



Queensland

Recreation Areas Management Amendment Regulation (No. 1) 2010

Regulatory Impact Statement for SL 2010 No. 256

made under the

Recreation Areas Management Act 2006

Regulatory Impact Statement

for the proposed
Cooloola Recreation Area
2009



Regulatory Impact Statement

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Amendment to Recreation Areas Management Regulation 2007 to include the proposed **Cooloola Recreation Area**

Introduction

Purpose of a Regulatory Impact Statement

Under the *Statutory Instruments Act 1992*, if a proposed regulation is likely to impose appreciable costs on the community or part of the community, a regulatory impact statement (RIS) must be prepared, before the regulation is made.

A RIS is designed to determine whether a proposed regulation is the most efficient and effective way of achieving desired policy objectives. It does this by providing a mechanism by which the Government's policy deliberations are clearly documented and subject to public scrutiny.

The purpose of this document is therefore to explain the need for the proposed regulation and to present an evaluation of the likely costs and benefits that would flow from its adoption in comparison with other options explored.

All members of the community are invited to comment on the information presented in this RIS.

How to Respond to this Regulatory Impact Statement

The closing date for providing comment on this RIS is Monday 7 September 2009.

You can make your submission online:
www.epa.qld.gov.au/cooloola

Written submissions should be addressed to the Minister for Climate Change and Sustainability and sent to:

Project Officer
Cooloola Recreation Area RIS
Department of Environment and
Resource Management
PO Box 168
Cotton Tree QLD 4558

Further Enquiries

Further enquiries can be made by calling the Customer Service Centre on 1300 130 372.

Public Access to Submissions

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to another person or body without your consent, or unless required by Law. Details of the Queensland Government Privacy Scheme can be assessed through <http://www.justice.qld.gov.au/dept/privacy.htm>

Consideration of Comments on the Regulatory Impact Statement

After the public comment period closes, the Government will consider comments made by members of the community.

Further consultation may occur to address any concerns raised by the community prior to the development of a final position by the Government.

Summary

It is proposed to amend the Recreation Areas Management Regulation 2007 to create the Cooloola Recreation Area. The area will encompass the majority of the Cooloola section of the Great Sandy National Park managed by the Department of Environment and Resource Management (DERM), some public lands managed by the Sunshine Coast Regional Council and Gympie Regional Council, as well as lands managed by several State government departments (see map at Appendix 1).

The proposed Cooloola Recreation Area does not include any privately owned freehold land.

This RIS provides information on a proposal to address recreation and conservation management issues relating to the Cooloola Section of Great Sandy National Park and other public lands.

Fraser Island and Cooloola areas are outstanding examples of significant ongoing geological processes, biological evolution and human interaction with the natural environment. The landforms contained within the area have been recorded as the oldest sequence in coastal dunes (approximately 700,000 years) in the world.

The outstanding natural features provide a variety of nature-based recreation opportunities, including fishing, surfing, swimming, four-wheel driving, bushwalking,

camping, nature appreciation, canoeing, kayaking and photography. In addition, the area provides excellent opportunities for scientific research as well as education and interpretive activities.

Strategies need to be put in place as soon as possible to manage the



current recreation issues (primarily safety) while allowing for planned and manageable growth that will allow future visitors to enjoy the area's values in a safe and natural environment.

The primary policy objectives for managing the Cooloola area are to provide for sustainable recreational use that will protect the natural and cultural values, enhance visitor safety, and retain the enjoyment and unique recreational experience, for future generations. The options to achieve this include:

1. Maintain the status quo (no change to current management arrangements).
2. Increase public education and use of non-legislative mechanisms.
3. Declare a Coordinated Conservation Area under the *Nature Conservation Act 1992*.
4. Declare a Recreation Area through an amendment to the Recreation Areas Management Regulation 2007.

This RIS concludes that the most efficient and effective way of achieving the policy objectives is to amend the Recreation Areas Management Regulation 2007 and declare a Recreation Area (Option 4).

Background

The area covered by the proposed Cooloola Recreation Area has outstanding natural, cultural, aesthetic and recreational values, and has been considered for world heritage listing by the Commonwealth Government in the very near future. Recreational and natural resource management activities are currently managed by a number of different land management agencies. The majority of the proposed Cooloola Recreation Area is national park (part of the Great Sandy National Park) managed by DERM under the *Nature Conservation Act 1992*.

South-east Queensland is one of the fastest growing regions in Australia. The estimated resident population for the region could grow to 4,000,000 by 2026, an increase of 1,000,000 people (ABS, 2005). This will place an additional load on all resources in the region including the proposed Cooloola Recreation Area.

Community consultation began on the proposal for a recreation area and related management arrangements through the *Strategic Directions for Cooloola* document (Strategic Directions Paper). Since its release, this document has been scrutinised by the local community. It was formulated following recommendations by two working groups comprising key stakeholders for the area. Approximately 100 submissions were received.

The Strategic Directions Paper was amended to reflect public views and the final document was released by the Minister for Sustainability, Climate Change and Innovation in August 2008. The document called for the development of a RIS to explore the options available to achieve the objectives outlined in the Strategic Directions Paper.

Values

Environmental Values

The Cooloola area shares many of the same outstanding values as neighbouring Fraser Island, which was inscribed on the list of World Heritage Areas in 1992. Cooloola was originally included in the 1991 Fraser Island nomination for World Heritage listing but didn't proceed to listing at that time.

Cooloola is an extension of Fraser Island's coastal sand system and the natural values associated with this landscape. It also has over one third of the Noosa River catchment within its boundary, a wild area that includes tidal, brackish and fresh water lakes, with surrounding wetlands that are a nursery for fish. The Noosa River's inclusion within the Great Sandy National Park has ensured its excellent water quality.



