Recreation access to land: Phase 2
Interstate review of bushwalking access in Australia and a survey of WA bushwalkers and DEC land managers

An initiative of the Centre for Sport and Recreation Research
with research partner
Curtin Sustainable Tourism Centre

Report for the WA Department of Sport and Recreation

November 2012
Acknowledgements
This project was an initiative of the Centre for Sport and Recreation Research in partnership with the Curtin Sustainable Tourism Centre at Curtin University. The WA Department of Sport and Recreation funded this project. The WA Department of Environment and Conservation (DEC) supported this project, providing access to staff for surveys and interviews.

Curtin Sustainable Tourism Centre (CSTC)
The CSTC focuses on research at the regional, state, national and international level into all aspects of sustainable tourism and recreation. The centre undertakes both industry/government consultation and grant funded research. The Curtin Sustainable Tourism Centre works with a range of researchers across a variety of disciplines. It aims to produce research outcomes with relevant and practical applications.

Centre for Sport and Recreation Research (CSRR)
CSRR provides an independent perspective of issues that will:
• impact sport and recreation decision making
• benefit from sport and recreation association
CSRR operates by drawing together multi-discipline teams to undertake research that informs decision makers.

Citation Information
This document should be referenced as follows:

Disclaimer
All information is this report was considered correct and current at the time of publication and any errors or omissions are unintentional. The Curtin Sustainable Tourism Centre disclaims all and any liability to any person in respect of the consequences of any action or consequence for such persons in reliance, whether wholly or partially, on this report.
Contents

Executive Summary ............................................................................................................. i
Introduction and Background ............................................................................................ 1
  Phase 2 scope .................................................................................................................. 2
  Objectives ....................................................................................................................... 2
Method .................................................................................................................................. 2
  Interstate review of walking access policy and management circumstances in Australia .... 2
  Bushwalker and land manager surveys ............................................................................. 3
Report Structure ................................................................................................................ 4
Findings Stage 1: interstate review of land access ............................................................. 5
  Victoria ............................................................................................................................. 5
  Queensland ...................................................................................................................... 6
  Tasmania .......................................................................................................................... 8
Stage 1 Summary and Conclusions .................................................................................... 10
Findings Stage 2: WA based online survey ........................................................................ 11
  Bushwalker online survey results: Access to land for recreational bushwalking .......... 11
  Bushwalker online survey results: Access to land for establishing walk trails ............... 14
  DEC land Manager online survey results: Access to land for recreational bushwalking ..... 17
  DEC land Manager online survey results: Access to land for establishing walk trails ....... 19
  DEC land Manager online survey results: Overall opinion on land access for walking in southwest WA ................................................................. 21
Online Survey main points ................................................................................................. 22
Findings Stage 2: WA based follow-up interviews ............................................................. 24
  Bushwalker interview results ......................................................................................... 24
  DEC land manager interview results ............................................................................ 32
Similarities between bushwalkers and DEC land managers ........................................... 40
Differences between bushwalkers and DEC land managers ........................................... 40
Solutions suggested during interviews ............................................................................. 41
Stage 2 summary and conclusions .................................................................................... 42
Further Work ..................................................................................................................... 42
REFERENCES .................................................................................................................. 43
Executive Summary

Project Rationale
This project is based on concerns expressed by outdoor recreation groups that rights for public access to land for recreation in WA were being eroded and opportunities reduced. Advocates in WA pointed to the UK and New Zealand where restrictions on access were recognised and laws amended to counter these restrictions. In order to assess the potential for such action in WA, Phase 1 reviewed walking based access laws, policy and management in the UK, New Zealand and WA. It was found there is no need for changes to WA law. The review established that land access issues in UK and New Zealand were primarily related to the location and extent of private land. The WA issues are mainly associated with the state’s complex array of jurisdiction, policy and management regimes relating to public land, and concerns about risk and liability. This was especially where access includes more than one land management jurisdiction and where jurisdictions overlap. When combined with the range of recreation types wanting access to land, often at the same time and location, the potential for confusion conflict is high. The project aims to clarify the issues and potential way forward for recreation access management in WA.

Phase 2 Introduction
This report outlines the findings to date for Phase 2 of the walking based recreation access to land in Western Australia (WA) project, building on the work completed in Phase 1. Phase 1 found that the WA policy and management regimes and how they are applied were seen to be problematic and may need to be modified. Phase 2 builds on the findings in Phase 1 to identify the extent and nature of recreation access issues in WA and how this compares with other states in Australia. Thus, the purpose of the study was to explore land access issues from an “on the ground” perspective to identify similarities and differences of opinion and experiences between land managers and recreation users.

Objectives
Phase 2 of the recreation access project includes four stages of research:
1. Preliminary interstate review of walking access policy and management circumstances in Australia,
2. Survey of recreation users and land managers to gather their views on walking access to land,
3. Hypothetical scenario based workshops, and
4. Formulation of policy implications.
This report summarises the findings for completed stages 1 and 2. This will inform stages 3 and 4.

Method
The project team worked closely with the WA Departments of Sport and Recreation (DSR) and Environment and Conservation (DEC) over the course of this project phase. DEC was involved as the primary public land manager in the context of this project. The method included two components. Firstly, a preliminary desktop review of land access legislation and management across a sample of Australian States was conducted. This provided an indication of context in terms of whether the issues are systemic to WA or more widespread in Australia. Secondly, information was gathered using an online self-complete survey and follow-up telephone interviews of bushwalkers and DEC public land managers. This provided insights into the perceptions and first hand experiences of each group in relation to bushwalking access to land.

Findings: Interstate review of access to land
The preliminary interstate review highlights the variety of land access management structures and circumstances in different states across Australia and provides a broader context for the WA study. All states have a complexity of legislation and policy regarding land management, along with multiple stakeholders and managers. Each state has a different historical, social and political context for land access management that appears to influence the current issues (or lack of) in respective to land access for recreation.

The interstate review indicated that there was no consistent approach to management of walking access
across multiple management and tenure boundaries. Phone interviews with land managers in the other states suggest a variable approach to land access that perhaps lacks consistency, similar to the situation in WA.

The various land access management arrangements in different states, combined with the complex legislative frameworks and policies and different social and political contexts provide an excellent opportunity to identify effective approaches to recreation access management.

**Findings: online survey and interviews**

Working in collaboration with DSR, DEC and bushwalking clubs, a survey was developed and distributed to:

1. bushwalkers mainly living in the Perth Metropolitan Area (43 valid responses)
2. DEC land managers as the primary land managers (response from 9 of 12 management districts in the southwest study region).

**Land user: Bushwalker response**

From the recreational walking land user point of view, gaining access to public land through official channels can be difficult, frustrating and confusing but there were also positive experiences reported. The following summarises the themes to emerge from the bushwalker survey.

*Interactions with DEC managers* featured positive experiences and some challenges related to:

- providing or not providing requested information;
- timely versus convoluted, contradictory and/or slow decision making; and
- closure of tracks and campsites.

The anecdotes are suggestive of an unpredictable administration and management of walking access due to lack of corporate control and inconsistent decision making processes.

*Interactions with Department of Water and Water Corporation* were consistently seen as a challenge in terms of:

- perceptions of unreasonable management practices regarding access to water protection areas and water ways;
- complex administration, confusing management structures; and
- convoluted decision making.

*Interactions with private landholders* were mentioned by survey respondents generally in a positive light based on building positive mutual relationships around access for bushwalking on private property.

*Establishing walk trails*, the few respondents who had experience with this indicated challenges dealing with:

- multiple tenures and land managers;
- complex legal requirements; and
- addressing risk and liability issues.

*Change in access to land since 1984*, bushwalkers indicated positive changes to access including:

- improved trails such as the Bibbulmun and Cape to Cape tracks;
- improved facilities and accommodation for bushwalkers.

Some challenges included:

- encroachment of other land uses such as urban expansion, mining, firewood collection, logging and water protection into natural areas previously accessed for bushwalking;
- increased regulation and “red tape”; and
- reduction in provision of accurate maps and information by DEC.
Public land manager: DEC response
DEC respondents point to the complex nature of their management responsibilities and political pressures that are brought to bear as a significant and potentially challenging part of their experience in managing land. This is within a strongly political policy environment with top down changes in policy and management made without consultation. Dealing with multiple recreation groups wanting access to an area adds additional perspective to the bushwalker view in that DEC seeks to provide equitable access to public land as a policy position.

Positive bushwalker experiences centered around:
- pleasant interchanges with bushwalkers in the field where information is exchanged; and
- successfully completing trail and site maintenance projects with community groups.
This aligns with the bushwalker stated positive experiences with DEC employees.

Challenges included:
- frustration with perceived top down management decision making driven by political agenda with little or no stakeholder consultation.
- Dealing with and managing land access for multiple and conflicting recreation types and groups was also cited, an interesting flip side to the bushwalker experience of dealing with multiple managers.

Positive walk trail experiences were similar to the bushwalking examples where the DEC respondents focused on personal interactions and community engagement resulting in successful establishment of a trail.

Challenges included:
- perceived poor coordination of planning and management within DEC, providing additional substance to the bushwalker’s claims;
- Reference was also made to operating in a complex and shifting political and policy environment over which respondents had little control.

