

INQUIRY INTO AGISTMENT OF HORSES AT YARALLA ESTATE

Name: Ms Bianca Kinnear and Ms Kathryn Hall

Date received: 1/08/2013

Partially Confidential

Agistment of Horses at Yaralla Estate

Horse Owners Submission

Kathryn Hall & Bianca Kinnear



2013

Contents

Contents	2
Introduction	4
Background.....	5
SLHD appoint licensee	5
Why was the Licensee's performance not audited for 17 years?	5
No visibility of licence terms, no formal mechanism for complaints/concerns.....	6
No Transparency regarding profit made from agistment fees and how money is spent: <i>is there a Conflict of interest?</i>	10
Timeline of Events	12
The Secret Deal with the Mounted Police.....	18
MPU involvement in the rumour mill	19
Who approached who?.....	20
Why did SLHD allow Yaralla to be mismanaged and end up in such poor condition?	24
Licencee's Obligations	24
Boundary Fencing	24
Internal Fencing.....	25
Licencee's Obligations – Land Surface.....	26
Licencee's Obligations – Noxious Weeds.....	27
Licensee's Obligations – Insurance	28
Limit of 28 Horses at Any One Time	29
<i>Horse count in December 2012 = 39</i>	29
<i>Western Section Not Suitable for Housing Horses</i>	30
The dollar value.	31
Horse Owners paid an estimated \$80,000 CASH in agistment fees last year alone.....	31
What is the dollar value?	31
<i>What resources will be allocated to manage Yaralla by the MPU?</i>	31
Shared Access	32
Hidden Agenda.....	34
Transparency with public access changes?	36
Access has changed!	37
SLHD Implies Issues with Care of Current Yaralla Horses	39
Pictures are worth a thousand words.....	39

Community Engagement	42
The all powerful “Independent Consultant” Report.	46
Agistment Facility “BlueVisions” Report	47
Yaralla horse owners: a scapegoat for poor management	54
DIY	57
Attitude Toward Horse Owners.....	61
Proposed Plan for the Future	62
Ménage à trois?- SLHD/ BlueVisions/ NSWMPU.....	62
SLHD proposed upgrades aligning with MPU needs	65
Summary	67
Moving Forward.....	68
Appendix.....	69

Introduction

Yaralla Estate is classified by the National Trust as 'the most significant, suburban Edwardian estate in New South Wales'.

Sydney Local Health District (SLHD) is the current trustee of the Yaralla Estate. The Yaralla Estate was vested in the crown under the Walker Trust act in 1938 and is still considered the largest community bequest of its era to survive in an intact form in New South Wales. This Walker Trust act identifies that Yaralla is to be used for public hospital or other public health purposes, public open space, and for agistment of horses (Walker Trust 1938)(<http://www.canadabayheritage.asn.au/walker-estates/yaralla-mansion>) .

SLHD have publicly claimed that the Estate has not been adequately maintained or managed by the previous licensee. SLHD have spent significant health care dollars on consultancy reports and risk assessment reports to align with their opinions to ultimately achieve removal of community horses, and the resultant significant reduction in community access to the estate and its paddocks.

Evidence has been uncovered via the standing order 52 that demonstrates SLHD exaggerated negative details about horse agistment and horse owners at the Yaralla estate and fabricated their own evidence to assure their goal of removal of community horses eventuated on the 31st May 2013.

This submission will highlight the failures and inadequacies that have occurred have been due to the appointment of an unsuitable licensee by SLHD (with horse owners having no say in who this was) who under-resourced the paddock area and a lack of oversight by SLHD. To date, SLHD have taken no responsibility for their failings of adequately monitoring the licensee's performance and the "poor" state of the valuable asset which is Yaralla. Rather than openly acknowledging these failings alongside their actual motives to remove or significantly reduce public access, they have shifted the blame onto the horse owners and associated local community. We should be able to expect more of our senior civil servants.

The reasons given by Sydney Local Health District for the removal of the community-owned horses is highly questionable, and has repeatedly changed over the course of the last few months. If we cannot trust the validity of their reports on this, how can we trust their reassurances about the future of the Estate as an undeveloped and publically accessible amenity?

Background

SLHD appoint licensee

Mr Colin Wale was appointed the licence for Yaralla Paddock area in July 1996 by Central Sydney Area Health Service (pre-alias of SLHD). This was just the formality of a “verbal agreement” that Mr Wale had been provided by the health service as he had been residing and running an agistment service at Yaralla in total for approximately 26 years following the departure of his predecessor and colleague Bill Lacey.

Way back in 1987, under the then usual verbal arrangements that the hospital made, Colin took over the paddocks. The verbal instruction at the time was not to change anything. Just fix things as necessary and keep things as they are. No erecting structures of any kind etc. Colin only had to sign a letter agreeing for the Pay Office to deduct the monthly sum from his pay. '

Appendix 1: Email from Sandra Wale to Deborah Flood 13/05/13

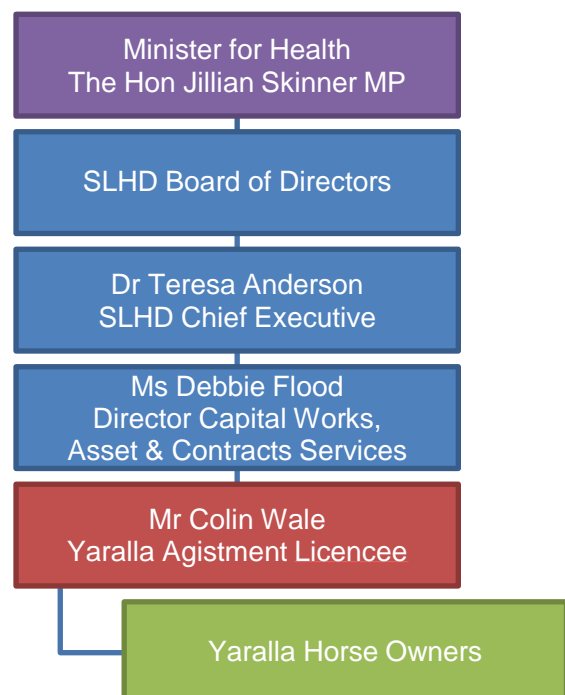
Agistees and community members have had no say in the appointment of Colin Wale “the licensee” by SLHD. There has been no external or internal auditing of Mr Colin Wale’s performance since the commencement of his licence in 1996 until the SLHD commissioned Blue Visions in December 2012. It is clear, that the licensee has managed Yaralla poorly over the last 17 years. It is also very clear that SLHD failed to adequately monitor the licensee’s performance and failings at the estate. It is extremely difficult to understand how one of the largest local health districts in Sydney failed to have any form of management system or annual review / audit process to monitor what was happening at Yaralla.

Why was the Licensee’s performance not audited for 17 years?

This question must be asked. The actions evidenced by SLHD demonstrate a clear lack of transparency and compliance with due processes to date.

Why did the Licence not get put up for public tender at any stage since 1996 if there have been issues with breach of Licence?

As with all systems, there is a clear chain of command which should have checks and balances for appropriate management of events



It was common knowledge that the licensee's wife and the Director of Capital Work, Asset and Contracts services Ms Deborah Flood had been close work colleagues within SLHD, this was verbalised on numerous occasions by the licensee. At a meeting with horse owners on the 28th March, Ms Deborah Flood informed horse owners they would be evicted by 31st May in favour for exclusive occupation of Yaralla by the Mounted Police Unit. In this meeting Ms Deborah Flood verbalised in front of 20 horse owners that despite the numerous issues the "consultancy report" by BlueVisions had identified about the state of Yaralla paddocks that this in no way was a reflection that the "Wales" had not done a good job over the years. At the end of this meeting as the licensee's wife Sandra Wale handed out eviction letters to owners, Ms Deborah Flood and Sandra Wale openly exchanged a kiss and a hug- this behaviour clearly demonstrates that there is indeed a close relationship between the Director Deborah Flood and the Licensee's. It is believed that this close affiliation and friendship shared is a clear and definite conflict of interest and the most likely reason to why the Licensee was not appropriately monitored and performance managed for his failings in the up keep of the Yaralla Estate under licence to him.

No visibility of licence terms, no formal mechanism for complaints/concerns

For at least 17 years, horse owners that have paid money to agist horses at Yaralla have been informed by the licensee Colin Wale that he was only required to maintain fences and occasionally slash paddocks. Horse owners were never provided any pathway or process to communicate with the SLHD. The licensee's fall back response to any maintenance task requested of him that fell outside fixing an internal fence or slashing a paddock was "that is the hospital's jurisdiction not my responsibility".

Horse owner attempted to inform SLHD via Deborah Jenkins (Property Manager) and Deborah Flood (Director of Capital Works, Asset and Contracts services) regarding issues that were occurring on the property and requests of assistance to fix these issues including:

- External boundary chain wire fence on Nullawarra Ave needing urgent repair or replacement, April 2012.

From:
To:
Subject: Perimeter fence at Yaralla Estate
Date: Sun, 22 Apr 2012 19:57:38 +1030

Dear Deborah,

I apologise to need to contact you, but thought you would be the appropriate point of call for my enquiry. I was hoping that you may be able to connect me with who I need to speak with regarding some repairs that I thought may be required to part of the Yaralla Boundary fence (6 foot chain wire) that borders Nullawarra Ave Concord.

I have been in Contact with the Agistment Manager/ lease of the land Mr Colin Wale who has informed me that this fence is under the jurisdiction of the hospital.

I was hoping that I may have permission to try and re- concrete it to stabilise the post that is loose, or have direction/ assistance on how better to mend it.

Appendix 2: Email from Bianca Kinnear to Deborah Flood 22/04/12

- Illegal earthworks, clearing and construction occurring in the Western Section of Yaralla (outside the official Paddock licence area) completed by Mr Joe Zumbo, August 2012.

From:
To:
Subject: RE: information
Date: Wed, 29 Aug 2012 08:37:43 +1030

Hi Deb,

Thanks for your email. I am well thank you, I had a few days of annual leave last week to finish off writing one of my journal articles and got to enjoy the glorious sun and weather that was on offer.

1. The "excavation" in the back paddock that adjoins the Concord Hospital boundary.... Unfortunatley the man who is excavating down there is doing so illegally and without approval or permission as far as I am aware. His name is Joe and he is the owner of landscape and building supplies company Joe and Sons. He is the same man that you had mentioned you had been having trouble with accessing the hospital through the other gate and that you had needed to change the locks etc. He is a law unto himself, and Colin just seems to let him do anything he wants. His horses have also already gotten out on the main road once and onto the public trail a few times too. I know that the Bush care coordinator from local council was down there looking the other day, they are not very happy with what "Joe" has done. He has actually filled in one of the natural water courses that flows to the mangroves. He has also cut the chain wire fence so that it allows him access to this paddock area form Nullawarra ave. I would be vary carefull with him, he is not a very nice man and has threatened me a few times because I have pulled him up on a few things in the past. I do my best to stay clear of him these days, but he truly is causing a huge disaster down there. He essentially is trying to construct a trotting track as he races horses. He has also constructed numerous shanty town like structures that are very ugly, and leaves numerous cars on the property and excavation equipment. Any time I have attempted to address any concerns with Colin, Colin unfortunatley has turned it around and tells me that I am just being a whinger and a trouble maker and tells me if I do not like it that I can move out. So I have given up on that front.

Not sure how you are going to manage that one. Good luck, and definetley take a second person with you if you need to speak to Joe.

Appendix 3: Email from Bianca Kinnear to Deborah Flood and phone call with Deborah Jenkins 29/08/12

- Illegal dumping of rubbish and fill arranged and approved by Licensee Colin Wale and delivered by his grandson, January 2013- phone conversation with Deborah Jenkins and evidenced by photographs.



- Concerns identified to Deborah Flood that the licensee was not fulfilling duties and disappointment that Yaralla was becoming run down was disputed by Deborah Flood as nothing more than Opinion, and that SLHD at that time had no concerns with the licensee's management of the estate paddocks, September 2013.

The hardest thing to finally acknowledge, is to see that Yaralla has been allowed to fall into a terrible state of repair over the life of license agreement with Colin Wale. He has managed this property poorly and selfishly, and it is unfortunate that the LHD has potentially only just come to this same realisation as a result of being involved in several legal actions.

The comments regarding the management of the estate are your opinion only and are unrelated to any action undertaken by either Mr Wale or the District in regard to the respective tenancies.

Appendix 4: Email between Bianca Kinnear and Deborah Flood 03/12/12

On most occasions where an issue was raised with the SLHD there was a slow response or no action taken to rectify. It was also clear that these issues were then relayed directly back

to the licensee as the licensee would often complain and would confront and bully horse owners in person or via phone call about the contact made with SLHD. This type of response deterred people from pursuing this avenue and we all just thought we had to put up with the status quo hence why many of us started contributing towards maintenance such as urgent fence repairs ourselves.

Following evidence obtained via the standing order 52, it was found that the licensee had repeatedly breached and failed to manage and maintain the Yaralla paddock area in line with what was stipulated in the licence of July 1996. Again, we are concerned that SLHD had documented proof of what tasks the licensee should have been completing including but not limited to, weed eradication, erosion management, number of horses and water supply and still failed to act on his poor performance over 17 years. We believe this is again due to the close and long standing relationship that Colin and Sandra Wale have with the direct line manager of this system Ms Deborah Flood. We suggest that Ms Deborah Flood knowingly turned a blind eye, and defaulted on her direct responsibility of managing a failing asset and a failing licensee due to her close affiliation with the Wales.

SLHD and Jillian Skinner Minister for Health would have the public believe that they were unaware that the licensee had agistment arrangements with horse owners. However, on review of the full licence signed in July 1996 (made available by Standing Order 52) it identifies that the SLHD had agreed to permit Mr Wale to agist horses under his licence and did not explicitly identify that any form of formal agreement would be required or any level of care provided to horses agisted to facilitate this. This evidence refutes directly some of the aspersions cast by the BlueVisions management report.

Documented approval that permitted Horse Agistment- Lawyers that drew up this contract would understand what the term "agistment" would entail.

B. The Licenser has, at the request of the Licensee, agreed to grant to the Licensee the right to use part of the land referred to in Recital A for agistment purposes.

Appendix 5: Licence document CSAHS, 1996

Minister for Health Downplaying that Horse agistment had in fact been approved.

The licence for horse agistment was held by Mr Colin Wale, who undertook handshake agreements with the current horse owners. There are no written agreements between either Mr Wale or the District and the current horse owners.

