

**Submission
No 256**

**INQUIRY INTO MANAGEMENT OF PUBLIC LAND IN
NEW SOUTH WALES**

Organisation: Australian Horse Alliance

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AUSTRALIAN HORSE ALLIANCE

'Horses are our Heritage'



3 August 2012

The Director
General Purpose Standing Committee No 5
Macquarie Street
SYDNEY NSW 2000

Dear Sir/Madam

Enquiry into the Management of Public Land in New South Wales

The Australian Horse Alliance (AHA) makes the following submission to the above enquiry.

Background of the Australian Horse Alliance (AHA).

The AHA represents a broad cross section of horse riding organizations and clubs as well as individuals and families who enjoy horse riding and horse trekking as a recreational activity.

The AHA was formed in the early 1990s as an umbrella organization to represent the interests of recreational horse riders using public land.

The AHA was formed initially because the NSW National Parks and Wildlife Service ("**the Service**") and the NSW Government increasingly excluded recreational horse riding from public land. Part of this exclusion was a consequence of the value based system of management of bias and culture within the Service and part was due to the political forces in the form of the extreme "Green" lobby bringing political pressure to bear on government. There was no meaningful consultation between land managers, horse riders and government and decisions were not being based upon proper management principles.

The AHA is now recognised by many government agencies as being the primary organization representing recreational horse riding and is consulted by the Australian Horse Industry Council (AHIC) as representing the interests of recreational horse riders.

Forms of recreational horse riding.

Recreational horse riding falls into two main categories, namely:

AUSTRALIAN HORSE ALLIANCE – Established 1993
Dedicated to representing the views of the recreational horse riding fraternity

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Web: www.australianhorsealliance.asn.au

1. **Endurance riding.**
Endurance riding is an amateur recreational sport and recreation involving individuals and families whose ages range from 7-70. It may include organised endurance rides held over courses in varying lengths from 40-160km per day. An event would normally be 80km in length. Endurance riding may also include training rides during which endurance riders prepare horses for events. They may train their horses over distances ranging from 10-50km in a session, either alone or in small groups. Endurance riders also take part in recreational trail riding which are informal, social horse riding occasions with family and friends. This is an important cultural activity. The annual Tom Quilty event in Australia attests to this statement.

2. **Trail riding and trekking.**
Trail riders not only include members of trail riding clubs or individuals but also horse riders who enjoy dressage, eventing, camp drafting and other horse sports and others who may use commercial horse riding companies to experience the Australian bush. Trail rides may consist of short rides varying from one hour to a full day ride or to longer rides involving overnight camping. Depending upon the length of ride and whether a packhorse is involved or saddlebags are carried these rides are conducted at varying paces but normally at the walk. This type of riding varies from single horse riders to groups. Often there are three generations of one family involved in this recreation. The long distance trekking would normally include groups of between up to 2 and 5 riders. Trail rides are normally conducted on existing bridle trails and fire trails but on occasions may include broad acre riding where a cross country formation is more appropriate for the environment.

Aims of the AHA.

- To promote responsible horse riding on public land.
- To ensure horse riders are treated equitably with other uses of public land.
- To promote cultural heritage and retain access to places and trails representing our natural and cultural heritage.
- To ensure recreational riders are not unfairly disadvantaged, by local, state and federal laws and policies.

Objectives of the AHA.

- To ensure transparent and a co-operative approach to management decisions.
- To promote co-existence between conservation, recreation and culture.

- To ensure management decisions are based upon science and equity.

Risk to National Parks and Reserve Lands in Australia

The Australian Horse Alliance agrees with the need to set aside lands within a reserve system for conservation purposes. It agrees with many of the sentiments expressed by the peak conservation groups when they talk of the need to conserve lands for an adequate and representative reserve system and many of the motherhood statements they espouse, regarding conservation per se. The AHA even agrees with the concept of Wilderness and keeping some areas in a wild state.

However we part company with them when their ideology leads to their policies of blanket prohibition of access to many of the public. Such policies risk the long term viability of a reserve system.

