

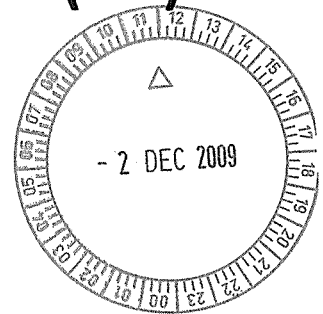
PUBLIC

**Position Paper to The Standing Committee on Public Administration
inquiry into *Recreation Activities within Public Drinking Water
Source Areas.***

of

Motorcycling Western Australia (inc)

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Water and Access For All, Forever

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About Motorcycling Western Australia

Motorcycling Western Australia is the controlling body for motorcycle sport in Western Australia. The Association is affiliated with the national body, Motorcycling Australia, as well as the International body, Federation of International Motorcycles.

Motorcycle Sport and Recreation encompasses Road Racing, Speedway, Motocross, MotoTrials, Enduro, Minikhana, and SuperMoto. Affiliated to Motorcycling Western Australia are 35 clubs comprising 4000 licensed riding members. We also represent the interests of more than 50,000 Trail Bike riders, many of whom participate in our events on a casual basis.

In addition to controlling the sport through rule development and regulation, Motorcycling Western Australia ensures sustainability of the sport through development of programs, and strengthening the base of volunteers, coaches and officials.

Motorcycling in Australia and Western Australia is recognised by government through the Department of Sport and Recreation as the State Sporting Association for motorcycle sport and recreation. We are recognised as one of the more progressive sports, particularly in the areas of professional management, program development and volunteer development. The sport receives funding through the respective departments based on our programs and best practice management.

Whilst an independent body, Motorcycling Western Australia commits through affiliation to a consistent approach to developing and controlling motorcycling in WA by working with Motorcycling Australia and all stakeholders to develop policies and strategies for mutual benefit.

An increasing responsibility of Motorcycling Western Australia is to represent the recreation sector and provide advice in this regard to stakeholders such as the State Government, local government, general community and riders.

Motorcycling Western Australia played a lead role, working with all stakeholders to develop the State Trail Bike Strategy (STBS), and is the only non-government member of the Joint Agency Implementation Committee set up to recommend to Government how to best adopt the recommendations from the Strategy.

About Motorcycle Activities Within Public Lands

Enduro

The sport of Enduro involves riders navigating a course marked through the forest. Speed is not the determining factor, rather the ability of the rider to complete the course in a set time. Enduro as the name suggests tests the endurance of rider and machine, and the rules of the sport are strict to ensure both finish with minimal outside assistance.

With Enduro, riders depart the start at intervals of one minute, three riders at a time. Riders will traverse a course of varying difficulty, typically up to 30km in length, before returning to the start. There may be several courses traversed once or a number of times to make a typical distance travelled of between 160 to 200 kms.

Riders may be timed to the split second on a short, closed section of the course to assist determine a winner.

Event organisers work closely with land managers (usually Department of Environment and Conservation or DEC) before and after the event to ensure the routes are environmentally and socially suitable and sustainable. In this regard, a strong relationship has been established with DEC over many years resulting in positive outcomes for the sport and the public estate.

The course generally follows formed roads already accessible legally by licensed vehicles and motorcycles, and old logging roads and rail formations which are widespread in the forests surrounding and south of Perth. A small percentage of trail is single track trail through the forest itself. Single track trail is developed after consultation with DEC.

The environmental footprint of Enduro is very small, given the strict management by our Association, the promoting clubs and DEC. Even using single track trails, it is often difficult to distinguish motorcycle single track from kangaroo paths. It is usually impossible to distinguish the use of form roads by Enduro motorcycles, while there is some evidence of the passage of motorcycles on disused rail formations as they disturb the leaf litter.

Organised Trail Riding Events

Trail Rides have been developed to cater for the increasing demand for recreational events. Many riders do not wish to be involved in competition for a variety of reasons, however they do like the benefits that structure brings such as safety, minimal risk and the provision of a quality riding experience with other likeminded people. Trail Rides fall into two categories, one is the larger event based ride, sometimes attracting one or two hundred or more participants, and the other are less formal group led activities attracting less than 10 or 20 riders.

