

STANDING COMMITTEE ON PUBLIC ADMINISTRATION

**RECREATION ACTIVITIES WITHIN PUBLIC DRINKING WATER
SOURCE AREAS**

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
WEDNESDAY, 31 MARCH 2010**

Members

**Hon Max Trenorden (Chairman)
Hon Jon Ford (Deputy Chairman)
Hon Ken Baston
Hon Jim Chown
Hon Ed Dermer**

Hearing commenced at 10.10 am**PRETZEL, MR STEVE****President, Recreational Trailbike Riders Association WA,
sworn and examined:****GILL, MR RICHARD****Executive Director, Motorcycling Western Australia,
sworn and examined:**

The CHAIRMAN: Welcome, gentlemen. There is a process I need to go through, and then we will start talking to you about the inquiry. On behalf of the committee I welcome you to this hearing. Before we begin, I ask you to take either an oath or affirmation.

[Witnesses took the affirmation.]

The CHAIRMAN: Have you signed the document titled “Information for Witnesses” and understood it?

Mr Pretzel: I understood and signed that document.

Mr Gill: Yes.

The CHAIRMAN: You have seen the “Information for Witnesses” and signed understood it?

Mr Gill: Seen, understood and signed.

Mr Pretzel: Yes.

The CHAIRMAN: These proceedings will be recorded by Hansard. Your transcript of evidence will be provided after today’s event. If you quote from any documents—you have supplied some documents—would you mind at the time giving a title to the document so that Hansard can source the information, and just be aware of your microphones because sometimes that is a bit of a problem. I remind you that your transcript will become a matter of public record. For some reason, if you wish to make a confidential statement at today’s hearing you can request that the evidence be taken in closed session. I guess that is not likely to happen, but that is an option for you, and it is up to us to grant that request. Please note that until such time as your transcripts are made public and the evidence finalised, it should not be made public. There is a process that the Parliament needs to go through, which is attached to privilege. Your evidence will become privileged, therefore you cannot be sued over the information you give and you cannot be threatened over the evidence you give to the committee, otherwise the Parliament will get pretty dark about that.

We can get into the inquiry now. It is a pretty important inquiry and we are pleased for your submission and are happy to give you the time. It might help us if each of you would give an overview before we start, if you want to do that.

Mr Pretzel: The Recreational Trailbike Riders’ Association represents the interests of all of those trail bike and quad bike riders who prefer to ride recreationally, that is, outside organised competition. We estimate that there are some 50 000 trail bikes being ridden in Western Australia. We understand that a number of issues need to be resolved about the riding of trail bikes, and as such the RTRA has been instrumental in initiating the state trail bike strategy, which will shortly come forward for parliamentary consideration. Our view in relation to water catchment is that we are not advocating a free-for-all access to water catchment areas, but we are suggesting that the current approach, which is based on excluding motorised recreation from drinking water source

protection areas, is not working. There are more effective ways of managing the water catchments for the quality of water and maximising the recreational utilisation of those. Mitigating the risks and managing the risks, rather than seeking to avoid them is the approach that we are recommending be taken.

As I mentioned, we estimate there are 50 000 trail bike riders, and the research shows it has been growing and is continuing to grow as a popular activity. It has been recently recognised in the Western Australian state trail strategy as a legitimate recreational pursuit. It requires large tracts of land, particularly for destination-type riding. It needs to be well away from residential areas and it needs a mix of topography, environmental aesthetics and proximity to population centres so that it is not too far to get to, and surface durability. Some of the best conditions for trail bike riding are found in the Perth hills. We believe that compared to water-based activities, trail bikes represent a low-impact potential to water quality and they also represent a low impact when compared with other activities, such as agriculture, forestry, mining and urban development. Importantly, we think that trail bike riding needs to be separated from four-wheel driving as a recreational activity. All too often, four-wheel drives and trail bikes are lumped into one group. We think that the impacts are different and they need to be treated separately.

The current policy and by-laws are quite broad. They are often difficult to interpret for riders, and they preclude many of the planning and management opportunities that we think may deliver a better result for the water quality. The current policy imposes significant, and we believe excessive, constraints on where trail bike activity can occur. That is placing additional burdens on local councils, local government authorities and residents, because if people are not allowed to ride in the Perth hills and they are looking for other places to ride, then logically they might ride in places that are even less desirable from a social and environmental point of view.

Ultimately, we think that the impacts can be managed, but proactive planning, devising authorised routes within water catchments and a program of education and limited but managed access is going to deliver a better result for water quality and for the recreational activities of trail bike riders than is the current system.

The CHAIRMAN: We will explore those issues in a few minutes. Mr Gill, would you like to do something similar?