Groups such as the Wilderness Society, the National Parks Association of NSW, the Australian Conservation Foundation and the Nature Conservation Council, for example, propound an elitist view that these areas must be locked up and only walkers (for wilderness) or 2 wheel drive vehicles on formed roads (for National parks) be permitted to enter.

The AHA submits that those policies risk the long term viability of the “reserve system”.

The people who form “middle Australia”, the “mums and dads”, the “ordinary folk”, if I can borrow some political expressions, will not support a system which needlessly excludes them from public land while using their hard earned taxes to acquire land (sometimes compulsorily) and manage these areas.

The management of these areas is becoming more and more exclusionary. The so called environmental groups argue that there is a need to exclude, to ensure preservation. When one looks carefully at their arguments one sees that it is based on ideology and not sound conservation management principles.

Apart from their hard earned taxes people will not donate money or time to conservation efforts through the various conservation trusts of Government.

I find support for this theory;

“The elitist overtones of biocentricity concern us. Are we endorsing a philosophy that offers access only to a privileged few at the expense of the majority”?

(Behan 1976; Hardin 1969; Julber 1976 “ Wilderness Management”, Hendee, Stankey and Lucas, 1990, p22)

“ ...if purity is to be an issue in the management of wilderness, let it focus on preserving the natural integrity of the wilderness environment – and not

needless restriction of facilities necessary to protect the area while providing for human use and management “ (University of Idaho, ibid p23)

“ In a democratic society, we see little chance that a biocentric philosophy of Wilderness management can survive unless an equitable range of outdoor recreation opportunities is provided”(ibid p22)

“ Our hope is that the philosophy that ultimately prevails will emphasize the natural integrity of wilderness eco systems , with common sense applications that respond to the needs of individual areas” (ibid p23)

Policies of Exclusion Contradict World Practices

The Wilderness movement had its genesis in the United States. The NSW Wilderness Act is similar to and was obviously modeled on the USA Act.

Australia is out of step with the nations, which originally promoted wilderness as a concept such as Canada, USA and South Africa.

All of these countries permit access by horseback and mule and donkey in wilderness areas.

The management policies of the NSW DEC (National Parks & Wildlife Service) are very restrictive. The policy recognizes that horse riding may be “self reliant” (one of the requirements for recreation in NSW wilderness) but determines it will not be permitted in Wilderness.

Similarly there has been a blanket prohibition to Nature Reserves many of which were State Forests. These prohibitions were driven by an extreme green culture within the Service. This is exemplified by a senior manager within the NSW Service and at one stage head of the Wilderness unit, became a senior office bearer of the NSW National Park Association, an association, which has a policy of no access for horses to **any** land within the reserve system.

One must note that Wilderness forms in excess of 30% of the Reserve system in NSW and closer to 70% to 80% of the reserve lands down the Eastern Seaboard of NSW.

The Service even had a template Plan of Management ("POM") which prohibited horse riding in National Parks, when preparing POMs for parks.

The CEO of the Parks Canada Agency, in March 2006 wrote

“It is increasingly clear that public education and memorable visitor experience contribute to our protection objectives and vice versa This was confirmed by the Commissioner of the Environment and Sustainable Development in her report to Parliament... the Commissioner stated that enhancing public education and visitor experience is ‘fundamental to maintaining and restoring ecological integrity”

Categories of funding and resources available to the governments and agencies responsible for creating and managing reserve lands.

Funding can be classified into several areas but at least would include:

- Direct budget allocations by government.
- Public donations and gifts.
- User pay charges.
- Proper prioritisation and use of available funds.

Resources would also include several categories but at least would include:

- Land available for inclusion within the reserve system.
- Scientific knowledge for use in management.
- Manpower for use in management.
- Public consultation and involvement.

GOVERNMENTS AND THEIR AGENCIES MUST EMBRACE ALL STAKEHOLDERS AND THE WIDER PUBLIC TO OPTIMISE SOURCES OF FUNDING AND OTHER RESOURCES.