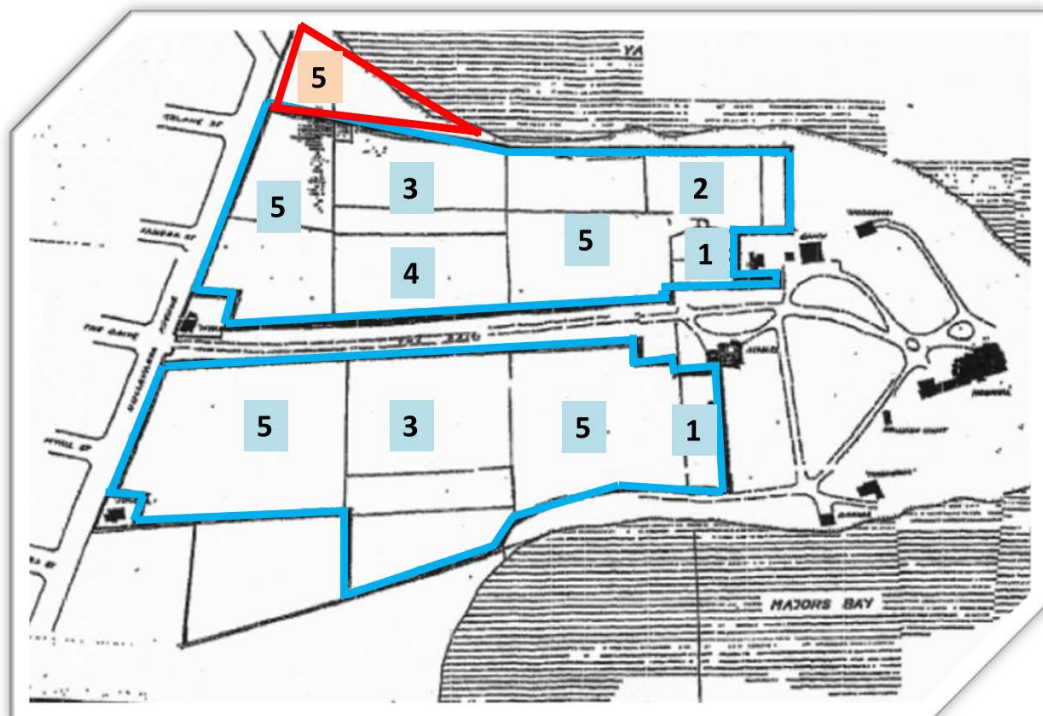
Appendix 6: Letter from Health Minister to John Sidoti, 2013

No Transparency regarding profit made from agistment fees and how money is spent: *is there a Conflict of interest?*

The business of horse agistment on Yaralla has produced an income of close to \$1,000,000 during the term of the licensee's contract for the horse paddocks with SLHD. Horse owners were requested to pay in cash personally to the licensee and were issued with a receipt each month which did not contain the licensee's Australian Business Number.

The licensee always maintained that he was required to re-pay as a licence fee a majority of the agistment fees taken. It was found in documentation obtained via the Standing Order 52 that the Licensee was paying \$1500.00 per month in rent to the SLHD yet he collected up to \$6000.00 per month in agistment fees (\$200 per month per horse). This amount of money equates to a \$4500.00 profit for the licensee as it has been clearly shown that for many years he has not invested resources back into the property for fence maintenance, or pasture management.

Another significant breach in license that involved additional exploitation of Yaralla for monetary gain by the licensee was the overstocking of horses outside the licensed agistment area. The Licensee knowingly filled paid agistment places within the paddocks and then allowed a Mr Joe Zumbo to keep at times up to an additional 5- 8 Harness racehorses in the western section of the Yaralla Estate adjacent the helipad and Concord Hospital. The licensee was already receiving up to \$6000.00 per month at full quota head count from his paddock licence but then took additional profits from allowing the agistment of horses in an unsecure area outside the boundary of his licence on Crown land.



Appendix 5: Licence document CSAHS, 1996

Again the question must be asked, why can a line manager (Deborah Flood) and the Director who oversees assets and contractors (or Licensee's) knowingly ignore the many failings and breaches of licence to the detriment of the Estate whilst aiding and abetting financial and personal profit from Crown land by not acting to rectify? The relationship that existed and the leniency that was provided between Deborah Flood and the Wales and the sheer amount of money made in profit demonstrates that there is a potential and significant risk for conflict of interest or even corruption.

"Licence Fee" means the sum of \$16,000.00 per annum payable as set out in clause 2.1;

Appendix 5: Licence document CSAHS, 1996

It can be assured that the number of wooden fence posts that have been replaced in the last 2 years by the licensee could have been counted on one hand with each wooden down post equating to approximately \$20.00. It is also suggested that *if*, only 50% of this \$4500.00 profit was reinvested into Yaralla it would be looking like a very different property, and perhaps would have prevented the horses from being perceived as too much of a risk to stay at Yaralla due to the poor fences.

ORIGINAL COPY				428530			
RENT RECEIPT				DATE 1. 11. 12			
RECEIVED FROM <u>B. KIDWELL</u>							
THE SUM OF <u>EIGHT HUNDRED DOLLARS</u>							
RENT OF PREMISES <u>APPOINTMENT OCT</u>							
	TOTAL	G.S.T.	TOTAL INC G.S.T.	SIGNATURE			
DUE			800.00				
PAID							
OWING							

ORIGINAL COPY				428529			
RENT RECEIPT				DATE 1. 11. 12			
RECEIVED FROM <u>Y. HALL</u>							
THE SUM OF <u>SIX HUNDRED DOLLARS</u>							
RENT OF PREMISES <u>APPOINTMENT NOV</u>							
	TOTAL	G.S.T.	TOTAL INC G.S.T.	SIGNATURE			
DUE			600.00				
PAID							
OWING							

Why did the Licence not get put up for public tender at any stage since 1996 if there have been issues with breaches of Licence?

This is further evidence of the relationship and potential conflict of interest between Sandra Wale (Licensee wife) and Deborah Flood. Has anyone else been afforded this kind of preferential treatment?

Sandra,
We can't extend you beyond 31st May however Teresa has offered the use of one of the flats in the Nurses Quarters at Rozelle Hospital for Maralyn until 25th June. They have been newly renovated & are quite comfortable.

Appendix 43: Email from Deborah Flood to Sandra Wale 22/05/13

Timeline of Events

- **Circa 1960** - Local Community agist horses at Yaralla
- **1996** - SLHD gives licence to Colin Wale
- **1996 - 2012** - Consistent breaches of licence agreement. Multiple requests by agisters for slashing/ fence repairs/ weeding/ water issues.
- **2010- 2012**- Licensee was informed by multiple agisters of consistent breaches of agreement caused by one horse owner Joe Zumbo (excavation and clearing on non-licence agreement land area)
 - Licensee informed of issue with boundary fence Nullawarra Ave
 - Licensee refuted responsibility for repair, referred to SLHD
- **Nov 2011**- Dr Teresa Anderson SLHD replies to letter received re: Expression of Interest for Licence for Yaralla. She identifies No issues identified with current Licensee and reports future need to advertise through tender if licence was terminated

Appendix 7: (Letter from Teresa Anderson CE November 2011)

The licence agreement you refer to in your correspondence remains in place under clause 2.2 of the agreement. Sydney Local Health District (the District) has no requirement to terminate this agreement at this time. The District has not received correspondence from Mr Wale indicating any intention to terminate in the near future.

Should termination of the current agreement occur, the District would be required to advertise the lease either through expression of interest (EOI) or tender to the market. Under government regulations the District cannot consider proposals outside of a formally advertised EOI or tender.

- **April 2012**- SLHD were informed of issues with boundary fence in need of urgent repair as public liability risk.
- **Aug 2012**- SLHD informed of illegal "excavation" by a horse owner on western section non- licence land area
- **Sep 2012**- SLHD receive a complaint from local council bush care re: illegal excavation on western section non- licence land area
- **Oct 2012**- Licensee instructs at-fault horse owner Joe Zumbo to vacate- he refuses
- **Oct-Dec 2012**- Legal proceedings commenced by Licensee supported by SLHD to remove Joe Zumbo
- **30.11.12**- Agisters notified by Licensee, SLHD has terminated Licence for vacant possession
- **7.12.12**- Notice received by Licensee lease extended until Feb 2013
- **12.12.12**- Meeting with SLHD representative and agisters/ horse owners
- Horse owners informed "no one going anywhere"
- SLHD needed to activate termination to evict at-fault horse owner Joe Zumbo
- Consultant assessment required to report on damage caused by Joe Zumbo

Appendix 8: BlueVisions Management Report Jan 2013

- Horse owners asked to fill in questionnaire re: what needs to change for good management for future solutions
- Advised consultants (BlueVisions Management) will be asked to collaborate with horse owners- (This did not occur)

- **18.1.13-** Mounted Police (MPU) First seen at Yaralla inspecting paddocks with Ms Deborah Flood, when questioned justification given "issues with the public access and drugs"
- **31.1.13-** Ms Deborah Flood emailed a horse owner contact person (Mark Farlow) and informed she was expecting first draft of consultant report from BlueVisions
- **4.2.13-** Licensee's agreement extended till 31st March
- **21.3.13-** Ms Deborah Flood advises via email need to organise a meeting with horse agister/ owners to discuss the "paddocks". She suggests 28th March

From: Jan Whalan [mailto:jan.whalan@bdlaw.com.au]
Sent: Saturday, 23 March 2013 1:30 PM
To: Debbie Flood
Cc: Lawyers Bdlaw; Teresa Anderson
Subject: Horse

Deb

You sent through the invitation to the meeting with the horse owners for 28 March 2013 – does this mean the meeting is confirmed.

I thought the original plan was to meet with the horse owners, tell them of decision re no public access and then have Minister make an announcement the next morning.

Appendix 9: Email from Jan Whalan (BD Law) to Deborah Flood 23 March 2013

- It is clear from the Crown lawyers in attendance at this meeting had the understanding that the original plan was to indeed identify that there would be the need to reduce/ restrict public access- a point that the SLHD categorically deny.
- **28.3.13-** Ms Deborah Flood delivers a verbal summary of consultant report but identifies that despite the reported negative results claims it is no reflection on current Licensee's management of the land and reports: SLHD has allocated \$500,000 to rehabilitate land and replace all fencing
 - Works can be completed on rotation paddock by paddock but this was not her preference
 - Works can be completed in 3 months if all horses removed
 - Following works intention that MPU will exclusively occupy Yaralla paddocks
- **2.4.13-** Horse owners contact Local Member John Sidoti for opinion
- **9.4.13-** GIPA request for access to the "consultant" report damning horse owners re: care of horses and paddock condition. Still not received at the time of presentation at Public Meeting (29/4/13)
- **17.4.13-** Request for extension letter from horse owners with Local Member support sent to SLHD CE and Chairman of the board, John Sidoti, Health Minister Jillian Skinner and Local Mayor Angelo Tsirekas. *Appendix 10*
 - Extension letter was written with full support of local Member John Sidoti and included several points that identified his concerns relating to SLHD:
 - Negotiating with another party (MPU) while current horse owners maintain occupation of the site.

- Evidence that SLHD have been aware for an extended period of time of the many failings of the current Licensee and did not intervene or rectify the situation appropriately- failure in duty of care.
- Concerns regarding the absence of any expression of interest or public tender process being sort by the SLHD regardless of their inter-government negotiations. It is imperative that SLHD abide by these processes for transparency, openness and fairness.
- **19.4.13-** CE SLHD Dr Teresa Anderson provides media release advising contract with MPU for exclusive use of Yaralla paddocks had been signed in the dead of night without responding or acknowledging the extension letter sent by the current horse owners.

Sydney Local Health District is pleased to announce NSW Police horses will be agisted within the historic Yaralla Estate after both parties signed an agreement last night.

Appendix 11: SLHD Media Release 19th April 2013

- **29.4.13-** Public Meeting held Concord RSL with over 500 community member attendees. Horse Owners presented Save Yaralla Horses Community Horses document. Motion passed by community to defer eviction of community horses and review options moving forward with greater community consultation for sustainable management of community horses at Yaralla not MPU.

Appendix 12: Horse Owners Presentation 29th April 2013

- **3.5.13-** Correspondence (letter PDF emailed) sent to SLHD Dr Anderson and Hon Ron Philips requesting deferral and notice of motion past at Public Meeting.

Appendix 13: Horse Owners Request for Deferment 1st May 2013

- **9.5.13-** Horse owners only received the BlueVisions report 4 business days prior meeting between SLHD/ MPU and horse owners arranged (was written in January)
- **9.5.13-** Dr Anderson SLHD emailed Horse Owner's group identifying a meeting time for a representative group on 15.5.13 to discuss the "BlueVisions" report and the request for deferral. Horse owners requested agenda points for this meeting were ignored.
- **10.5.13-** Media Release Cyber bullying MPU (a complaint has been lodged with NSW Police by other members of the group)
<http://www.youtube.com/watch?v=EGmdJ2mhX88>
- **15.5.13-** Meeting held chaired by Dr Anderson at RPA. Representatives of horse Owners (Hall, Kinnear, Hartley, O'Neil, Adam, Power), 3 community members (James, Adam, Puz), MPU (Clarke, Riddell, McFadden, Blackstone, Eyb), SLHD (Anderson, Flood, Benson, Sinclair, Crown Lawyers), BlueVisions (Ron Turner), Canada Bay Historical Society (Michel, Durance) Local mayor Canada Bay Council Angelo Tsirekas, Local MP John Sidoti. Dr Anderson announced that the Heads of Agreement was to be cancelled with the MPU and open tender created for future management of Yaralla paddocks. Ron Turner presented BlueVisions opinions about condition of the paddocks and "risks" identified in allowing horses to stay versus allowing the MPU to move in identified in a risk report. What was initially described by

SLHD originally as a consultant report required to identify the “damage” caused by Joe Zumbo and to determine what needed fixing- it was clear that the only agenda was to oust the community horses to make way for SLHD grander plans that did not involve the community.

- **13.5.13-** SLHD commissions a Risk assessment panel and focus group workshop to identify an “independent” assessment of the request for deferral to allow Community horses to stay. The panel was selected by SLHD and BlueVisions and included Manager of Security CRGH (resides at Yaralla), Director of Nursing CRGH (resides at Yaralla), Deborah Jenkins Facility Property Manager SLHD, Heath Harris “Horse expert” who has previous commercial relationships with MPU, Paul McGreevy “veterinarian specialist” Sydney University on-going “non- commercial” relationship with MPU re: training and education facilitated by Declan Tierney from TPK.

