



Bushwalking WA (Federation of Western Australian Bushwalkers Inc)

**Submission on draft updated Operational Policy 13:
Recreation within public drinking water source areas on Crown land
30 July 2018**

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OUR INTEREST

Bushwalking WA (BWA) is the peak body for bushwalking / hiking in WA. It directly represents the interests and concerns of about 1100 members of bushwalking clubs in Western Australia, and indirectly represents the wider bushwalking community in WA comprised of more than 65,000 Western Australians. Bushwalking has a long history within the areas of the current public drinking water source areas (PDSWAs). As a key stakeholder, BWA has provided input on drinking water catchment access issues and previous versions of Operational Policy 13 over the past 15 years through meetings and submissions, and also at the parliamentary inquiry of 2009-2010.

COMMENTS

1. Recognition of off-trail bushwalking as a legitimate activity in outer catchments (draft Table 2)

BWA welcomes the clarification in draft Table 2 (on p.8) that "free-range / off-trail" bushwalking / hiking is recognised as a "Supported" activity in the outer catchments. The previous versions of Policy 13 had been ambiguous on this matter. This is an important positive outcome for bushwalking; A relatively small percentage of all those who bushwalk participate in regular, traditional, off-trail bushwalking activities, but for several clubs this has been a core part of their activities over many years.

However, we note that "Camping (free-range)" anywhere in the PDSWAs and any recreation (including bushwalking) in the Reservoir Protection Zones ('RPZs') remain 'Incompatible' activities. We refer to free-range camping and to RPZs under item 3(b)(ii) below.

2. Future strategic trail and campsite development proposals

We note that no new or enhanced facilities (e.g. trails and campsites) will be considered for development in a catchment if suitable and available opportunities exist beyond the catchments. We welcome the clarification (of Table 3, p.14-20, Items #4 & 8) that a proposal may be considered via the new assessment and approval process. However it is apparent from the process outline that the hurdles to any such proposals gaining approval will be substantial unless they are aligned with strategic government planning.

3. The need for Policy makers to demonstrate review of new information over the past decade

The Legislative Council's Standing Committee delivered its Report 11 in 2010, based mostly on the body of knowledge that existed over a decade ago. In the context of the current abbreviated (8-week) public consultation process and the opaque workings of the Interagency Collaborative Working Group (IACWG), it is important for stakeholders to have confidence that all relevant new information has been considered in developing the draft updated Policy.

DWER indicated at the 19 July 2018 workshop that stakeholder feedback and relevant new research had been considered in updating the Policy, but the draft itself (Appendix B, p.30 etc) refers primarily to information dating back to pre-2009 before the 2009-2010 inquiry, and also to the Australian Drinking Water Guidelines version 3.4 (p.39) which does not address the specific Western Australian context.

In the interests of public trust in, respect for and ownership the Policy, it needs to include an outline of key new information that was considered in the review i.e.:

- a) **Relevant research initiatives since the inquiry of 2009-2010**, locally and globally, undertaken to better understand and quantify risks from recreational activities, to help reduce reliance on the precautionary principle to justify the existing risk management measures; and
- b) **Relevant new research findings, new technology, or other developments or changes in the environment** that have occurred since the inquiry of 2009-2010 that might also impact on risk assessment and the approach to risk management of the various 'recreation types' including bushwalking.

Examples of aspects of the Policy where new information would likely be relevant:

- i) **Compatibility table** (Section 2.3, Table 2, p.6-10) - We understand from the workshop of 29 July 2018 that there have been no new risk assessments specific to the individual Recreation Types listed, so classifications of "Incompatible" versus "Supported" activities remain unchanged from the previous version of Policy 13.
- ii) **RPZ extent and other access restrictions** - BWA believes that the arbitrary 2km wide exclusion zones around the reservoirs is unjustified and is an excessive precautionary measure. The Bibbulmun Track passes through the Mundaring RPZ for ~25km and comes to within 900m of the reservoir high water level. This popular section of the track receives high human foot-traffic yet lacks toilet facilities over the significant 9-11km distances between the Ball Creek, Helena and Waalegh campsites within the RPZ. It should therefore provide the basis for a relevant case study and experiment to test the hypothesis that walkers are causing deleterious conditions to the Helena reservoir: Presumably the presence of pathogens in streamlines which are crossed by the track and drain into the main reservoir (with a comparison to others that do not) have been rigorously monitored for many years (including for E.coli and Cryptosporidium species). The results of such monitoring would be a useful indication of the impact of such bushwalking on drinking water quality management risks and costs. These data must be considered as part of scientific-based evidence of the appropriateness of the 2km RPZ distance, and, extrapolating, of the access restrictions within the RPZs and the free-range camping restriction in the outer catchments.
- iii) **Impact on changing environment and technology on reservoir requirements** - The benefits of preventive versus standard risk management within PDWSAs are summarised in the draft updated Policy (Appendix B). However, no reference is made to the possible impacts of:
 - i) Newer, more efficient water treatment technologies developed over the past decade;
 - ii) increasing use of reservoirs for desalinated water storage;
 - iii) Perth's decreasing reliance upon catchment runoff versus desalination water (now contributing about 50%) to meet drinking water demand; run-off into Perth reservoirs having dropped by 90% over the past century (due to drying climate and bauxite mining in the catchment areas);
 - iv) relative contribution and importance of individual PDWSAs, taking account of (ii) and (iii) and other factors. Can additional PDWSAs, of significant area and more proximal to Perth metro area, be abolished and so made available for recreation? (see also item 4 below);
 - iv) potential community health cost savings through access to adequate recreational opportunities for the 80% of WA's growing population that resides in the Perth metro area;
 - v) potential State revenue from increased tourism opportunities;

- vi) potential State savings from reduced need to create alternative recreational opportunities (in less accessible locations from Perth);
- vii) actual costs and experience of Brisbane's 'Open Catchment' management approach (referred to in Appendix B, under Risk-based management approaches., p.31).

4. No substantive benefit from abolished catchment areas and water reserves in Perth metro area

The Discussion Paper (on p.1-2), the draft updated Policy (p.2, and Appendix B, p.35-36), and DWER comments at the 19 July 2018 workshop, assert that several abolished catchment areas and water reserves provide increased recreation and tourism opportunities outside of the restricted-access water catchments. That position compounds the simplistic assertions of the Parliamentary Committee (2010) that "there are many recreation sites available outside PDWSAs". It fails to note however that - due to their small size or distance from Perth - none of those areas can make any substantive contribution to increased opportunities for recreation, including bushwalking, within or near the Perth metro area, where the need of the growing population for new recreation opportunities is recognised as being greatest.

The stated relevance of the abolished PDWSAs for meeting increased recreation demand is at best disingenuous in the context that:

- i) The Policy recognises (p.5) that "due to its proximity to the growing population of the Perth metropolitan area, the [Perth] hills continue to be the focus of increasing pressure for recreational activities." The Policy also recognises (p.3) that "the number of individuals undertaking recreation activities in the outer catchment of PDWSAs is likely to increase due to population growth". The Discussion Paper (p.19) also notes the "growing popularity of some activities". But the obvious most pressing need not acknowledged in Policy 13 is for increasing recreational opportunities within the greater metropolitan area, offering realistic access (e.g. within a 1 hour drive or 100km distance) to the overwhelming majority (80%) of the State's 2.5 million population who reside in the metro area.