While the scale does vary, the terrain and distances are typical of Enduro, though of course there is no scoring or compulsion to complete the event in any time limit. The emphasis is

on pleasure and appreciating the forest trails, often inaccessible to non-motorised trail users due to their isolation and distance from arterial forest roads.

Environmental impacts are very similar to Enduro.

General Trail Riding

Riders undertake trail riding for a variety of reasons and in a number of ways. This topic is covered in detail in the State Trail Bike Strategy, and is likely to be the topic of a submission by others.

As a generality, there is little or no organisation around trail riding, with most activities on an ad-hoc basis. Organisation occurs either by land managers signposting trails or riding areas, usually with closed to motorcycles signage, or through riders advocate groups such as the Recreational Trail Riders Association (RTRA), who will advocate riders use best practice protocols, or on the correct areas to ride.

There are very little management controls to restrict motorcycles (or any user for that matter) away from sensitive environmental areas, RPZ's or other restricted areas. Within our recommendations is a strategy to improve management of the movement of motorcycles.

Once again, this has been highlighted in the STBS, with Motorcycling Western Australia, RTRA, and government working hard to address this and other trail bike issues identified. The implementation of the STBS will ensure greater protection for catchments than exists now, while improving access and management of trail bikes in the wider community.

Perceived Risk of Motorcycle Activities to Water Quality

It is a fact that most non-motorcyclists have a myopic view of trail riding, with opinions formed based on what they see and hear through the media than on actual substantive evidence. The impression is that motorcyclists are lumped in with the hoon activities that regularly get reported, or the 'Crusty Demons' style of free style that seems to be popular at present. Reports of 'environmental vandalism', excessive and annoying noise, and even criminal activity seem to all be attributed and seem as part of the norm as far as trail riding goes, however this is far from the truth of the matter. This translates into an unsupported view that motorcycles cause a sediment and subsequent turbidity risk from disturbing soil from within the catchment, and a risk of fuel/oil contamination affecting the water body.

The real facts are that the very vast majority are family people from all walks of life enjoying a past time that is legal and promotes a healthy outdoor activity for the whole family. Trail riding promotes responsibility, environmentally and socially.

In much the same way that the hoon element in cars are a very small percentage of the driving community, the hoon element in motorcycling needs to be accepted as an equally

small percentage. Car drivers are not labelled as irresponsible because of the actions of a few, nor should motorcyclists.

In this regard, the vast majority of motorcyclists do ride responsibly. Much of the activity occurs many kilometres from the actual water body. It is highly unlikely that the effect of motorcycles in catchments could be measured given the high level of human and animal activity within catchments.

A motorcycle cannot disturb enough soil to affect the water body even if it is done purposefully let alone accidentally. The amount of fuel and oil contained in a motorcycle is very small and what there is contained is well sealed. Even submerging a motorcycle will not result in any fuel/oil leaking into the water. Re-fuelling is conducted at events at locations remote from catchments and the water body and in line with our organisation's environment policy, and this would remain should the policy change to allow activity within the catchment area.

General trail riders unload at locations very remote from the water body, and while this is uncontrolled, a reasonable assessment of risk would conclude the likelihood of contamination to be extremely low. Our recommendations include a strategy to lessen the risk further.

Impact of Regulation on Motorcycle Activities

It is very clear that the closing of catchments to motorcycle activities has resulted in a severe impact for the sport of motorcycling and its recreational trail riding counterparts. Ironically, closing of catchments has resulted in more risk through undesirable impacts than if the catchment was actually managed in accordance with the Australian Drinking Water Guidelines (ADWG).

Historically, Enduro and Organised Trail events have been held since before records were kept by our association in the forests surrounding Perth and in the South West. Since the striking of the Policy 13 regulation, access has systematically been withdrawn, firstly from the Mundaring catchment and progressively further south as dams have been constructed.

This has resulted in the following

- Events moving further from Perth and major regional centres, adding cost to participating.
- Increased environmental impact as events are confined to increasingly smaller areas.
- Increased conflict with other forest users
- Increased conflict with general community due to trail riding being 'encouraged' to private land, or trail riding in in-appropriate areas

- Reduced numbers of participants in organised activity as a result of confining to smaller, and increasingly overused areas. Our research has indicated riders like a variety, and if this is not provided in managed events, they will seek it in unmanaged activity.