*Dame Eadith Walker Estate Agistment Facility
Risk Management Study Output*

Acknowledgement of current / previous relationships

Paul McGreevy acknowledged an ongoing non-commercial relationship between Sydney University and NSW Mounted Police involving the attendance at SU lectures and assistance by NSWMP with learning programs

Sharne Hogan and Andrew Lewis acknowledged that they both live on the Yaralla site

Heath Harris acknowledged that he assists NSWMP with the training of difficult horses

Appendix 14: Risk Management Study Output 9th May 2013

- Evidence sourced from Standing order demonstrates that Heath Harris has identified the ability to change his “risk rating scores” to align with SLHD/ BlueVisions goal of 31st May eviction.

My numbers for increased risk are a guide only – using my expertise in the area of horses and public together. These numbers can be altered if you think that they are excessive and /or not high enough.

Kind regards,

Heath Harris
Co Director
Hawkesbury River Saddle Company &
Harris Entertainment Pty. Limited

Appendix 15: Email from Heath Harris to Ron Turner May 2013

- **16.5.13-** Public Rally Picnic of Peace Date set
- **20.5.13-** Media Release Luke Foley Fix is still in “SLHD Briefing notes” identifying that the risk assessment panel group expressed that an arrangement with the MPU would provide the optimum solution of the future management of the site.

Appendix 16: Luke Foley Media Release 20th May 2013

- **21.5.13-** Community Horses visit NSW Parliament House- Fight against Eviction in 10days

Appendix 17: Luke Foley Media Release 21st May 2013

- **25.5.13-** Media Release Luke Foley "Independent" report written by a company "BlueVisions" who is the front company of AMK holdings PTY LTD who engages Liberal Party lobbyist Michael Photios and secretly funnelled \$30,000 of "donations" into the Liberal party in 2010 and 2011.

Appendix 18: Luke Foley Media Release 25th May 2013

- **26.5.13-** Public Rally Picnic of Peace- Angelo Tsirekas Mayor of Canada Bay Council MP Luke Foley identifies the O'Farrell Finance minister's team called Property Asset Utilisation Taskforce (PAUT) had considered selling off part of the Yaralla estate. <http://www.youtube.com/watch?v=FdLk87X6LU4>
- **27.5.13-** Secondary Meeting held with SLHD representatives, Canada Bay Representatives and Bianca Kinnear to discuss possible partnership with council to allow strategies to mitigate risks identified by BlueVisions management Ron Turner to facilitate stay of execution during the tender process. All strategies offered were declined on the basis of "too high" of a risk and eviction date of 31st May stayed, however SLHD agreed to meet with council to discuss possibility of partnerships. Bianca Kinnear identifies and requests to SLHD the need for them to identify clearly to the public what access will remain explicitly.

Appendix 19: Horse Owners Risk Mitigation Report 27th May 2013

Appendix 20: Risk Mitigation Meeting with Council 27th May 2013

- **28.5.13-** Meeting with SLHD, Canada Bay Council, Risk assessment panel representatives expert advisors with previous relationship with MPU (Heath Harris & Paul McGreevy), crown solicitors, Insurance representatives(Ministry of Health, TMF), TPK, BlueVisions- undertook further risk assessment to determine a possible stay of community horses. All mitigation strategies denied as solutions. Eviction date of 31st May stays. Dr Anderson threatens raising an ICAC review due to her perception of receiving "Political Bullying" to change her and the SLHD decision.
 - Declan Tierney the "independent" facilitator of the risk assessment panel had been briefed on the purpose of the deadline to remove the horses from BlueVisions Ron Turner

From: Ron Turner
Sent: Monday, 27 May 2013 10:20 PM
To: Harris Heath; McGreevy Paul; Stuart Myers; Tierney Declan
Cc: Debbie Flood
Subject: DEWE risk review

Gents

Firstly my Apologies for the late notice. As a result of a last minute submission by the Canada Bay Council and one or more of the current Agisters We have been requested to urgently review a proposal to self manage the estate agistment

I details will be circulated early tomorrow and if possible we would like to discuss and review and assess the risks of this proposal

We can set up a telephone conference if you cannot attend in person. The most important action is for us to quickly respond so that we avoid the potential delay to the 31/05 deadline to remove the horses.

Canada Bay Council will attend along with SLHD legal advisors and SLHD Insurance providers

Appendix 21: Email from Ron Turner 27th May 2013

Appendix 22: SLHD Minutes from Option 6 Risk Assessment Workshop 28th May 2013

- **30.5.13-** Upper House order government to produce documents pertaining to horse agistment and contract at Yaralla standing order 52.

Appendix 23: Luke Foley Media Release 30th May 2013

- **31.5.13-** Community horses are evicted from Yaralla under reports that rehabilitation works are to commence on the 1st June.
- **4.6.13-** Yaralla upgrades SLHD plans are released- in a few short days it has already changed from rehabilitation of the paddocks to “upgrades and new developments”. The plans clearly identify that the primary purpose of the developments proposed align with MPU needs rather than the opportunity for community horses/ other operator.

Appendix 24: SLHD Media Release Yaralla Upgrade Plans 4th June 2013

- **4.6.13-** “open letter” published in the Courier identifying that public access will be “No change to public access- public are permitted to the rose garden, grotto and the sunken garden near Yaralla Mansion, denies secret deal with MPU, claims poor state of health of previous community horses.

Appendix 25: SLHD Advertisement Open Letter to the Community 4th June 2013

- **4.6.13** Courier: MP Luke Foley gets numbers to see documents Standing order 52

Appendix 26: Courier Article Luke Foley 4th June 2013

- **5.6.13-** Media Release- Propaganda misleading advertising used by SLHD.

Appendix 27: Luke Foley Media Release 5th June 2013

- **5.6.13-** GIPA request submitted by Luke Foley information regarding the advertisement for preparation of document on 4.6.13 Courier SLHD advert. It was later found via Standing order 52 documents that this SLHD advert was at the tax payer dollar cost of \$3345.98.

Appendix 28: Luke Foley GIPA Request 5th June 2013

- **6.6.13-** Facebook post of an empty Yaralla paddock picture “we are all missing our community horses” has 116 likes, 54 comments and 16 shares – this demonstrates the community support and want for Yaralla horses to return.

Appendix 29: Save the Community Horses Facebook Post 6th June 2013

- **6.6.13-** Correspondence received from David Swain for Director General, Premier and Cabinet identifying that “Save Yaralla Horses Petition” has been tabled and forwarded to the Hon Jillian Skinner MP for “attention”- To Date no response has been received from the minister.

Appendix 30: Letter from David Swain 6th June 2013

- **11.6.13-** Courier article Deborah Flood requesting the public to stay away from the Yaralla Mansion for the privacy of patients “we don’t want to have to fence off the main house”.

Appendix 31: Courier Article Deborah Flood 11th June 2013

- **17.6.13-** The media student previously thrown off the ground of Yaralla publishes a video retelling the community story of the eviction of Yaralla Horses on you Tube <https://www.youtube.com/watch?v=FdLk87X6LU4>
- **26.6.13-** Media Release “mates rates” deal with MPU identifies that they were to pay only a third of what the community horse owners had been paying.

Appendix 32: Luke Foley Media Release 26th June 2013

- **27.6.13-** Forced Parliamentary Inquiry- supported by Hon R. Borsak and Hon L.Foley
- Appendix 33: Luke Foley Media Release 27th June 2013*

- **3.7.13-** ABC radio interview Luke Foley – advocating for parliamentary inquiry to review the actions of health bureaucrats; Jillian Skinner speaks for first time about being happy to support parliamentary enquiries and passes the buck to SLHD again <http://youtu.be/yQSlzuTvSHw>
- **8.7.13-** Local Children’s art competition to support and advocate for Community horses return to Yaralla- winners announced form over 100 children’s entries
- **10.7.13-** Terms of reference published for Parliamentary inquiry into the current and future agistment of horses at Yaralla and invitations for submissions to Legislative Council Select Committee
- **5.8.13-** Public Hearing of Parliamentary inquiry into the current and future agistment of horses at Yaralla.

The Secret Deal with the Mounted Police

The joint media release by NSWMP and NSW Health on the removal of privately agisted horses from Yaralla in Concord contained many worrying elements that are of broad concern to members of the community.

Despite SLHD repetitive denying that public access will not change, there will be a loss of public access to an amenity that is supposedly being held in trust for our public benefit. Although the Heads of agreement was cancelled between SLHD and MPU, this agreement was to provide the MPU with exclusive access and use of the Yaralla paddocks and numerous out buildings. There is no wonder why Commander McFadden once aware of the huge amount of land and dwellings on offer was ever so responsive to email requests to meet and problem solve with Ms Deborah Flood and SLHD.

Perhaps we can teleconference on Monday if Police are attending so that we area in sync with the approach. Even if you aren’t coming it would be good to know exactly what you want us to say in relationship to the future management of the estate

Appendix 34: Emails from Debbie Flood to Kirsten McFadden March/April 2013

There are still significant and valid concerns held by the community that the SLHD released plans for upgrades are still designed to suit the needs of MPU first and foremost. If indeed the MPU do become the preferred and selected tenders, community members will never be able to ride a horse, keep a horse or access the paddock areas of Yaralla which is a direct change to the public access that has been available for several decades.

Ron Turner from BlueVisions also had advised the SLHD to align their terminology to identify that MPU would be “agisting” horses as to ensure that exclusive use of Yaralla by the MPU could still be seen as keeping with the Walker Trust Act 1938- this comment in itself demonstrates that BlueVisions and SLHD knew that it was a very stretched intended use of an estate intended for public use and agistment of community horses.

RT recommended that all correspondence, briefing papers agreements and the like should refer to use of the facility by NSWMP as for agistment of horses, so that it is consistent with the uses described in the Act.

Appendix 35: Meeting Minutes SLHD & MPU 15th February 2013

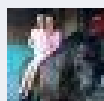
As the campaign to Save the Yaralla Community Horses grew it became very clear that there were several supporters and employees of the MPU that were publically posting on our Facebook site a clear opposition to our cause and the communities wishes to retain current horses on the estate. Many of these public comments on social media developed into a cyber bullying profile towards the horse owners of Yaralla.

MPU involvement in the rumour mill

This is an example of comments being made about the perceived change in public access as a result of the MPU replacing community horses. If government departments were more timely and transparent with how they communicate perhaps perceived “misinformation” would occur less frequently and our cause not targeted and accused of being scaremongers.



Kylie Riddell, identified as being a current serving officer of the Mounted Police Unit.



Kylie Riddell Perhaps the people should have taken better care of the property instead of taking it for granted.

April 11 at 12:20pm via mobile · Like · 5

Perhaps if the SLHD had been more transparent, accurate and timely with their public sharing of information relating to their failures to manage breaches of the licence causing the poor condition of the paddocks- maybe then local horse owners would have been spared the public defaming of our reputation and attempts to cope with a failing management system.... Not to mention the distress of reading comments like this listed on a social media site by a MPU officer not long after receiving an eviction notice and the fear of what it may lead the greater public to believe despite all of our attempts to care for the Estate.

This demonstrates the propaganda that has filtered through to the MPU ranks about the misinformation that it was the horse owners that had cast Yaralla into the state of disrepair reported rather than it being within the direct realm of control of SLHD.

<http://www.youtube.com/watch?v=EGmdJ2mhX88>

Who approached who?

As a result of the Standing order 52, it has been made very clear that in fact it was Ms Deborah Flood representing SLHD who approached MPU about taking over licence of the Yaralla paddock area.

Lease agreement.

SLHD independently approached NSWMP as a professional equine government organisation and a suitable lease holder for the property. [REDACTED]
[REDACTED] has agreement in principal with the CEO of SLHD to negotiate with NSW Police Force for this lease agreement. There are clear benefits of negotiating between two government organisations for tendering and leasing processes.

SLHD are proposing a full upgrade to the site through capital works funding including fencing, water supply, house repairs including management and/or removal of any hazmat or lead paint issues, building repairs and lighting. This costing would also include any upgrades required to fit out the stable and storage area or training facilities required by NSWMP. This has already been scoped at cost to SLHD with provisional approval to ensure the property is at full working order and condition. At present the lease for agistment is negotiated for up to 28 horses on the land.

Appendix 36: MPU Correspondence 23rd January 2013

The below correspondence from Ms Deborah Flood clearly demonstrates the eagerness that SLHD had in signing a deal with MPU in order to rid them of dealing with the community horses at Yaralla.

From: Debbie Flood
Sent: Tuesday, 9 April 2013 4:30 PM
To: Kirsten Mcfadden
Cc: Ron Turner; Teresa Anderson
Subject: RE: Draft Media release DEW

Kirsten,
The District is now under considerable pressure to release further information regarding the Dame Eadith Walker site.

The Local Member John Sidoti, The Mayor of Canada Bay Council and the office of the Minister of Health are all receiving many calls with requests to reinstate the existing horse owners and/or clarification of intent. There is also an internet petition to have the current owners reinstated that has just on 1300 signatures.

There is a lot of misinformation that is being circulated with the usual scare mongering regarding the future use of the site for development.

Whilst earlier advice from your media unit was that we can release a media statement later today, the District will not release any statements without formal confirmation of intent to enter into a licensing arrangement. The details of the licence do not need to be finalised, but a signed HOA, which allows for negotiation and can be amended to include direct leasing of the cottage, or other written confirmation, needs to be sent through before we can deal with the local issues.

There is also a greater risk that the horse owners will serve an injunction notice on the District, ceasing any eviction notice and dragging the matter into the courts. I doubt this would be successful or would indeed occur, if we had clarity on NSW Police intent for the site.

I am sorry to put this pressure on but I would hate to see this opportunity for both services to cooperate lost through the agitation of the few. This will need quick resolution.

Appendix 34: Emails from Debbie Flood to Kirsten McFadden March/April 2013

This email identifies clearly that SLHD and MPU were colluding in regards to their approach to evict the community horse owners. The Police minister Hon Michael Gallacher was provided with a written invitation to the public meeting to which he or a suitable representative of the MPU (aka Mc Fadden)- we received no response and have read receipt copy emails to demonstrate that they were sent (in the procession of Linda O'Neil-horse owner).