Funding and resources are closely entwined and co-dependent. The AHA submits that to gain both funding and resources land managers must win and gain the support of the wider public to support their aims and objectives.

This submission mainly uses the Service and NSW Government to exemplify its theme.

Given the finite funding resources available in any society the AHA believes the Service has failed to date to achieve the broad and wide public support it needs, to gain funding and resources.

The AHA further submits that resources are not utilised to their optimum, or at all by Service because of the culture within that Agency in regard to its management of land under its control. The agency has continually regarded the land as **their** land and not as land managed by them **on behalf of** the people of NSW.

This culture has been aided and abetted by successive NSW governments and in particular the Carr government.

Land managers and government are failing to embrace the wishes of the wider community and are being dictated to by a minority extreme "Green" political agenda. The "reserve" system is being used for political objectives and not conservation objectives.

The AHA submits that the persuasion of the "Green Vote" which is controlled and manipulated by a minority of extremists has had a detrimental effect on the ability of the NSW Service to embrace the support of the wider public and therefore has detrimental effect on the available funding and resources to

enable the Service to properly manage the public land on behalf of all stakeholders.

Until this political influence is abandoned and until the culture of the NSW Service changes and until governments abandon the use of the “reserve” system for their political agenda the long-term sustainability of protecting a reserve system is problematic.

Even if finances were not finite, land managers need the support of the public to achieve their proper objectives, being the acquisition, conservation and maintaining sustainable visitor use and enjoyment of a reserve system of public land.

Process of Conversion and the assessment of land for National Parks

Examples of the failure of land managers and government agencies to engage the wider public include:

- The Regional Forest Assessment Process was carried out without any invitation to recreational stakeholders to be involved in the process.
- The NSW Government has gazetted and continues to gazette state forests as Nature Reserves and National Parks without any public input. These forests were hitherto available for recreational horse riders, but following gazettal as Nature Reserves recreational horse riding is prohibited in these areas.
- The Advisory Council of the Service advises the Minister and the Director of the Service. However, the legislation provides for only one recreational representative amongst the nineteen member body, who is appointed by the Minister. Yet the National Park Association (NPA) and the Nature Conservation Council (NCC) have the right to nominate a member to that council. In addition they have the opportunity of seeking more of their supporters to be appointed to the Council by the Minister through Regional Advisory Committees.
- The Regional Advisory Committees under the NSW Legislation do not provide for any recreational representative. Yet schedule 8 of that Act gives the right to the NCC and the NPA to nominate at least one person to each committee and the opportunity of seeking appointment of others by the Minister.
- Most Plans of Management are prepared in draft form without any public consultation. Draft plans are admittedly placed on public exhibition, but history shows that there are seldom any change made to the final plans notwithstanding submissions from recreationalists.
- The third party nomination of land for Wilderness under the Wilderness Act is not appropriate. The process has been abused, is expensive and does not facilitate proper and meaningful public consultation.

This exclusionary regime has and will continue to cause resentment in recreationalist and the wider community. It is their support, which is vital and essential for a sustainable reserve system.

MANAGEMENT PRINCIPLES AND OBJECTIVES OF THE NSW NATIONAL PARKS AND WILDLIFE ACT (“THE ACT”) NOT FOLLOWED, WHICH LEADS TO WRONGFUL USE OF FUNDING AND RESOURCES.

The objectives and principles in the creation and in management of reserve lands within NSW set out by the Act are not being followed by the Service.

The Objects of the Act (s2A) include:

- (a) Conservation of nature.
- (b) Conservation of objects, places, features of *cultural values* including amongst others, places of *social value*.
- (c) Fostering public appreciation and enjoyment of nature and *cultural heritage*.

No one object is given priority.

The Management Principles of the Act (s30E) include amongst others:

- (a) Conservation of biodiversity.
- (b) Conservation of places and features of *cultural value*.
- (d) Promotion of sustainable of visitor use and enjoyment capable with the conservation of natural and *cultural values*.
- (e) Provision of sustainable visitor use in regard to natural and *cultural values*.