Conclusions

Stage 1: It is apparent that there are issues relating to land access for recreation in other states, though further work is required to clarify these issues. The various land access management arrangements in different states, combined with the complex legislative frameworks and policies and different social and political contexts provides an excellent opportunity to identify effective approaches to recreation access management. Conducting surveys and interviews similar to those carried out in WA for Stage 2 would provide further insights into effective policy and management of bushwalking access.

Stage 2: The results of the online survey and interviews indicate that, in WA, there is a significant issue relating to management of bushwalking and other types of access that revolves around inconsistent governance related aspects of communication, decision making and a politically driven top down approach to management. While positive experiences are reported at the individual level, most of the reported challenges focused on the organizational aspects and inconsistent policies and decisions. This is both in terms of how it is perceived by recreational users and how it is perceived and applied by DEC land managers.
Introduction and Background

This report outlines the findings of Phase 2 of the walking based recreation access to land in Western Australia (WA) project, building on the work completed in Phase 1. The purpose of the study was to explore land access issues from an “on the ground” perspective to identify similarities and differences between land managers and recreation users. This will provide direction for more in-depth work in the subsequent stages of Phase 2.

Phase 1 of this project was based on concerns that rights for access to land for bushwalking in WA were being eroded and opportunities reduced. Advocates in WA pointed to the UK and New Zealand where restrictions on access were recognised and laws amended to counter these restrictions. In order to assess the potential for such action in WA, Phase 1 involved a comparative review of walking based access laws, policy and management in the UK, New Zealand and WA. This review established that land access issues in WA are somewhat different to those in the UK and New Zealand. Access issues in UK and New Zealand were primarily related to the location and extent of private tenured land. The WA issues are mainly associated with the state’s complex array of jurisdiction, policy and management regimes and concerns about public liability. This is especially so where access includes more than one land management jurisdiction and/or where jurisdictions overlap. When combined with the range of recreation types wanting access to land, often at the same time and location, the potential for confusion conflict is high.

As a case example from Phase 1, Figure 1 illustrates the distribution of management jurisdictions and tenure in the Darling Range area between the towns of Bindoon and Harvey, a popular location for bushwalking and many other types of outdoor recreation. Each colour represents a different management regime with considerable overlap of often conflicting agendas.

![Figure 1: Land tenure and management jurisdictions in the Darling Range, WA](image)

While the issue is complex, it was concluded there is no need for changes to WA law, as occurred in the UK and NZ, in order to maintain or facilitate access to land for public walking based recreation. Rather, it is the WA policy and management regimes and how they are applied that were seen to be problematic and that may need to be modified. The need for a centralized state body to coordinate management of recreation...
access to land, as occurred in UK and NZ, was also identified. Such a body could improve consistency of management and reduce access uncertainty associated with currently inconsistent application of recreation policy and management regimes across jurisdictions.

**Phase 2 scope**
Outdoor recreation advocates have indicated there is an increasing array of management and policy barriers restricting establishment of recreational walking trails and other forms of walking based access to land. Phase 2 builds on the findings in Phase 1 to identify the extent and nature of access problems in WA and how this compares with other states in Australia.

The project focuses on walking based outdoor recreation, as this is one of the most popular and widely accessible forms of land based recreation in Western Australia. Focusing on walking based recreation also enabled direct comparative analysis of the access laws established in the UK and New Zealand and how they may relate to WA. In addition, while other forms of outdoor recreation are important, each is associated with its own specific policy and management requirements. Focusing on one type of recreation provides for a more concise analysis of issues within a well define context. The WA based project study area is confined to the Southwest of Western Australia. The majority of WA’s population resides in this region and there is a significant concentration of bushwalking activity and walk trail development.

In this report, walking based outdoor recreation is referred to as bushwalking. Those participating in bushwalking are referred to as bushwalkers.

**Objectives**
Phase 2 will provide direction as to whether there are significant problems regarding bushwalking access to land and for the establishment of walking trails and whether there is a need to formally address these problems. This will be approached using four stages of research:

1. Preliminary interstate review of walking access policy and management circumstances in Australia,
2. Survey of recreation users and land managers to gather their views on walking access to land,
3. Hypothetical scenario based workshops, and
4. Formulation of policy implications.

This report presents summary results from stages 1 and 2 of the project. The initial stages of Phase 2 provide an “on the ground” perspective of access to land issues. These results will inform the subsequent stages 3 and 4 of the project.

**Method**
Phase 2 of the project is divided into four stages of research and this document reports on stages 1 and 2. Stage 1 involved a preliminary desktop review of land access legislation and management across a sample of Australian States. This provided an indication of context in terms of whether the issues are systemic to WA or more widespread in Australia. Stage 2 included an online and telephone survey of bushwalkers and land managers. This provided insights into the perceptions and experiences of each group in relation to bushwalking access to land in the context of the findings in stage 1.

**Interstate review of walking access policy and management circumstances in Australia**
A desktop exercise was conducted to gather information on land tenure, management and policy and how this relates to walking access in other Australia states. This was based on the work done to build the land tenure and access matrix for WA in Phase 1 of this project.

This exercise affords an insight into whether the bushwalking access issues are limited to the WA policy and management context or whether they occur in different Australian states. Each state has a different policy and management context influenced by varying socio-political histories, bureaucratic structures and
subsequent policy and management environments. A review of bushwalking access policy and management provides insights into whether different state policy and management environments have similar or different bushwalking access issues. A comparison between states can help with understanding how the WA context influences access and whether alternative approaches are possible.

Due to time and budget constraints, three states were selected, namely Queensland, Victoria and Tasmania. The three states were selected based on their distinctly different land management histories, management structures, tenure and approaches to walking based recreation access. Selecting a range of different recreation access management contexts enabled insight into common and unique issues relating to recreation access across different state based regimes in Australia.

The aims of the preliminary review were to:
1. Identify key organisations and responsibilities for public access management in each Australian state
2. Develop an overview of tenure types and public access status in each state
3. Develop summary of key legislation and policy associated with public recreational walking access to different land tenure in each state
4. Identify any key issues associated with walking access in each state.

Information was gathered from online resources and telephone interviews with representatives of key land management organisations. Interviews focused on identifying key policy, legislation and management practices associated with recreation access. Representatives were also asked to comment on any significant issues regarding public recreational walking access to land in their state.

**Bushwalker and land manager surveys**

The study included two main approaches, gathering of information from bushwalkers as land users and from Department of Environment and Conservation (DEC) district staff as the land managers. A survey of bushwalkers and public land managers was designed in collaboration with DEC, Department of Sport and recreation (DSR) and bushwalking clubs to provide an “on the ground” perspective to establish the extent and character of issues regarding bushwalking access to land in the southwest of WA.

The survey provided additional insight into the Phase 1 findings based on the perceptions, opinions and reported experiences of bushwalkers and DEC as a primary land manager. This adds to the project Phase 1 findings in terms of how the documented policy and management regimes in Phase 1 are applied and experienced in practice in WA.

The project team worked closely with DEC as the principal public land manager in the southwest of WA. DEC offered to distribute an online survey to its staff across the southwest WA region and gave approval for their involvement in follow-up interviews. Bushwalkers were accessed through email distribution networks managed by bushwalking clubs and associations in Perth and southwest WA.

Two separate, invitation only, online surveys were developed for bushwalkers and DEC land managers respectively. The surveys aimed to gather the opinions and perceptions of users and managers regarding access to land for walking in the southwest region of WA. The online survey then asked respondents if they were willing to participate in a follow-up phone interview to provide a more in-depth response.

The survey scope was confined to the southwest portion of Western Australia where the majority of the state’s population lives and recreates. The time frame for the survey included experiences from 1984 until the present day. 1984 was selected as this was the year that a single conservation agency was established to manage state forest and conservation reserves in WA, the Department of Conservation and Land Management (CALM). The establishment of CALM arguably represents the ‘modern’ era of land management in WA. CALM was restructured twice after its formation. Firstly with the removal of the forestry production element in 2000 and the amalgamation with the Department of Environment a in 2006 to form the Department of Environment and Conservation (DEC) (Hughes, 2012). However, despite the
restructuring and renaming, DEC essentially maintains the same model for land management and access as governed by the original *CALM Act 1984 (WA)*.

The professional version of the online resource Survey Monkey was used to construct the bushwalker and land manager surveys. The questionnaires were designed in consultation with DSR and DEC. The surveys gathered information regarding access to land for bushwalking as well as establishment of walk trails as summarized in Table 1.

<table>
<thead>
<tr>
<th><strong>Table 1: Summary of online questionnaire content for bushwalkers and land managers</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bushwalker land access survey</strong></td>
</tr>
<tr>
<td>Age, gender, place of residence</td>
</tr>
<tr>
<td>Places commonly accessed for walking by respondent</td>
</tr>
<tr>
<td>Tenures accessed (if known)</td>
</tr>
<tr>
<td>bushwalking Describe any positive experiences</td>
</tr>
<tr>
<td>bushwalking Describe any negative experiences</td>
</tr>
<tr>
<td>Walk trail development positive experiences</td>
</tr>
<tr>
<td>Walk trail development negative experiences</td>
</tr>
<tr>
<td>General opinion on any perceived changes in recreation access to land in WA</td>
</tr>
<tr>
<td>Request for follow-up phone interview</td>
</tr>
</tbody>
</table>

The draft surveys were piloted with a small group of bushwalkers and DEC managers respectively. Feedback was used to refine the questionnaire to ensure the survey gathered data relevant to the project and questions were interpreted by respondents as intended by the researchers. Once piloted and refined, a link to the bushwalker survey was distributed by bushwalking clubs through their email contact lists. The land manager survey was distributed to district staff in southwest WA by DEC. Only those who received the emailed survey link could complete the survey online. Responses were downloaded to Excel and the SPSS statistical package for analysis.