From: Debbie Flood
Sent: Friday, 26 April 2013 9:32 AM
To: Kirsten Mcfadden
Subject: FW: SD13/3135 - FW: TRIM: Public meeting for Future Access and Use of Yaralla Horse Paddocks and Estate

Kirsten,
This is the only "invitation" we have received. I am meeting with Teresa today to discuss who will attend on behalf of the District. We will be requesting more information but I doubt it will be forthcoming.

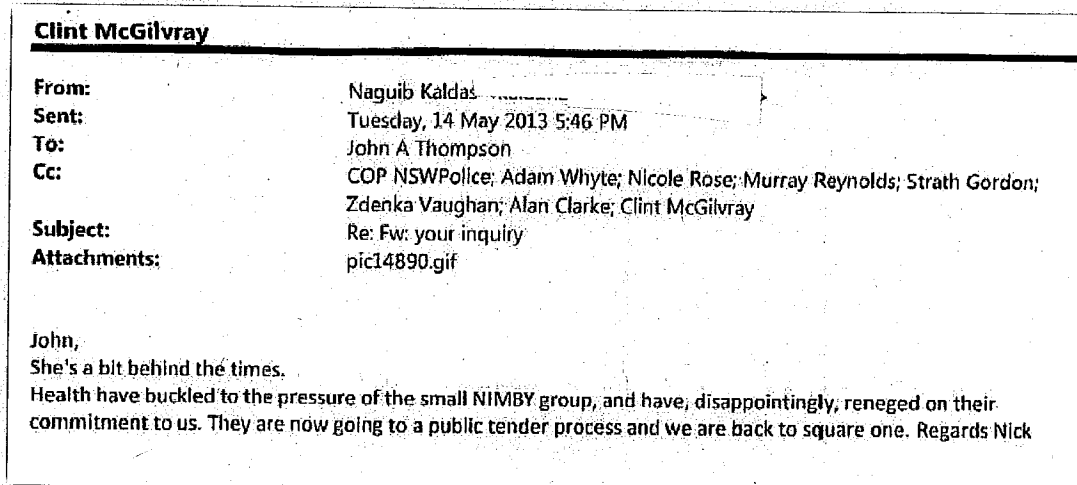
Perhaps we can teleconference on Monday if Police are attending so that we are in sync with the approach. Even if you aren't coming it would be good to know exactly what you want us to say in relationship to the future management of the estate

Regards,

1

Appendix 34: Emails from Debbie Flood to Kirsten McFadden March/April 2013

What also became very clear from the ensuing correspondence and the role of MPU at stakeholder meetings was that the MPU bureaucrats were acting very much as an entitled group who had been given the "promised land" of Yaralla and the only hurdle that stood in their path was a "NIMBY" group of horse owners and supporting community members!



Appendix 37: Email from Debbie Flood to Kirsten McFadden March/April 2013

During the meeting of 15.5.13 it was evident from the way that SLHD facilitated the MPU representatives to address the horse owners group that the intended message was that Yaralla should be provided to them. It appeared that the MPU department seemed to take great revelry in chastising the horse owners on how selfish the community was being to oppose the MPU and to further stroke the elite profile that they were depicting having had a lengthy counselling lecture from Former MPU commander Don Eyb and points raised by Alan Clarke MPU identifying that they could provide "references from the Queen" to substantiate how qualified and expert the NSW MPU was- as if this would appease the concerns of the horse owners and local community.

Appendix 38: Meeting Minutes SLHD & MPU 13th May 2013

The MPU recognise that the price they have to pay is minimal, Why is NSW Health willing to forgo the valuable income they could obtain from Yaralla by offering agistment to community horse owners in a not for profit scenario. We agree that the licence should not continue the way it has. Instead the excess money should go back to the estate instead of going as profit to one individual. The excess funds could be used for the historical society or garden maintenance.

years with little success. The costs associated are deemed extremely minimal for the acquisition of such a large amount of agistment land and the benefits associated with a training facility and being able to co locate all spelling to one location.

Appendix 36: MPU Correspondence 23rd January 2013

The Mounted Police are being promoted as the best possible solution for Yaralla due to their vast experience and professional resource. Yet in their own internal documents they openly admit that they have a diminishing pool of expertise. How are they going to manage a property the size of Yaralla if they are already under resourced and have never done it before?

Issues affecting NSWMP in skill retention

NSWMP has experienced a decline in staff with horse experience and skills and a loss of current staff due to several issues. One of these issues relates specifically to travel to and from NSWMP to Redfern. In attracting staff with the required skills to NSWMP the travel impacts upon their work/life balance and the majority of staff leave the unit. NSWMP has had 3-4 vacancies at the unit for the past 5 years specifically due to these factors. Only a small minority of NSWPF members have equestrian skills and this pool of personnel is shrinking.

Inhibitors to the proposed lease

NSWMP has not previously been the sole owner or lease manager of paddocks prior to this

Appendix 36: MPU Correspondence 23rd January 2013

Why did SLHD allow Yaralla to be mismanaged and end up in such poor condition?

Licencee's Obligations

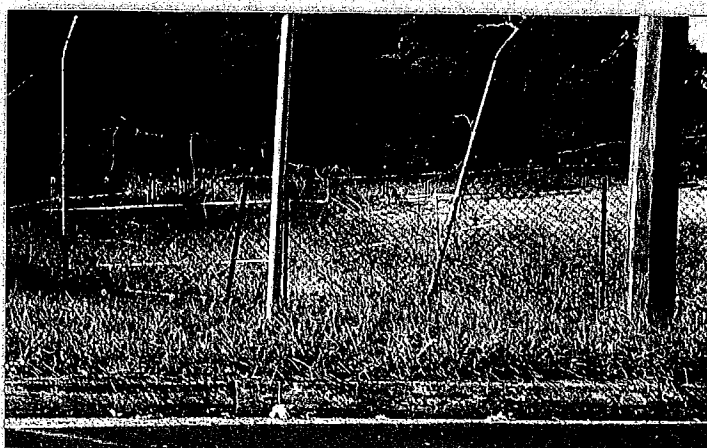
Boundary Fencing

- (b) The Licensee must at its own expense maintain the boundary fencing in a condition satisfactory to the Licensor subject to fair wear and tear. The Licensor or its employees or agents may enter the Land at any time to inspect the fencing and if in the Licensor's opinion the fencing requires repair work, the Licensor may demand such repair work be carried out immediately by the Licensee at its own expense.

Appendix 5: Licence document CSAHS, 1996

Horse owners have been informed by the Licensee for numerous years that SLHD is responsible for the boundary fencing maintenance

This is evidence of horse agisters and owners attempts to liaise with SLHD regarding routine boundary fence maintenance required to address public risk issues of horses escaping



To:

Subject: Perimeter fence at Yaralla Estate

Date: Sun, 22 Apr 2012 19:57:38 +1030

Dear Deborah,

repairs that I thought may be required to part of the Yaralla Boundary fence.

have been in Contact with the Agistment Manager/ lease of the land Mr Colin Wale who has informed me that this fence is under the jurisdiction of the hospital.

Appendix 2: Email from Bianca Kinnear to Deborah Flood 22/04/12

Internal Fencing



(c) ~~The Licensee must maintain any internal fencing in a functional and safe condition and to the reasonable satisfaction of the Licensor.~~

Appendix 5: Licence document CSAHS, 1996

When you look at this picture, how does this keep horses safe? Anyone can see that maintenance was not routinely occurring. Our requests for fixing internal fences fell on deaf ears and management systems in the chain of command turned a blind eye to the deterioration of the fence conditions year after year but especially in the last 3.

Licencee's Obligations – Land Surface

This picture indicates erosion patterns, due to water run off from the fall of the land and high use areas

- (e) **The Licensee is to maintain the Land in a safe condition including, but not limited to filling any holes which form in the surface of the Land.**



The Licensee must not:

- (b) **accumulate any rubbish, waste materials or garbage on the Land;**

Appendix 5: Licence document CSAHS, 1996

Fill Provided by the Licensee

Again SLHD was informed by a horse agister/ owner and the Hierarchy of health turned a blind eye and failed to intervene



Licencee's Obligations – Noxious Weeds

Appendix 5: Licence document CSAHS, 1996

Weed management has been made harder than necessary due to infrequent slashing and failure to action any other weed eradication program by the Licensee. This makes hand pulling of weeds a horse owners only defence in attempting to reduce the extensive noxious weed seed bank lying in the soil of the Yaralla paddocks.

(f) **The Licensee is to prevent and remove the growth of noxious weeds and the spread of vermin and pests on the Land. The Licensee must adhere to any statutory orders in relation to noxious weeds, vermin and pests at the request of the Licensor.**



Licensee's Obligations – Insurance

Why is Deborah Flood asking for a copy of Public Liability insurance for the horse agistment. Since it is a requirement of the licence to be provided annually it's difficult to understand that this was never followed up. One doesn't require experience with horses to sight an insurance policy?

- (d) insure for livestock (in the event an animal is injured or killed whilst on the Land), workers compensation, straying stock (in the event a horse escapes from the Land and causes damage to property or people), public liability covering all sums which the Licensor may become legally liable to pay as owner and the Licensee as occupier for the sum of \$10,000,000.00. The Licensee must provide the Licensor with copies of such insurance policies immediately following the annual renewal of each policy;

Appendix 5: Licence document CSAHS, 1996

On 13/05/2013 4:23 PM, Debbie Flood wrote:

Colin,

Can you please provide me with a copy of your Public Liability Insurance for the horse agistment . I need this information ASAP

Regards,

Deborah Flood

Director Capital Asset & Contract Services

Phone:

Fax:

Mobile:

email:

Appendix 1: Email from Sandra Wale to Deborah Flood 13/05/13

Public Liability was in place from one of the horse owners very generously taking out a policy to cover all her horses plus others agisted on the property at her own expense since the licensee had failed to do this.

Limit of 28 Horses at Any One Time

The Licensee must not:

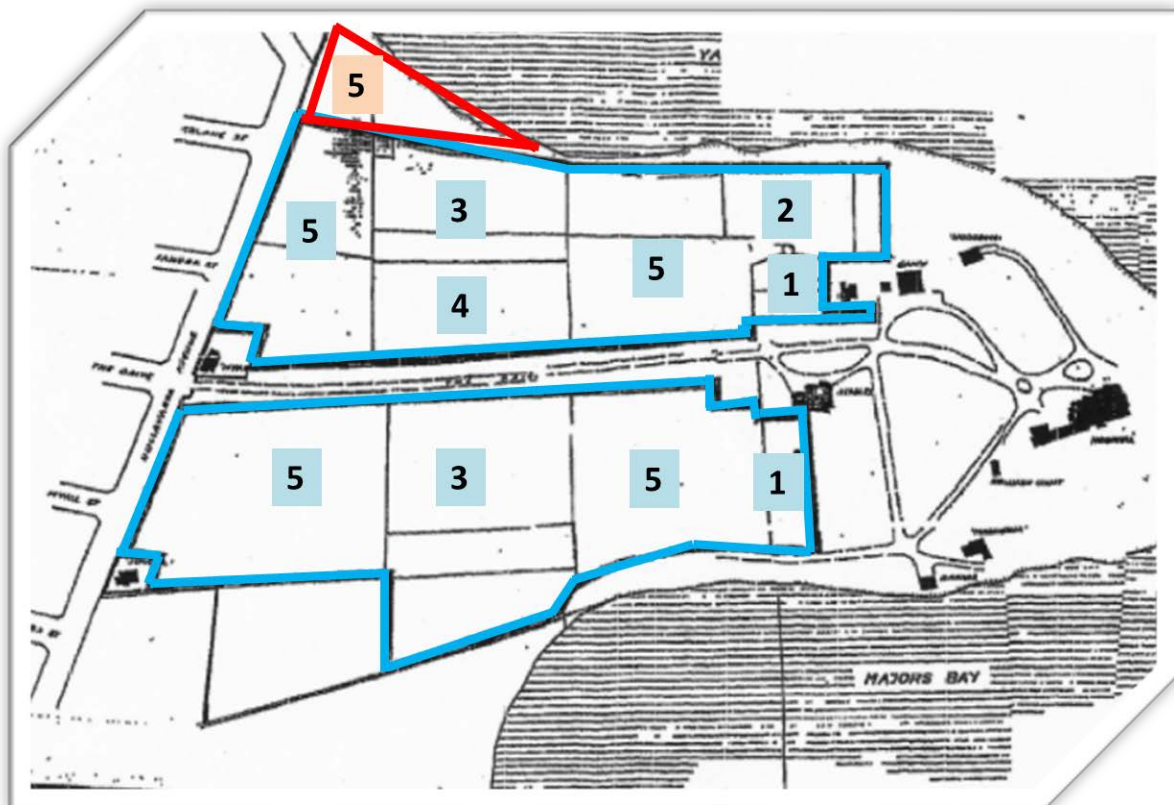
- (1) allow the agistment of more than 28 horses at any one time on the Land.

Appendix 5: Licence document CSAHS, 1996

Horse count in December 2012 = 39

Blue Area represents Horses contained within Yaralla Agistment boundary, permitted to house 28 horses.

Red Area shows horses outside Yaralla agistment boundary- western section. Adjacent to Concord Hospital helipad and not part of licence agreement and not suitable to contain or house horses since 1996. The licensee knowingly and in breach of licence kept additional horses here due to the sheer revenue that he was making.



Western Section Not Suitable for Housing Horses



Not only did SLHD not intervene on this serial breaching, but in their own media release on the 19th April SLHD purposefully mislead the public to believe that the western section was eroded. This is not exactly the case It was Illegal clearing, removal of fences and excavation by a trespasser who kept numerous horses in breach of the licence, This exemplifies further that SLHD failed to manage the situation appropriately.

The SLHD and Licensee ALLOWED horses to be housed on this inadequate western section- this failure in complying with the correct stipulations of the licence is what led to the horses escaping onto the helipad and into a residents backyard. Standing order section 52 evidence has also suggests that SLHD has significantly exaggerated the horse escaping into a residents back yard. The horse was a small 32 inch pony who had squeezed through a poorly fenced boundary line that runs adjacent to/ shared with Jonquil house- which is one of the Yaralla estate's houses and has the SLHD Concord Hospital security manager residing within it. No matter which way you look at it, SLHD were responsible for this fence line security. This was just another example of SLHD planned propaganda at painting the picture that community horses were bad for the estate and posed "risk" to the public.

SLHD in their media release 19th April have led the public to believe that complaints received due to the escaping horses provides the evidence that current horse agisters and owners provide poor care to the horses of Yaralla, subsequent eviction notice. This is not the case. SLHD has failed in their own duty of care to intervene and prevent the ensuing public risks perceived and associated with the licence breaching horses of Joe Zumbo.