Mr Gill: I will give a little bit of background about motorcycling in Western Australia and me, just to start off. We have put some of this stuff in front of you anyway. We are the controlling body for motorcycle sport in Western Australia and we are recognised by the Department of Sport and Recreation as the state sporting association responsible for that sport. The sport of motorcycling encompasses five different sports, aside from those off-road type sports, including road racing, speedway, motor trials, enduro and supermoto. We have 35 clubs affiliated to us and some 4 000 licensed active participants in the sport, and probably another 5 000 volunteers that help us run the sport. Particularly in this submission we will be concentrating on the organised aspect of access to catchments. Steve will go into a lot of detail about trail riding. Although our association caters for trail riding, we cater more for the organised aspect of trail riding rather than on the going out for a ride and ad hoc at your leisure type of trail riding. We are more about the structure of the sport and the recreation of motorcycling. Enduro is the sport that is most affected by catchments and closures. Related to that is organised trail rides, which a little like enduro—I will not go into the details as that is in the submission. In our submission we have made note that the organised events have suffered under the current management policies of the Water Corp, which is a bit ironic because they are the sort of activities that can be controlled. We have rules and we work very closely with land managers, and the participants stick to a strict set of rules, so the effects are managed. As opposed to the current regime, where nothing is allowed in there, the reality is that the catchments are well used by trail riders, horse riders—you name it. You only have to drive up Brookton Highway or Albany Highway to see for yourself the well-used tracks that go in there. Our approach

is very similar to what Steve has outlined. We believe a regime of management and management plans that are developed in consultation with all the groups, including the Water Corp, DEC, the other stakeholders and local government will improve what we currently have. In my submission, I make no bones about it. I think the Water Corp has done a really good job so far, but I believe it is despite the current policy, not because of it.

The CHAIRMAN: Clearly, the matters you both spoke about are matters for this committee, so we will talk about that. I will ask a question out of the blue. It would seem from reading these submissions that water itself is not an issue. You are not saying that you do not want to race around close to the water or to view water, it is more about access to land; is that correct?

Mr Gill: The water catchments are very large areas around the state, as you are well aware.

The CHAIRMAN: You are not arguing that you need to be right up against the water?

Mr Gill: We are saying that a management plan should be developed for each catchment, which recognises, for us, where we should not be riding and where it is suitable to ride, either through organised competition like our enduros or through ride areas where we can, with some guidelines in place, have access.

The CHAIRMAN: I will ask you in a moment about policy 13, but the conflict for us about water use is mainly about human beings and pathogens in water. Are both of you aware of the scientific risk of pathogen contact with water?

*witr: Yes.

The CHAIRMAN: Let us talk about policy 13, which is at the core of your submissions. What really is burdensome about policy 13? You can both speak on this, although not at the same time because Hansard needs to record it. Between you, tell us about policy 13.

Mr Gill: It is a policy that applies risk avoidance instead of risk management. There has been plenty of research, articles and guidelines written, including Australian standards, that go into risk management versus risk avoidance. I have made mention of them in my submission. Even the Australian Drinking Water Guidelines prefer a policy of risk management. Risk avoidance is about not doing anything; it is about closing it up. Risk avoidance is about the policy, and it is simply a policy that does not work. You can go into any catchment, as I have just mentioned, and see the plethora of activity that happens with no control. We are saying that if you manage the risk, you will manage the outcomes a lot better.

[10.20 am]

Mr Pretzel: We would prefer it if there was a desire from within the Water Corporation, for example, to try and develop a network of trails to lead riders away from areas where there was risk of either the creation of turbidity or a risk of contact with the water source, and to take a pragmatic approach and say, "Well, you can't go here, but let's work some trails that you can use". Policy 13 currently precludes that and it can also be quite confusing. It prevents organisers from trying to organise an event, even in an outer catchment and in the country area water supply areas, whereas an independent traveller would be able to access those areas, because legislatively there is no barrier to do so. Policy 13 can, in fact, impact the most on those who are trying to manage the activity, which again is counter to the objective of managing the water.

The CHAIRMAN: What has been your experienced with the agencies that you have had to deal with when you were trying to organise something?

Mr Gill: It is a head-in-the-sand attitude as far as we are concerned. We have explained this to them and tried to have a dialogue. We said, "How about working on an outcome that is a win-win for both of us?" It is often a case of, "Well, you are not supposed to be in there and our rangers will catch you." You cannot approach Water Corp to try to make them see sense about it. I have been organising events in the forest in the south west for 30 years. I do not know how many, but it would

be hundreds or perhaps a thousand events that I have organised over that time. Many of them are in the Harvey Weir, and the Stirling Dam catchment, which is now a metropolitan water supply. It seems a bit odd that when it is a country water supply, we can work with the local land manager, DEC and local government and run these events. It is not only us, but also horse riders, rogainers and anybody else who has access to the forest quite comfortably without any negative outcomes on water quality. We have been doing that since the 1970s. There are thousands of kilometres of trail in the hills around Stirling and Harvey Dams. It is ironic that Harvey Weir is now considered to be not of good enough quality because of the salt content and it will be returned to country water supply eventually and plans are already being made through local government on how best they can recreate on that water body. Is the health of country water users any less important than metro water users, or is it simply that they have recognised that if they manage the area properly, they will get an outcome where they can still have quality water but we can still recreate?

