

# Tomaree National Park

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*Prepared by Sydney Rockclimbing Club Inc*  
February 2005



## **Introduction:**

This submission deals with recreational rockclimbing in the context of Tomaree National Park. It concentrates on this single activity due to the fact that the Club's main purpose and expertise reside in this field. However, some rockclimbers practise and enjoy other recreational activities available within the attractive setting of Tomaree National Park.

Sydney Rockclimbing Club (SRC) has been in existence for almost 54 years. In that time there has been continuous growth in the numbers attracted to the sport. In recent years, aware of the increasing impacts, we have worked with land managers, and climber-initiated groups such as Blue Mountains Cliffcare, to address problems resulting from our activity and to educate climbers in best practice procedures.

Rockclimbing is a legitimate recreational activity, undertaken in national parks and elsewhere in all states of Australia, and in many countries around the world. Consequently there is a considerable body of knowledge, both local and overseas, available to inform the management of rockclimbing in protected areas.

By consulting and working with the National Parks and Wildlife Service (NPWS) the SRC believes we can develop opportunities for climbers to engage in their recreation in a way that does not compromise the park's natural values nor impinge on other users.

## **Executive Summary:**

We believe rockclimbing is an appropriate activity for Tomaree National Park, and can be conducted in keeping with general NPWS management objectives for protected areas.

Any measurable rockclimbing impacts can be addressed by appropriate management controls.

The suggestion there may be 'potential safety concerns' is a non sequitur.

The Draft Plan of Management contains some 'undisciplined' wording that should not be retained and allowed to go forward into the final Plan.

## Scope:

This submission relates to Chapter 6, Visitor Opportunities and Education, of the Draft Plan of Management (DPoM) and concentrates on the portion relating to rockclimbing, Section 6.2.

By and large, we have no argument with other sections of the Draft Plan of Management and so have limited the scope of our submission to that area we consider our speciality.

## Comments:

The DPoM states: *“The cliffs around Tomaree Head and other sites are occasionally used for rock climbing and abseiling. The growth of rock climbing has increased impacts on established sites and opened up new sites. Impacts include vegetation disturbance, erosion, creation of new trails, damage to rock features and installation of rock bolts. Rock climbing and abseiling is an appropriate activity in some areas of the park, but it will not be permitted on Tomaree Head due to the creation of access tracks to cliff tops next to designated walking tracks (particularly at the gun emplacements), potential safety concerns and threats to nesting peregrine falcons.”* (pp 23, 24)

Then continues: *“The environmental impacts of rock climbing will be managed by a combination of closing fragile areas and monitoring impacts where the activity is permitted. While rock bolts are necessary for the maintenance of a range of climbing opportunities in the park it is not appropriate for the NPWS to install or certify bolts. Participants in these activities will need to ensure the safety of fixed anchor points prior to use. There is a need to control proliferation of bolts in the park and to remove those that have an unacceptable impact or which are no longer required.”* (p 24)

The two paragraphs present an interesting contrast. The first outlines the problems perceived to be associated with rock climbing. The second suggest how those problems can, and will, be managed “where the activity is permitted”.

So, if the perceived problems and impacts of rock climbing can be managed in other parts of the park we are forced to question why it is that a similar approach can not be applied in the case of Tomaree Head. In the absence of any information to the contrary, or additional to that provided in the DPoM, we must assume the three reasons cited are the *only* reasons behind the proposal to prohibit rockclimbing on Tomaree Head, namely;

- *“the creation of access tracks to cliff tops next to designated walking tracks (particularly at the gun emplacements)”*
- *“potential safety concerns”*
- *“threats to nesting peregrine falcons”*

The SRC is convinced a management solution exists to deal with each of these perceived problems, and indeed land managers elsewhere in NSW and around Australia have successfully implemented such solutions in a number of like situations. Simply prohibiting rockclimbing is akin to ‘sweeping a problem under the carpet’ rather than dealing with it in a non-emotive and effective manner.

So let us critically examine the reasons advanced to support the prohibition of rock climbing on Tomaree Head and look at possible solutions:-

- ***“creation of access tracks”***

This ‘problem’ can be easily addressed by a simple track management process. A limited number of suitable access routes (maybe just one) can be determined and prepared/hardened to reduce erosion.

Signage indicating the danger ahead and advising “No Access for Walkers” can be positioned on such access so as to largely limit usage to rock climbers only.