Follow-up phone interviews were designed to gather additional information to supplement that provided in the survey. Consequently, phone interviews were guided by the question format of the online survey, enabling respondents to provide any additional information and insights from their perspective. Notes were taken during interviews to recorded responses.

**Report Structure**

This report presents findings in three parts, those relating to stage 1 and then findings relating to stage 2 as follows:

1. findings from the interstate review of bushwalking access to land in Victoria, Queensland and Tasmania
2. findings from the online survey of bushwalkers and DEC and managers
3. findings from the follow-up interviews of bushwalkers and DEC land managers

From these findings, similarities and differences are identified to inform the direction for more in-depth investigation of issues using hypothetical scenario workshops in stage 3 of the project.
Findings Stage 1: interstate review of land access

A review of bushwalking access policy and management in other Australian states was conducted to provide a point for comparison with WA. State based laws, policy and management vary across Australia based on different bureaucratic structures and histories of policy and management development. Understanding access policy and management in other states provides insights into whether different policy and management environments have similar or different bushwalking access issues. This helps with understanding how the WA context affects access and how alternative policy and management approaches might influence this.

Three Australian states, Victoria, Queensland and Tasmania, were selected based on their distinctive contexts and policy and management approaches. Three states were reviewed owing to a limit time frame for data gathering. This section of the report provides a summary of the findings in terms of the policy and management context for bushwalking access in each of these states. Where possible, anecdotal evidence was gathered based on phone interviews with land or policy managers as well as online sources. Table 2 at the end of this section summarises the land use and management for each state as compared with WA.

Victoria
Approximately 34% of Victoria’s land is public and the remaining 65% is private. Despite the large proportion of private land in Victoria, and the fact that some water catchment areas are closed to the public doesn’t seem to be an issue in terms of access (or lack of access) to land for walking from the land manager’s point of view. The Statewide Recreation & Tourism Coordinator with DSE, believes this is because there is a good network of walking trails available on public land; and also, in terms of closed water catchments, the management regime has been long established and respected by users.

The Department for Sustainability and Environment (DSE) is responsible for overseeing the management of most of Victoria’s public land. Although the overall legislative responsibility for these lands lies with DSE, its day-to-day management is carried out by other land managers including Parks Victoria, local government agencies and various Committees of Management. Other government agencies, such as water authorities, may have ‘implied’ management responsibility for some portions of Crown land. These bodies do not have a legal duty to manage land but require the land for operational purposes (DSE, 2011).

Public Liability
Sections 14B and 14C of the Wrongs Act 1958 (Vic.) deal with occupiers liability and the duty of care owed by occupiers of premises, including the Crown, in Victoria. The occupier has a duty to take reasonable care to ensure that “any person on the premises will not be injured or damaged by reason of the state of the premises or of things done or omitted to be done in relation to the state of the premises”. There are a number of considerations listed in the legislation which must be taken into account when assessing whether an occupier has fulfilled their duty of care including the nature of the premises and the burden on the occupier of protecting people from a danger.

In Queensland, Tasmania and Western Australia, civil liability legislation frees an occupier from liability associated with harm caused by obvious or inherent risks of dangerous recreational activities (Villa, 2009). In NSW and WA the legislation also allows for the voluntary assumption of risk by providing that a recreational service provider is not liable for harm resulting from a recreational activity if that activity was subject to a risk warning. Victorian legislation does not include these clauses and their absence may make occupiers and recreation service providers more vulnerable to liability where a walker injures themselves.

Anecdotes from Victoria
Phone conversation with DSE representative 1 (R1). Conflict between land managers:
When asked about conflicts between land managers in regarding recreational access to catchment areas, R1 suggested that in some water catchment areas there has been some conflict in recent times. The conflict has arisen due to lowering ground water levels. Catchment management authorities (CMA's) have a responsibility to manage areas (and access to them) below the high water mark. With lowering ground
water levels what was water is now increasingly becoming land and there is confusion between the CMA’s and adjoining land managers about who is responsible to manage that land. This indicates some confusion over management due to environmental changes and overlapping responsibility.

**Phone conversation with DSE representative 2 (R2). Closed water catchments:**
In 1995, some water catchments that were managed by Melbourne Water Corporation had their tenure changed to national park through the National Parks Bill (1995). This gave a higher level of protection to the water catchments and was considered to be a political move to gain votes. Because the catchments were managed by Melbourne Water, and would continue to be managed by them, the tenure change contributed to the state’s reserve system without putting a drain on state resources. As part of the Bill and subsequent management agreement Melbourne Water could still determine and enforce appropriate human access restrictions. For the most part the ‘appropriate’ level of access to these catchments is deemed to be none.

Both DSE representatives did not believe that restricted access was an issue for the public. It is considered to be accepted it because it has been in place for about 100 years and there are very good recreational opportunities in other parts of the state. R1 suggested people accepted it because it works as the drinking water in Melbourne is of exceptional quality and the biological values of the catchment areas are excellent due to exclusion of people. R2 works in a fire management and response capacity, and is also supportive of closed catchments because there are fewer fires in closed reserves.

R2 mentioned that some State forest is now being leased to Melbourne Water for catchment management. As part of the lease agreements logging can still occur with some restrictions (e.g. not near streams) and the time of year forests can be logged. These restrictions help maintain water quality.

**Email exchange with Parks Victoria representative (R3). Relationship with other land managers**
“In some circumstances, projects which involve other land manager(s), Parks Victoria may provide the overall planning in conjunction with those land manager(s). An example of this includes some long distance walks. The role Parks Victoria has in these walks often depends on who is the majority land owner, who has the capability and capacity and where the resources and funding sit. This can sometimes transfer in establishment and management responsibilities which may occur over other land or others may have over Parks Victoria managed land. These arrangements are often dealt with through leases or licenses... As far as I’m aware there is no single piece of policy or legislation that provides for consistent management of a trail across boundaries. This is sometimes achieved through MOU’s, leases or licenses.”

**Queensland**
Only 7% of land in Queensland is public land – the majority of that being reserved as conservation and forestry reserve. Crown leases, mostly pastoral and grazing leases, occupy a very large proportion of the state (64%). Public access is therefore restricted in much of the state.

The Department of Environment and Resource Management (DERM) administers about 70% of Queensland land under the Land Act 1994 (Qld.). Most of the land managed under the Land Act is leased Crown land and some is unallocated State land. DERM also has the overall legislative responsibility for managing conservation reserves and forestry reserves in Queensland under the Nature Conservation Act 1992 (Qld.) and the Forestry Act 1959 (Qld.).

The day-to-day management of conservation reserves and most State forests is carried out by Queensland Parks and Wildlife Service (QPWS). Access for recreational walking is provided for in both of these tenures although access and type of use can be restricted. QPWS establishes and maintains recreational infrastructure in its managed reserves including walk trails (DERM, 2011).

In July 2010 the Queensland Government sold Forestry Plantations Queensland Pty Ltd (FPQ) to Hancock Timber Resource Group and gave FPQ a 99 year license to manage and grow plantation timber on 3000 km² of State forest. As part of the license agreement FPQ has guaranteed continued public access, including for walking, to the area of State forest under its management. FPQ also manage 361 km² of freehold title land...
for forestry.

**Public Liability**

There is no occupier’s liability act in Queensland which means the common law of negligence applies (QORF, 2002). However, the Civil Liability Act 2003 (Qld.) determines the extent to which a person has a duty to take precautions against risk of harm, and the relevant considerations when determining whether a breach of duty has occurred. The Act proclaims that defendants do not have to warn of obvious risks unless the defendant is a service provider and the risk is related to the delivery of their service; and, that there is no liability for inherent risks which result in harm.

Risk management strategies have been implemented by Queensland land management agencies to deal with some of the risk associated with recreational activities on their land. These include the requirement for commercial or group activity permit holders under the Forestry Act 1959 (Qld.) and the Nature Conservation Act 1992 (Qld.) to hold minimum levels of public liability cover. Queensland Parks and Wildlife Service has also dealt with risk by restricting access to areas under the provisions of the Nature Conservation Act 1992 (Qld.) (QORF, 2002).

**Anecdotes from Queensland**

**Bushwalker account of access to private land in Queensland**

This account of an experience of being shot at whilst walking on private property in south-east Queensland was sourced from Bushwalk Australia’s discussion forum in response to a thread entitled ‘crossing private land’ (http://bushwalk.com/forum/viewtopic.php?f=38&t=6320). By “tas-man” Mon 20 Jun, 2011 11:26 pm

“Your query has brought back to mind a story about the risks of traversing private property in this particular area - the only time on a bushwalk I was on the receiving end of shotgun fire!

