focused on protecting the most ecologically valuable areas) - no further subdivision.

- b. Control over clearing of allotments and siting of buildings, although the main thrust is promotional rather than regulatory.
- c. A ceiling on the amount of tourist accommodation in the area; 1,720 overnight visitor capacity is the target, representing 20% of the 2005 projected needs for the Shire; however, 2,200 is the appropriate maximum that the Plan aims to tolerate, compared with about 950 existing, 2,800 approved and 3,600 total approved and proposed.
- d. Concentrating any new accommodation and facilities into three nodes, one of which is at Cape Tribulation.
- e. Unobtrusive site development.
- f. Facilities that would encourage people to stay, or stay longer North of the Daintree, for reasons that are not associated with the exploration and appreciation of the natural environment, will not be permitted; that is, no golf courses, tennis courts, theme parks, entertainment facilities or other secondary attractions.
- g. It is implicit that the sense of place is conveyed by the nature of the experiences that are available in the area, whether actually obtained or merely known to be available, and it is not just a matter of what is seen from the road, although the appearance of any built form is of course also important. Therefore, the nature of the day-tripper lunch stop, and the style of facilities and activities offered in accommodation establishments are matters of relevant concern. The DCP says no more restaurants for the day-tripper market, as that is a more sanitised, formal experience than is appropriate for the sense of place sought. The Daintree Planning Package proposes picnic grounds of various sizes, and nature-oriented themes, instead.
- h. There is a limit to which this theming can be controlled, of course. It will only be through persuasion, and maybe market pressure, that some of the 'rumble in the jungle' elements of the backpacker hostels at Cape Tribulation, will get replaced by more resource-focused programmes; there are signs of this happening.
- i. As a means of collecting revenue to fund infrastructure improvement and maintenance, a licensing system for commercial tours is proposed, implemented at the ferry, which remains the only southern access point to the region. Such a system would permit control over places visited and environmental practices, and provide a means of promoting standards of interpretation for the area.
- j. The level of settlement and overnight accommodation is proposed to be maintained at a level where the emphasis on visiting the area will be daytripping from Cairns and Port Douglas rather than staying in the area. This is partly to avoid a sense of 'townships' developing, especially at Cape Tribulation, compared with a preferable, 'nature-dominating' atmosphere.

k. Substantial investment in recreation infrastructure is required, to ensure a satisfactory visitor experience, and control visitor impacts on the natural environment.

l. The existing ferry will be maintained as the sole southern access to the area; this will limit numbers on the roads and at the various visitor facilities (for example, interpretative centres, boardwalks, picnic grounds).

Numbers will be limited to the level that will allow a narrow, two-lane road to be retained, to Cape Tribulation, with only moderate traffic volumes (peak months, busiest sections - 2,000 vehicle per day).

m. The Cape Tribulation Road is being sealed; while the dirt road contributed to a sense of remoteness, the dust in the dry, peak visiting season, and the effect that had on viewing and the roadside vegetation, was becoming increasingly unacceptable, especially when much of the typical visitor experience is going to be as a passenger in a vehicle.

n. The emphasis should be on commercial tours rather than self-drive, in order to:

(a) better control environmental impacts;

(b) facilitate better interpretation;

(c) get more people into the area, more effectively, in terms of impacts on sense of place;

(d) achieve more efficient use of infrastructure.

This is proposed to be achieved in due course through the priority system at the ferry, and possibly other means.

o. The cleared areas along the Cape Tribulation Road are being revegetated, to achieve a 'green tunnel' effect where that does not now occur, although view corridors through to the mountains will be maintained.

p. Interpretive facilities and guided tours are an important part of developing the 'sense of place', and this extends to explanation of the aboriginal cultural meanings of the area.

q. Control of signage is an important issue still under discussion.

3.5 Conclusion

Planning to conserve the important qualities in the environmentally sensitive area north of the Daintree, is made complex by the extent of freehold land in the area, and the divergent aspirations and values that are associated with these holdings. There has been considerable community controversy about the area's management, although recent community meetings associated with the presentation of the Daintree Planning Package, seemed to achieve an unprecedented level of constructive discussion and consensus.

Not all of the stakeholders have up till now shared the same vision for the area, with the engineers of the Far North Queensland Electricity Board, for example, being fired more by a zeal to supply the settlers of the Quaid subdivision with the overhead power lines they have never had till now, than by a commitment to environmental protection, or to maintaining the sense of place that other people have found in the forests of the Daintree.

The State Government have overruled FNQEB, and there is now examination of alternatives for supplying power to the local community, that will better maintain ecological and landscape values.

The recent work in the Daintree has attempted to set a framework for environmental management in a natural area of international significance.