Cooloola and Fraser Island present the world's oldest coastal dune formation story. The dunes represent a history spanning over 700,000 years. Cooloola's landscapes are a showcase of natural phenomena and areas of natural beauty. The area has long uninterrupted beaches flanked by high dunes, open heaths with arrays of colourful wildflowers, mangroves, woodlands of banksias and scribbly gum, shady Blackbutt forests, rainforests with towering trees, and tranquil lakes and waterways.

The Cooloola area is also an outstanding example of significant ongoing ecological and biological processes. Within its sandy ecosystem life is evolving in a low nutrient, acidic, sandy environment, providing a haven for large numbers of different life forms, including many rare and threatened species.

Queensland Government policy remains to pursue World Heritage listing for this area.

Cultural Values

Archaeological work in the region has confirmed that Traditional Owners have lived and used the area for more than 6000 years. The Traditional Owners, Gubbi Gubbi, Kabi Kabi and Butchulla people, believe their connection goes back further to the time of dreaming. A diverse range of archaeological sites have been found, with many of these recorded as being of significance.



Recreational Values

The relative ease of accessibility and exceptional natural values make the Cooloola Section of the Great Sandy National Park and foreshore a key destination for the increasing population of the south-east Queensland region.

Popular recreational activities within the area include undeveloped and low-key campsites, non-motorised boating, fishing, swimming and four-wheel driving on extensive beach areas. Camel and horse riding is available through commercial operators in the southern part of the area outside of the national park.

Camping statistics reveal that 56,926 people camped along the beach and at camping areas within the Cooloola section of the national park during the 2006/2007 period.

Teewah beach is a very popular recreational area. It supports large numbers of campers in the northern section, with swimming, fishing and general beach recreation along the whole section. The Noosa North Shore area is particularly popular with swimmers and day users. Driving along the beach is also a popular activity.

The 65km beach serves as a thoroughfare for vehicles travelling to and from Tewantin, Rainbow Beach, Inskip Peninsula Recreation Area and Fraser Island Recreation Area. The speed limit on the beach is 80kph with vehicles weaving through beach users (fishers and swimmers) and passing close to camp sites.

Regulatory and management issues

The beach area is not included in the Great Sandy National Park, which has its boundary at the high water mark, specifically, the mean high water level at spring tides. Therefore, DERM staff have no jurisdiction over traffic, people or domestic animals on the beaches, except for offences in relation to protected wildlife such as shorebirds.

As the foreshore is accessible to vehicular traffic, it is treated as a road under the *Transport Operations (Road Use Management) Act 1995* and provisions of this Act apply. However, unlike most roads, the beach is also used by large numbers of people for recreational activities. These potentially conflicting uses create an essential need for the beach area to be effectively managed in order to support safe use, protect environmental values

and to allow for the quality of various recreational opportunities to be maintained.

Traffic passes close to campers and their camp sites along the Teewah beach section. There have been regular reports of dangerous driving along the beach (particularly in peak periods) and this poses a safety issue to campers and other travellers. There have been incidents resulting in serious injury. Many visitors and fishers bring dogs into the beach area below high tide mark, and release them on the beach where they can impact on beach visitors and shorebirds, and they can also wander into the national park, affecting campers and wildlife.

There are sanitation, public health and water quality issues along the Teewah beach camping area due to high visitation and indiscriminate disposal of human waste.

The public lands used by visitors in the Cooloola area consist of a range of land tenures under the jurisdiction of several local and State government authorities. Therefore, different rules and regulations, management arrangements and administrative responsibilities apply across the different tenures. This can be confusing for visitors to the area and businesses servicing the area. Significant benefit would be gained by better coordination of the management of these public lands and by applying unified rules and regulations. The tenure details of lands other than protected areas in the proposed Cooloola Recreation Area are shown in Appendix 2.

Authorising law

Section 7 of the *Recreation Areas Management Act 2006*, provides a head of power to declare a recreation area under a regulation.

Policy objectives

The policy objectives for the management of the Cooloola area are to:

- provide for sustainable recreational use
- protect the natural and cultural values
- enhance visitor safety
- retain the enjoyment and unique recreational experience for future generations.

It is proposed to declare the area as a recreation area under the *Recreation Areas Management Act 2006*. This will provide a framework to protect the environment and provide a safe and sustainable recreational experience across different land tenures.

It is reasonable and appropriate to take a legislative approach to this issue. There is no other readily available and suitable means to embrace all the interests of stakeholders. A legislative approach provides a consistent management framework for recreation on different tenures, a head of power to disburse funds, and ensures compliance with a consistent set of regulations to achieve policy objectives.

Legislative intent

The primary legislative intent is to declare the area identified in the map at Appendix 1 as the Cooloola Recreation Area under the *Recreation Areas Management Act 2006*.

The proposed Cooloola Recreation Area will be managed by DERM in accordance with the *Recreation Areas Management Act 2006*.

The *Recreation Areas Management Act 2006* requires that funds generated through the use of this area be spent for recreation area purposes only. Such funds will be spent on improvements and upgrades to recreational facilities, maintenance of roads and access points, signage and natural and cultural resource management activities.

There will be a consistent approach to management issues through the provision of a management plan which is required by the *Recreation Areas Management Act 2006*.

Consistency with the authorising law

The *Recreation Areas Management Act 2006* main purpose is the establishment, maintenance and use of recreation areas, and to provide, coordinate, integrate and improve recreational planning, recreational facilities and recreational management for recreation areas, having regard to the conservation, cultural, educational, production and recreational values of the areas; and the interests of area land-holders (section 4 of the *Recreation Areas Management Act 2006*).