I led a trip via Hellhole Creek to Double Top on the Main Range in the early 1970's. I had done a survey trip a few weeks before hand, to get the OK from the property owners, one of whom was an old codger living in a shack on Top Swanfells Road opposite to the junction of Hellhole creek and Swan Creek. He was OK with allowing us access as we had done the right thing and asked him first, but I couldn't help remembering the "Trespassers Will Be Shot" sign on his entry gate. I told him the date and the approximate time we would be coming back down the creek and crossing his property to where we would park our cars for the day so there would be no problems on the day. The day of the walk eventuated and we parked a few hundred metres past the old chap's hut and set off over his property as arranged. We crossed Swan Creek and onto the cattle track that led through Hellhole Gorge ... we started ascending a ridge to Double Top for lunch. We retraced our route on the way back, and I had just crossed Swan Creek and was waiting for the tail to catch up when a shotgun blast stopped us in our tracks and had us diving for cover behind the creek bank. Another BANG and some shouted obscenities about "****ing trespassers again, I'll have you picking pellets out of your ****ing a**e if you don't ****ing get of my property immediately!" He was standing outside his shack about 500-600 metres away, and after a bit of silence, I stuck my head above the creek bank and called out "We are the group from the Brisbane Bushwalkers Club that I talked to you about a few weeks ago."

Another BANG and "I don't care who the ****ing bags of **it you are - GET OF MY PROPERTY!!!!" So there was no point in arguing any more, as he sounded a bit drunk as well, and had totally forgotten about my previous visit to get permission. We scrambled a quietly as we could in the creek bed heading south until we were out of sight of the shack, then left Swan Creek and walked back along the road to our cars. Quite a memorable walk, thinking about it 35+ years later.

Email from Department of Communities.  Conflict between land managers in Qld.

“The types of land management constraints which cause confusion for bushwalkers in WA, do not apply in Queensland because:

(a) much of the land in catchments is freehold and also used for grazing and the water undergoes treatment to make it potable for humans; or

(b) SEQ Water are the managing agents; or
(c) Other landholders adjacent to water storage catchments (e.g. DERM) determine the access, not the water authority. However, this is generally undertaken in accordance with Guidelines (e.g. http://www.seqwater.com.au/public/news-publications/development-guidelines)

Tasmania
In contrast to Victoria and Queensland, 60% of land in Tasmania is public land. Over 30% of land in Tasmania is reserved for conservation purposes and 20% is forestry reserve. Recreational access to most public land is allowed, with some exceptions, but access to private land is not allowed without permission.

Department of Primary Industries, Parks, Water and Environment (DPIPWE) formed in July 2009, is made up of multiple divisions with myriad responsibilities. Generally, DPIPWE has the overall legislative responsibility for the management and protection of all types of Crown land and water resources. A few departments within DPIPWE have responsibility for different types of land.

Tasmania Parks and Wildlife Service (PWS - Part of DPIPWE) is responsible for the management of Tasmania’s parks, reserves and World Heritage areas under the Nature Conservation Act 2002 (Tas.). This includes more than 400 reserves over 25,083 km$^2$ (36.8% of the area of the State) (PWS, 2008). PWS provides many walking trails throughout its reserve system and access to these is unrestricted except for the Overland Trail where a booking system applies and visitor numbers are limited. Entry into all national parks, whether by foot or vehicle, incurs a fee prescribed by PWS.

Forestry Tasmania is a Government business enterprise responsible for managing Tasmania’s 15,000 km$^2$ of State forest land. Forestry Tasmania principally manages State forest for timber resource production and sale but is also required to provide for the protection of environmental values and the provision of recreation. Within Tasmania’s State forest, Forestry Tasmania manages 250 walking trails covering about 600 km. There are no fees associated with entering State forest.

Public Liability
The Civil Liability Act 2002 (Tas.) determines the circumstances by which someone may be or may not be liable for damages or harm in Tasmania. Division 2 of the Act outlines the general principles of “standard of care” and the considerations necessary when determining whether a breach of duty has occurred.

Like the Civil Liability Act 2003 (Qld.) the Tasmanian Act defines an “obvious risk” and proclaims that there is no duty to warn of obvious risks unless the defendant is a service provider and the risk is related to the delivery of their service. The Act further protects public and other authorities from liability by proclaiming that an authority does not owe a duty of care to a person for any risks associated with recreational activities for which it has issued a risk warning. The risk warning does not have to be specific to the particular risk but must be “reasonably likely to result in people being warned of the risk before engaging in the recreational activity” (S.39, 3).

Table 2 summarises the land use and management for each of the states reviewed, including WA.
<table>
<thead>
<tr>
<th>State</th>
<th>Total land area (‘000km²)</th>
<th>Land use type %</th>
<th>Public access control responsibilities</th>
<th>Liability</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WA</td>
<td>2525.5</td>
<td>Nature conservation 6.74% Water reserve 0.36%</td>
<td>- WA DEC  - Water Corp  - Local Government  - Commonwealth Dept of Defence  - Mine lessees</td>
<td>Occupier and civil liability Acts exist. Civil liability laws free land owner from responsibility for injuries associated with inherent risks. Service providers have reduced liability with provision of a risk warning for activities.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vacant crown land 4.86% Defence land 0.25%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other crown land 27.60% Mining reserve 0.02%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Forestry reserve 0.74% Mixed category -</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total public land</strong> 40.56%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freehold 8.12% Aboriginal &amp; TSI 12.89%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Crown leasehold 35.63%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Qld</td>
<td>1727.2</td>
<td>Nature conservation 3.89% Water reserve -</td>
<td>- Qld Parks and Wildlife  - Forestry Plantations Qld  - Mining lessees  - Commonwealth Dept of Defence</td>
<td>No Occupier’s liability Act, common law of negligence applies. Civil Liability Act exists. QPWS restricts access to some areas under the Nature Conservation Act 1992 (Qld) to reduce public risk</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vacant crown land - Defence land 0.41%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other crown land - Mining reserve 0.20%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Forestry reserve 2.44% Mixed category -</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total public land</strong> 6.95%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freehold 36.31% Aboriginal &amp; TSI 2.44%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Crown leasehold 54.41%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vic.</td>
<td>227.6</td>
<td>Nature conservation 15.07% Water reserve 0.35%</td>
<td>- Dept of Sustainability and Environment  - Parks Victoria  - Local Government  - Committees of Management  - Water catchment managers</td>
<td>Wrongs Act 1958 (Vic) deals with occupiers liability. Land owner has a duty of care to ensure safety.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vacant crown land 0.48% Defence land 0.18%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other crown land 2.11% Mining reserve -</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Forestry reserve 15.77% Mixed category 0.22%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total public land</strong> 34.18%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freehold 68.19% Aboriginal &amp; TSI -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Crown leasehold 0.04%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tas.</td>
<td>67.8</td>
<td>Nature conservation 26.25% Water reserve 1.47%</td>
<td>- Tas. Parks and Wildlife  - Water catchment managers  - Local Government  - Forestry Tasmania  - Commonwealth Dept of Defence</td>
<td>Civil Liability Act 2002 (Tas) does not require warnings for obvious risks other than those related to a service provider. Land owners and service providers are protected from liability for activities issued with a risk warning.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vacant crown land 9.29% Defence land 0.29%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other crown land 1.18% Mining reserve -</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Forestry reserve 21.53% Mixed category 0.15%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total public land</strong> 60.18%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freehold 40.12% Aboriginal &amp; TSI -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Crown leasehold -</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Stage 1: Summary and Conclusions

The preliminary interstate review highlights the variety of land access management structures and circumstances in different states across Australia. All three states have different proportions of public land, a complexity of legislation and policy regarding land management, along with multiple stakeholders and managers. Each state has a different historical, social and political context for land access management that appears to influence the current issues in respect to land access.

For example, unlike in WA, it appears that exclusion from water catchments is accepted in Victoria due to a long tradition of this practice. According to the government representatives interviewed, bushwalking access is not a major issue also because of the provision of ample walking opportunities outside restricted areas. It is also not considered an issue in Queensland because they have extensive water treatment and recreation is generally allowed in water catchment areas. Most land in Queensland is private and therefore technically not accessible to the public. However, the opinions expressed in this preliminary work are all of government officials. In order to obtain a more accurate representation of opinions on land access, recreational land users would need to be surveyed. Tasmania appears to have an ample supply of publicly accessible walk trails and natural areas available for walking.

The interstate review indicated that there was not a consistent approach to management of trails and bushwalking access across multiple management and tenure boundaries. One interviewee mentioned that this is “sometimes” managed through MOU’s, leases or licenses, suggesting a variable approach that perhaps lacks consistency, similar to the situation in WA.

In terms of liability, Victoria and Tasmania had similar arrangements to WA whereby occupier’s liability is balanced by civil liability. This means the land managers and owners are somewhat protected from litigation by recreation users unless negligence or intent resulting in harm is demonstrated. Queensland does not have occupier’s liability. However, the Civil Liability Act 2003 (Qld) and the common law of negligence can be used to demonstrate the extent to which the land owner is responsible for injury. There are instances in Queensland where public access to land has been restricted for risk mitigation.

It is apparent that there are issues relating to land access for recreation in other states, though further work is required to clarify these issues. The various land access management arrangements in different states, combined with the complex legislative frameworks and policies, and different social and political contexts provides an excellent opportunity to identify effective approaches to recreation access management.

Conducting surveys and interviews similar to those carried out in WA for stage 2 would provide further insights into effective policy and management of bushwalking access.