The dollar value.

Horse Owners paid an estimated \$80,000 CASH in agistment fees last year alone

39 horses

9 months at \$170 per horse per month = \$59,670

3 months at \$200 per horse per month = \$23,400

Total = \$83,070

This revenue was raised by the Horse agisters/ owners and paid directly to the Licensee. There has never been any transparency as to:

- ? % SLHD charged for the rent/ licence
- ? % Licence Holder kept as profit
- ? % Property Maintenance invested form the funds

Standing order section 52 evidence demonstrates that SLHD were receiving \$1500.00 per month and the Licensee was profiting up to (and in some cases more than) \$4500.00 profit. The poor state of the paddocks and the fact that horse owners were generally required to pay for and complete their own emergency fencing repairs identifies that very little in the way of dollars was ever re-invested into Yaralla for maintenance.

It was estimated raw material cost to replace driveway boundary fence = \$22,500-

What is the dollar value?

Prior 31st May 2013, \$\$\$ gained from agistment of community horses produced revenue of over \$80,000 per year, this has been cost positive to the tax payer and solely produced by us the Yaralla horse local community.

ANY payment or resource allocation from the MPU will be derived from tax payer \$\$\$ and considered cost negative to the tax payer from what previously existed.

What resources will be allocated to manage Yaralla by the MPU?

Current MPU managed spelling facility in Sydney



DPI Legislation green cestrum is a class 3 noxious weed under the *NSW Noxious Weeds Act* is common in many areas of NSW and growing rampant in the MPU managed paddock. DPI identify that class 3 noxious weeds advise 'the plant must be fully and continuously suppressed and destroyed' the responsibility for the control of noxious weeds on land rests with the owner or occupier of the land- in the case the MPU, clearly they are failing at this site.

Shared Access

Why is there absolutely no attempt to converse with the community horse owners to attempt to work out a resolution for shared access? This negative attitude is shown in every single piece of documentation. It is very clear to us that we could reach an agreement that could benefit both parties. We have the ability to provide valuable income and free labour and experience that could greatly assist them. The MPU have mentioned multiple times that they are time and resource poor.

Teresa Anderson has asked the question about shared access but is shut down by every one of her "independent" experts. We feel that she is not being given a clear and full assessment of the situation. There have always been alternatives but she has never had an opportunity to see them as the people providing her the information are so extremely biased.

TA

- Have discussed with Board Chair who has recommended that an open Tender should occur – this will give the community confidence in what ever decision is made
- Is there a possibility of sharing the site- police and community horses

KM

The Police horses are currently isolated – and because of this are used for research

- They are often used as a control b/c horses are isolated unlike other horses.
- Police horses undertake light training- Risk to the other horses
- Can move and control police horses as required - can't do this if they are not the police's horses
- Issues with fodder Storage, equipment management
- WH&S requirements
- How will they maintain the paddock etc
- Rotation of rest of paddock
- Security – loading & unloading horses
- Where would other people park the vehicles
- Maintenance of the paddock – Strict operating procedures are required- who would manage this?

TA

- Understand the challenges but the community have expressed concern re: the arrangement with police.
- Although open tender wasn't needed for inter-agreement arrangements, feel it may be better to go to open tender with a Probity officer to oversee
- Aim to get the best arrangement for the District and the community.
- Need to meet standards or maintain the property
- Successful tender needs to assure that community access is maintained

All these issues could easily be addressed with open communication and agreed systems

- Mounted Police horses regularly attend events with other horses so they are already at risk. The property is quite large and a training area could easily be separated from the living areas of other horses.
- Traditionally most community horses owners have kept their feed and equipment off site due to lack of storage, no reason why this couldn't continue.
- WH&S and SOP requirements could be applied with strict agreements.

Appendix 38: Meeting Minutes SLHD & MPU 13th May 2013 (TA= Dr Teresa Anderson CE SLHD, KM= Kirsten McFadden Commander MPU).

Hidden Agenda

Why is Teresa Anderson receiving the below email from a representative of Conrad Capital?

From:
Sent:
To:
Subject:

on behalf of richard mckinnon

Monday, 29 April 2013 12:53 PM

Teresa Anderson

Re: Yaralla Q and As

Dr Anderson,

SLDH isn't making the case strongly and clearly enough. (ie you are being too polite) (second ie not telling it as it is) After watching the TV clip I really wasn't sure why you were doing this.

1. It's SLHD job to manage this piece of donated property properly
2. The previous private manager ran the property down.
Too many horses were allowed to graze and live there.
They did this to make money.
We don't want this to happen again
3. The whole property must have extensive rehabilitation to fix it up.
4. The very highly respected Mounted Police Unit needs a new home
The Police will help manage the property.
5. New security is needed because of the new medical service we are opening.
But: new fences will also make good management easier. They replace key and chain.
6. The Local Community is always welcome at the property.
7. We understand some horse owners will have to find new places to keep their horses.

richard mckinnon
executive chairman, conrad capital

We believe the extreme lengths SLHD has gone to in order to remove Community Horse Owners from Yaralla all points to a hidden agenda. It doesn't make sense that they have spent so much money when they could have received the same information directly from us for free. Our presentation at our community meeting on the 29th of April covered the same issues and yet we had no visibility of what would be in the BlueVisions consultant report. We were well aware of the problems on the estate (many of them being caused by either Joe Zumbo who should never had been permitted onto the estate or the licensee who was not being performance managed) and had been trying to communicate via several avenues all to no avail.

The agisters that contacted the Health Minister have been trying to resolve problems and highlight their concerns with the current management practices- they were not the ones causing the problems they were trying to seek out solutions.

SLHD have very close affiliations with the Health Minister who is oversighting this proposal. Several issues by the tenants have occurred including cutting down of heritage listed trees; construction of infrastructure without council or SLHD approval; rubbish and neglect of the property and inappropriate care & attention to horses. It is understood this small minority of agitators have directly approached the Minister of Health on previous occasions to cause problems. This is also one of the reasons as to why SLHD wishes the lease to be provided to NSWMP as a government agency along with other community initiatives on site such as community gardens. SLHD would like to work towards a joint agency approach with a community media strategy.

Appendix 36: MPU Correspondence 23rd January 2013

Why does this paragraph need removing? Why are they afraid to say there are no plans for divestment of the property for development or for the public to be excluded from the site?

paddock will be reopened for the purpose of horse agistment.

→ please remove this paragraph from the standard

The Dame Edith Walker Estate is classified by the National Trust as one of the most significant, suburban Edwardian estates in NSW. It is a beautiful, peaceful property much valued by the District, and the Concord community. The District has no plans for divestment of the property for development or for the public to be excluded from the site.

Appendix 42: Email relating to a letter written for The Hon Melinda Pavey 15th May 2013

Why does Ron Turner need to "discuss the rest off line" What is the relationship between Deborah Flood and Ron Turner. What do they have to hide?

Debbie Flood

From: Ron Turner [i]
Sent: Tuesday, 14 May 2013 2:43 PM
To: Debbie Flood
Subject: FW: insurance anyone?
Attachments: EA insurance details .pdf

Hi,

In reference to Sandra's comments.

NSW Pony Club Insurance only covers PC activities and

My understanding is that EA cover (see notes attached) is limited to PL cover for its members only whilst participating in EA, activities competition's and the like. An escaping agistment horse is very unlikely to be covered

I think it unlikely the Health's PL will cover an agistment facility.

I should discuss the rest off line.

Additional PL cover will be a cost another to be administered post 31/05 (If available - unlikely!) .

RT

Transparency with public access changes?

SLHD continue to identify that “There will be no development on the site and public access to the site will not change”.

“The Yaralla Estate is one of Sydney’s most beautiful open spaces – and it will remain that way.”

Dr Teresa Anderson wants you to believe this, yet it took them over 3 weeks to even make a statement on this. Let us make something very clear. REMOVAL of the right, opportunity and hope for any local resident to ever own or keep or ride a horse within the Yaralla Estate paddocks is a DIRECT and SIGNIFICANT change in community use and public access!

Not only did they delay making any comment for several weeks, they FAILED to consult with the community at any time point leading up to the very important decision of removing the community access and the alternative was remove the public in favour of a government department being the MPU.

In an advert release SLHD clearly and in a quite vindictive tone make it clear to the community that they do not see that Yaralla was for the public- that it was foremost meant for health services. These statements start to identify the underlying assumptions of SLHD. It was clear in the message received - we only have to tolerate you here at Yaralla because the Walker act eludes that we need to.

ADVERTISEMENT

AN OPEN LETTER TO THE COMMUNITY FROM SYDNEY LOCAL HEALTH DISTRICT

Sydney Local Health District is concerned that there has been a scare campaign in the community regarding public access to Yaralla Estate in Concord.

We would like to dispel some of the myths

ACCESS

- There will be **no change** to public access to the foreshore walk, the grotto, the rose garden or the sunken garden.
- There will **no change** to pedestrian access to Yaralla Estate.
- There will be **no change** to public access to horses agisted on the estate. Visitors will still be able to pat the horses as they do now.
- Very ill patients with HIV-related dementia will be moved into Yaralla House soon. Signs will be erected asking the public to be respectful of those patients by remaining about 10 metres from the house itself.
- The gates near the house, which are currently locked with a padlock, will be replaced with electronic gates able to be opened remotely allowing paramedics faster access to patients living in the house - but pedestrian access **will not change**.

USE OF LAND

- Yaralla Estate was not left to the people of Concord.
- It was left to Royal Prince Alfred Hospital by Dame Eadith Walker to be used to aid in the convalescence of very ill patients.
- The Walker Trust states that the estate and its buildings should be used “for the provision of public health services for any person”.
- Yaralla Estate is first and foremost a health facility, which is why we ask you to respect the needs of our patients by remaining about 10 metres from the house.
- Yaralla Estate **will not** be sold to developers.

SITE MANAGEMENT

- Management of the horse agistment site will go to public tender – as requested by the community. A probity officer and an independent tender review panel member from the Ministry of Health will oversee the process.
- There was **no secret deal** with the NSW Mounted Police Unit. It was an intergovernmental arrangement where the mandatory requirement for tender did not apply.


Following reports that two horses were found on the helipad at Concord Hospital and a third in a neighbour's yard, and complaints from Canada Bay Council, Sydney Local Health District conducted an independent audit of the site and found:

- Fencing was not of an acceptable standard;
- Paddock condition was poor;
- Water supply was limited;
- There was evidence of rubbish in the paddocks;
- The site was severely overstocked;
- And the condition of some of the horses was questionable.

A risk assessment by a panel of industry experts then recommended all horses be removed from the site immediately to allow rectification works to be conducted.

Sydney Local Health District has a duty of care to ensure the site is safe – but we are also committed to ensuring the estate continues to be used in the way Dame Eadith intended – to aid in the convalescence of very ill patients.

The independent audit is available on the District's website at http://www.slhd.nsw.gov.au/pdfs/DEW_AgistmentReport.pdf



NSW GOVERNMENT | **Health Sydney Local Health District**

18 INNER WEST COURIER, Tuesday, June 4, 2013

Appendix 25: SLHD Advertisement Open Letter to the Community 4th June 2013

In this advert, and at the request of stakeholder at the 18.5.13 meeting (see timeline) SLHD identified that there would be several historical areas that public access would be permitted to (grotto, rose gardens, sunken garden which are all adjacent the Yaralla Mansion).

However, in a follow up article titled “Please do not Trespass” Ms Deborah Flood states that SLHD do not wish to need to fence off the Yaralla mansion and that it is the intention of SLHD to divert public access traffic away from the Yaralla house mansion and back down to

the foreshore trail. This did not align with the previous media advert identifying that public access will not change. It is only a few steps removed that one starts to imagine that the statement of Yaralla won't be developed all of a sudden due to political alliances and the performance based O'Farrell Property Asset Utilisation Taskforce (PAUT) hot on the trail, the 33 hectares of Yaralla which is no longer used by the community will enable the loopholes to be found to create a multitude of medium density development sites in Concord West. It was this task force that had considered selling part of the Yaralla estate. Nick Greiner former Chairman of NSW Infrastructure was main lead in the last attempt to remove public access to enable development. Considering it is known that PAUT is looking for property which is under utilised have they considered Yaralla as a possible property for sale or maybe even an under performing property? It is plausible that many of the actions from SLHD and associated government departments may well be linked to the plan of asset utilisation in line with Finance Minister Greg Pearce's audit that took place in February this year. This taskforce audited its multibillion-dollar property holdings in order to devise a strategy for "how best to use them". The question must be asked, is or was Yaralla a part of this audit and a part of the PAUT plan?

Read more: <http://www.smh.com.au/nsw/property-the-likely-target-of-next-asset-sale-20120206-1r1wg.html#ixzz2Zs1rKHMg>

Access has changed!

Earlier this year, a fellow horse owner was accosted by representatives and security staff of SLHD at the Yaralla estate whilst filming a university project. The horse owner had previously obtained permission from the then licensee Colin Wale as had intended to film a horse riding scene in the paddock.

The horse owner was met with an aggressive and intimidating message of, leave now or you will be fined. When the university student attempted to liaise with SLHD for what was thought to be a gross misunderstanding she was met with the first taste of the reality that SLHD had clear intentions to change or reduce public access.

The correspondence sent by the uni students identified:

"We are students from Macquarie University and we were wanting to film on Yaralla Estate for our university project. One of our team members friend has a paddock rented for his horse and we were wanting to film around the area with his horse"

The correspondence was met with a cold and business like answer that identified:

If you want to film at DEW the costs are as follows

- \$1,500 per day
- Publicity Liability Insurance of \$10,000,000.00
- A security deposit in the sum of \$5,000, by way of a bank cheque

Deborah Jenkins
Facility Planner - Property Manager
Sydney Local Health District

The message was clear! WE have been informed as a community through a very intimidating email and actual event, that we would no longer have the freedom to take our pictures, or iPhone video of our own family and friends in Yaralla. We had been instructed that any form of filming or photography incurs approval and a cost payable to the SLHD. Now does this sound like free public access to you?

The end product of the University project took an additional direction to identify the plight of saving the community horses at Yaralla as a result of their incident with SLHD.

<http://www.youtube.com/watch?v=FdLk87X6LU4>

"To Deborah Jenkins,

I'd firstly like to apologise for the confusion this morning at the paddocks, we were told that we were able to film the horse on the paddock and weren't aware that we had to go through you in order to gain permission.