In the case of bushwalking, around 80% of documented traditional (free-range) opportunities within the Perth region lie within the three large catchments closest to Perth (Mundaring, Canning, Serpentine), covering an area of around 4000 sq km. This includes extensive areas of National Parks, Reserves and multi-use State Forests. Bushwalking is permitted in the outer catchments (as per draft Table 2), but the needs of the majority of bushwalkers who enjoy walking on formed trails are not being met due to the policy barriers discouraging proposals for new designated walk trails and campsites away from the Bibbulmun Track. See also the map in the Appendix to this submission.
- ii) The Policy fails to note that not one of the abolished areas, including the sole three very small areas within the metro area: Bickley Brook, Gooralong Brook, Dirk Brook, has any practical relevance to opening up substantive new and/or alternative bushwalking recreation potential in or near the metro area. Together those three areas total around 75-80 sq km which represents less than 1% of the total ~10,800 sq km of total abolished areas. Designated walk trails were pre-existing in the Bickley Brook and Gooralong Brook areas. Most of the Bickley Brook Catchment has also been cleared and land use is a mix of remnant vegetation, semi-rural, residential and light industry. The long-established Kitty's Gorge Trail passes through the Gooralong Brook area. The abolished Dirk Brook area is currently being degraded by extensive bauxite mining operations across the area.
- iii) In the 7-8 years since the initial 11 catchments were abolished, none within the metro area have been substantially enhanced to create any new bushwalking opportunities relevant to the Perth metro area.
- iv) The Discussion Paper (p.2) indicates that the closest abolished area to Perth where recreational facilities and capacity have been significantly improved/increased is well outside of the Perth metro area, at the Murray River Reserve (within Lane Poole Reserve; 1 hr 22min drive from Perth). Besides the Harvey Dam Catchment Area (1 hr 41 min drive) that is the only abolished PDWSA of any practical significance for new bushwalking opportunities within a 2 hour drive from Perth.

The Policy needs to include an acknowledgment (preferably in Section 2.2) that:

- i) the abolished areas listed in Appendix B are not anticipated to be able to make any sizeable contribution to increased opportunities for recreation, tourism and activities within, or close to, the Perth metro area where the demand is greatest; and

- ii) other solutions are needed, such as abolishing PDSWAs for low contribution reservoirs or for lowest management risk portions of the extensive outer catchments (Canning, Mundaring, Serpentine) within, or close to, the Perth metro area.

5. Recreation proposal approvals

Draft Section 2.5 (p.11) first paragraph opens with: “All activities and facilities proposed on Crown land require approval from the land manager.” This has caused some confusion: In draft Section 2.3 (p.6) it is clear that “‘recreation types’ currently approved in outer catchments can continue” and that the compatibility table (Table 2, p. 7-10) has been developed on that basis. However, given that Section 2.5 does not cross-refer to Section 2.3, many readers upon reading Section 2.5 para. 1 would conclude that all activities require fresh approval, or at the least they may be confused (even after reading further) as to how the statement applies to their activities.

For greater clarity we recommend that the following wording be inserted at the start of para. 2 in draft Section 2.5 (p.11):

“All activities shown on Table 2 (Section 2.3) to be ‘Supported’ activities are currently approved and do not require further approval.” (Then continue as in existing: “Organised recreational groups....”).

6. Education and enforcement

The education and enforcement measures described in Section 2.8 (p.24) have been unsuccessful in addressing the most serious disregard of PDSWA protection measures. While most recreation sectors, including bushwalkers, abide by the access restrictions, many trail bike and quad bike riders are an exception: Despite ‘Off-road driving’ being an ‘Incompatible’ activity (Table 2, p.7), trail bike and quad bike riding has been occurring as a highly popular, intensive and seemingly unconstrained activity throughout the PDSWAs. This has resulted in a proliferating, widespread network of illegal new off-road trails, often deeply-rutted and eroding, and often following water courses (including for example the bed of the Helena River when mostly dry). Such overt, ongoing ‘Incompatible’ activities not only test the credibility of the Policy implementation and enforcement, they also compromise the safety of those enjoying ‘Supported’ activities such as bushwalking. Moreover, the shocking impact on our forests / woodlands (within Wandoo National Park in particular), and the off-roaders’ role in the spread of dieback throughout the Priority Protection Area, are an environmental disgrace that calls for urgent mitigation.

We recommend the IACWG and DWER identify and pursue additional, more effective measures to specifically address the issue of trail bike and quad bike riding within the catchments. Mandatory ORV registration for off-road trail bikes, as recommended in the State Trail Bike Strategy of 2008 would be one of the most overdue control steps.