Objectives and Contents of Management Plans (s72AA) must have regard to similar matters as the above Management Principles and Objects of the Act.

We stress that the Act does not provide for any one principle or matter, to be being given priority to any other principle or matter.

Plans of Management

Seldom in Plans of Management is any recognition given to the cultural place that horse riding has had in the Australian community. One need look no further than the very small percentage of the Kosciusko National park now available for horse riders, having been excluded from most of the Park by Wilderness declarations and the continuing reduction of areas by management decisions. This is occurring across Australia.

A former director the Service, Dr Tony Flemming opined to AHA representatives that environmental conservation was the paramount purpose of

the reserve system. *This exemplifies the misunderstanding and wrong interpretation of the legislation.* As noted above, conservation with sustainable visitor use and public appreciation and enjoyment of reserve lands is promoted by the legislation.

This attitude clearly exemplifies the culture within a NSW Service and has led to a misallocation of funding and resources and has led to a failure to optimise the use of and engage the possible resources in the form of the broad public support and manpower.

The effect of agencies not adhering and giving sufficient weight to the cultural and social values attached to horse riding is that people are being disenfranchised and are therefore less willing to support government agencies by way of donations, non financial support and also to give support to the government of the day to make budget allocations.

One source of non-financial support is manpower. An example can be found in the form of a Memorandum of Understanding between the Service and the North Shore Horse and Pony Association in the early 1990s. However, although several working bees were conducted by the Association with the Service the relationship effectively broke down as a consequence of the attitude of the Service in attempting to close further trails for recreational horse riding. These closures included trails upon which significant work had been carried by the Association, to rectify damage by past motorbike riding practices from a local quarry. In addition, there was no constructive plan promoted by the Service to utilise the resources of the Association. There was an adhoc, haphazard approach. This manpower is a significant resource not being harnessed by the NSW service in main because of its attitude towards recreational usage.

SCIENTIFIC PRINCIPLES ARE IGNORED OR SELECTIVE RESEARCH FAVOURABLE TO THE EXCLUSIONARY POLICIES IS USED WHICH IS CAUSING MISMANAGEMENT OF RESERVE LAND AND THIS SIGNIFICANT PROPER MANAGEMENT RESOURCE IS UNDERUTILISED OR IGNORED.

A former director general of the Service, Brian Gillian said on September 15, 2002 that there are fundamental political issues, which will not be changed by proof of physical impact studies.

He further said that policies relation to Wilderness and Nature Reserves and more about social science than physical impact.

Yet both he and the then NSW minister for the environment, Pam Allen, said at the Visions for the New Millenium Conference hosted by the Service in Sydney in July 1998, that science must form the basis of the management of reserve land.

Management Plans almost invariably contain words to the effect that horse riding can cause the "spread of weeds" and "erosion" and therefore is

excluded from the NP. These words are contained within the POM template used by the Service.

No scientific assessment is undertaken within that reserve to substantiate that claim prior to the drafting of such Plans of Management. Further the service has admitted that “horse manure is not a major contributor to the spread of exotic plants in conservation areas” (“Horses for Courses” NSWNP&WS 1997). And yet those drafting plans ignore such findings and revert to tired old non-substantiated non-scientific hyperbole.

Of 59 reserves surveyed in 1995/1996 by the Service in which horse riding was permitted, only 3 noted there was severe wide spread impact to walking and vehicle tracks, one noted there was severe, but yet local impact to stream banks and none noted any other severe or wide spread erosion. One noted severe damage to vegetation and only four noted the severe spread of exotic plants.

It is further important to note that none of the above impacts were based on any scientific study and were all based on observations alone. The impacts, claimed to be as a consequence of horse riding could have been caused by other forces and factors.

In summary the majority of surveys returned noted there was either none or only slight and localised impacts (“Horses for Courses” NSWNP&WS 1997). Further the assessment conducted by the Service for the Ettrema /Budawang Wilderness in 1993 states that impact from horse riding had only been light yet *“As a result of recreational walking and remote camping, significant damage to the vegetation community has occurred Although the current level of use is resulting in unacceptable damage to vegetation these areas are capable of restorationexamples of the restoration work is the erosion control of on steep sections”*.