4.0 NEW LEGAL INSTRUMENTS

4.1 The more wide-ranging of two studies, the Daintree Planning Package, examined explicitly a range of statutory possibilities, to achieve satisfactory planning and management of the area. Two alternatives were considered, but rejected, in the following terms:

"(a) separate legislation setting up a new authority, the Daintree River/Cape Tribulation Heritage Area Authority, with overriding responsibility to manage and co-ordinate access, use and development of the Area; and

(b) declaration of the Daintree River/Cape Tribulation Area as a project area, under the provisions of the State Development Act, with management of the area becoming primarily the responsibility of the State Co-ordinator-General.

The main advantages of these approaches are the ability to introduce streamlined, more effective and efficient management procedures to the administration of the Area. The major disadvantages are the creation of new administrative structures to replace those already set up, and the removal of primary administrative responsibility from the local, more responsive level of government. The warrant to introduce either of these alternatives, however, would be increased if local community political pressures were seen to be unduly dictating the management of the area, to the detriment of broader environmental and economic concerns, of regional and national dimensions."

(DSC, 1994b, pp.87-88)

Instead, the following 'preferred administrative mechanism' was identified by the consultants, which is the subject of on-going discussions.

"The preferred administrative mechanism has the following parameters.

(i) It essentially retains existing administrative structures. Douglas Shire, as the authority with administrative responsibility over most relevant activities, including road construction and maintenance, town planning, provision and maintenance of public parks and other facilities, refuse management, building control, and aspects of environmental administration, should remain the primary executive authority, for implementation of works and administration of land use planning and environmental control.

(ii) The interests of WTMA and QDEH should also be represented in any new administrative arrangements, thereby reflecting the composition of the existing, informal Daintree Planning Co-ordination Group.

(iii) Subject to further legal advice, new legislation may be desirable to set up a system to enable full achievement of administration in accordance with these parameters.

(iv) Unless a satisfactory mechanism can be set up without the establishment of a new body, then a 'Daintree River-Cape Tribulation Area Board' (DRCTAB) should be established pursuant to a 'Daintree River-Cape Tribulation Area Access Act'.

(v) The composition of the Board, reflecting parameters (i) and (ii), and in recognition of the desirability of maintaining a small, potentially streamlined structure, should be restricted to:-

Chairman, the Chairman of Douglas Shire Council;

Members, Councillor of Douglas Shire Council representing local community from (Division 3),

Executive Director of WTMA;

Regional Director of QDEH;

or their delegates.

(vi) The primary function of such a Board is to collect money from the ferry, and direct its expenditure towards the provision and maintenance of facilities and programmes

connected with tourism and the environment, in the Area. The Board can also advise generally in relation to planning and co-ordination in the Area, thereby assuming the role previously occupied by the Daintree Planning Co-ordination Group. The Board potentially could advise in relation to determining priorities for environment protection, including for voluntary public buy-back of freehold land.

(vii) The functions and powers of the Board should be restricted to the following:

(a) to control, co-ordinate and manage access and use by the public of the DRCTA for recreational purposes;

(b) to collect and recover monies due or recoverable and manage and expend monies so collected;

(c) to fund provision and maintenance of buildings, improvements, facilities or other works in the DRCTA, primarily through DSC;

(d) administer funds provided by other authorities to DRCTAB;

(e) to accept any grant of monies made to the Board.

(f) to provide for the use of permits to persons desiring to gain access to and use public facilities in the DRCTA and to set fees for the issue of those permits.

(g) to grant on such terms and conditions as it thinks fit any person the right or privilege to do any specified thing in the DRCTA including the right to operate a concession or a franchise.

(h) to fund and direct research and investigation into any matter related to the functions of the area.

(i) make by-laws.

(j) to fund and direct establishment, improvement and maintenance of public recreation facilities in and on the DRCTA.

It is further envisaged that the administration and accounting for funds of the DRCTA authority would be conducted under the auspices of Douglas Shire Council by creating a separate fund for this purpose.

Funding for the authority would be derived from a visitor levy and government grants...

In many respects the provisions of the Fraser Island Public Access Act create precedent and guidelines for the formation of a Daintree Cape Tribulation Heritage Area Authority." (ibid, pp.88-89)

5.0 CONCLUSION

5.1 The planning work that has been completed recently in Douglas Shire, whilst still in draft, will provide a framework for development control, infrastructure provision and management in the area north of the Daintree River. Further community consultation is required, in the refinement of the proposals, and in the development of community-based programmes, such as those relating to environmental education and land rehabilitation.

5.2 However the thinking is now ahead of the action. A reasonably comprehensive vision for the area has been developed which appears to have good support in the local community and in the various levels of government, at least in principle. Funding some expensive elements of the vision is the next, difficult step. Successful management of the area north of the Daintree River now requires this further commitment of funds, to promote sustainable management of a World Heritage Area, an international tourist destination of immense significance. The investment required, while not insignificant, is necessary among other things to ensure long-term economic returns from the area through tourism.

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**Brannock Humphreys is now known as Humphreys Reynolds Perkins Planning
Consultants**