The following section provides the findings from stage 2 of the project that included a survey of bushwalkers and DEC land managers in Western Australia with follow-up interview to gain more insight into the online questionnaire responses.
Findings Stage 2: WA based online survey

An online survey of bushwalkers and DEC land managers was conducted to gather opinion and reported experiences of bushwalking access to land in WA. This adds to the Phase 1 findings in terms of providing a firsthand account of how the documented policy and management regimes are applied and experienced in practice.

The following results include responses by bushwalkers and DEC land managers to an initial online survey and then follow-up interviews. The online survey included questions about gaining access to land firstly for recreational bushwalking, and secondly for establishing formal walk trails. The results of the online survey are followed by summary results of the in-depth interviews of bushwalkers and land managers.

Bushwalker online survey results: Access to land for recreational bushwalking

A total of 43 bushwalkers responded to the online survey. This sample represents members of organised clubs and associations with long standing involvement in bushwalking in WA. The majority of respondents were older males living in the Perth Metropolitan Area.

Table 3: Bushwalker online survey respondent demographic characteristics

<table>
<thead>
<tr>
<th>Age</th>
<th>%</th>
<th>n</th>
<th>Residence</th>
<th>%</th>
<th>n</th>
<th>Gender</th>
<th>%</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 to 30yrs</td>
<td>2.3%</td>
<td>1</td>
<td>Perth Metro</td>
<td>88.4%</td>
<td>38</td>
<td>Male</td>
<td>69.0%</td>
<td>29</td>
</tr>
<tr>
<td>31 to 40yrs</td>
<td>16.3%</td>
<td>7</td>
<td>Albany</td>
<td>2.3%</td>
<td>1</td>
<td>Female</td>
<td>31.0%</td>
<td>13</td>
</tr>
<tr>
<td>41 to 50yrs</td>
<td>16.3%</td>
<td>7</td>
<td>Australind</td>
<td>2.3%</td>
<td>1</td>
<td>no response</td>
<td>4.7%</td>
<td>2</td>
</tr>
<tr>
<td>51 to 60yrs</td>
<td>27.9%</td>
<td>12</td>
<td>Bunbury</td>
<td>2.3%</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>61 to 70yrs</td>
<td>30.2%</td>
<td>13</td>
<td>no response</td>
<td>4.7%</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>over 70yrs</td>
<td>2.3%</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>no response</td>
<td>4.7%</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>43</td>
<td>TOTAL</td>
<td>100%</td>
<td>43</td>
<td>TOTAL</td>
<td>100%</td>
<td>43</td>
</tr>
</tbody>
</table>

Where do you most commonly go bushwalking?

Respondents were asked an open ended question regarding where they went bushwalking. Respondents were free to name as many locations as they wished. The aggregated results in Table 2 indicate most respondents commonly bushwalked in the Perth area, Darling Range and Perth Hills. These self-nominated locations overlap in terms of geographic area but also include distinct and separate locations, and so are presented as separate categories. The popularity of the Perth area and surrounds is most likely associated with the fact most survey respondents live in the Perth Metropolitan Area.

Table 4: Bushwalker online survey nominated common bushwalking locations (n = 40)

<table>
<thead>
<tr>
<th>Location</th>
<th>%</th>
<th>n</th>
<th>Location</th>
<th>%</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perth area</td>
<td>45.0%</td>
<td>18</td>
<td>Pemberton area</td>
<td>5.0%</td>
<td>2</td>
</tr>
<tr>
<td>Darling Range</td>
<td>25.0%</td>
<td>10</td>
<td>Walpole area</td>
<td>5.0%</td>
<td>2</td>
</tr>
<tr>
<td>Perth Hills</td>
<td>20.0%</td>
<td>8</td>
<td>Stirling Range</td>
<td>5.0%</td>
<td>2</td>
</tr>
<tr>
<td>Bibbulmun Track</td>
<td>10.0%</td>
<td>4</td>
<td>Bunbury area</td>
<td>2.5%</td>
<td>1</td>
</tr>
<tr>
<td>Albany area</td>
<td>10.0%</td>
<td>4</td>
<td>Yanchep</td>
<td>2.5%</td>
<td>1</td>
</tr>
<tr>
<td>all over</td>
<td>7.5%</td>
<td>3</td>
<td>Porongorups</td>
<td>2.5%</td>
<td>1</td>
</tr>
<tr>
<td>Margaret River area</td>
<td>7.5%</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Survey respondents were provided with a list of WA land tenure and management areas and asked to indicate whether they have accessed the areas for recreational bushwalking. Most indicated they had access public land in the form of conservation reserves (such as national parks) and state forest. A significant number also indicate they accessed water protection reserves and freehold (private) land. Fewer indicated
access to mining reserves, defense land and Aboriginal reserves and leases. The small proportion accessing Aboriginal reserves and leases and defense land is probably because these types of land areas are not prevalent in the southwest of WA, the focus of this survey. It seems that many respondents were not sure whether they had accessed some areas such as water protection reserves, Aboriginal leases and reserves and mining reserves.

Figure 2: Types of land jurisdiction accessed in southwest WA as indicated by bushwalkers (n = 38)

**Gaining access to land for bushwalking, positive and negative experiences**

Bushwalker survey respondents were asked whether they could recall any positive experiences in relation to gaining access to land for recreational bushwalking by selecting either a ‘Yes’ or ‘No’ option. They were then asked if they could recall negative experiences. About two thirds of respondents indicated they could recall positive experiences while about one third indicated they could recall negative experiences. Interestingly, only 14% could NOT recall a positive experience while about 42% could NOT recall and negative experience.

Figure 3: Proportion of positive and negative experiences recalled by bushwalkers in relation to gaining access to land (n = 43).
Gaining access to land for bushwalking: types of positive and negative experiences

Respondents were requested to indicate the types of experiences they have had from a list provided by the questionnaire. The list of options was generated from previous research into access to land and feedback at community forums and conference presentations. Respondents selected options from two separate lists for positive and negative experiences respectively. More than one option could be selected meaning the total number of responses was greater than the number of people completing the survey.

Table 5: Types of positive and negative bushwalker experiences (n = 43)

<table>
<thead>
<tr>
<th>Positive experience options</th>
<th>%</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Helpful DEC rangers facilitating access.</td>
<td>53.5%</td>
<td>23</td>
</tr>
<tr>
<td>Private landholders allowing access.</td>
<td>51.2%</td>
<td>22</td>
</tr>
<tr>
<td>Provision of access to previously restricted areas.</td>
<td>20.9%</td>
<td>9</td>
</tr>
<tr>
<td>Opening of new tracks.</td>
<td>20.9%</td>
<td>9</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>2.3%</td>
<td>1</td>
</tr>
<tr>
<td>No response</td>
<td>37.2%</td>
<td>16</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Negative experience options</th>
<th>%</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water catchment areas restricting access</td>
<td>27.9%</td>
<td>12</td>
</tr>
<tr>
<td>Exclusion of access to previously accessible areas</td>
<td>25.6%</td>
<td>11</td>
</tr>
<tr>
<td>Dieback risk areas restricting access</td>
<td>18.6%</td>
<td>8</td>
</tr>
<tr>
<td>Lack of adequate facilities</td>
<td>16.3%</td>
<td>7</td>
</tr>
<tr>
<td>Closure of access tracks</td>
<td>18.6%</td>
<td>8</td>
</tr>
<tr>
<td>Private land restricting access</td>
<td>16.3%</td>
<td>7</td>
</tr>
<tr>
<td>Closure of campsites</td>
<td>11.6%</td>
<td>5</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>7.0%</td>
<td>3</td>
</tr>
<tr>
<td>No response</td>
<td>72%</td>
<td>31</td>
</tr>
</tbody>
</table>

In terms of positive response options facilitation of access by DEC rangers and private landholders were most frequently selected. The most commonly selected negative experience option related to restricted access to water catchment areas and exclusion of access to previously accessible areas. The non-response rate to the negative experience options was almost twice that of the positive response options. Non-responses could be interpreted as either not having had a negative experience or that the options provided were not relevant.

Gaining access to land for bushwalking: positive experience anecdotes

To obtain more detail on positive experiences, survey respondents indicating positive experiences associated with gaining access to land for bushwalking were asked to briefly describe them. Responses commonly referred to helpful advice and provision of information by DEC rangers. There were also references to private land holders granting access based on established positive relationships. For example:

“Helpful ranger with advice on walking in the park”

“Land owner welcomed use of his land due to positive past experiences.”

“Application was promptly replied to and approved by ... DEC”

“Farmer allowing access across land to National Park trails and DEC providing maps of terrain and trails leading to Ellen Peak climb”

“... owners of adjacent properties have always been extremely cooperative in granting access to their land, when requested, two or three times each year.”

Some positive experiences appeared to result from an initially negative situation where access was first denied then granted. This appears to highlight the ad hoc and potentially confusing complexity of land
access management in the southwest of WA. For example:

“After having been denied access to land by DEC, the ... Mine managers informed DEC that, as the lessee, they did not have a problem and access was granted.”

“After many attempts to even talk to officials accountable for access to said areas, were finally successful in just getting foot into the door. Then after countless meetings with various officials and Govt Ministers, Water Corp conceded we could once again have access to said areas...”