The proposed declaration of the Cooloola Recreation Area is consistent with that purpose, and will allow for coordinated and improved management of recreational use of the beach areas and the adjacent national park. This is a well-established and successful model. Recreation areas declared for similar reasons and with similar management arrangements have been in place at Fraser Island, Moreton Island, Bribie Island, Inskip Peninsula and Green Island.

Section 7 of the Act provides the power to declare a recreation area under a regulation, and section 232 of the Act provides the power to make regulations generally, including regulations about the entry to or use of a recreation area and the fees and charges payable under the Act.



Consistency with other legislation

DERM is not aware of any inconsistency between the proposed amendments and other State legislation.

Five recreation areas already exist in Queensland under the *Recreation Areas Management Act 2006*. The proposed amendments are consistent with the legislation establishing recreation areas.

The recreation areas legislation under which the proposed recreation area will be managed is consistent with other legislation that deals with recreation management, such as the *Forestry Act 1959*, *Marine Parks Act 2004* and *Nature Conservation Act 1992*. This overall consistency is supported by the specific requirement in section 4(2) (c) of the *Recreation Areas Management Act 2006* that the management of a recreation area must be compatible with the tenure of all land in the recreation area (for example, national park land).

Additionally, various provisions of the *Recreation Areas Management Act 2006* avoid duplication of processes under other Acts, for example by recognising particular permits and authorities issued under those other Acts.

Options and alternatives

Consideration has been given to a number of options for achieving the desired policy objectives. These are:

- **Option 1** Maintain the status quo (no change to current management arrangements).
- **Option 2** Increase public education and use of non-legislative mechanisms.
- **Option 3** Declare a Coordinated Conservation Area under the *Nature Conservation Act 1992*.
- **Option 4** Declare a Recreation Area through an amendment to the Recreation Areas Management Regulation 2007.

The preferred option is Option 4 – to declare a Recreation Area through an amendment to the Recreation Areas Management Regulation 2007.

Option 1 Maintain the status quo

Under this option, recreation management across different tenures will continue to be managed under different legislation by different authorities. Maintaining the current system would have significant implications for future conservation and recreation management of the area. These include:

- continued degradation of the area's natural and cultural values due to the lack of coordinated recreation management
- commercial tour operators and other vendors may operate under a range of different permits issued by several agencies

- visitors will be subject to different rules and may require different permits depending on where their activities are based
- funding for recreation and conservation management and facilities will be applied in an uncoordinated manner
- safety and public health issues will be difficult to address and manage.

Option 1 does not meet the proposed policy objectives nor will it ensure satisfactory management of environmental, social and safety issues and is therefore not appropriate. In fact, it is the shortcomings of the present management arrangements that has triggered the consideration of the other options outlined in this RIS.

Option 2 Increase public education and the use of non-legislative mechanisms

Non-legislative mechanisms can include such things as advisory signs, brochures and direct public contact by staff of the relevant land management agencies.

Land management agencies such as DERM and local government authorities currently have a range of brochures and signage informing visitors about the environmental values of the area and regulatory requirements. This option would involve expanded signage at key points and the distribution of additional brochures targeted at specific management issues or type of visitor.

Staff from DERM and local government authorities could increase patrols and conduct public education talks. Ideally, public education should occur before visitors arrive in the area and this would involve identifying user groups and making contact with them or their organisation if appropriate.

The benefits of this option are that visitors would be better informed and feel they are contributing to the management of the area. There may be a change in behaviour and a resultant improvement in environmental and recreational conditions. However, in the absence of effective regulations to back up educational campaigns, a significant number of visitors may not comply with requests for safer and more environmentally sensitive behaviour.

The financial costs of this option would be significant and include printing and sign costs. There would be increased staff costs associated with an increased public contact effort on and off-site. The visual impact of more signs in what is a very natural area would be undesirable and further funding would be needed to offset the dilution of staff resources away from natural resource and recreation management duties. Funding for this option may need to come from existing revenue sources, potentially reducing funding available for other management actions, such as the provision and maintenance of visitor facilities.

Option 2 does not meet the proposed policy objectives nor will it ensure satisfactory management of environmental, social and safety issues and is therefore not appropriate.

Option 3 Declare a Coordinated Conservation Area under the *Nature Conservation Act 1992*

The *Nature Conservation Act 1992* contains provisions to declare a Coordinated Conservation Area (CCA) over multiple parcels of land. The primary objective of a CCA is the conservation of natural and cultural values from a selection of properties under different ownership.

According to the Act, a CCA is to be managed to:

- conservate the area's natural and cultural values by coordinated management involving the area's various landholders
- take account of the area's values, including its recreational, educational and commercial values
- provide for the interests of the various land-holders to be maintained.

The regulations under the *Nature Conservation Act 1992* would apply to a CCA declared over the Coolooloa area allowing for the management of conservation, recreation and safety issues in much the same way as if the area was declared as a recreation area (Option 4).

However, some fundamental differences apply between CCA and recreation area provisions. Unlike a recreation area, if the area was declared as a CCA:

- revenue would not be available from vehicle access permits to be spent on recreation management, including recreational facilities
- revenue from all other permits (e.g. camping permits and commercial activity permits) would not be required to be retained and spent only for recreation management purposes
- land management agencies would need to obtain permits for some of their own management actions because the *Nature Conservation Act 1992* (unlike the recreation areas legislation) does not generally provide permit exceptions for landholder activities
- some area users might need to obtain duplicate permits for some activities on different tenures because the *Nature Conservation Act 1992* (unlike the recreation areas legislation) does not generally reduce permit duplication.