We are students from Macquarie University and we were wanting to film on Yaralla Estate for our university project. One of our team members friend has a paddock rented for his horse and we were wanting to film around the area with his horse.

The project is just a small 5 minute documentary about Ed Feman following the legend of Archer. We are looking at shooting for 3 days, we have public liability insurance provided from Macquarie University which I can provide you the paperwork for. We will have the horse owner with us also to take care of the horse.

We are currently hoping to be shooting the 2/5, 3/5, 9/5, 10/5 and possibly one more day which has not been confirmed.

*If you need any more information please let me know.
Thank you.*

*Sincerely,
Ally Caracatsanis"*

"Dear Alexandra

*if you want to film at DEW the costs are as follows
- \$1,500 per day*

- Publicity Liability Insurance of \$10,000,000.00

- A security deposit in the sum of \$5,000, by way of a bank cheque.

if you are interested in proceeding, let me know so that I can forward you the Location agreement for your signature

Kind Regards

Deb J

*Deborah Jenkins
Facility Planner - Property Manager
Sydney Local Health District
Mobile:*

SLHD Implies Issues with Care of Current Yaralla Horses

Pictures are worth a thousand words

Fi Fi Aged 19

Australian National Assessment AWAH

2013- Warmblood Performance Register Mare
over 6 years

1st place- Forest Farm Fiorelli



Australian National Assessment AWAH
2013- Warmblood Performance Register

2nd place Ridden Warmblood Mare-
Wakado Sweet Chilli & 3rd place Warmblood
performance register over 6 years.



Izzy and Flaunt both placed second at
Sydney Royal Izzy and Flaunt are both
owned by Kathryn and they have both
placed second at the prestigious Sydney
Royal Easter Show competition. This
demonstrates that Yaralla horses are
provided the care and training required
to successfully competing at this elite
level.



Kathryn started out as a young child coming to pat the horses at Yaralla, another Concord child from a completely non horsie family with a dream. Eventually when Kath was old enough she bought her first pony with money she earned working at McDonalds. As is the usual cycle, some older horse owners at Yaralla took her under their wing and showed her the way. And today she is passing her knowledge on to the next generation.

Supreme Champion Hack NRC Twilight Gymkhana



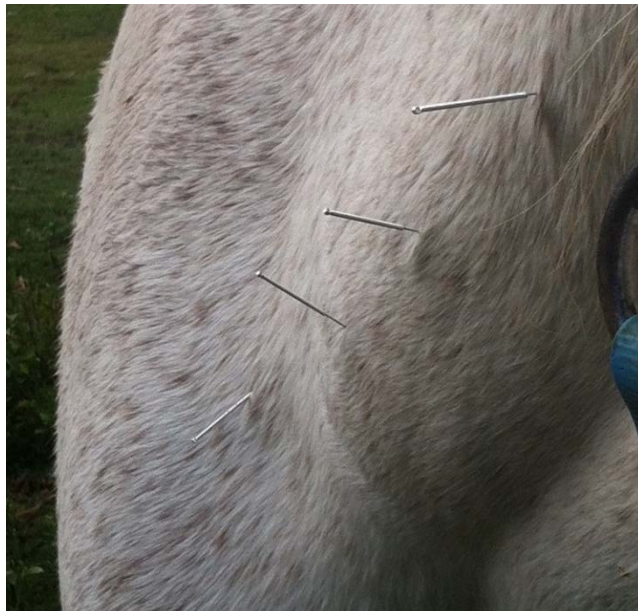
Mattia is a local Concord High School student who rode his bike each day to feed and care for his beloved horse Jack. Mattia is the first student of suburban Concord Public High School to compete in a state level Interschools equestrian carnival and he came home with a first place in dressage. The opportunity of having a horse kept on local community land, being Yaralla has taught many young people to have discipline, respect and dedication to a being other than themselves. The rural oasis of Yaralla provides a unique opportunity to develop life skills that cannot be learnt from X Box or PS3. This cycle has been repeated for many generations.



Alex also started out young and as a local visiting Yaralla. While she was at uni, studying to become a teacher, Alex taught many local students about the basics of horsemanship.



Natalie was one of her protégés and today she has developed the skills and ability to care for her horse Lucy and they are also bringing home blue ribbons.



Horses at Yaralla are have regular health checks including sessions with chiropractors. Here, Breeze is having acupuncture



Community Engagement

This is Stormy and he is a regular NSW Health Worker. Stormy is a very special pony. We are certain he was placed on this earth to connect with people who have special needs.

He often visits the local hospitals in Sydney to spend quality time with patient's in palliative care, rehabilitation and aged care psychiatry units. It is touching to see him reach out and connect with someone lying in a hospital bed who are most likely in pain and in need of some serious positive energy- This is what Stormy brings!

When Stormy isn't visiting hospitals he shared cuddle time with the local Concord kids that came by on the weekend to give him a carrot or apple treat. Stormy also helps provide sensory integration and hippotherapy to some very special children. A little girl who is vision impaired and a local boy who has autism visit regularly

It has been truly amazing to watch and experience the benefit that one little pony can have in so many peoples lives. It would be such a shame for it all to end.



Stormy's owner Bianca had resided at Yaralla for the last 7 years with her horses. She works for NSW affiliated hospitals and had been volunteering for Riding for the disabled (RDA) until such time that that crown land had been redesigned/ redeveloped and sold by the trustees Royal Rehabilitation centre to make way for a housing estate. Bianca was a member of the

steering committee that had been advocating to try and move to the Yaralla estate with the understanding that it would meld the intentions of the Walker estate act providing health services and a role for horse agistment for RDA horses. This application process that spanned between 2010- 2012 was consistently denied by SLHD with main people making the decisions to prevent RDA settling at Yaralla being Ms Deborah Flood and Dr Anderson. Perhaps the “fix” has been set in stone for many years.

The community horses at Yaralla brought immense joy to many of the community members lives.



Local residents witnesses the birth of Zeus. Zeus went on to become the local community foal and people still talk about how they enjoyed watching him grow.



This is not something city residents would normally be able to be part of without the community horses agisted at Yaralla. It was truly a spectacular and magical experience for the inner city community.

Flaunt also grew up at Yaralla, she arrived as a weanling in 2008



Our horses are so well cared for, London Olympian Modern Pentathlete, Ed Fernon trained on Nugget, a horse kept at Yaralla.



Nine News - Ed Fernon, London 2012 Modern Pentathlete
www.youtube.com

November 05, 2011: An athlete's journey to the Olympics is usually driven by one particular talent, but Ed Fernon from Sydney had a dream to compete at the G...

[Like](#) · [Comment](#) · [Share](#)

Natalie Aslan, Deborah Webb, Lucy Keough and 7 others like this.



Hannah Erken Having Edward training for the Olympic Games on my horse I agisted at Yarralla was an incredible experience for myself and my horse. Ed was training for Showjumping and obviously he had to select a horse that was a top athlete himself, professionally educated, in top condition and health. My horses are my life and I think this is a perfect example of how enthusiastic and dedicated we are at Yarralla Estate. It is quite upsetting to hear all these people say we didn't look after the place and that police horses are more important and that pleasure horses should be kicked out. We are dedicated equestrians, some of us very serious in the field and some yes, they are for pleasure and bring us the most happiest and treasured moments to our lives.
April 12 at 11:31am · [Like](#) · [8](#)

Para Olympian Hannah Dodd has also used a Yaralla horse. "Rusty" was utilised for training in Dressage prior her campaign for the Paralympics.



The all powerful “Independent Consultant” Report.

The need for a consultant report was originally identified to provide SLHD with guidance and recommendations of what “damage” needed remediation from the Mr Joe Zumbo saga. It later morphed into a report that could be wielded by SLHD to evict community horses from Yaralla.

At the Public Meeting, It was difficult for us to discuss the report on the 29th March since our GIPA request submitted many weeks prior had not been successful in providing us with a copy of the report (despite it having been available to SLHD since end of January 2013). At this time horse owners had only been given a few verbal points by SLHD representative Ms Deborah Flood, with the over arching message being that the land and fences were in bad shape, we didn’t look after or care for our horses and the points that were raised did not reflect badly on the licensee’s management of the estate over the last 17 years! (again, a concept many horse owners found flawed given the evidence).

There are many issues raised by the so “called independent consultant report” by BlueVisions management. It does identify ultimately the failings of the previous licensee in complying with the licence requirements for management of the Yaralla Paddocks and again an even larger failing of the SLHD in adhering and complying with the duty of care that has been ordained upon them as trustees of the Yaralla estate.

This exemplifies the patchy integrity that SLHD continue to display to date. How can the local community place a level of trust of their honest intentions for Yaralla once the community horse owners were removed? Who will then try to keep them honest?

Verbal summary provided by SLHD’s D. Flood. Issues reported verbally in meeting 28.3.13:

Poor condition of fencing

Weeds

Paddock quality

Water accessibility

Possible evidence of parasite or worms

This was a very different briefing to what SLHD had informed the community of in December 2012. The original stated purpose of the “consultant” report advised by Ms Deborah Flood, was to determine what damage needed to be remediated due to the actions of Mr Joe Zumbo. The message delivered was to categorically rule that current horses would need to be evicted by 31st May due to being too high of a public liability risk to stay!

SLHD never provided the Horse owners an opportunity to discuss the reports findings, despite having been promised by Ms Deborah Flood in the meeting in December that the “consultants” would liaise with horse owners. An example of justification that could have been provided to demonstrate a more balanced view of some of the practices slammed by the consultant report was that current horse owners had devised a management system for removal of horse manure which involves storing manure in a communal area to allow community members to collect it for their gardens. This prevented the public from taking a risk by entering the horse paddocks themselves to collect it therefore mitigating the risk of

potential harm. This is just one example how consultation did not occur, there was never any intention for SLHD to work with or consult with the community and horse owners. They were strategically rolling out with their grand plan of reducing free public access to the estate.

Agistment Facility “BlueVisions” Report

BlueVisions were issued briefings and documentation about SLHD need for their consultative report and it was clear that the intended audience of this report was closed and confidential.

Preparation of the report is based on site inspections, briefings and documentation issued by SLHD. The report is intended for the use and for the information of SLHD only. It should remain confidential.

Appendix 8: BlueVisions Management Report Jan 2013

Why was this initial briefing documentation omitted from being submitted in the Standing Order 52 documents? What was there to hide? We are concerned that this briefing and documentation issued by SLHD had a predetermined end goal to remove community horses and reduce public access, which blueVisions aligned their report findings to. We believe it is likely that this is the reason the documents were not produced.

The project management company BlueVisions was enlisted by SLHD to conduct assessment and provide an “independent report” about the Yaralla estate. It is known that blueVisions is a front company for AMK Holdings PTY LTD who in 2010- 2011 secretly funnelled the liberal party \$30,000 in “donations”. AMK Holdings PTY LTD is also known to engage Liberal Party lobbyist Michael Photios. The company blueVisions, is based in North Sydney and following the Liberal parties NSW State election win this project management company became a prequalified tender company listed on state government schedules. This is seen from our public lay person point of view as close to corruption that you can get without having an ICAC inquiry called. It identifies that there is the major risk that any report devised by BlueVisions (alter ego AMK Holdings PTY LTD) is unlikely to be independent as a direct conflict of interest exists between blueVisions and any liberal party government department.

There are several inaccuracies in the blueVisions reports, this builds the picture that Ron Turner and BlueVisions was 1) did not possess adequate experience and knowledge within horse agistment, land management and equine portfolios 2) was writing the “independent” report according to a briefing provided to achieve SLHD’s end goal (to rid Yaralla of the community horses and reduce public access) 3) was clearly way out of professional depth as failed to even conduct and reference appropriate guidelines/ research to back up their poorly linked claims.

Correspondence obtained via standing order 52 also identifies that Ron Turner seemed to be working and representing BlueVisions management, but would send/ receive

From:	Ron Turner [
Sent:	Tuesday, 14 May 2013 2:43 PM
To:	Debbie Flood
Subject:	FW: insurance anyone ?
Attachments:	EA insurance details .pdf

correspondence regarding Yaralla from his alternate employer City of Sydney Council contact email.

Several of the inaccuracies reported will be reviewed in more detail.

- 1) The blueVisions report makes mention of the fact that the current Licensee does not care for stock and therefore has defaulted on the licence.

The current lessee operates, or rather has defaulted, to a sub-lease arrangement of individual paddocks to horse owners. This arrangement is contrary to the conditions of the 1996 licence. The licence provides for agistment of horses only. Agistment means that stock are taken onto the property and the agistor, in exchange for payment, agrees to take reasonable care of the stock. Under the current arrangement, the Licensee operates by providing the paddock space for a fee, but does not care for stock. While the difference between the two arrangements may appear only slight, it is the absence of a single person in control with sole responsibility for reasonable care of the stock and the property which has caused many of the issues outlined below.

Appendix 8: BlueVisions Management Report Jan 2013

Way back in 1987, under the then usual verbal arrangements that the hospital made, Colin took over the paddocks. The verbal instruction at the time was not to change anything. Just fix things as necessary and keep things as they are. No erecting structures of any kind etc. Colin only had to sign a letter agreeing for the Pay Office to deduct the monthly sum from his pay.

Appendix 1: Email from Sandra Wale to Deborah Flood 13/05/13

Yet the licence signed in 1996 by the previous licensee clearly demonstrates that there was a request granted to carry out agistment. Given that the current sub-leasing arrangements commenced many years prior to the signing of this licence agreement, the conclusion must be drawn that SLHD were aware and were in agreement with this practice.

B. The Licensor has, at the request of the Licensee, agreed to grant to the Licensee the right to use part of the land referred to in Recital A for agistment purposes.

Appendix 5: Licence document CSAHS, 1996

This documentation further suggests that community horse owners are being used as a scapegoat by SLHD and blueVisions to justify the "necessary" removal of horses and

reduced public access due to their systematic failings. We are painted as a group of people who pose excessive risk to them as government organisations- and this is likely due to the planned and future use of Yaralla not being aligned with free public access. They have done this as they had not anticipated the public back lash that they received at their attempts of preventing public access to the Yaralla estate. By fabricating a "Risk" scenario they linked their case of needing to remove/ reduce public access cause into OH & S methodology.

2) The BlueVisions report blames the current condition of the paddocks on the horse owners which is completely incorrect. They also seem to harp on the ability to raise increased revenue raising aspect.