Mr Pretzel: The Water Corp will cite a precautionary principle. When we ask for the evidence of what measurements they have done to determine what impact trail bikes are having on the water quality and what evidence they have to cite from international or other states where trail bikes have created a problem, the answer is always, "It is the precautionary principle that is in play." We are concerned that to some extent the precautionary principle is being abused by being used as a shield, rather than doing any form of investigation or objective assessment of the situation. We would certainly prefer to see something a little more objective and a little more scientific being done to try and quantify the impacts. That is because once things are quantified, they can be managed. We have not seen any evidence that Water Corp has been prepared even to look at assessing the situation to try and come up with a better solution. They are bound by their policy and the people we speak to will say that even if they wanted to do something, there is nothing they can do because the policy is there.

Mr Gill: I would point the committee in the direction of the tabled document, *State of Play: A Review of Recreation in Drinking Water Catchments in Southwestern Australia*, which does say exactly what Steve has said —

The CHAIRMAN: Thank you for that information.

Mr Gill: — and is an independent review commissioned by the Department of Sport and Recreation and the Department of Environment and Conservation. That concluded that there was no published evidence that they were aware of that supported the fact that recreation actually affected the quality of water.

The CHAIRMAN: The problem is that as a group of five members of Parliament that is our task, and we are a lot of the way through it. However, there is ample evidence about pathogens in water. Do you give information to your members and spectators about how they should behave themselves in these catchment areas? Do you say, "No defecation among the trees", and that sort of stuff? That is really what it is getting down to.

Mr Pretzel: If it was that simple, yes. We have a code of conduct that talks about minimal impact riding and also the protection of the environment. I do not know that we have specifically targeted the safe removal of bodily waste, because it is generally not an issue for trail bike riders who are passing through an area. We are not tending to spend a long time in a particular area and therefore need it. We also would be quite happy to and, in fact, there is a grant application going in at the moment, which we are inviting the Water Corporation to be part of, to develop an information package for riders on all of that—minimal impact riding. But, of course, Water Corp would not want to target something that talks about how to behave within a water catchment area when, as far as they are concerned, we are not supposed to be there anyway. That is part of the exclusion versus management problem.

The CHAIRMAN: The difficulty for this committee is that we have supremacy in that argument in at least putting a view to Parliament. What Parliament does with it is another matter. Obviously we

are looking at the whole spectrum. We heard some evidence the last time we sat that events like last Monday's storm are a severe risk to water catchment because things that normally do not happen, do all of a sudden happen. That becomes a part of the risk. I am asking you the question because I think if we are going to talk about opening this process out, then the water authority and you need to have some sort of discussion about the seriousness of some of those risks.

Mr Gill: We would love to have that discussion.

Mr Pretzel: Information and education are definitely part of what we see as the plan.

The CHAIRMAN: Before I move on, you talked about a state strategy. What is in that strategy? Are water and access areas a part of that strategy?

Mr Pretzel: It is a part of that strategy, however, the strategy has been written in the context of the existing legislation. In fact, some recommendations about strategy were removed at the request of the Department of Water throughout that process. The Department of Water was a stakeholder in that strategy.

The CHAIRMAN: Getting back to policy 13, how would you alter it? What would you ask us to look at?

Mr Pretzel: From our point of view, a management plan would be developed for each catchment area; in effect, it would be a trails master plan that determined where within the catchment it was acceptable for various activities to occur, and it would be done in such a way that it would operate on the two principles of protecting the water and also maximising the recreation utility. That is the fundamental difference that we see with the current policy 13. There is not enough focus on maximising the recreational utility. The difference would be that each catchment has to have its own management plan; the idea of a blanket exclusion would disappear and the stakeholders would work with the land managers to develop a workable plan for each catchment.

Mr Gill: Yes.

The CHAIRMAN: It has already been put to us—again, the last time we sat—that we should look more widely than just water quality. We have had it pointed out to us that water catchment areas have issues like weed control, feral animal control, dieback control and a range of other environmental issues, and catchment areas can be seen as some sort of sanctuary where things like dieback can be controlled. Does your strategy cover environmental matters like that in it?

Mr Pretzel: Absolutely.

Mr Gill: Yes.

Mr Pretzel: Dieback is a critical issue as well. There are areas of water catchment that are affected by dieback and areas that are not. There are also areas that have dieback but are not water catchments. I do not see any reason why a water policy should be trying to cover issues like dieback. They should be seen for what they are intended to achieve.