These latter two issues could be addressed by extensive amendment of regulations under the *Nature Conservation Act 1992*, but this would be time-consuming and expensive, and would only serve to duplicate arrangements that are already available under the recreation areas legislation.

Option 4 Declare a recreation area through an amendment to the Recreation Areas Management Regulation 2007 (*preferred option*)

Option 4 is to declare a recreation area to better provide for the coordinated management of recreational activities and to manage high-use areas in a manner that recognises both recreation and conservation values.

The primary objective of declaring a recreation area over these lands is to:

- provide for sustainable recreational use
- protect the natural and cultural values
- enhance visitor safety
- retain the enjoyment and unique recreational experience for future generations.

Declaring a recreation area would not change the current tenure, ownership or use of the lands proposed to be included in the area. Instead, recreation area legislation is a management tool that lies over land and existing legislation, allowing for delivery of nature-based recreation opportunities and coordinated management. This proposal will not affect the application of other existing legislation.

The proposed legislation would be used in conjunction with other existing non-legislative mechanisms, such as public education, to enhance recreational management within the Cooloola Recreation Area and to provide better nature-based recreation opportunities.

The *Recreation Areas Management Act 2006* provides a regulatory framework for managing recreation and would assist in addressing management issues over selected public lands in the Cooloola area through:

- coordinated management of natural and cultural resources and recreation guided by a management plan to be prepared after declaration, in consultation with the community
- uniform regulations and enforcement measures for all tenures
- collection of fees and the allocation of funds based on need rather than tenure
- an integrated permit system and information sources for commercial operators and visitors to the area.

The Recreation Areas Management Regulation 2007 provides the details of matters such as fees and conditions of permits and commercial operations, access, personal safety, nuisance, fires, litter and appropriate behaviour when recreating in recreation areas. Funds are spent on recreation management in recreation areas, including the provision of campgrounds and day-use facilities and maintenance, roads, walking tracks, signs and visitor information.

Cost-benefit assessment

Benefits and costs of declaring a Recreation Area

Vehicle-based recreation and trade/business access

Currently, the management of traffic and visitor safety on tidal (beach) areas is largely unregulated, other than in the Great Sandy National Park (above high water), or if a protected wildlife offence is committed under the *Nature Conservation Act 1992*. Within a recreation area, authorised officers will have powers to manage and intervene on conservation and safety issues. This will provide a safer environment for visitors, particularly campers and day-users of the beach areas.

Visitors will be presented with a consistent and uniform approach to permits, signs, facilities and visitor information. All permits will be issued through a single body. The visitor's experience will be of a higher quality due to improved facilities and better maintained access tracks and roads, funded from a permit system that channels funds back into the recreation areas.

The Cooloola Recreation Area will adopt a Vehicle Access Permit (VAP) fee structure based on that administered on the Fraser Island Recreation Area and Moreton Island Recreation Area. VAPs will cost \$38.25 for up to one month and \$191.50 for up to one year. In addition, a three-day fee of \$25.00 is proposed. Vehicles planning to access Fraser Island Recreation Area will receive a 20 percent discount when (monthly or yearly only) permits for both areas are purchased for the same duration. The fee structure for the proposed Cooloola Recreation Area is shown in Appendix 3.

The areas where a VAP would be required are beach areas from a point known as Middle Rocks to immediately north of Teewah Village, on the Freshwater track beyond Bymien picnic area, the King's Bore Circuit and the Leisha Track.

The beach area south of Teewah Village to 1st cutting will be included in the proposed Cooloola Recreation Area but a VAP will not be required for this part of the Recreation Area (see Appendix 1).



It is estimated that 46,000 vehicles per year would be required to purchase a VAP, generating revenue of approximately \$2.74 million depending on the mix of three-day, monthly or annual permits issued (see Appendix 4).

Dogs will be prohibited from the beach area within the proposed Cooloola Recreation Area boundary where VAPs apply.

Dogs will continue to be prohibited from the national park above mean high water spring (MHWS).

Camper numbers may decline if users feel the VAP fee will make camping at proposed Cooloola Recreation Area too expensive. However, the proposed three-day or monthly fee is not a major part of the total cost of accessing this area for infrequent users and an annual fee is also a relatively small proportion of the overall cost of visiting the area for regular users. Experience derived from the declaration of other recreation areas indicates that any decline in visitor numbers would not be significant and likely to be only temporary.

Declaration of a recreation area will also mean some changes to current access arrangements, for instance:

- Road registered vehicles only will be able to obtain a VAP. Unregistered and recreational conditionally registered vehicles will not be able to obtain a permit.
- People who require access to the recreation area for a person's employment or to conduct their trade, business or profession (e.g. building trades and commercial fishers) will need to apply for and display a VAP, however, they will be exempt from paying the fee. This arrangement is consistent with those already in place in other recreation areas.

Table 1: Potential costs and benefits to vehicle-based recreation and trade/business access

Costs	<ul style="list-style-type: none"> • VAP fee for each motor vehicle for some areas. Proposed permit fees would be \$25.00 for three days, \$38.25 for one month, and \$191.50 for one year. • Visitors with dogs currently using beach areas of the proposed Cooloola Recreation Area will only be able to access beach areas outside VAP boundary.
Benefits	<ul style="list-style-type: none"> • Improved facilities (permanent and temporary) • Coordinated safety management on beach areas • Single point of contact for information • Unified regulatory and signage regime • Safer driving conditions through improved access tracks and roads • Fee exemptions for people who access the area for employment or to conduct a trade or profession.

Commercial tour operators and vendors

Commercial tour operators conduct tours to areas within the proposed Cooloola Recreation Area. Most operate on a permit under the *Nature Conservation Act 1992* or a permit issued by a local government authority. Declaration of a recreation area will require commercial activities to operate under a commercial activity permit or commercial activity agreement issued under the *Recreation Areas Management Act 2006*.