Historical Access

Historically, significant and countless events have been held in all the catchments that comprise public water supplies. Events continue to be held, with approvals from the relevant land manager DEC within Country Water Supply Scheme catchments. Since the introduction of Policy 13, events have been discontinued within Metropolitan Supply Catchments and Mundaring Weir catchment, despite Policy 13 allowing for historical events to be conditionally approved.

This historical access has never been attributed as a cause for turbidity affecting water quality, and in fact no research has established turbidity levels are of any concern, pre or post Policy 13.

Alignment of WA Management Practices to Australian Drinking Water Guidelines

The ADWG were initially developed by the Cooperative Research Centre (CRC) for Water Quality and Treatment.

CRC's are a partnership between funding bodies and universities. The partners supply funds to universities to provide research useful to the funding partners. In the case of the CRC for Water Quality and Treatment, the funding partners were the major Water Managers within Australia. It should not be confused with research that may provide recommendations that are totally independent, or even contrary to the interests of the research proponents.

The research, while well conducted, has provided an outcome in accordance with the narrow terms of reference given to it by the funding partners. In this respect the ADWG have met the expectations of the funding partners, however the ADWG should not be confused with the best management practices with managing catchments for the *whole* community, they are the best management practices for *Water Managers*. What is best for water managers is not necessarily the best for the wider community who need the balance of this wider interest. Consultation in developing the ADWG has not included the general community, and specifically those with a recreational interest.

In the ADWG Guiding Principles, there are a number of statements that appear to have been taken out of context in developing local regulation.

The first is that the drinking water system must maintain robust multiple barriers appropriate to the level of potential contamination. In WA this has been interpreted that no access is the first barrier, however the ADWG outline that each risk needs to be understood,

an appropriate barrier put in place and maintained to the maximum degree practical. It is not practical to provide an exclusion policy, this is not what has been identified. It is not possible to fence or patrol the entire catchment system.

Secondly, the Guidelines are very clear in that Water Managers must apply a considered Risk Management Approach.

The process of keeping drinking water safe is one of risk management. This requires steering a sensible course between the extremes of failing to act when action is required and taking action when none is necessary. Lack of action can seriously compromise public health, whereas excessive caution can have significant social and economic consequences

and

Risk management is about taking a carefully considered course of action. As the obligation is to ensure safe water and protect public health, the balancing process must be tipped in favour of taking a precautionary approach..(ADWG, Ch 1.1).

In Western Australia, the policy approach has been to develop a Strategy based on Risk Avoidance (Priority 1 zones(P1)), Risk Minimisation (Priority 2 Zones(P2)), and Risk Management (Priority 3 zones(P3)). Priority 1 zones are all the crown land within a water catchment, and the subject of the Parliamentary Committee inquiry. P2 and P3 relate to private rural land or developed land.

The Policy 13 approach is neither considered nor careful, and does not apply sound Risk Management Principles. Instead it treats all risks as equal within a zone, which is patently not the case. For example, it is OK to operate a service station dispensing fuel from underground tanks, or to apply fertiliser heavy in phosphate to farming land, however it is not OK to operate a vehicle (or walk) on established trails in an upper catchment 30 km from the water body.

Moreover, the Policy 13 introduction 'Scope and justification' section 1.3 documentation involves itself in the cost of providing management, which is the real reason for the subsequent policy statements.

The ADWG cite that "*Disinfection is the single process that has the greatest effect on drinking water safety*" (ADWG, Section 1.1). Policy 13 contradicts this by identifying Catchment Management as the most effective tool in preventing contamination, then tellingly outlines the cost of providing filtration and treatment.

There are many points of difference in the approach taken by the ADWG and the approach taken in developing Policy 13, for which there is not time to outline each and every difference. In summary, the Western Australian Policy 13 approach to the ADWG is to selectively quote the Guidelines where it suits their purpose.

Water Catchment and Reservoir Protection Zones

Water Catchments are categorised into four areas: Reservoir Protection Zones (RPZ); P1, P2 and P3.

RPZ's are arbitrarily assigned a zone two kilometres from the high level water mark, and includes the water body. The problem with this is that this is not based on any assessment of risk. An honest assessment is more than likely to conclude that in many cases less than 2 kilometres (and for water based activities, including the water body for some catchments) is attainable without compromising risk, and in some cases it is likely to be greater than two kilometres.