[10.30 am]

The CHAIRMAN: I can assure you that we will keep to our terms of reference, which is water quality.

Mr Gill: I am sure that if you ask DEC, their response would be—I am not trying put words in their mouth—they would rather see the policy altered so that they could better manage the land under their control that is in water catchment. That is because, at the moment, it is unmanageable. Because the policy excludes recreation access, they have to manage land outside of that for recreation, and they believe—this is what I have been told by DEC—that they would rather have a wider area to work with that would give them more scope. I would assume that would allow them to manage things like weed control and dieback much more effectively.

The CHAIRMAN: Do you have a comment about water quality today? Does your strategy talk about water quality? Is that an issue for both your clubs?

Mr Gill: We are all consumers of water. The last thing that we would want is for the water quality to be compromised. Our view is that having a proper management plan for each area is likely to improve the situation, rather than to be compromising quality—or even risk compromising quality.

Hon ED DERMER: How?

Mr Gill: At the moment, access is unfettered. The Water Corp will say that we are not supposed to be there and their rangers will catch us. I think they have two rangers. Most people know that the reality of getting caught in a water catchment is unlikely, if not remote. The access there is totally unmanaged.

Hon ED DERMER: Is the answer to that having more rangers?

Mr Gill: It would not be possible. If the total exclusion policy were maintained, the ideal would be to fence the whole thing, but that is clearly not practical.

Mr Pretzel: That option is to ramp up enforcement, irrespective of cost, to try and keep people out. Is it better to do that or is it better to put that money into managing the risk so that the same outcome for water quality can be achieved without depriving people of the opportunity of recreating in those areas?

Hon ED DERMER: Can you spell out how you would see greater access for your members contributing to enforcement?

Mr Pretzel: By creating designated trails. In America, the national forest service has created the concept of vehicle-use maps. They have moved away from the concept of allowing people to ride anywhere unless they are told not to, to not allowing people to ride anywhere unless they are told that they can. For each area, in consultation with the riders and the land managers, they developed a vehicle-use map. They publish the map and they make it widely available. They signpost it and that is the place where people can ride. If we create satisfying trails that people who ride trail bikes would prefer to be on, then they will go on those. The majority of them—we are not saying we are going to get 100 per cent compliance—will follow those designated routes. In doing so, we can plan to avoid the areas of greater sensitivity environmentally and also to get a planned separation between different trail users, which is also important. We do not want trail bikes riding on bushwalking tracks or on mountain biking tracks. At the moment, if you say that there are no trail bike tracks, then it is hard to get that separation. We are saying that we should plan for it because then we will get a high level of compliance and it will reduce the impacts.

Hon ED DERMER: If you had these maps, similar to the American model that you have referred to, do you believe that fewer people would wish to break the rules and infringe on the exclusion areas?

Mr Gill: Absolutely.

Mr Pretzel: Yes.

Hon ED DERMER: Is it the same people who would be involved in your activities, if those tracks were available, who are currently breaching the exclusion zones?

Mr Gill: Our members are much the same members. Steve's organisation is affiliated to us, and the members who are licence holders and compete in our enduros as our members are usually the same members that are members of Steve's organisation.

Hon ED DERMER: Are they not the same people?

Mr Gill: They are the same people.

Hon ED DERMER: There is certainly a similarity in the evidence you have given to us today.

Mr Gill: They are the same issues.

Hon ED DERMER: I am trying to understand clearly. Are you saying that if you had these tracks with designated areas on which you were allowed to use your trail bikes, you believe that fewer people would be breaking the rules and entering exclusion areas than are currently doing so?

Mr Gill: We would be offering them an experience that would be at least comparable to where they are riding illegally and, hopefully, it would be a better experience because we would manage where they could go. There is no doubt that people come to our organised events because when we put event on it is done in such a way that we are offering something that they cannot get anywhere else. Otherwise, why else would they pay \$100 or \$200 to us to ride, when they can go out anywhere and ride for free?

Mr Pretzel: If you go to Mundaring and ask a ranger there, "Where can I ride my trail bike?" He will say, "Nowhere." If a family that has gone for a ride into Mundaring is told that they cannot ride anywhere, then anywhere that they do ride will be illegal. How are they going to know which is a better place to ride than the other? If it is all illegal, what is the difference? If they were told, "If you head down this road and you turn right to a parking area, there are three trails there. There is a red, a green and a blue trail, and you can ride on those. As long as you stay on those trails, it is perfectly okay. If you go off the trails, you will be done."

Hon JIM CHOWN: Would you still require enforcement in catchment areas, if that was under a managed regime?

Mr Pretzel: Yes.

Hon JIM CHOWN: I have an issue with your proposal because in regard to opening up these catchment areas to managed recreational trail riding, in fact, you are advocating this program to the exclusion of other recreational users in catchment areas.