Yet horse riding was excluded from the Ettrema in accordance with the Wilderness policy of NSW and walking was allowed to continue.

Similarly in 1999 the NSW Scientific Committee when assessing the impacts of horse riding to the endangered Duffy’s Forest Vegetation Community concluded that horse riding on authorised trails was not a threat to that Community even though the trails ran through the Endangered Community. Notwithstanding this conclusion a trail was closed to horses and left open to walkers after significant funds were spent in erecting fencing and construction of steps.

The anti-horse attitudes, which are unscientific and culturally biased has a severe impact on the willingness of horse riders to contribute both funding and other resources to the creation and management of reserve land under the jurisdiction of the Service.

ECONOMIC IMPACTS AND FUNDING.

The attitude of the Service and past governments has had and will continue to have an impact on the economic funding possibilities to governments.

As a consequence of exclusionary policies, income to the government through direct and indirect taxes and other forms of revenue will be denied to governments.

The horse industry's contribution to the GDP in Australia in 1999/2000 was estimated to be \$6.3billion. This was about one third of the whole of the Agriculture, Fisheries and Forestry industries (Centre for International Economic Studies – Jenny Gordon 2001). More than half of this figure relates to the non-racing section of the industry.

Thus the recreational horse section of the economy contributed more than foreign tourists in 1997/1998 who contributed only 11% of the tourism industry contribution to Australia's GDP of \$25.2billion. That is, foreign tourists contribute only \$2.77billion (ABS).

In 1999 it is estimated that of the people who participated in recreational horse riding activities in Australia, **70% were involved in non-organised events.** That is, the casual trail rider. It follows the contribution to Australia's GDP is very significant as a consequence of recreational horse riding. (Centre for International Economic Studies – Jenny Gordon 2001.)

The sectors of the horse industry considered in estimating the contribution to the GDP include feed merchants, farriers, saddlery manufacturers, veterinarians, agistment, horse care products, horse riding instruction, horse keeping equipment (rural supplies) such as fencing, etc., horse floats and trucks, transport, support industries, riding apparel, eco-tourism, insurance, accommodation.

Many of these benefits flow to struggling rural communities. Overseas studies have estimated that for every \$1 spent in recreational horse riding that \$1.50 is generated through the community.

A third of the average spent by tourists to Australia in the late 1990s was \$1,800 per visit. Nature based tourists spent between \$2,000 and \$3,000 per visit. Tourists participating in horse related activities were found to be the biggest spenders (Centre for Economic Studies – Jenny Gordon).

The significant reduction of areas available for horse riding will adversely impact on revenue to Governments.

The Wilderness and Nature Reserve policies of the Service of the total prohibition of horse riding activities within those reserve lands and the restrictive anti-horse policies in other reserve lands, have and will continue to have a significant impact on recreational horse riding and the income that industry can contribute to government. The prohibitive and restrictive policies

of the NSW government and its Service will mean the government directly and indirectly will miss significant income which could otherwise be used for the creation and management of reserve lands.

It has been estimated that Wilderness and Nature Reserves consists of approximately 80% of all reserve lands within 180km within the eastern seaboard of NSW.

This is extremely significant, particularly when one has regard to other reserve lands outside Wilderness and Nature Reserves from which horse riding has been prohibited.

More recently, as a consequence of the push for marine protected reserves, land managers have sought to prohibit horse riding along beaches notwithstanding there has been no scientific analysis of the impact of horse riding within these areas.

User Pay Sources of funding.

Any system of user pay must be equitable and just. Recently the Service abandoned its permit system for horse riders in the Ku-ring-gai National Park because it was inequitable (cyclists and walkers were not charged) and it was revenue neutral given the administration costs involved. There were also significant administration problems in managing the system.

However different policies need obviously to be applied to commercial operators who gain access to the reserve system.

Wilderness process in NSW is unnecessary and costly and denies funds and resources to acquisition and management of reserve lands.