**Gaining access to land for bushwalking: negative experience anecdotes**

Those who had indicated a negative experience relating to land access were asked to briefly describe the negative experiences. Responses commonly referred to management restrictions on bushwalking access and organised events. There were also references to inconsistent or unreasonable management and DEC rangers being unhelpful or slow to respond while some landholders were seen to be aggressive and unhelpful. Restrictions associated with water protection zones were common. For example:

“Unhelpful ranger not giving information to a remote area of coast I wished to visit.”

“Access effectively denied because of ban on crossing watercourses. Stupid ban when watercourses are dry! No policing of individual users ... even when the water is flowing, yet groups applying for access in a legitimate way are denied!”

“Recreation lockout to clubs of catchment areas for camping”

“I have come across walks that have been done previously walked not being able to be used any more ... due to water use protection areas being implemented, and sometimes die-back management areas.”

“Closure of scarp access track”

“Unable to plan our event program effectively due to the lateness of DEC planning their fire management activities”

“... it would seem Officialdom leaves no page unturned in trying to make access to such areas for our activities as difficult as possible. It is incredibly difficult to even be given access to officials responsible for these areas.”

While fewer respondents described having negative experiences relative to the number having positive experiences, the descriptions appear to point to concerns over water protection zone restrictions and perceptions of poor or inconsistent management. Positive experiences commonly referred to private landholders granting access, effectively bypassing complex government processes.

**Bushwalker online survey results: Access to land for establishing walk trails**

Respondents were asked whether they had been involved in the development and management of walk trails in the southwest of WA. Less than a quarter (21%) indicated that they had while more than half had not. The small number of responses means the results presented are indicative only.

<table>
<thead>
<tr>
<th>Response</th>
<th>%</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>21%</td>
<td>9</td>
</tr>
<tr>
<td>No</td>
<td>53.4%</td>
<td>23</td>
</tr>
<tr>
<td>No response</td>
<td>25.6%</td>
<td>11</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>43</td>
</tr>
</tbody>
</table>

Those indicating they had experience with developing walk trails were asked to provide examples of positive and negative experiences in gaining access to land for this purpose. The following results are only indicative given the small sample size (9 people).
Gaining access to land for walk trails, positive and negative experiences

Of the nine people who indicated some experience with developing walk trails, one could recall having a positive experience while five could not. Conversely, three could recall negative experiences and 3 could not.

![Can you recall positive experiences?](image1.png)

![Can you recall negative experiences?](image2.png)

Figure 4: Proportion of positive and negative experiences recalled in relation to gaining access to land for walk trails (n = 9).

Gaining access to land for walk trails: types of positive and negative experiences

When asked to indicate experience types from a list, positive experiences were associated with dealing with land managers and owners. Negative experiences were associated with issues around multiple tenures, risk and liability and complex legal requirements as well as dealing with land managers.

Table 7: Types of positive and negative walk trail experiences

<table>
<thead>
<tr>
<th>Positive experience options (n = 1)</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consistency of response from land managers.</td>
<td>1</td>
</tr>
<tr>
<td>Dealing with land owners.</td>
<td>1</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>1</td>
</tr>
<tr>
<td>Dealing with multiple land tenures.</td>
<td>0</td>
</tr>
<tr>
<td>Dealing with multiple management regimes.</td>
<td>0</td>
</tr>
<tr>
<td>Addressing risk and liability issues.</td>
<td>0</td>
</tr>
<tr>
<td>Complex legal requirements.</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Negative experience options (n = 3)</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dealing with multiple land tenures.</td>
<td>2</td>
</tr>
<tr>
<td>Addressing risk and liability issues.</td>
<td>2</td>
</tr>
<tr>
<td>Consistency of response from land managers.</td>
<td>2</td>
</tr>
<tr>
<td>Complex legal requirements.</td>
<td>2</td>
</tr>
<tr>
<td>Dealing with multiple management regimes.</td>
<td>1</td>
</tr>
<tr>
<td>Dealing with land owners.</td>
<td>1</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>1</td>
</tr>
</tbody>
</table>

Gaining access to land for walk trails: positive and negative experience anecdotes

A single anecdote was provided regarding a negative experience in which one official indicated a location for parking near a trail and subsequently, a DEC officer complained about parking in that location. This suggests minor conflicting messages about access to the trail. There were no relevant positive anecdotes provided other than a note about getting official recognition for trail maintenance.
Bushwalker online survey results: Overall opinion on land access for walking in southwest WA.

When all 43 respondents were asked their opinion on whether bushwalking opportunities in relation to access to land have change since 1984 in the southwest of WA, almost two thirds of respondents said ‘Yes’ while only 5% said ‘No’. About a third did not respond.

![Pie chart showing the response to whether opportunities for bushwalking access to land in the Southwest of WA have changed over the years from 1984 until the present (n = 43)?](image)

Respondents were asked to briefly describe how they perceived access to land for bushwalking had changed. Of the 26 who wrote a comment, many respondents referred to more restrictions and reduced access for walking and more regulation and bureaucracy. For example:

“Restricted access due to private landowners, land development, vegetation (eg. dieback), withdrawal of relevant maps...”

“Many pristine areas that were once real off-track bushwalking areas in the south west are now ... housing estates, rubbish tips, mining areas, firewood collection areas, seaside resort areas, canal housing, have become clear-felled forests ...”

“Access is now more restricted and controlled.”

“Stricter access, more red tape”

“... the encroachment of mining into walking areas has been a negative”

“Land owners are terrified of Risk Management issues.”

Interestingly, a significant number of respondents indicated access had improved over the years since 1984. About 34% of those who responded include some positive changes in their comments. Positive perceptions were commonly based on the establishment of the Bibbulmun Track. For example:

“There have been some positives through the opening up of trails such as the long-distance tracks ...”

“the new Bibbulmun Track and the Cape to Cape walk was created.”

“more facilities provided for bushwalkers, e.g Bib track and associated tourism [and] accommodation, etc”

“Bibbulmun Track.. a great asset and has increased my use of many small town facilities. I have also revisited the areas for other activities eg paddling because of the opportunities to view areas I would not been exposed to have without the Bibbulum track”
It would seem there is some recognition of improved access, facilities and information but the majority also considered there have been increased restrictions on access, particularly due to changes in land use and management and increased regulation. Some comments contrasted the increased ‘red tape’ for those who abide by the rules versus the lack of on the ground policing of people who access areas without regard for the regulations.

**DEC land Manager online survey results: Access to land for recreational bushwalking**

A total of 9 DEC land managers from the 12 districts in the southwest region of WA study area completed the online survey. The DEC staff responsible for respective districts completed the survey. The number of responses is representative in terms of the total number of districts in the southwest WA study area.

The majority of respondents were between 31 and 50 years of age, younger than the bushwalker group. Response was fairly evenly divided between males and females, contrasting with the male dominated bushwalker response (Table 6). The respondents varied in the length of time employed with DEC, not necessarily in the study region. This includes ‘new comers’ of less than 2 years up to DEC ‘veterans’ of more than 30 year’s experience.

<table>
<thead>
<tr>
<th>Age</th>
<th>%</th>
<th>n</th>
<th>Gender</th>
<th>%</th>
<th>n</th>
<th>Total length of service with DEC</th>
<th>%</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 to 30yrs</td>
<td>0.0%</td>
<td>0</td>
<td>Male</td>
<td>55.6%</td>
<td>5</td>
<td>&lt;1 yr</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>31 to 40yrs</td>
<td>44.4%</td>
<td>4</td>
<td>Female</td>
<td>44.4%</td>
<td>4</td>
<td>1 - 5 yrs</td>
<td>44.4%</td>
<td>4</td>
</tr>
<tr>
<td>41 to 50yrs</td>
<td>33.3%</td>
<td>3</td>
<td>no response</td>
<td>-</td>
<td>-</td>
<td>5.1 - 10 yrs</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>51 to 60yrs</td>
<td>11.1%</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>10.1 - 20 yrs</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>61 to 70yrs</td>
<td>11.1%</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>&gt;20 yrs</td>
<td>44.4%</td>
<td>4</td>
</tr>
<tr>
<td>over 70yrs</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td>no response</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>no response</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
<td>no response</td>
<td>11.1%</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>9</td>
<td>TOTAL</td>
<td>100%</td>
<td>9</td>
<td>TOTAL</td>
<td>100%</td>
<td>9</td>
</tr>
</tbody>
</table>

When asked where they had been posted as a DEC employee in the southwest of WA, most respondents had worked in the districts along the southern coastline of WA (Figure 11). This includes the regions of Warren and South Coast. A few had worked in the districts that include the Perth metropolitan area and Perth Hills (Swan) and the area south of Perth to the southwest corner (Southwest). Most had worked in more than one district or region.
DEC land managers were asked to indicate the types of direct access management experience they have had by selecting options from a list. Respondents could select any number of activities as was appropriate (Figure 12). Seven of 9 managers responded. All respondents have experience with establishing formal walk trails while about one third had experience managing independent bushwalkers. A few DEC managers have experience with establishing access for formal events such as rogaining and orienteering.

**Figure 6:** DEC districts in the southwest WA study area and respondent experience since 1984

**Figure 7:** Types of land access management activities experienced by DEC respondents (n = 7).
Three respondents indicated ‘other’. This included experience with establishing a cycle trail, experience with trails at the strategic level rather than ‘on the ground’ and experience with access for educational activities for schools and universities.