7. “September 2012 levels” not clearly defined

The terms “2012 levels” and “September 2012” and ‘existing’ are a source of confusion for the reader as there is no convenient definition of “September 2012 levels” or ‘existing’ in the Appendix E Glossary nor elsewhere in the Policy.

Draft Section 1.3. (p.2) includes the words “existing, approved recreational facilities to be maintained as at September 2012, ...” and “existing, approved types and levels of land-based recreation and events to continue in the outer catchments of PDWSAs as at September 2012 levels”. Section 2.5.1 (p.11) also refers to September 2012 levels of recreation events and facilities within PDWSA and to a definition of ‘existing’ recreation at that time. ‘Existing’ recreation is defined as events and facilities that were approved, built and/or regularly occurring as at September 2012.

For greater clarity we recommend the following identical definitions be inserted into the Appendix E Glossary:

September 2012 levels Recreation events and facilities that existed (i.e. were approved, regularly occurring and/or built) as at September 2012.

Existing recreation Recreation events and facilities that existed (i.e. were approved, regularly occurring and/or built) as at September 2012.

8. 'Designated' not clearly defined

"Designated sites" is defined in the Appendix E Glossary and refers also to "areas" but does not mention trails or tracks.

Table 2 the draft Policy includes confusing references to "approved designated trails, tracks or areas" (see under Bike riding, and Bushwalking, in Table 2) and "approved designated areas" (see under Caravanning, and Camping, and Riding, in Table 2).

Presumably:

- i) wherever 'designated' is used as a descriptor it is intended to have exactly the same meaning not just for sites or areas but also for specific trails and tracks that have also been approved by the DBCA or DWER in an approved management plan or shown to be existing approved designated site through other government documentation and evidence; and
- ii) the words "approved designated" where used as above in Table 2 are intended to mean the designated trail or area etc is already approved for usage for the particular Recreation type, and does not mean that a further approval of the designated will be required by the intending user/s.

For greater clarity we recommend:

- i) the "Designated sites" definition in Appendix E Glossary be replaced by a definition for the single descriptor word 'Designated' as follows:

"Designated" Designated sites, areas, trails or tracks are those that have been approved by the Department of Biodiversity, Conservation and Attractions, or the Department of Water and Environmental Regulation, for a specific purpose in an existing approved management plan or shown to be otherwise approved as designated through other existing government documentation and evidence.

- ii) the redundant word "approved" be deleted from the words "approved designated" wherever it occurs in Table 2, to avoid confusion.

9. 'Events' & 'Facilities' not clearly defined

The terms 'organised', 'event' and 'facilities' are much-used in the updated draft but are not defined in the Appendix E Glossary nor elsewhere in the Policy. From Sections 2.5 and 2.7, the implied meaning of an 'event' appears to be "an organised recreational activity that has more than 25 participants or is likely to attract more than 25 participants". This definition needs to be inserted into the Appendix E Glossary.

Section 2.3 (p.6) also ambiguously notes that Table 2 only applies to "groups less than 25 that are not **organised** recreational events". This has caused some confusion: Bushwalking clubs have historically programmed for regular small group (less than 25) activities one week to 1 month (or more) in advance. Without knowing in advance the special definition of an event, that might suggest to a club that Table 2 does not apply to them as their activities are in fact 'organised' in advance.

For greater clarity we recommend:

- i) Definitions of 'Event', and 'Facilities' be included in the Appendix E Glossary.
 - ii) the Section 2.3, p.6 wording "groups less than 25 that are not organised recreational events" be amended to read:
"groups less than 25. (For activities expected to involve more than 25 participants see Section 2.5.)".
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APPENDIX

Map showing area of drinking water catchments closest to Perth metropolitan region

- Abolished PDSWAs in bright green.
- RPZs in red.
- Outer catchments in blue.
- Location (pink) of Eagle's View Trail, the only developed public bushwalking circuit trail of good day walk in the Darling Range near Perth.
- Arc in blue shows 100km distance from Perth.