Mr Gill: No.

Hon JIM CHOWN: Are you advocating that catchment areas be opened up to trail riders, bushwalking, camping and boating on potable water sources?

Mr Pretzel: We are not making any comments about boating.

Hon JIM CHOWN: The issue I have is that if this committee recommended that trail riding be progressed and allowed in catchment areas under a managed regime, how do you exclude other recreational issue users in these areas?

Mr Pretzel: What we are saying is we should plan for the recreation. We are not saying that we have a blanket exclusion on anything. We are saying that these catchment areas, in the Perth hills in particular, are very large and we believe that with proper management it should be —

Hon JIM CHOWN: And pristine or fairly pristine?

Mr Pretzel: Yes, they are reasonably pristine, bearing in mind that they have been used for trail riding in the past 50 years illegally. No, not necessarily. They had been used for trail riding legally until such time as they were declared as catchment areas, in particular in the Mundaring area under the metropolitan water scheme, at which point the trail riding became illegal and may have diminished somewhat but, as Rick said, it is still out there and happening. You might have an argument if there was no trail riding in these areas and we were saying, "I have an idea. Why not bring trail riders in there?" The fact is that it has been going on and it still goes on. We are trying to say is let us manage it properly. Let us create. Let us plan for the separated uses of trail bikes, bushwalkers and mountain bikes. In that way, we can make better use of that critically important resource and still have the benefits of the protection we need.

Hon JIM CHOWN: How do you believe the general public would consider opening up these areas to recreational use?

Mr Pretzel: It depends who you ask. If you ask people who are sick of trail bikes riding around their local bush reserve or up and down their street —

Hon JIM CHOWN: No, I mean in the metro area where for 1.2 million people one-third of their water source comes from these areas. How would they consider recreational use in what I consider to be pristine areas, regardless of the illegal occupation that takes place there at times?

Mr Pretzel: The research conducted for the state trail bike strategy found that, by and large, the community acknowledged there need to be more places for people to ride trail bikes. The main concerns they had were noise and trail conflict.

Hon JIM CHOWN: I am talking about water quality and the impact that is possible on the water quality by opening it up to recreational use.

Mr Pretzel: We are not talking about opening it up. We are talking about planning.

Hon JIM CHOWN: With “managed recreation use”. I am using your words.

[10.40 am]

Mr Pretzel: If you asked people whether they would prefer the current situation where people on trail bikes are all over the catchment, or they would prefer us to create designated trails so that people on trail bikes could enjoy their activity in a way that we can plan to minimise the impact on quarter quality, I think people would be in favour of it.

The CHAIRMAN: I am a regional member of Parliament. In fact, there are a few of us here. Hon Jim Chown and I share the same electorate. I go down Great Eastern Highway, Brookton Highway and Albany Highway regularly. I cannot tell you the number of trailers that I see where families have four bikes in the trailer heading into all areas, including catchments, and riding wherever they feel. I doubt if they have any affiliation with either of your two clubs, frankly. I am a country person and my neighbours have bikes and I know the mood of bikers. At the same time, I see people going out there with their car and trailer with a chainsaw collecting wood for the oncoming winter. I regularly see them heading into catchment areas. How can you be confident that you will be able to have reasonable influence over those people who are not your members?

Mr Gill: Most people are responsible. As you mentioned, you see families going out there. We are all family people around here. I would say without doubt that everybody here is responsible, and that is reflected in the rest of the community. The trouble is, at the moment, they have no direction and no guidelines. They just know that if they go up here and turn right, they can go for a ride. I take your point, there are probably 50 000 or more riders in this state and we have about 4 000 as members, and Steve probably as 1 500 or 2 000 members.

Mr Pretzel: There are 2 000.

***Mr Gill:** There is a long way to go before they are all members. However, the work that Steve and I and other members of our organisation do in the wider community as members of different committees we are on and working with local government has a greater influence than our members. I am sure if my board knew all of the things I was doing for the community, they would have a heart attack because they pay me. However, we realise that we have a greater responsibility to the community. I think our influence is far wider than our membership.

Hon ED DERMER: Where do your members ride currently?

Mr Gill: In enduro, we have been pushed further south around Harvey, Wellington, Capel and the Goldfields and we also have clubs in the North West. That is not as much of an issue for water catchments as here. Generally, we are now happy to go south of Harvey to ride. That is an issue in itself in that it is now a huge task to go for a ride. Our association is seeing fewer members choosing to ride in an organised manner. The conclusion that could come from that is that they are riding somewhere else.

Hon JIM CHOWN: There was an article in today's West—I am sure you saw it—that forecast the metro area or Perth environs would increase by two million people, and the area that encompasses the city at the moment will spread north, south and east up to the Darling escarpment and probably a fair way towards Northam. I am sure you would appreciate that expansion of the population will put significant pressure on these areas. I believe that 30 or 40 years later these areas will still be catchment areas for potable water sources. Even under a managed regime enforced by rangers of any kind, it would be reasonably irresponsible to open them up to some sort of accredited system for recreational use for the future of this state and the future of the people of Perth.