Inappropriate or unnecessary tracks can be closed, and the point of departure from an approved track disguised to prevent continued use. Consultation with climbers to ensure they understand the need and reasons for such actions would improve the likelihood of compliance.

- ***“potential safety concerns”***

Because the DPoM proposes to permit rockclimbing ‘elsewhere in the park’ it must be assumed the Service does not see any safety issues particularly pertaining to rockclimbing nor any heightened Duty of Care resulting from allowing continuance of the activity within the park.

Thus, if the ‘potential safety concerns’ relate to perceived possible dangers to tourists/walkers, then **this** is the problem that has to be addressed. The Service needs to warn and ensure the safety of such visitors. In the process, climbers should not be disenfranchised or prevented from engaging in *their* chosen and legitimate recreation, due to some perceived or imagined danger to *other* visitors.

The DPoM states that Tomaree National Park receives an estimated 250,000 visitors annually, and a pedestrian counter on the Tomaree Head Summit Track indicates approximately 100,000 people per year use that track. Climbing has occurred on Tomaree Head, and elsewhere in the park, for twenty years or more. Although the tourist/walker visitation rates would have been lower in the early years, it might be suggested that over the past two decades as many as a million people could have visited Tomaree Head. Yet in that time, to our knowledge, there has been only one fatality in the area, and that was a climber who slipped and fell while descending to the base of the cliff. Although some may have occurred, we know of no incidents involving tourists/walkers that could in any way be seen as causally connected to the activities of rock climbers.

The suggestion rock climbing activities *per se* can endanger such non-participants lacks credibility!

And, in the 1998 High Court decision in *Romeo v Conservation Commission*, Justice Kirby found that where a person had normal concern for their safety, land managers had no obligation to fence or signpost an area that posed a danger. Since then, new State and Federal legislation has been enacted that supports and reinforces this notion. Nowadays, the likelihood of the Service facing litigation arising as a consequence of injury or death on or about the cliffs of Tomaree Head shrinks with each passing year and every rejected compensation claim.

Consequently, Sydney Rockclimbing Club takes issue with land managers who, perhaps worried about possible litigation and concerns for the safety of participants and spectators, choose to take the easy way out and simply prohibit activities they believe *might* attract people to place themselves in ‘hazardous’ locations.

▪ *“threats to nesting peregrine falcons”*

The NPWS website carries information relating to Tomaree National Park including details of fauna and flora known or expected to occur within the park. Two Peregrine Falcons have been counted in the park and although this figure may be the result of a single survey, and perhaps others could be present, the number seems consistent with the restricted area of suitable habitat to be found in the park and the bird’s renowned strong territorial behaviour.

Outside the breeding season, peregrines are not unduly concerned about the presence of climbers on cliffs within their general ‘territory’. But naturally, during nesting periods, their ‘approach distance’ reduces considerably and any incursions engender noisy and aggressive protests, delivered in such a manner that few climbers would deliberately place themselves “in the firing line”.

For this reason, and also as a consequence of genuine environmental concerns, climbers are usually happy to avoid peregrine nesting areas. In many parts of Australia, and overseas, climbers and land managers address the issue by voluntary closure, during the nesting season, of affected climbs or even entire sections of cliffs. The process has been demonstrated to be effective and satisfactory to those concerned – both climbers and birds.

**In Conclusion:**

- We believe rockclimbing is an appropriate activity for Tomaree National Park, and can be conducted in keeping with general NPWS management objectives for protected areas.
- Any measurable rockclimbing impacts can be addressed by appropriate management controls.
- The inference that there may be ‘potential safety concerns’ is illogical and baseless.
- The issue of “threats to nesting peregrine falcons” appears unfounded and can be addressed by simple seasonal closures.
- We are concerned that some ‘undisciplined’ wording in the DPoM may be inappropriately retained in the final Plan of Management as has happened with other plans in the past.

In February 2003, we wrote to the then Director-General to express our serious disappointment with the Service for publishing final Plans of Management containing statements presented as though accepted fact, despite submissions commenting on the Draft Plans having earlier convincingly contested the veracity or basis of these statements. In his letter dated 15<sup>th</sup> April, Mr Brian Gilligan responded: *“Greater care will be taken in future to ensure that misleading statements of a generic nature are not included in plans of management.”*

We trust such ‘care’ will be appropriately applied to the final Tomaree Plan of Management.

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 Sydney Rockclimbing Club Inc.  
 February 2005