**Managing access to land for bushwalking, positive and negative experiences**

DEC land managers were asked whether they could recall any positive experiences when managing access to land for bushwalking. They were then asked if they could recall any negative experiences (Figure 13).

![Pie chart showing proportions of positive and negative experiences recalled](chart_url)

**Figure 8: Proportion of positive and negative experiences recalled in relation to managing access to land for bushwalking (n = 9).**

Seven respondents indicated they could recall positive experiences while 2 did not respond. None of the respondents indicated they could not recall negative experiences. When asked if they could recall negative experiences, one third indicated they could while two indicated they could not. Almost half did not respond.

Due to the sample size differences between the bushwalker and land manager respondent groups, comparisons are somewhat unreliable. However, the proportion of DEC managers indicating recall of positive and negative experiences regarding bushwalking access is similar to that of the bushwalkers while similar proportions from each group did not respond. About the same proportion of bushwalkers and land managers also indicated recall of negative experiences.

**Managing access to land for bushwalking: positive experience anecdotes**

Four of the 9 DEC managers surveyed provided anecdotes of the types of positive experiences they have had in relation to access to land for bushwalking. Two respondents simply mentioned positive verbal interchanges with bushwalkers on site. Three mentioned positive experiences working with groups to maintain and manage access. One indicated that working with bushwalking groups was positive as long as they perceived DEC was supporting them in advocating access to land.

**Managing access to land for bushwalking: negative experience anecdotes**

Three respondents provided anecdotes of negative experiences, though one referred to incidents in the 1970’s, outside the bounds of this study. Of the two relevant examples, one referred to access decisions made at the political level without consultation with key stakeholders, with reference to the temporary closure of public access to Logue Brook Dam. The second example referred to dealing with conflict between different recreation types wanting access to the same area or facility, such as bushwalkers and mountain bikers.

**DEC land Manager online survey results: Access to land for establishing walk trails**

Respondents were asked whether they have had any direct experience with managing the establishment of formal walk trails in the southwest of WA. Five indicated they had while four did not respond.
Table 9: Have you been directly involved in the development and/or management of a formal public walk trail in the Southwest of WA any time since 1984? (n=9)

<table>
<thead>
<tr>
<th>Response</th>
<th>%</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>55.6%</td>
<td>5</td>
</tr>
<tr>
<td>No</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>No response</td>
<td>44.4%</td>
<td>4</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>9</td>
</tr>
</tbody>
</table>

Managing access to land for walk trails, positive and negative experiences
When asked if they could recall any positive experiences associated with managing access to land for trails, all five respondents indicated ‘Yes’. When asked if they could recall any negative experiences, 4 respondents indicate they could while one indicated they could not. This differs from the bushwalker response where more than half of respondents could not recall a positive experience regarding access to land for walk trails. Proportionally more DEC respondents could recall negative experiences when compared with the bushwalker response.

Managing access to land for walk trails: positive and negative experience anecdotes
The five respondents indicating positive experiences with establishing walk trail access referred mainly to working with local community groups in the planning and management of new and existing trails. For example:

“Establishment of the Bibbulmun track ...There were many experiences during its ... [realignment] ... which were positive including the involvement of community groups in constructing facilities, seeing the first walkers on the trail, the involvement of businesses etc”

“positive relationship with bushwalkers and councils when planning for trails.”

In terms of negative experiences, four respondents provided short anecdotes. Two were in relation to dealing with private land holders while one commented on poor coordination of planning and management within DEC. One respondent referred to the complex array of DEC responsibilities in balancing...
conservation with recreation access, especially in politically sensitive areas such as the Fitzgerald River National Park.

Difficulties with operating within a complex policy and politically driven environment appeared to be a consistent thread through the DEC survey responses.

**DEC land Manager online survey results: Overall opinion on land access for walking in southwest WA**

When asked their opinion on the overall issue of access to land in WA, four DEC managers responded while five did not. Three indicated opportunities for bushwalking access had changed while one indicated it had not. Changes indicated by the respondents included increased regulation and a reduction in the opportunity for ‘informal’, off track experiences. Perceived changes also included improved facilities and services in many locations and a less authoritarian, more community based approach to management.

![Figure 10: Perceptions of whether access for bushwalking has changed in WA since 1984 (n = 9)](image)

No response 55.6%

NO 11.1%

YES 33.3%

Figure 10: Perceptions of whether access for bushwalking has changed in WA since 1984 (n = 9)
Online Survey main points

**Bushwalker Survey**
A total of 43 bushwalkers who were members of recreation club completed the online survey. They were mainly 51-70 year old males living in the Perth Metropolitan Area. They mainly accessed conservation reserves, state forest and water protection areas and private land in the Darling Range within an hour’s drive, as well as walks within the metropolitan area.

**Interactions with DEC managers** featured as both positive experiences and some challenges, mainly around
- providing or not providing requested information;
- timely versus convoluted, contradictory and/or slow decision making; and
- closures of tracks and campsites.

The anecdotes are suggestive of an unpredictable administration and management of walking access due to lack of corporate control and inconsistent decision making processes.

**Interactions with Department of Water and Water Corporation** were consistently portrayed as a challenge generally in terms of:
- unreasonable and/or unfounded management practices regarding access to water protection areas and water ways;
- complex administration, confusing management structures; and
- convoluted decision making were also mentioned as a negative.

**Interactions with private landholders** were mentioned by survey respondents generally in a positive light based on building positive mutual relationships around access for bushwalking on property. This included one anecdote about a mining company allowing access to its land after DEC had indicated access was not allowed.

**In terms of establishing walk trails**, the few respondents who had experience with this indicated difficulties dealing with:
- multiple tenures and land managers;
- complex legal requirements; and
- addressing risk and liability issues.

**In terms of change in access to land since 1984.**
Positive changes:
- improved trails such as the Bibbulmun and Cape to Cape tracks as well as
- improved facilities and accommodation for bushwalkers.

Negative changes:
- encroachment of other land uses such as urban expansion, mining, firewood collection, logging and water protection into natural areas previously accessed for bushwalking.
- increased regulation and “red tape”; and
- reduction in provision of accurate maps and information by DEC.

The bushwalker online survey results suggest that from the recreational club user point of view gaining access to public land through official channels can be difficult, frustrating and confusing. There is also a view that DEC restricts access through track and campsite closures. DoW and Water Corporation are seen to restrict access to catchment areas unreasonably and without adequate scientific foundation. Gaining access to private land relies significantly on building positive personal relationships with land holders based on previous responsible access to their land.
**DEC land manager Survey**

The 9 district DEC respondents included a range of experience in the organization from about 1 yr up to more than 30 yrs of service. DEC respondents were generally younger (31-50 yrs) than the bushwalker respondents and most had been assigned to a range of districts across the southwest of WA though mainly in the southern coastal districts of Albany, Donnelly and Esperance. Several had been assigned to the Perth region that includes the metropolitan area and Darling Range. Most had experience with establishing and/or maintaining formal walk trails.

**In terms of bushwalking management**, 78% could recall positive experiences while 22% could not. 33% could recall negative experiences, 22% could not, while 44% did not respond.

**Positive bushwalker experiences** included pleasant interchanges with bushwalkers in the field where information is exchanged, and successfully completing trail and site maintenance projects with community groups. This aligns with the bushwalker stated positive experiences with DEC employees.

**Negative bushwalker experiences** inferred frustration with top down management decision making driven by political agenda with little or no stakeholder consultation. Dealing with and managing land access for multiple and conflicting recreation types and groups was also cited, an interesting flip side to the bushwalker experience of dealing with multiple managers.

**In terms of establishing walk trails**, all DEC respondents could recall positive experiences while 80% could recall challenging experiences. This included dealing with multiple interest groups with limited resources. Slow and complex bureaucratic processes were also perceived to add difficulty to the process.

**Positive walk trail experiences** were similar to the bushwalking examples where the DEC respondents focused on personal interactions and community engagement resulting in successful establishment of a trail.

**Negative walk trail experiences** included reference to the poor coordination of planning and management within DEC, providing additional substance to the bushwalker’s claims. Reference was also made to operating in a complex and shifting political and policy environment over which respondents had little control. Dealing with private landholders when realigning trails was cited in two examples.

DEC respondents point to the complex nature of their management responsibilities and political pressures that are brought to bear as a significant and potentially negative part of their experience in managing land. Dealing with multiple recreation groups wanting access to an area adds additional perspective to the bushwalker view in that DEC seeks to provide equitable access to public land as a policy position.
Findings Stage 2: WA based follow-up interviews

The online survey included a request for a follow-up interview to obtain more detail on bushwalking access issues in WA. Those who indicated they were willing were contacted soon after the online survey was completed. A total of 12 in-depth interviews were conducted, including eight bushwalkers and 4 DEC staff. This section presents the common themes apparent in the interviews about access to land for recreational bushwalking. Interviews were conducted to obtain a more in-depth perspective on the responses to the online survey. Results from the bushwalker and land manager interview are presented in turn.

Bushwalker interview results

The bushwalker interview response had five overarching themes that highlight the obstacles and the possible solutions to recreational land access. The five major themes include:

1. issues that relate to access restrictions;
2. land management issues and alternate views;
3. changes and positive experiences pre and post 1984;
4. changes and negative experiences pre and post 1984; and
5. solutions and dilemmas.

