



10 September 2007

The Hon John Kobelke MLA
Minister for Water Resources; Sport and Recreation
20th Floor, 197 St George's Terrace
PERTH WA 6000

Dear Minister,

Water catchment areas, access to for recreation

The Board of the Bibbulmun Track Foundation (BTF) has asked me to write to you to express its concerns about trends in government policies which may limit or deny access to catchment areas for outdoors recreations that have a low impact on the environment, such as walking and cycling.

The Track and the Foundation

The current Bibbulmun Track is nearly 10 years old and has become well known both locally and overseas. It is an internationally recognised icon of walking trails and brings significant economic benefit to regional Western Australia. It is WA's best known walking track. It runs from Kalamunda to Albany along the Darling Range and through the forests of the South West. It passes through a number of catchment areas: those of the Mundaring Weir, the Canning Dam, the Serpentine Dam, the Harris Dam, the Marbellup Brook and the Denmark River.

The BTF is an incorporated association whose main object is to support the Department of Environment and Conservation (DEC) in the management, maintenance and marketing of the Bibbulmun Track. The BTF was formed in 1997 and has over 2400 members and 350 volunteers.

Outdoors recreation

The Board believes the Track and its public profile play a very important part in encouraging people to recreate outdoors, by walking. The WA government, through the departments of Health and of Sport and Recreation, also encourages people to walk regularly, which is the most basic form of human exercise. Its value for improving general community health and wellbeing cannot be overemphasised.

Bushwalking, including on the Track, is a popular but not very widespread recreation. People bush walk on their own, in groups, and in sporting events such as orienteering events and rogaines run by clubs. Bushwalking may involve staying overnight in the bush, either in shelters or by camping at places designed for camping. DEC management policies usually prohibit opportunistic camping (sometimes called 'wild camping').

Areas available for outdoor recreation

Although WA is a big state, the extent of it which is particularly suited to bushwalking is not large, when most of WA's population is concentrated in a small section of the South West. Most of WA's population live on the coastal plain, between Perth and Bunbury. For many of them the Darling Range is the closest large area suited to bushwalking.

Of course the Darling Range is not the only area. South of Bunbury the Cape to Cape Track, the forests through to Albany, and the Stirling and Porongurup ranges, provide excellent places to bushwalk. But the Darling Range is closer to most of the population.

The Darling Range however has a number of uses for people, some of which are incompatible with one another. How to allow all those uses to continue so that a reasonable result for all and

for the Range's environment is achieved seems to be the main question. These include timber harvesting from forests, bauxite mining, quarrying of basic raw materials, and water catchment areas. The areas required for these often overlap but they together occupy a significant proportion of the Range's area.

If recreation were to be banned in all of the areas required for these four uses, significant areas would be excluded from recreational access. Access to some areas of the forests between Perth and Albany is already restricted for recreation such as walking and cycling. The Board is concerned about any proposal that might further restrict use of the forests for those purposes.

Current and proposed restrictions on access to areas for outdoor recreation

Although the Board is not aware of any proposal to ban people from forests generally, the *Conservation and Land Management Act 1984* gives the Minister for the Environment powers to impose varying levels of restriction of access by people to land subject to that Act. The Board accepts that areas being harvested may be put out of bounds until the harvesting is done and that reasonable restrictions to control diseases such as dieback are warranted.

As to bauxite mining and other extractive processes, large areas of the Darling Range are mine sites and access to them is already denied to people for recreation.

As to water catchment areas in the Darling Range, the Board supports your department's consultative approach to formulating policies for the management of water catchment areas and accepts it is very important that water for human consumption is of the highest quality possible.

However, the Board is aware and concerned about proposals to restrict access to the areas for recreation. In particular the Board is aware of the *Mundaring Weir Draft Drinking Water Source Protection Plan*, which will place restrictions on recreation. We believe a submission to that effect has already been made by the Department of Environment and Conservation with responsibility for managing forests and national parks. We support those comments.

The Board is also aware of the *Marbellup Brook and Denmark River Social Water Requirements Survey* being carried out by your department, which may lead to the same restrictions.