Protection zones are established based on the current land use, and in the ease (and cost) associated with managing the catchments. Protection zones need to be established based on actual risk. The risk of an activity at the water's edge and thirty kilometres away is not the same, and it is different at every point in between based on the environmental factors in play.

Risk Avoidance, Risk Minimisation and Risk Management

The Standards Association of Australia (SAA) *HB246-2002 Guidelines for Managing Risk in Sport and Recreation* define:

- Risk Management as *"The culture, processes and structures directed towards the effective management of potential opportunities and adverse effects."* and *"It is the systematic application of management policies, procedures and practices to the task of identifying, analysing, evaluating, treating and monitoring risk"*.
- Risk as *"the chance that something happening that will have an imp[act upon objectives. It is measured in terms of consequences and likelihood."*
- Risk Assessment as *"assessing an identified risk is a two-step process involving, first, analysis to determine the level of risk, then evaluation to decide whether it is acceptable or unacceptable."*

The current Policy ignores all of this in favour of a head-in-the-sand approach of not allowing any activity to occur within catchments. Risk Avoidance for good risk managers, is the treatment that might be undertaken after identifying, then evaluating a specific risk, for a specific catchment, or part of a catchment. Applying a treatment without first assessing or even identifying a specific risk is poor practice, as often this is seen to be 'doing nothing'. In reality this 'doing nothing' is the on the ground management result in our catchments. 'Doing nothing' is not the same as 'nothing happening', in fact inappropriate activity occurs all the time in the catchment and RPZ's of our water supply. As there is no oversight (DoW 'Access is not allowed, therefore it doesn't happen' response), there is no will to rein this in with appropriate management based on good risk management principles. It is unfortunate

this policy of avoiding risk (and responsibility) has not actually avoided risk, but increased risk, and missed out on opportunities for the recreation community.

The ADWG advocate a program of Risk Management applied with rigour. So do we.

Recommendations for Motorcycle Activity

1. Each catchment to have developed a 'Catchment Management Plan'. This would include an extensive risk management plan developed with sound risk principles applied and in consultation with recreation Stakeholders, including DEC and FPC.
2. RPZ's to be reviewed and delineated in accordance with risk management principles
3. As part of the RPZ review process for each catchment, identify the activities that may be undertaken, and the underlying environmental and activity management plan that is required by the proponent. This will include revising the boundaries based on topography and environmental considerations for each catchment and part of a catchment, not just assigning an arbitrary boundary.
4. Discontinue the Priority zones. All activity should be individually assessed based on the underlying catchment management plans, and those provided by the proponent of the activity.
5. Motorcycling Western Australia and RTRA to be consulted on access requirements as part of the development of management planning for each catchment
6. An inventory of existing trails and riding areas to be identified and recorded.
7. As part of the risk review, identify trails that can be utilised.
8. Trial an area with the provision of a structured riding activity (trail ride) and an area and designated trails to be set aside for casual trail riders. This would be conducted in partnership with Motorcycling Western Australia and RTRA, with the monitoring by an independent reporting agency, such as one of the universities.
9. Monitor the usage of trails and any effects, both by the Sport organising managed events, and those trails utilised by casual trail riders. Ensure monitoring is fed back into the risk process. This should occur regardless of whether trail riding is a permitted activity or not.
10. Identify other barriers that can be put in place to maintain a multiple barrier approach, such as settling ponds on tributaries that are in areas used by trail riders.
11. Clearly signpost areas that are permitted and areas that are not permitted (after going through the above process)
12. Provide point of sale material to aid riders.

Summary

Motorcycling Western Australia supports the DoW and Water Corporation in its endeavours to provide a safe and reliable water source for domestic and industrial users. In this respect, we congratulate both for achieving this in a time of decreasing rainfall and increasing demand.

However, we believe this success is in spite of Policy 13 and its limitations on recreational access, not because of it.

Western Australia now relies (thanks to DoW and Water Corp) less on potable water from storage than from other sources (less than 40% is from storage). This reliance is decreasing with new non-storage sources due to come on line in the near future.

The time is now opportune to review recreational access, and the underlying Policy 13 in line with contemporary risk management principles, aided by the overwhelming research available that supports recreation in a managed way in and on catchments.

This truly is an example of a win-win situation. A win for the community in increased access to a valuable resource with the benefits of social and physical health, and a win for the environment and the catchments themselves due to increased diligence in management.