Mr Gill: The reality is —

Hon JIM CHOWN: Queensland has a legacy where under local government issues on potable water areas this happened, and they are suffering from it today. They are finding it very hard to keep people away from catchment areas, such as Wivenhoe Dam and others, because it is part of their culture and it is costing them millions and millions of dollars of taxpayers' money for a few. In fact, it is about \$4 million per annum. What they get back is about \$200 000. Let us say that your wish came true, would you like some sort of licence to be applied to your bike riders?

Mr Gill: Absolutely.

Hon JIM CHOWN: Would they pay to help cost recovery?

Mr Gill: This is all part of the state trail bike strategy.

Hon JIM CHOWN: Because it would be quite expensive.

Mr Gill: You probably need to read the state trail bike strategy in some detail. It does go into detail about licensing and it is one of the core things that we recommend. I know that Steve's organisation has also been involved in the costing of the state trail bike strategy that will go to Parliament. That is currently before a committee, of which I am a member actually. It is forecasting that the income that is possible from trail bike licences will exceed expenses incurred in providing the facilities for the trail bike strategy. The strategy recommends that part of this gets put back into land management, which would be Water Corp and DEC and those agencies.

Mr Pretzel: I think a permit system to access catchment areas—the designated trails within catchment areas—is an excellent idea, not so much to raise revenue but to ensure that people have gone through a proper induction program or an education program and have an awareness of their responsibility within those areas. Yes, we certainly support the idea of a licence or a permit system for that.

If I can just go back to the other comment about the responsible people and the others. One of the things that we have to do draw a clearer distinction between what is responsible behaviour and what is not. At the moment, it is very difficult to do that because the family that takes their kids and rides around a trail and stays on that trail and cleans their rubbish up when they go, and does everything in the way we would want them to behave, is just as illegal as the carload of louts that throw their drink cans on the ground and rip cross-country through the bush. We need to be able to identify responsible behaviour and expand what responsible behaviour is within the realms of what we expect, so that we can identify those people who are outside it. Then we have got a smaller target that we can increase the enforcement activities against, and come down harder. If people step outside the line, we can come down harder on them. The rangers at the moment have a real problem. When they see a family riding in a catchment area, and they cannot give them an alternative, it is very frustrating for them. If there was an alternative and people were outside that alternative, it would be a much easier job to enforce.

Mr Gill: Can I add that —

The CHAIRMAN: Members have an interest in pursuing this line of question. Is the two-kilometre zone in policy 13?

Mr Pretzel: The RPZ? The RPZ does not really impact on —

The CHAIRMAN: You are not concerned about being within two kilometres of, say, Mundaring Weir?

Mr Pretzel: No.

The CHAIRMAN: You are happy to be 10 kilometres away?

Mr Pretzel: For our activity, the big constraint is the outer catchments. We are not arguing for access to the RPZs.

Hon ED DERMER: I would like to go back to where I was before, because if I understand correctly what you were saying, the concern is with the areas that you are currently permitted to have your members ride their bikes in is that it is too far from where those members live and that becomes an impediment to them using those areas. Is that a correct understanding?

Mr Gill: It is more the sense that we are being pushed further away from the areas of population. Combined with that, the areas that we do work mainly with DEC about are also getting smaller, because they are being constrained by things other than catchment, like dieback, timber harvesting or whatever. We are currently being pushed further out into smaller and smaller areas. The problem with that is if we ride around the one little area, aside from being not too exciting for riders, who tend to like a bit of variety, it is hard to manage environmentally. We have to put extra work into the environmental management of where we ride.

Hon ED DERMER: Have there been areas where you were recently permitted to ride that you are no longer permitted to ride?

***Mr Gill:** For sure. We were allowed to ride around Mundaring Weir until it became a water catchment area and we were kicked out.

Hon ED DERMER: When was that decision made?

Mr Gill: Back in the 1970s or early 1980s. I am not sure of the date.

Hon ED DERMER: That is quite sometime ago.

[10.50 am]

Mr Gill: It was before my time, but I can assure you that my organisation has run many events over there in the past. Progressively, as dams have been proclaimed for the metropolitan water supply or constructed—as in the case recently with the Harvey Weir and the Stirling Dam becoming part of that greater catchment—we have been gradually pushed further and further away from the better areas where our riders like to ride.

The CHAIRMAN: I have a question about competing interests. You will not be amazed to hear that we have had some negative comments about your organisation from people like bushwalkers, who want serenity or for whom vehicle noise is not conducive to their activity. Do you have a comment about competing interests with people who want to use the land that you want to use?