Some vendors and commercial tour operators utilise the strip along Teewah beach that lies below mean high water spring and is outside the national park. These operators will require a permit or agreement to operate in the recreation area, which will also ensure that these operators meet standards consistent with other operators in the area. This may mean a fee increase for the beach-only operators.

Authorised commercial operators within the national park will need to be issued with a joint permit under the *Nature Conservation Act 1992* and *Recreation Areas Management Act 2006*, but only one set of permit fees will be required, so that there will be no fee increase for those operators.

All commercial operators for the proposed Cooloola Recreation Area will be subject to consistent permit arrangements, which will provide greater equity between operators and enhance business certainty.

Table 2 : Potential costs and benefits for commercial tour operators and vendors

Costs	<ul style="list-style-type: none"> • Changes to promotional and advertising material • Application for or transition to a new permit.
Benefits	<ul style="list-style-type: none"> • Improved planning and equity for commercial activities • Single management body for commercial interests and permits • Removal of anomaly that allows unlicensed operators on the beach areas • Improved facilities and access for their clients.

Government

The declaration of a recreation area involves some appreciable costs and workload on government. Considerable management effort will go into establishing a cooperative management arrangement, between the different government agencies within the proposed Cooloola Recreation Area.

Declaration of the Cooloola Recreation Area will benefit the Queensland Government and enable it to address the management challenges of the Cooloola area through:

- coordinating management on lands within the proposed recreation area
- applying uniform regulations

- a revenue stream to improve the management of visitors, to protect natural and cultural values and to improve recreation facilities
- providing integrated information and permit systems for visitors and commercial tour operators
- collecting and analysing visitor use data that can inform management systems to enable sustainable visitor use.

There will be costs associated with replacing and developing new signage and visitor information materials across all tenures. New information brochures and a publicity campaign will be needed, advising visitors of the new recreation area and obligations under this new management structure.

Key tasks and requirements associated with the establishment of the Cooloola Recreation Area include:

- developing public contact and education (staff, signage and interpretive material)
- staff training – both DERM and local government (policy, planning, permitting and resource management)
- preparation of a management plan
- additional patrols and enhanced management presence
- increased permit processing and enforcing the use of these permits.

The expected revenue generated through VAPs will contribute to these increased costs, many of which are short-term establishment costs, and will generate long-term recreation, conservation and safety benefits. All fee revenue generated under the *Recreation Areas Management Act 2006* is required by the Act to be spent for recreation area purposes, which will result in improvements to recreational services and facilities.

Local government authorities will benefit from the creation of the proposed Cooloola Recreation Area.

Table 3: Potential costs and benefits for government

Costs	<ul style="list-style-type: none"> • Processing, issuing and compliance of permits, particularly three-day permits • Public contact and education • Staff training • Increase in weekend patrols.
Benefits	<ul style="list-style-type: none"> • Coordinated approach to visitor and natural resource management between government agencies • Simplified permitting and administration • Provide mechanisms for sustainable visitor use and monitoring across tenures, e.g. through the management planning process • Clearer compliance regime for staff and visitors reducing confusion • VAP fees will boost revenue for recreation area management.

Visitor information and signage will now be funded from the Recreation Areas Management Fund administered under the *Recreation Areas Management Act 2006*. Local government authorities will also benefit through assistance with recreation and natural resource management on their lands.

Landholders and residents

Both Teewah Village and the township of Rainbow Beach adjoin the proposed Cooloola Recreation Area. To minimise any impact of the proposed recreation area on the residents and landholders of this area, large sections of beach will remain outside the proposed VAP area and dogs will be permitted to access these areas.

Landholders and residents should benefit from a more coordinated approach to resource and visitor management that will result in better planning of facilities and activities.

Table 4: Potential cost and benefits for landholders and residents

Costs	<ul style="list-style-type: none"> • VAP fees to access areas within the Cooloola Recreation Area • Visitors with dogs currently using beach areas of the proposed Cooloola Recreation Area will only be able to access beach areas outside VAP boundary.
Benefits	<ul style="list-style-type: none"> • Better management of visitor use and facilities in adjoining areas.

Local Business

Businesses in the township of Rainbow Beach benefit from visitors to Fraser Island and Inskip Point regardless of whether they arrive via the beach or from sealed roads. Given the increasing pattern of visitation to the area and the proposed World Heritage listing of the Cooloola section of Great Sandy National Park, it is unlikely that the introduction of the Cooloola Recreation Area will have any long-term detrimental impact on local businesses.

Table 5: Potential cost and benefits for local businesses

Costs	<ul style="list-style-type: none"> • Possible slight reduction in business turnover in the short-term.
Benefits	<ul style="list-style-type: none"> • Sustain tourism in the long-term by attracting visitors to the area for a safe, sustainable and family friendly camping and beach driving experience.

Conservation Groups

Conservation groups have had a long history of lobbying for protection of this area and maintain a keen interest in the activities of government and private agencies.

The declaration of the proposed Cooloola Recreation Area will greatly improve conservation management through coordinated fire management, pest plant and animal control, and visitor management across land tenures.

Conservation groups will be involved during management planning preparations and will benefit by only needing to deal with one authority over management of the recreation area.

The environment will benefit through rationalisation of services and facilities across agencies and also through improved coordinated natural resource and conservation management.

Table 6: Potential cost and benefits for conservation groups

Costs	<ul style="list-style-type: none">• Nil.
Benefits	<ul style="list-style-type: none">• Improved coordinated conservation management• Single body to deal with• Involvement in management planning• Assist management to maintain World Heritage values.