The arrangement between horse owners and the previous licensee was that owners cared for their horses and all grounds maintenance was carried out by the licensee. The licensee was responsible for fencing and pasture management.

In allowing an option for self-care and at the same time handing greater control to the owners, it has resulted in the paddocks being managed to an unacceptable standard, as evidenced by the current condition. A commercial operator would not allow self-care because it simply would not provide sufficient return to provide for suitable care of stock and grounds.

Appendix 8: BlueVisions Management Report Jan 2013

The assumption that horse owners were not taking care of the land has caused slanderous aspersion to be made towards our characters which we believe led to our unfair eviction. At no time did SLHD communicate directly with us to discuss the situation and make a real effort to determine the truth.

3) The BlueVisions report makes the assumption that horse owners are responsible for illegal dumping of "fill" in the paddocks.

Evidence of illegal tipping of rubbish, mulch and uncertified fill was found at the time of the first inspection and further tipping in a subsequent site visit on 18 January '13. Mulch and fill have been tipped on both sides of the private road fences. Each paddock is secured by a locked gate and controlled by the subtenants. It would be reasonable to assume that those responsible for illegal tipping inside the paddock area are known to anyone with access to the paddock gate keys.

Appendix 8: BlueVisions Management Report Jan 2013

Again this is incorrect. The fill and mulch was placed there by the licensee or members of his family as shown in the below photograph. SLHD property manager (Deborah Jenkins) was informed via a telephone call by Bianca Kinnear (resident and horse owner) that Mr Colin Wale and his grandson had been dumping fill over a period of weeks and then flattening it out with a bobcat earth mover. The particular paddock that received the dumped material had recently had the key lock changed due to Mr Joe Zumbo having recently been expelled from the property. Only 3 keys were provided to this gate and one was with the licensee. The other 2 keys were provided to 2 horse owners that kept their horses in this area 1. Shane

Power and 2. Bianca Kinnear. The photo on page 7 that demonstrates the truck travelling into the paddock to dump fill was taken by Bianca Kinnear.

At no time did Shane Power or Bianca Kinnear allow any vehicle to the paddock. No action was taken by SLHD, however Mr Wale had been informed by Ms Deborah Flood that “complaints” had been made.

Bianca,
Thank you for letting us know of this. We did not have anyone on site over the weekend. I will be having consultant over the coming weeks on site looking at the paddocks and the fencing, however I will endeavour to let you know if I have enough notice, otherwise they will be carrying a copy of the attached letter with my signature.

You absolutely did the right thing in refusing him entrance. If it happens in future please refer anyone who is unannounced or not carrying the letter back to me.

Appendix 39: Email between Bianca Kinnear and Debbie Flood 29th April 2013



Example of the Mulch dumped.

4) Another assumption is that horse owners allow their horses to graze on the out of control fireweed.

The entire property is infested with a significant amount of Fireweed. Fireweed (*Senecio Madagascariensis*) is a serious pasture weed found in coastal New South Wales (NSW).

Consuming Fireweed is extremely detrimental to horses. Horses will generally only eat this weed in the absence of alternative feed, as is the case at this facility.

This picture demonstrates that the absence of fireweed is not due to the horses having consumed it as they would have you to believe, but it shows clearly that on one side of the fence a horse owner hand weeded their paddock and on the other side the licensee or the owner did not

This is another example of the character of horse owners being called in to disrepute. The aspersions cast by BlueVisions are again incorrect. Many horse owners have for many years

Poor standard of Fence separates paddocks. Note the absence of fireweed in the paddock that has the least grass cover.



hand pulled every last fireweed plant from their paddocks. Because there is such a prolific seed bank after being neglected for many years by the licensee this is an ongoing labour of love.

We can't see that the mounted police are going to have the resources to cope with this job. And even if they do, it will be at the expense of tax payers. We're also not happy about blanket weed spraying due to the close proximity to the Remanent Turpentine Forest and issues caused to native flora and fauna from pesticide run off into the mangroves and Parramatta river.

5) All paddocks at Yaralla have access to shade trees and there exists many boundary tree lines that provide wind barriers and additional shade. There are no shelters as we were never allowed to install any. As a result, horse owner's rug according to the weather conditions and horses have several types for each weather variation.

Care of Stock

Three simple standards apply in defining a reasonable standard of care of horses. They are to provide shelter, feed, clean water and a secure safe enclosure. The current facility is stocked and fenced in such a way that many of the horses cannot access shade or protection from the elements.

Appendix 8: BlueVisions Management Report Jan 2013

6) The below statement implies that horses at Yaralla are not hosed down after exercise, and therefore an activity essential for the animal's well-being is not being carried out. Yet another false and misleading statement aimed at brain washing those with no horse experience in to thinking that we need to go because we are not caring for our horses or the land and are therefore not worthy of staying at Yaralla.

Washing down and sponging of a horse is not only a normal occurrence after exercise or riding, it is essential for the animal's well-being. The absence of a suitable facility for washing should be addressed as a matter of safety. A simple small hardstand, drain and tie-up rail is all that is required. It could be provided cheaply and greatly reduce the risk of injury to either horse or handler during wash down. Any future operator would require a wash bay.

Appendix 8: BlueVisions Management Report Jan 2013

There are 3 wash areas that have been actively used by horse owners at Yaralla for many years to effectively hose down our horses and even shampoo them ready for their shows. The statements made here are again, incorrect and accusatory in nature from BlueVisions management.



6) Over stocking- Horse owners had no knowledge of the maximum number of horses. The number of horses allowed on the property was determined by the licensee (and the licensee was chosen by SLHD).

The paddock has poor grass cover because the licensee chose to over graze by consistently having too many horses on the property. A situation the horse owners had no control over. The pictures from the report were taken in a period of unusually low rain fall in Sydney after a heatwave of 40+ temperatures. Even if horse owner's and their horses voluntarily left, other horses would replace them within a very short period of time. In some situations horse owners paid for spots without actually putting a horse in that spot to try and keep the head

count down and grazing ratio better for paddock management. The licensee then chose to add horses to other areas of the property. So in other words was receiving two lots of money for one horse

The current number (33) of agisted horses is not only in excess of the allowable limit set out in the licence, it is also significantly more than the land is capable of carrying in its current condition. The 1996 licence sets the maximum number at 28. The licence then notes that the grounds are to be maintained with fertilization, pasture improvement and rectification. This is a sensible clause however the benefit is lost when it states that this is to occur when requested by the Licensor. Had the pastures been maintained as intended, it is likely the grounds could have supported 28 horses. The current drought conditions have also contributed, that said, de-stocking should have occurred some time ago to prevent the deterioration to the current state. Twenty eight was the maximum, not a mandatory minimum stock level.

The Licensee is to maintain the pastures on the Land in a fair and reasonable condition and must comply with any reasonable request of the Licensor for the application of fertiliser or for pasture rectification or any ongoing pasture improvement program. In making such a request, the Licensor will make reference to the relevant agronomist at the Rural Lands Protection Board (currently being the Moss Vale District).

Appendix 8: BlueVisions Management Report Jan 2013

Appendix 5: Licence document CSAHS, 1996

The licence of 1996 alluded that SLHD would be monitoring the condition of the paddocks and may request for fertilisation or pasture rectification or management programs- why was this not actioned on? Why did the licensor SLHD fail in their responsibilities and not comply with the licence?

This isn't fireweed. It's Lantana. You wouldn't find any fireweed in this paddock. One of the horse owners from this paddock is 100% diligent in pulling it out at seedling stage. The Lantana is a problem but doesn't spread anywhere near as much as Fireweed and is also easily hand removed during the wet season.

Fireweed is evident in most paddocks



Yaralla horse owners: a scapegoat for poor management

Despite receiving a revenue of \$6000 a month, the licensee was unable to replace a top rail at an approximate raw material cost of \$25.

SLHD and BlueVisions have repeatedly laid blame and pointed the finger at horse owners in their report for “neglecting” the Yaralla property. The following pictures is evidence used by BlueVisions “independent” report to try and demonstrate that generally horse owners at Yaralla have been contributing to the “poor” state of the estate due to rubbish, manure and earthworks that have been completed by a group of self managed agisters that have been provided to much control. This is absolutely incorrect and defaming in nature towards a majority of horse owners who always tried to do the right thing by Yaralla. All of these photos and a large proportion of negative aspect pictures taken and presented in the blueVisions report occurred because of one person Mr Joe Zumbo. He was permitted by the previous licensee to keep harness racehorses in the western section of Yaralla which was outside the agistment boundary and licensed area. SLHD and the prior licensee knew for well what Mr Zumbo was doing and what issues he was causing but chose to react slowly and then tried to incorrectly pin the blame on the horse owners of Yaralla. They completed this in a very public campaign using media releases and newspaper stories, using these as their examples for being justified in removing the community horses.

Inadequate and poorly execute repairs fence repairs



Media Release

19 April, 2013



An independent audit of the site found the land and **fencing to be in such a poor condition** that the safety of the public, and horses agisted on the site, was at risk. Requests by the District to remedy these breaches were not addressed.

It is part of the lease agreement that the site be maintained to an acceptable standard to ensure the horses and land are cared for appropriately.

Rectification works on the land are expected to take three months and it would not be possible to complete this work safely with horses on site.

The decision to cancel the previous tenant's lease was taken after Sydney Local Health District received complaints regarding the care of horses on the estate, including complaints that two horses were found on the helipad at Concord Hospital and another in a resident's backyard, posing a serious risk.

Manure and rubbish left in paddocks



Recently installed access to the trotting track has caused erosion, allowing water run off into the river. Extensive amounts of rubbish has been thrown behind fencing



This area was excavated by Mr Joe Zumbo. He brought to the property his own excavation equipment from his locally owned business Joe and Sons. The licensee was actually observed assisting Mr Zumbo with moving some of this dirt with his machinery. It was only the complaints of Bush Care Coordinator from Canada Bay Council that commenced a

chain of events that eventually led to Mr Joe Zumbo leaving the property. These events lead the licensee and SLHD into court and further details and arrangements were settled outside of a court ruling (and in confidence). Joe Zumbo left on 7th January 2013- however SLHD continued to attempt to use the remaining horse owners as scapegoats for their and the licensee's systematic failings of managing Yaralla sustainably and appropriately.

Clean-up or fence repairs?



DIY

Due to the systemic failings of a management approach by the Licensee and SLHD horse agisters and owners have had no other choice but to enlist a DIY approach to paddock management. This has been without support of the SLHD and without funds.

Tasks that many horse owners were required to complete due to licensee failings include:

- Weed removal by hand pulling or timely slashing
- Urgent fence repairs
- Manure spreading and management

Before/ After weeding and fence repairs



Before



After repairing/painting



Slashing of paddocks



Before



After fence repairs completed by K. Hall and B. Kinnear



Before



After weeding by K.Hall



Attitude Toward Horse Owners

In the below email the community meeting organised by the horse owners is being referred to as a "feral" meeting. The Hon Ron Phillips replies but doesn't see fit to pull Kate up on her unprofessional attitude.

Hi Kate,

I'm happy with the media statement.

Ron

The Hon Ron Phillips
Chairman of the Board
Sydney Local Health District
(m) [redacted]
(e) [redacted]

On 30/04/13 1:24 PM, "Kate Benson" <[redacted]> wrote:

Hi Ron,

Have attached a statement we'd like to issue following last night's (feral) meeting. Teresa and Deb Flood are ok with it, but they wanted me to pass it by you.

Many thanks,

Kate.

Appendix 41: Email from Kate Benson to Ron Phillips 30th April 2013

The blueVisions "independent" report was also very scathing towards it's opinion of horse owners and there have been numerous examples discussed where by Ron Turner from blueVisions has used inaccurate information in order to frame the horse owners as being people who have misused Yaralla, caused trouble and not provided appropriate care to our horses.

If you were to take on face value the opinions of blueVisions, the MPU, and SLHD community horse owners would be pigeon holed as nothing more than a feral, nimby lazy cohort. This is unfair and extremely hurtful.

Proposed Plan for the Future

Ménage à trois?- SLHD/ BlueVisions/ NSWMPU

From reading the BlueVisions report, it is clear that it was written with the end goal of demonstrating that Yaralla and its future management was “best” suited to accommodate the MPU.

Very few non profit operations could provide the high level of supervision and management skill to operate such a large site in a built up city area. The exception is the NSW Mounted Police Unit.

The report also placed significant emphasis on looking at ways to save money by spending as little as possible to bring Yaralla paddocks back up to “standard” but also reiterated many factors to why Yaralla would not be seen as a lucrative or enticing tender option for other prospective tenants which again- plays into the opinion that it should be provided to the MPU.

To save costs, the remaining boundary fences could also be fenced in a similar way to the southern boundary, although most operators would have a strong preference for traditional post and rail fencing. This fencing could be lower than the southern boundary, but because of its type, it should not be so low that a horse can get its head over. Approximately 2.1m in height above ground would suffice.

The private driveway fencing should be replaced with a new post and three rail arrangement. This is consistent with the current arrangement and is the safest and most secure type for equestrian use. Painting this fence white will provide good visual barriers for occupants on both sides of the fence. The existing fence is slightly too low at between 1200-1300mm, a new fence should be between 1350-1500mm. The same hot wire configuration would be required, although most importantly, the top section should be protected to avoid damage from horses chewing on the top rail. Warning signage and

Appendix 8: BlueVisions Management Report Jan 2013

2.1 metre “chain wire” as the majority type of fencing similar to what boundary fencing was in place along Nullawarra Ave. This is what BlueVisions recommends- this is not at all conducive in allowing community members experience looking or possibly patting a horse over the fence but much more aligned with keeping Police horse in and safe and the public out without any interaction between civilian people and police horses.

The following identifies again, how BlueVisions continues in their report to create the picture

DEWE has several current shortcomings that would deter prospective tenants. These are:

- A lack of stabling. Those willing to pay a premium for high level agistment will require stabling. Stabling also allows paddocks to recover overnight and therefore is a significant factor in establishing maximum stock levels. Paddock only agistment would not provide the return necessary to support suitable resourcing and maintenance ;
- A lack of suitable riding facilities. An arena is a good way to provide a safe area for riding and much easier to implement safety controls and procedures. An arena also allows the Licensee the opportunity to provide coaching services, thus increasing the return and at the same time improving the standards of safety;
- There is little by way of suitable storage for feed and bedding. This is essential in controlling vermin and management of correct feed levels for horses. Inadequate feed storage has the potential to cause infestation of vermin, loss of expensive feeds and profit and deter prospective tenants and operators;

that there is limited possibilities of finding a suitable private or not- for profit operator without SLHD investing substantially in upgrades- however SLHD was content for at least the last 3 decades to look over the fact that community members that have paid to use the paddocks of Yaralla were never afforded such facilities before.