Mr Pretzel: Yes. We think that planning for the competing interests is the best way of resolving that. We do not think that the bushwalkers have an exclusive right to the forests, but we do respect that their activity can be impacted on by ours. We advocate planning the separation, rather than just hoping that people will stay out of each other's way.

The CHAIRMAN: On the question of access, what percentage of your events are in water catchment areas? Surely, not all state forests or crown land is in the water catchment area?

Mr Gill: None of our activities is in the designated catchment areas—or not the metropolitan catchment areas—because we are not allowed to.

The CHAIRMAN: Currently you do not have any, except for local government controlled areas?

Mr Gill: We need to get the local land manager's permission. That is why I made the comment earlier that it is easier to control us. When we go to DEC and say that we want to ride in "A", they say, "No, you can't because that is water catchment now or there is dieback," or whatever the defining factor. Then we work with the land manager about where we can go and we work out a trail. Currently, our activities are not in metropolitan water catchments. We are in some country catchments because we have the permission of the land managers to ride there.

The CHAIRMAN: We have had the fishing industry talking to us, people from motor sports like you—four-wheel drivers—walking people, camping people, and pushbike people. Do you consider any particular group is more dangerous than another in these catchment areas?

Mr Gill: It all comes down to the management issue. It keeps on coming back to that. Throughout this submission—I have briefly read Steve's as well—it all comes back to management. This one refers to management. The Australian Drinking Water Guidelines is about management. Any of these activities can be harmful if they are not managed. If you are managing it, you are managing the risks, and you are taking that into consideration in any decision you come to.

Mr Pretzel: I would make two comments on that. The first is I mentioned at the outset that we see the need to separate four-wheel drives and trail bikes and to not treat them as a homogenous group. Four-wheel drives and trail bikes represent a safety risk.

The CHAIRMAN: I have been to Lancelin. I have seen it

Mr Pretzel: Right. Particularly the road from Lancelin up to Wedge can be a major problem. Yes, we think that is an issue. Secondly, when we are faced with planning for multiple uses and multiple recreations and trying to get that separation, the fewer areas that we have to treat as inventory for that planning, the more difficult it is to get the separation.

Hon ED DERMER: A greater density of activity in a smaller area?

Mr Pretzel: Exactly. That is why we are saying that by totally excluding these water catchments and saying that they come out of the inventory before we even start is putting more pressure on the other areas and missing the opportunity perhaps to create some areas where we can get that separation so that all different types of recreation can have an opportunity to enjoy the environment.

The CHAIRMAN: From what you have been saying this morning, I presume that you have two needs. One is a permanent place where you can have, as you said, a green, a red trail and a blue trail. I presume that would be permanent place.

Mr Pretzel: Not necessarily. That can be a rotating situation.

The CHAIRMAN: Still, if you are going to have an access road and a car park, once you start doing that it is relatively permanent, I would say. What is your ideal? If we said, "Yes, we will grant you the access," what would you say? Would you say that you wanted some locations that are relatively permanent, or would you want an opportunity to negotiate with the water authority, who then also has to negotiate with the health department, about access on a rotating basis?

Mr Pretzel: It comes down to master trails planning. It cannot be done with us in isolation, just as it cannot be done with the bushwalker or mountain bikers. In managing a catchment, all stakeholders have to come together and consider the competing interests and work out how the area can be divided up so that everyone can have a slice of it. We would want trail bike riding to be one of the stakeholders in trails master planning for each catchment area, and for trail bike riding to be represented, either for the recreational non-organised or the competitive events, or organised non-competitive events, or preferably both as a stakeholder to that master plan process.

The CHAIRMAN: We have already heard from some of the people seeking access, like the fisheries people—members will jump on me if my memory is incorrect—who do not want access to Mundaring Weir. Is there a chance that there could be some sort of scaled process to these catchment areas? Are some areas sacrosanct while others are not?

Mr Gill: I would imagine that to be the case. There would be areas that we would agree would be completely out of bounds, and we understand why. Once again, the planning management would point out those areas and it would be an agreed process.

The CHAIRMAN: Is the state strategy that you are talking about a public document?

Mr Pretzel: Yes, it is.

The CHAIRMAN: Have we got a copy? Obviously, it would be important if we had a copy.

Mr Pretzel: It has not been submitted. It has a fairly significant document titled "Back on Track", which is some 300 pages. We can make an electronic copy available.

The CHAIRMAN: An electronic copy would be all that we need. It can be evidence to the committee and therefore can be treated in that way. It is important that we have an opportunity to examine your documentation and take it into account with our deliberations.

Members, are there any other questions?

Mr Gill: Would it also be worthwhile, if we are talking about strategy, for the committee to have access to the recommendations of the joint agency implementation committee, which was involved in the costings for that?