Community

The area within the proposed Cooloola Recreation Area provides ecosystem services such as watershed protection, habitat for flora and fauna and coastal processes that result in high benefits shared by the community as a whole.

A recreation area will allow for planned and coordinated recreation across all tenures whilst protecting the natural and cultural values of the area. The overall result will be a sustainable world-class recreation area within a unique natural environment conserved for future generations.



Table 7: Potential cost and benefits for the community

Costs	<ul style="list-style-type: none">• Individuals will require a VAP to drive within parts of the Cooloola Recreation Area• Visitors with dogs currently using beach areas of the proposed Cooloola Recreation Area will only be able to access beach areas outside VAP boundary.
Benefits	<ul style="list-style-type: none">• Sustain tourism in the long-term by attracting visitors to the area for the safe and family friendly camping and beach driving experience• Improved planning and development of the local area.

Traditional Owners

There are significant Indigenous cultural heritage sites and linkages throughout the proposed Cooloola Recreation Area with no Native Title claims over the area. The Cooloola Recreation Area will not extinguish, negate, control or otherwise impact on any customary or Native Title interest and right that may be present in the land and sea that are subject to the proposed recreation area declaration.

There will be no costs for Traditional Owners arising from the proposal.

However, Traditional Owners will be able to deal with one agency in relation to most issues and be involved in management through the management planning process and beyond.

Table 8: Potential benefits to Traditional Owners

Costs	<ul style="list-style-type: none">• Nil.
Benefits	<ul style="list-style-type: none">• A Memorandum of Understanding will be developed between DERM and Traditional Owner groups that will formalise and outline partnerships and involvement in management of the recreation area• Enhanced ability to care for their country• Improved ability to protect cultural and spiritual sites and values.

Fundamental legislative principles

The Legislative Standards Act 1992 requires that legislation has sufficient regard to rights and liberties of individuals and the institutions of Parliament.

The regulatory proposal is consistent with the principles of natural justice and allows the delegation of administrative power only in appropriate cases and to appropriate persons.

The proposal only contains matters appropriate to subordinate legislation.

National competition policy

The guiding principle of the Competition Principles Agreement, under the National Competition Policy, is that legislation should not restrict competition unless it can be demonstrated that the:

- benefits of the restriction to the community as a whole outweigh the costs
- objectives of the legislation can only be achieved by restricting competition.

National Competition Intergovernmental Agreements include:

- the Competition Principles Agreement
- the Agreement to Implement the National Competition Policy and Related Reforms (Implementation Agreement).

The proposed amendment regulation is consistent with the Competition Principles.

All permits and policies relating to activities within the proposed Coolooloa Recreation Area have been assessed against and comply with the National Competition Policy.

Conclusion

South-east Queensland is one of the fastest growing regions in Australia. South-east Queensland has experienced high and sustained population growth. The estimated resident population for the region could grow to 4,000,000 by 2026, an increase of 1,000,000 people (ABS, 2005). This is expected to result in an associated level of increased visitor numbers in the Coolooloa area.

In order to manage a foreseeable increase in visitor numbers in a sustainable, efficient and effective manner it is proposed to declare the majority of the Coolooloa section of the Great Sandy National Park and the other

public lands, a recreation area under the *Recreation Areas Management Act 2006*.

The *Recreation Areas Management Act 2006* provides a specific regulatory framework for managing recreation and access that will assist in addressing management issues over selected public lands in the proposed Coolooloa Recreation Area through:

- coordinated management of natural and cultural resources and recreation guided by a management plan to be prepared after declaration, with community and public input
- uniform regulations and enforcement measures for all tenures
- collection of fees and the allocation of funds based on need rather than tenure
- an integrated permit system and information source for commercial operators and visitors to the area.