Most land nominated and declared as Wilderness is already in the reserve system. Wilderness is a management regime and is anthropocentric.

The NSW Wilderness Act permits third parties to nominate land for Wilderness assessment. This has led to a plethora of nominations and costly assessments by the Service. Areas can even be re-nominated for Wilderness even if they have been found not to meet Wilderness criteria previously or they are not declared Wilderness for some other reason. This process is an unnecessary burden on the finances and other resources of the agency. The millions of dollars spent on the Wilderness process would be more appropriately spent on feral animal and exotic plant control.

CONCLUSIONS.

- **There must be a change to the culture within conservation agencies.**

In summary, the AHA contends that until attitudes of land managers change to recreation and embrace the concept of conservation and recreation and

sustainable visitor use, the finite funding resources and other resources will be lost to land managers as a direct result of disenfranchising many stakeholders.

- **Misallocation of funds and wrong prioritisation.**

In addition, there has been a significant misallocation of resources through provision of funds to acquire land, but inadequate funds been made available for the proper management of reserve lands. An example is the Milo Dunphy Wilderness Fund, which provides the NSW Government direct funding resources to acquire land but yet there is a continual claim by Service personnel that they are under funded for management purposes.

- **There must be more and meaningful consultations with the broader public.**

Land managers must provide meaningful and constructive consultative processes, which are acted upon and not simply discarded or shelved if they find the result unpalatable to their cultural and ideological bent.

- **Land must not be hijacked meet political agendas.**

There must be greater consultation prior to gazettal of new reserves and the wilderness process must be overhauled as, this is currently being abused by those extreme "Green Groups" interested in pushing the wilderness barrow under the NSW Wilderness Act.

- **Legislation must reflect the communities wishes and be followed.**

The service must adhere and give adequate weight to the legislation in both the creation management and use of reserve lands and accept that it must acknowledge cultural and social values, and give weight to the public appreciation and enjoyment principles enunciated by the legislation.

- **Wilderness process in NSW must be overhauled.**

The costly Wilderness process must be overhauled, to ensure finite resources are allocated to achieve the best outcomes.

- **Unbiased science must be used as a benchmark in management and used as a resource.**
- **Economic impact of agency and government policies must be considered.**
- **Social and cultural considerations must be given weight before agencies can expect funding and resources from the public.**
- If the AHA's submission has not convinced the committee that the debate is largely an ideological one I leave you with a quotation from the former

Director General of the NSW National Parks and Wildlife Service when he addressed a conference in Maitland NSW in 2002 when he said.

‘...the policies relating to wilderness and nature reserves are more about social science than physical impact’

He went on to say that there are fundamental political issues, which will not be changed by proof of physical impact studies

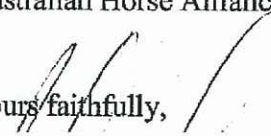
- Dr Sara Beavis of the Australian National University, whose work has help to negate much of the extreme green hyperbole in relation to horse riding in reserve land, advocates a standardized data base of recreational use at regional, state and national levels.
- Dr Beavis also wants to see whether social conflicts exist between user groups and if they do – why, so we can move forward and develop useful strategies to assist to minimize these conflicts.

The AHA supports such strategies and urges this committee to support and foster inter governmental co- operation and communication with and between all stakeholders.

Often there is misunderstanding of the needs and wishes of stakeholders on the part of bureaucrats and a misunderstanding of management issues facing government agencies on the part of stakeholders.

- **The AHA also presses for external auditing of the performance of Park agencies as well as their income and expenditure . The figures disclosed in the various reports regarding expenditure on such items as weed eradication, pest control etc mean very little. For example they must be related to the total area under management, their classification etc. The budgets must be outcomes driven. Have grants been appropriately spent? what are the man power requirements?**

Richard Smallwood
Convenor
Australian Horse Alliance

Yours faithfully, 

/ Richard Smallwood

Appendix

Submissions by the Australian Horse Alliance to the Task Force on Tourism and National Parks dated 21 July 2008.