The CHAIRMAN: We are here because a range of ministers went to the Legislative Council and asked for this inquiry. Those ministers would be a part of that process that you are talking about and, frankly, I think we should have that.

Mr Gill: You will need to ask the committee about that.

The CHAIRMAN: You need to be aware that this is one opportunity. An inquiry like this has not happened for some decades. I suggest that once this inquiry is completed, it will be some decades before it happens again.

Hon JIM CHOWN: I have one question to clarify a point that we talked about earlier. You would like managed access to these areas under a permit system where your members paid a significant amount of the cost recovery required to enforce the use of the trails that you designated for rehabilitation of the forest and any issues that may arise through usage by your membership of these areas. Is that correct?

Mr Gill: I do not think that is quite correct, but you are on the right path.

Mr Pretzel: The permit system, as I see it, is more of a way of ensuring that people understand the implications of using the area. I think it gets a little difficult when you start talking about cost recovery, because then you would have to look at exactly the same mechanisms for all of the other users and the contribution of facilities for all sorts of other sporting and recreational activities.

Hon JIM CHOWN: That is an extension of the system; I agree with you.

Mr Pretzel: We would see the permit, primarily, as being one to ensure that people are fully aware of the responsibility they have when they go into a water catchment area.

Hon JIM CHOWN: Without any charge? There is no point in having a permit system unless it can be revoked. And it needs to be enforced and somebody has to then pay for those provisions. You are actually asking the general public, the normal taxpayer, to pay for these, or is your organisation prepared —

[11.00 am]

Mr Pretzel: The state trail bike strategy includes the concept of a specialised enforcement unit for which the police have provided the costings. The enforcement unit would be responsible for enforcing all sorts of different areas and activities. We felt that bringing all of that into one central unit would probably be the most effective way of doing it, because the rangers have problems at the moment and the police are not interested because things are happening off public roads.

Hon JIM CHOWN: Let us go back. The significant part of my question is whether your organisation would be prepared under the permits regime or system to pay for a fair amount of the cost recovery exercise that needs to take place if such a system was adopted.

Mr Pretzel: Certainly our association would not be in a position to do that because our association charges \$25 per family because we want to get more people into the association so that we can spread the word. We are not an association that has that sort of resource.

Hon JIM CHOWN: In effect, you are asking the general taxpayer to pick up the tab for the privilege of this usage.

Mr Pretzel: We think that a lot of the cost would be recovered from the uniform licensing of trail bikes which, as Rick said, has been costed to fund the entire state trail bike strategy. I do not believe that our members, or trail riders generally, should pay the entire cost of their activity. That is the same as people who use a local oval do not have to pay the entire cost of that or other council provided facilities.

Hon JIM CHOWN: The community does pay local government rates et cetera.

Mr Pretzel: And so do trail bike riders. They are ratepayers as well. There is a good argument that says that whatever the proportion of rates that go into other forms of public activities and recreational facilities, there should be some acknowledgement that trail bike riding is also a recreational activity that should be funded.

The CHAIRMAN: We are getting close to the stage where we need to wind this up. From my perspective, I have learned a great deal about the risk to water from the time this inquiry started. My understanding of that from where I sit today compared with six months ago has changed enormously. I do not believe that the public have any idea of the real risk to their water. You quite rightly pointed out that the current argument is to say that a total blanket exclusion is absolutely safe. That is the current position.

Mr Pretzel: If successful!

Mr Gill: In theory, it is fine.

The CHAIRMAN: This committee needs to look at whether or not we will allow some deviation from those boundaries. I can assure you, from listening to witnesses at this inquiry for a period of more than six months, we will need good argument about water safety.

Hon JIM CHOWN: Our priority is to ensure that the water is as safe as possible without being impinged upon or threatened by recreational use.

The CHAIRMAN: I am not trying to give you a lecture. I am saying that as you go away from this hearing and something occurs to you, please feel free to get back in touch with us. It is not a closed process. If you have any point of view that you want to put to us, do so. As I have already said once, and will say again, you are not likely to get this chance again in the near future. This is your opportunity.

Thank you for your time. You will get the transcript in a few days' time. Hansard has a particular process. You cannot change facts in the transcript but you can make requests for changes to things you think are slightly wrong and so forth. You need to submit that. We will continue on strongly. This is the first objective. We have a number of inquiries happening in this committee, but this water inquiry is our number one objective at the moment. We will be seeking to go through the process and report on this sometime midyear.

Mr Pretzel: Thank you very much for the opportunity to talk to you today.

Mr Gill: Thank you very much. I do not envy your task in wading through all of this. As you say, you are probably only going to get this one opportunity and I encourage you to take note of the

information that we provided and of what is really happening, not what the theory tells you might be happening.

The CHAIRMAN: That is our task.

Mr Gill: Good luck.

Mr Pretzel: Thank you.

Hearing concluded at 11.05 am