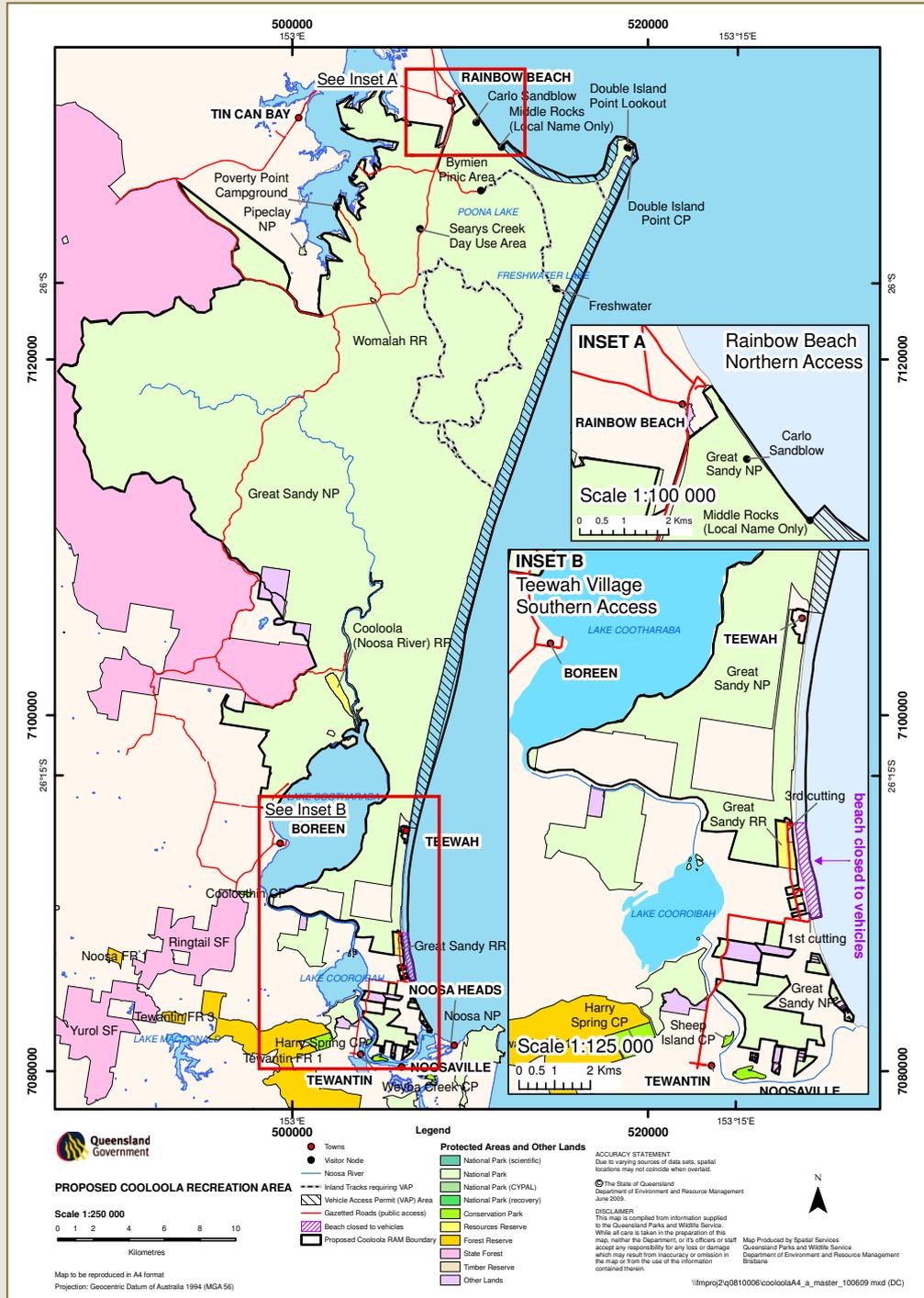
This option does impose some costs to users of the proposed recreation area, the most significant of these being the cost of purchasing a VAP. That is \$25.00 for a three day permit, \$38.25 for a monthly and \$191.50 for a yearly vehicle permit.

Benefits of the proposed recreation area:

- a “one-stop shop” for visitors requiring permits and information
- coordinated safety management for beach driving and public health issues
- improvement to roads, access tracks and facilities
- equitable use and access for commercial tour operators
- maintenance and resources for maintaining healthy ecosystems and their services
- facilitating sustainable tourism to the area and therefore long-term patronage for local businesses
- enhanced coordinated conservation management.



Appendix 1: Map of Proposed Cooloola Recreation Area



Appendix 2: Tenure details of lands other than protected areas in the proposed Cooloola Recreation Area

Lot on Plan	Tenure	Area (ha)	Land holder
6M37928	Freehold	100.5	Public Trustee
4M37916	Freehold	121.1	Public Trustee
3M37916	Freehold	128.8	Public Trustee
2M37916	Freehold	132.2	Public Trustee
7MCH4562	Reserve	428.9	DERM
10MCH2826	Reserve	2.0	DERM
12MCH 3215	USL	31.5	DERM
22USL37850	USL	2.7	DERM
22USL37850	USL	0.48	DERM

Appendix 3: Fee schedule for the proposed Cooloola Recreation Area

		Other Recreation Areas**	Fraser Island Recreation Area	Proposed Cooloola Recreation Area Fees
Vehicle Access Permits*	3 days	–	–	25.00
	1 week or less	36.60***	–	–
	More than 1 week	114.20***	–	–
	1 month or less	38.25	38.25	38.25
	More than 1 month	191.50	191.50	191.50
Camping Permits	Per night per person	5.00	5.00	5.00
	Family per night	20.00	20.00	20.00
	Educational groups (per person per night)	2.75	2.75	2.75
Commercial Activity – Filming (no structures)	Daily site fee	26.90	26.90	26.90
Commercial Activity – e.g. Tour Operator	Application fee	254.60	254.60	254.60
	Renewal fee	127.30	127.30	127.30
	3 months or less	51.10	51.10	51.10
Daily fees paid for clients (per person)	Less than 3 hours	1.55	3.05	1.55
	3 hours or more	2.80	6.25	2.80
	Per night	5.00	5.00	5.00

Notes

* There are no Vehicle Access Permits required for the Inskip Peninsula Recreation Area

** Includes Bribie Island Recreation Area, Inskip Peninsula Recreation Area and Moreton Island Recreation Area

*** Bribie Island Recreation Area only

Appendix 4: Revenue projections from Vehicle Access Permits

The proposed Visitor Access Permit (VAP) fee structure is based on that currently being implemented in other recreation areas (VAP fees of \$38.25 and \$191.50 for monthly and annual permits respectively). In addition, a three-day permit of \$25.00 is planned for the proposed Cooloola Recreation Area.

The potential revenue that might be generated is \$2.74m from VAPs, based on visitor use data and estimates of public preference for the different permit options.

An estimate of vehicle use has been prepared for this report using figures from the following sources:

- Noosa River barge data
- Rainbow Beach census statistics
- Estimated annual visitation to Rainbow Beach
- Estimates from other recreation area visitor use patterns.

The proposed Cooloola Recreation Area can be accessed from various points. The two main entry and exit points for beach driving are the southern access from the Noosa River barge and the northern access along the beach at Rainbow Beach.