Concerns about restrictions on access to catchment areas

However, the Board is concerned about a number of trends in the formulation of policies for managing catchment areas -

- a tendency, without any real empirical basis, to assert that bush walkers in catchment areas pose a risk to the quality of water supplies, and to over estimate the risk;
- a tendency to propose policies that are not reasonable when judged in the wider context of
 - all human and animal activity in catchment areas; and
 - the actual and varying risk posed by human walkers;
- a tendency to propose policies and measures that are disproportionate to the risk that bush walkers in catchment areas pose to the quality of water supplies;
- a tendency to propose policies based on the most irresponsible human practices and that do not credit those whose practices are responsible;
- a tendency not to be prepared to critically examine and re-evaluate established policies or engage in debate about them;
- a tendency to propose laws that are disproportionate to the mischief concerned.

Walkers' risks to water quality

The Board accepts that any human activity in a catchment area poses some risk to the quality of the water in it. But it is by no means clear how big that risk is. Nor is it clear how big that risk is when compared to the risks to water quality from other things such as feral animals

(particularly pigs), logging and mining activities, and vehicles on and off roads in catchment areas.

Unfortunately there appears to be little, if any, empirical data about the actual loss of water quality from humans walking and camping in catchment areas and that the approach universally adopted is to apply the 'precautionary principle' in the absence of such data. But the policies and measures to address those risks ought to reflect and be commensurate with the level of risks for which there is data. The risk from bushwalkers will obviously vary depending on various factors, and policies ought as far as possible take account of the variance.

The main risk from bushwalkers to water quality seems to be from human faeces deposited in catchment areas. Human urine is comparatively benign. Food scraps and other rubbish from camping also pose some risk.

Most generally available advice to bushwalkers advises them not to camp or defecate anywhere in the vicinity of water courses or water and to carry out all rubbish and left over food that was carried in¹. Responsible walkers follow this advice and aim to leave no trace of themselves. The BTF promotes responsible bushwalking.

The Board accepts that not all people know about or take this advice. But the Board is concerned that policies and laws that assume no-one knows about or takes this advice produce an unreasonable and disproportionate result which in turn leads to disrespect of the law. It is probable that 'wild' camping occurs in catchments in any case, and has done for many years. It would, in our view, be better to encourage responsible 'controlled' camping or walking in catchments, which can be managed, rather than irresponsible and uncontrolled recreational activity.

The Board believes that policies and laws ought to be framed so as to command the respect of and be accepted by the people affected by them. If they are not there is a risk the people will ignore them. Not surprisingly, people react against disproportionate responses to risks, or proportionate responses to exaggerated risks. Such responses can therefore be counterproductive.

The Board believes that any blanket approach to the risks to water quality from walkers and campers is likely to be disproportionate and counterproductive and argues against any such approach.

The Track's risk to water quality

As noted, the Track passes through a number of water catchment areas. Some of the campsites on the Track are in catchment areas. At each campsite there is also a toilet. The alignment of the Track and positioning of the campsites are decided by DEC.

The Board accepts that human activity at campsites in catchment areas, being concentrated as it is, poses a potential risk to water quality. The Board believes these and other management issues can reasonably be negotiated between the DEC and the Water management authorities to achieve reasonable and mutually acceptable outcomes.

But the Board believes there is no evidence to show that the Track's alignment ought to always be more than 100 m from water or water courses when there are plainly many roads and a deal of vehicular activity within those 100 m margins.

The Board also believes that without evidence about the size of the risk from human activity at campsites, there is no reason why campsites cannot be positioned in catchment areas.

¹ See for example the '7 principles of leave no trace' promoted by Leave No Trace Outdoor Ethics (a WA organisation) and supported by the former Department of the Conservation and Land Management. Available at www.LNT.org.au.

Conclusion

The Board believes that water catchment areas can be used not only to collect water for human consumption but also as places for certain kinds of low impact recreation by humans. The Board does not believe that responsible walking and camping in catchment areas is a significant risk to water quality.

The Board believes policies and laws for the management of catchment areas should address the risks to water quality in a balanced and therefore reasonable way so as to attract as much popular support for them as possible. Only with such support are they likely to be effective because it is well known that the resources to police and enforce the laws are few and enforcement is difficult and seldom happens.

The Board advocates policies that do not penalise those who do walk and camp responsibly and that aim to educate people recreating in catchment areas to adopt practices that leave no trace. The Board advocates research into the risks that various kinds of human activity in catchment areas pose to water quality.

The Board would welcome any opportunity to work with your department in formulating policies and laws for catchment areas or to discuss its concerns.

Yours sincerely

Mike Wood
Chairman
Bibbulmun Track Foundation

cc.
Paul Frewer
Chief Executive Officer
Department of Water