In the absence of these facilities, the operation would most likely return to a paddock only facility. It would not attract better and more experienced operators and may ultimately return to a similar outcome to that of the current situation.

Appendix 8: BlueVisions Management Report Jan 2013

It was interesting to learn that blueVisions management appears only to suggest that remediation works should only be completed *after* a suitable “operator is selected and the “return” confirmed. SLHD announced that remediation was going to be funded to the tune of \$500,000 back in early meetings with horse owners in March 2013- the fix of giving Yaralla to the MPU was assumingly in place at this point in time for SLHD to identify a commitment to complete works in line with their BlueVisions management recommendations.

This contradicts somewhat what the role of SLHD should be as Trustees of the Yaralla Estate- despite SLHD failing to uphold appropriate duty of care and maintenance on the Yaralla paddocks for many years, it seems that SLHD have been advised, do not spend money unless you can make money. Well where did all the money go? Surely if the Licensee was paying a minimum of \$1500 per month over the 17 year licence this equates to \$306,000. Where and how was this re- invested back into the Yaralla paddocks over the last 17 years? One would assume that an asset managed by SLHD trustees would secure any revenue made from rent/ licences of Yaralla into a special trust account so that it could be spent back on the estate in the future- or did the “revenue” get misdirected back into general accounts of local health district and used to prop up the ever dwindling public healthcare dollar?

Why are we being told that the \$500,000 budget is to rehabilitate the paddocks when in fact this funding is for the Foreshore Upgrade?

South Wales Government's record investment in medical research, the Hon. Jillian Skinner announced \$10 million worth of funding to various departments within Concord hospital. The Concord hospital research institute received \$1.2 million. The new dialysis unit at Concord hospital received \$1.6 million. A program to assist people with asbestos-related illness received \$3.5 million. The AIDS Dementia Clinic at Dame Edith Walker Estate received \$3.2 million and the Concord hospital foreshore walk received \$500,000. This funding is vital for the hospital and sets the foundation for significant advancements in medical research, which, in turn, will provide improvements in patient care.

[https://www.parliament.nsw.gov.au/prod/parlment/hanstrans.nsf/V3ByKey/LA20120904/\\$File/551LA106%20\[040912\].pdf](https://www.parliament.nsw.gov.au/prod/parlment/hanstrans.nsf/V3ByKey/LA20120904/$File/551LA106%20[040912].pdf)

Significant maintenance costs such as pasture improvement, painting of fences etc could be included in the ground rental and those costs returned at the end of the financial year, subject to receiving prior approval of works, evidencing actual costs and the like. A "use it or lose it approach" would encourage self-management of maintenance by those best to implement it and ensure that it is actively managed. The amount should be capped at say \$5,000 per annum.

It is recommended to undertake a cost benefit analysis, and if it is found to be a viable tender, a licence for the facility be offered to a suitably qualified operator which will include the above improvements. The above works should be completed only after a suitable operator is selected and the return is confirmed.

Appendix 8: BlueVisions Management Report Jan 2013

So again, blueVisions identifies and spells out what the end goal and fixed plan is in their report. The Yaralla estate would be best suited to be provided to the MPU- any health executive/ beurocrats that knows nothing about horses or horse related activities would have taken this message as level 1A evidence and acted in great hast fabricating tightly sewn plans to evict the community horses to make way for the "safe, healthy and well looked after" governments ones. BlueVisions pitched the MPU as a win/ win option for SLHD- however it is clear that this was the intention from the start.

The BlueVisions management consultant report that was supposed to incorporate reviewing the “condition” of the property and recommending what remediation was required post legal proceedings with Joe Zumbo and make comment on future *options* for future management. What this report did was peg hole and try to brain wash readers into believing that the only option was to have it provided to the MPU for their exclusive use.

NSWMP would not require as much fencing as a commercial operation resulting in considerable cost savings to SLHD
The traffic movements would be significantly lower than a comparable commercial operation
NSWMP are highly capable and experienced operators of agistment and stable facilities;
NSWMP have well-established community engagement and communications that includes supervised public open days, site visits and the like that could be made available at DEWE;
NSWMP are capable, well equipped and willing to take over the regular maintenance of the pastures fences and the like;
Animal welfare is a very high priority;

Appendix 8: BlueVisions Management Report Jan 2013

How did Ron Turner in December/ January (when this report was supposedly written and commissioned) know explicitly to write that the NSWMPU were capable and *willing* to take over the regular maintenance? Dr Anderson led the public to believe that an agreement was only discussed and signed with the MPU in April 2013 some 3- 4 months later. This is again evidence that the report written by BlueVisions had a predetermined goal of facilitating an easy takeover of Yaralla paddocks by the MPU- This is far from an independent report.

SLHD proposed upgrades aligning with MPU needs

Community Horse Owners are concerned that the tender process is not going to be a fair and independent process based on the documentation between the involved parties we have seen so far. For example the “Independent experts” suggesting their scores can be altered as needed doesn’t leave us with a confident feeling that we will be treated fairly. Additionally, the independent probity officer appointed to oversee the tender process is supposed to lull the public to think that the process will be fair, however the probity officer is from NSW Health and will have no doubt received briefing on the intended intergovernmental outcome.

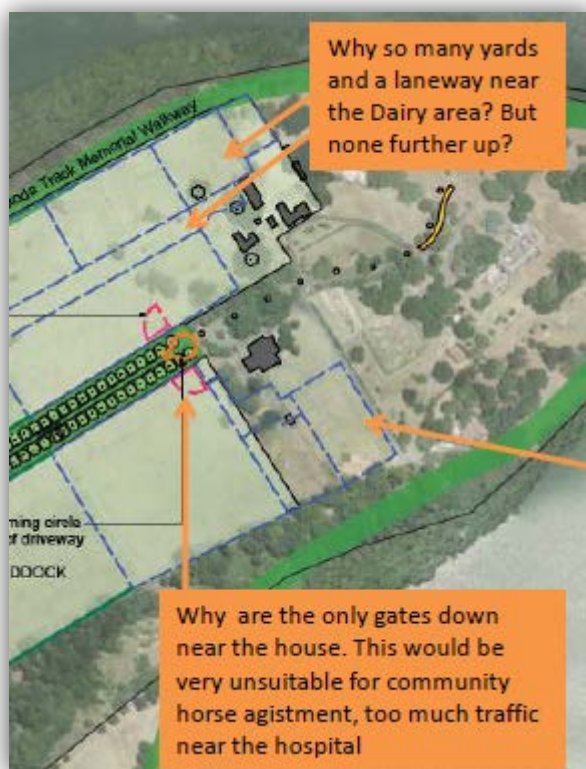
Another concern is that the Yaralla upgrade plans released on the 4th of June are only going to be suitable for the Mounted Police Unit.

The yards and gateway access points are all positioned right near the new HIV/Dementia unit. If the community horses were to come back these plans would be completely unsuitable. The fact that the plans have been released as is indicates that there will be a pre-determined outcome to the tender process.

The proposed one way in and out/ boom gate- why would you design it in this way if it was possible for community members/ horses to come back. This design aligns itself with potential problems of public people visiting the horses or tending to the care of horse via one access point with a boom gate which is supposed to be restricted access area. However, if this is in fact what is installed it will remain to be a restricted access area behind the boom gate and aligns itself well with keeping public and normal people out of a health and police only jurisdiction area.- IT IS DESIGNED FOR POLICE NOT ANY OTHER OPERATOR.

Small yards of 15 in number- uses up only 1/3 of space available for horse agistment which therefore increases the per head count horses grazing on a smaller area which potentially worsens the “supposed” over grazing theory. These yards are designed with a central laneway that can only be accessed by the boom gate entry- again this aligns itself with being used by a unit like the MPU.

Shelters in each of the yards- this was never afforded to community horses prior; however there would be greater justification and worth given to “Police horses” to substantiate why these shelters are needed.



Appendix 44: Yaralla Upgrade Plans with Horse Owner Questions June 2013

Aligning the yards in a concentrated way down near and around one of the residences of Yaralla doesn't make sense if this property was to again be rented out and the paddocks ever used by community horse owners- it does not make sense to have such a high concentration of activity and people in this area as it may disrupt the privacy of anyone that lived in this dwelling. However- it is likely that the intention is that the proposed upgrades have been purposefully designed for the NSW MPU needs. With having close access and proximity to the house, dairy building and other structures it would allow the NSW MPU to have their personnel have the required space and resources for day to day workings of the unit.

Previous media releases by SLHD and licence/ heads of agreement between SLHD and MPU (obtained via standing order 52) identified clear intention that the MPU would have exclusive use of these areas and buildings. Since the termination of the MPU head of agreement with SLHD however- the environmental upgrades plan has not changed to reflect the possibility of having community horses return under a different and successful tender obtained operator. It is still unfairly weighted towards the NSW MPU being identified and chosen as the best fit and most likely tender winner for the Yaralla paddocks- The Fix is still in.

We also have some other concerns regardless of who ends up at Yaralla.

- Why is the area known as the ornamental lawn being turned in to a paddock
- The proposed fencing pictured in the plans looks nothing like the current heritage white timber fence
- Paddock boundaries are being removed. Is it okay to remove such large areas of the white timber fence?
- Why does the legend not change for the Nullawarra Rd boundary vs the internal driveway fence? Is 2/3 of the driveway going to be fenced in chain wire?

Summary

To date SLHD have demonstrated a lack of due diligence with following protocol and with the appropriate management/oversight of the Yaralla Estate to which they have been ordained as Trustees of this land since 1938. On review of the actions and reactions, it appears that SLHD has some insight into their short comings. Rather than acknowledging the errors made and moving forward with the community towards a sustainable solution SLHD has enlisted it's networks and alliances within the liberal parties health and policing departments and colluded with the likes of commercial partnerships with BlueVisions management and Conrad capital to attempt to hinge the blame on the community horse owners of Yaralla. The Public and we can see through the web of lies. We have been unfairly treated and unfairly evicted from a place that our horses have called home for up to 20 years. We did not have a free ride, horse owners at Yaralla have paid close to a million dollars in revenue towards the privilege of keeping a horse on the Yaralla estate crown land, and have invested many more dollars, blood sweat and tears trying to prop up and save the slow yet consistent deterioration of the estate that has only stemmed from mismanagement and neglect by the previous licensee and trustees SLHD. It seems that the NSW MPU were unknowingly used as pawns or a smoke screen by SLHD. We do not deny that the NSW

MPU complete a worthy and important role for the public of NSW, however do not agree with the way that NSW MPU has been enlisted into the saga that has been EVICT COMMUNITY HORSES from Yaralla in preference for government horses.

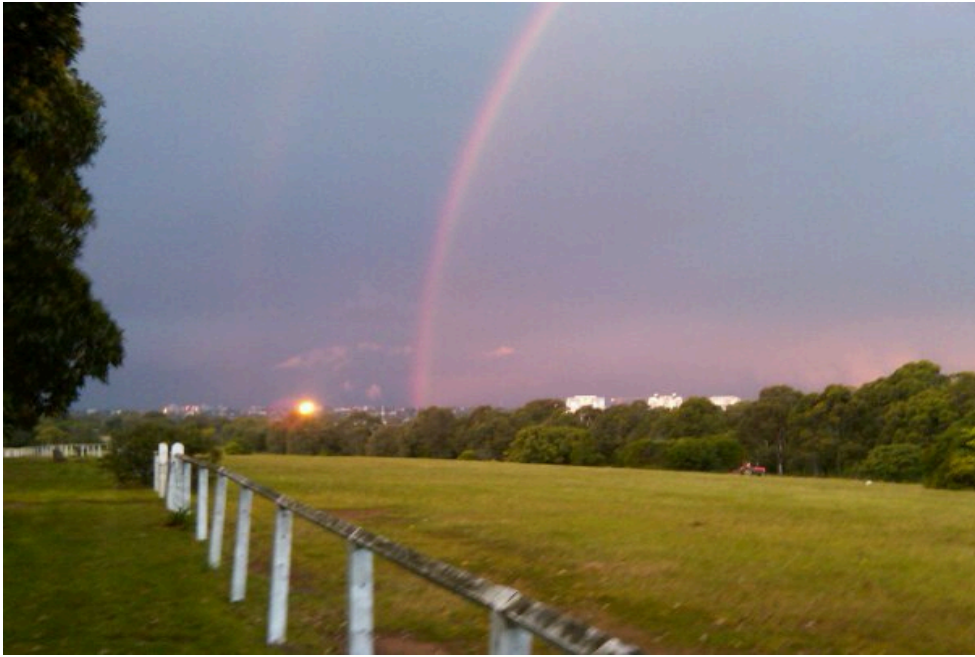
SLHD and its bureaucrats have turned a blind eye for too long to the neglect of Yaralla. History and we believe current evidence depicts that Deborah Flood as Director of Capital works and contracts has poorly managed the previous licensee performance and was looking for a quick fix in the MPU to make the need to liaise with community member using Yaralla a distant memory of the past.

Horse owners and agisters of Yaralla have been discredited and defamed by SLHD, the previous licensee, NSW MPU and BlueVisions. These groups would lead the public and the government to believe that we have caused the issues at Yaralla. Hopefully from this submission the other side of the coin can be viewed and our story heard and reflected on for how we must approach moving forward into the future agistment of horses at Yaralla with honesty and integrity.

Moving Forward

We believe that it is only fair and just that the Yaralla estate continues to be used by the community for horse agistment in the future. Any open tender process that occurs needs to have the appropriate checks and balances in place to ensure that the process is truly fair, unbiased, equitable and transparent. We would like to think that future operators of the agistment privileges at Yaralla, run it in a way that the former glory of the estate is returned, but that it is done in a way to allow ordinary people to one day own and experience having a horse at Yaralla. We do not want Yaralla to become another Centennial stables complex. It should maintain the beauty of the open paddocks, grassy fields and one day again have the sounds and smells of our community horses within the Dame Eadith Walker gates.

Considering the turmoil and loss that the most recent community horse owners have endured, it would be reasonable to think that if an alternate operator took over that was not the MPU that some kind of preferential listing may be provided to return some of the original horse of Yaralla as a first round offer. It would also be worthwhile to see how partnerships with local council may also foster a better management and sustainable plan for the longer term community use of Yaralla.



Appendix