Southern Access Revenue Assumptions

A number of assumptions have been made to arrive at the projected number of VAPs via the southern access to the proposed Cooloola Recreation Area:

1. The annual number of vehicle crossings on the Noosa River barge over the last seven years varied from 205,824 in 2007–08 to 260,732 in 2004–05, with an average of 237,366. Passenger vehicle numbers include both two-wheel drive and four-wheel drive vehicles. Not all vehicles drive onto the beach. Some visitors park behind the dunes for swimming and fishing and some go to the resort or wilderness camp.
2. For each vehicle crossing one way, it is assumed that there is another vehicle returning. Thus the number of crossings is halved in order to get the number of vehicles per annum going onto or coming off the Noosa North Shore. However:
 - i. Only a percentage of these vehicles will enter the proposed Cooloola Recreation Area. Some may do so once or a number of times through the year. Therefore, a percentage of the vehicles crossing will not be buying a permit each time.
 - ii. Continued access to beach areas south of Teewah Village means that only some will choose to purchase a VAP and enter the proposed Cooloola Recreation Area.
3. Based on i and ii above it is estimated that the projected number of VAPs will be between 30 and 40 percent of the number of vehicles accessing Noosa North Shore. For the purposes of estimating, a figure of 35 percent has been chosen.

Table 9: Estimated number of VAPs that would be issued through the southern access to the proposed Cooloola Recreation Area

Average passenger vehicle crossings on Noosa River barge over the past eight years (see note 1 above)	237,366
Number of vehicles accessing Noosa North Shore (see note 2 above)	118,683
Estimated number of vehicles requiring a VAP (see notes 2i, ii and 3 above)	41,500

The proposed Cooloola Recreation Area is likely to cater to a different type of visitor with a different duration of visit, than that experienced on Fraser Island and Moreton Island. It is anticipated that the largest percentage of VAPs issued for Cooloola will be for a three-day permit.

The Bribie Island Recreation Area has similar opportunities for vehicle access to that of the proposed Cooloola Recreation Area. The ratio of VAPs issued in the Bribie Island Recreation Area is 1:1. That is, there is an equal amount of monthly and yearly VAPs issued.

Using the Bribie Island Recreation Area figures as a guide it is anticipated that the percentage of annual, monthly and the proposed three-day VAPs that will be issued to vehicles entering via the southern access will be 20, 30 and 50 percent respectively.

The projected revenue from this pattern of permit selection is calculated by:

$$(41,500 \times 0.20 \times \$191.50) + (41,500 \times 0.30 \times \$38.25) + (41,500 \times 0.50 \times \$25.00) = \mathbf{\$2.58m}$$

Northern Access Revenue Assumptions

Estimating the revenue generated at the northern end of the Cooloola Recreation Area differs from the southern access. The data sets used were from households of Rainbow Beach (Census data, 2006), and annual tourism figures in the Rainbow Beach area.

A number of assumptions have been made when using the Census data:

1. Only some households will access beach areas by vehicle (approx. 60 percent).
2. Not all households who do access beach areas by vehicle will want to purchase a permit as there are still areas of the beach that do not require a VAP and an estimate of 30 percent would potentially purchase a permit.
3. Households that could potentially purchase a permit would purchase an annual permit.

Table 10: Census data for households in Rainbow Beach that could potentially purchase an annual VAP per year

Number of permanent Rainbow Beach households	840
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Estimated number of households that may purchase an annual VAP	150
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Assumptions for annual tourism data for Rainbow Beach to predict projected revenue:

1. Tourism numbers to Rainbow Beach are counted in people.
2. The Rainbow Beach Visitor Survey (2004) showed that approximately 40 percent of tourists' mode of transport to Rainbow Beach was by four-wheel drive.
3. That each vehicle contains on average three people and therefore the numbers have been divided by three to convert this figure to vehicles.
4. A proportion of the vehicles will have arrived at Rainbow Beach via the beach and therefore have already been counted in the southern access revenue estimates.
5. A proportion of these vehicles will be travelling through Rainbow Beach to access Fraser Island and therefore in the future may not wish to purchase a VAP for both recreation areas.
6. Of those vehicles remaining, only a small proportion will purchase a VAP as there are still VAP free areas of beach available for beach driving.
7. Projected revenue does not take into account joint permits purchased for Cooloola area and Fraser Island that will qualify for a 20 percent discount. Revenue estimates could therefore be considerably less.

Table 11: Annual visitor numbers to Rainbow Beach converted to potential VAPs per year

Annual visitors to Rainbow Beach per year (see note 1 above)	70,000
Number of people accessing the area via private vehicles (approx. 40 percent of annual visitation) (see note 2 above)	28,000
Number of estimated vehicles travelling to Rainbow Beach (see note 3 above)	9,333
Estimated number of private vehicles who may purchase a VAP (approx. 50 percent) per year	4,666

It is expected that most visitors to the proposed Cooloola Recreation Area who access it via Rainbow Beach will prefer to use a three-day or monthly VAP (80 and 20 percent respectively).

The projected revenue from this pattern of permit selection is calculated by:

Rainbow Beach residents (150 X \$191.50) = **\$28,725**

Rainbow Beach visitors (4666 X 0.80 X \$25.00) + (4666 X 0.20 X \$38.25) = **\$129,014**

Total revenue generated from Northern Access (\$28,725 + \$129, 014) = **\$157,739**

Total annual estimated revenue generated from Vehicle Access Permits

The total estimated revenue generated from the declaration of the proposed Cooloola Recreation Area is determined by the total revenue generated from vehicles entering the recreation area from the northern and southern access points.

Table 12: Total annual estimated revenue generated from VAPs

Total estimated revenue generated from Northern Access	\$157,736
Total estimated revenue generated from Southern Access	\$2.58m
Total estimated revenue generated from the proposed Cooloola Recreation Area	\$2.74m



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 **Queensland** Government

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Environment and Resource Management.

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