The following summary relates to views expressed by bushwalkers during interviews.

Theme 1: Access restrictions

The sub-themes below highlight the perceived elements restricting bushwalking access and the governance and resource implications of environmental management and facilitation of recreational access to land.

Impediments to access:
The overwhelming consensus was that despite the rhetoric espoused by land managers that people can access public space anywhere, bushwalkers and other outdoor recreation groups face numerous impediments that restrict recreational access to Land.

“... the issue currently is that people say you can walk anywhere and then they stop you ... mainly by ignorance and in many cases it is bloody deliberate ... the problem for Orienteering is that you can’t access areas that are being controlled burned, even when permission has been gained... DEC closes off areas that we have traditionally used for orienteering, or they say you can’t step in a stream, it restricts where we can set our courses...”

Access was seen to be impeded by the closure of access roads to national parks, the deliberate disappearance of walking trails and inaccessible trails through lack of removal of over-growth also impact access.

“... half way up Mount Solace there is a walking trail ... no start or finish to it ... walking up one of the common ridge lines to attack the summit, you are suddenly aware there is 1km of yellow triangles ... so there was once a trail and the markers have been removed...”

Maintenance neglect:

Maintenance neglect includes neglect of trails, facilities and campsites and when a DEC planned access route causes severe hardship to bushwalking activities.

“... In the Nuyts Wilderness, a historical and prominent trail is now over-grown and the sign post removed ... At the Eastern end of the Stirling Ranges is the most magnificent, world renown ridge walk. One of the fifty best walks in Australia ... access through a nearby farm is now closed due to safety and public liability issues ... DEC’s response is a 6km walk on a sand track ... instead of an easier brisk two day walk, it is now an exhausting two day trek ...”.

The frustration is that an alternate fire break route exists but due to Wilderness values access is denied.

While maintenance neglect is seen to be restricting access to public areas and camp sites, the issue is considered to be that DEC is under-funded to undertake reasonable maintenance.

“... Sullivan Rock ... is a [popular destination]. There are no ablution facilities but there is water supply ... The rationale for DEC not spending money at Sullivan Rock is the vandalism and that is also their reason
for withdrawing from Boulder Rock, Windsor and for allowing Glen Eagle to [fall into disrepair]. Camping areas are closing due to vandalism ... In the metropolitan area if vandals destroy something it is repaired the next day – why should vandals win in the Bush”.

That is, although vandalism is the cited justification for not maintaining recreational areas because of limited maintenance budgets, bushwalkers think this logic does not seem to apply in metropolitan areas.

Closure of camp sites – competition for access
The impact of DEC closing camping sites is that it creates competition among a growing number of users for a limited number of areas. “... in Booralong Brook, Jarradale ... use to be a lot of camps for Scouts/Schools ... is now being removed by DEC.... people have to go further afield, there is competition for fewer camping sites. This site is so convenient, it is now left in disrepair ...that was a nice spot...”.

No political gain for maintenance budget:
According to bushwalkers, budget limitation is often cited by DEC as a key impediment to environmental maintenance. One perspective attributed for the tight budget is that there is no political gain, as publicity prospect for politicians is limited. “... you can get lots of photographs opening a new trail but not too many photographs for undertaking responsible maintenance ...”.

While sound business practice is considered to include responsible maintenance, it is seen to lack political salience in bushwalkers’ opinion. Interviewed bushwalkers pointed to environmental, social and economic consequences with under-funding DEC.

Limiting bushwalking to formal trails
A key bushwalker concern is the coercion of people onto formal tracks, diminishing the diversity of experiences. “... DEC does everything possible to make it inaccessible ... access to a wide variety of areas is restricted ... there has been more of a push for bushwalkers to go to the more formal tracks like the Bibbulmun, which decreases the more natural experience of bushwalking ...

Interview participants concede that while there are valid conservation reasons to keep people on formal walk trails, a more balanced management approach to conservation and public recreational access is called for. “... There has to be a balance between public access and conservation. The areas that we [bushwalkers] access are only used by a small number of people ... there is not the same level of concern...”.

Precautionary conservation approach:
Interviewed bushwalkers indicated that a significant issue is the dominance of a precautionary approach to land management where conservation and safety is prioritized above recreational access. Access restriction however, does not eliminate environmental impacts as it does not address illegal access. “... Current management is certainly erring on the side of caution; it is a preventative principle to restrict access to land. It is an illusion that the land managers are keeping everyone out because regardless of the rules, people who are not part of an organized bushwalkers association with the training and awareness are abusing the land”.

DoW’s access ban on water catchment areas:
There is a considered to be a historical attachment to walking in water catchment areas in WA and interviewees believe they are entitled to walk in these areas, given the significant proportion of land accessed is for drinking water catchment. Criticism is leveled at DoW for restricting access to Bushwalking groups who are trained in preventing environmental impacts. The sentiment is that it is unjust for land managers to treat responsible recreational groups on a par with untrained, irresponsible recreational users. “...the nicest places to walk, all the beautiful rock outcrops are there... The biggest impediment to Bushwalking... East of Perth is that a huge proportion of it is water catchment, and DoW has made it very clear that they don ‘t want people walking in there off-trail”... it’s a black and white decision making process ... [they] insist that we can’t step in any stream, if we are 30km from a dam ... they put very strict conditions on us but they do nothing to stop the numerous trail bikes and 4wheel drivers that do burnouts and put extra
tracks through the bush and destroy vegetation...”.

The bushwalker view is that DoW’s blanket ban is an unrealistic management strategy to control contamination as it is not enforced; people illegally access it and other threats to water quality are tolerated. People with access permission also question the legal dilemma they face. “... where does that leave us, are we trespassing? DoW knows we go there ... if we are not supposed to be there, then what happens to our insurance protection, is it illegal ...”.

The view is that as long as it is managed properly, evidence supports the safety of low risk activity.

DoW’s citation of incorrect science:
DoW was criticised for citing bad scientific evidence to deny what is considered to be low impact recreational access to water catchment areas. The 2000 Walkerton water contamination incident is used to argue against access but it considered by bushwalkers to be an inappropriate case study. It is seen as a reflection of human and systemic failure and not related to the impact of bushwalking. The concern is that DoW continues to espouse this case to justify access restriction regardless of the accuracy of the evidence. “...DOW continues to quote the Walkerton incident ... However restricting access based on this is not a legitimate reason. This is an example of systemic failure not that walkers pose a risk to water contamination ... they have this mindset to justify banning access by any means ... because of the lies the community is going to side with them ...”

Policy 13 fears of access restriction:
Anxiety exists over the review of Policy 13 as the Standing Committee has dismissed the bushwalkers’ case for retaining recreational access in water catchment areas. There is frustration with the Standing Committee for deliberately withholding evidence submitted by bushwalkers which demonstrates the safety of low impact recreational access. The expectation is that the review of Policy 13 will be adverse for recreational groups and it will lead to greater restrictions to land access, particularly overnight stays. “... we use to have a traditional right to walk in all areas ... and to stay overnight... with the review of Policy 13 we had to fight to retain our day walks ... still no clarity with overnight ... your walks are restricted to ... distance of the circuit in one day... don’t get the same appreciation of the bush environment not to stay under the stars.”

Mining versus conservation priorities:
Mining activity is considered a significant issue restricting bushwalking access. It is considered that the intensity of bauxite mining operations escalates land degradation, making access for bushwalking undesirable. It is considered that DEC is not funded to manage land properly so the degraded land will be re-zoned to restrict access, and disposed for financial gain and to support the State’s mining interests. “... the spread of bauxite mining degrades the landscape and enjoyment of all recreational users ... my theory, noticed this a lot lately, DEC stops maintaining the area, it starts to degenerate ... it gets die-back, spreads rapidly, a lot of trees die, the area becomes non-functional as a forest/reserve ... then they go in and log it, give it to the mining companies, do what we like because no one will be around to question it...”

Access to information – loss of public knowledge:
Also impeding land access is the perceived restriction of publically available information, leading to a loss of public knowledge to access desirable areas. Inability to obtain maps and published information about popular walking areas is of major concern. “... There were a couple of popular areas near Northcliffe where access was restricted in the sense that the local Tourist Bureau and CALM would no longer give out information on how to get to these areas ... so it gets back to the lack of maps and publications on those area. It certainly worked to keep people out because the public knowledge about these areas gradually died out ...”

Maps were published under the jurisdiction of the Forest Department and CALM ceased the practice. While maps can be purchased from DEC, they are not all considered to be accurate. A key concern to bushwalkers is that recreational access is heavily dependent on the availability and accuracy of maps. Bushwalkers are of the view that solutions are needed to address the publications issue. “... when the MAP maker (DEC) is
responsible for building the roads under their jurisdiction then the expectation is that it would be accurate ... the mapping authority needs to move from DEC – we have lost our maps ... members have old maps and that leaves us liable for copyright issues ...

Declaration of wilderness areas:
The consensus amongst interviewed bushwalkers is the lack of consistency between land management policy that grants freedom of public land access and the practices that impede recreational access. For example, the declaration of wilderness areas is considered a key impediment to land access as it is seen to result in inaccessibility “... there are two big areas in the South West being declared as wilderness areas ... Wilderness areas are not going to be maintained ... the trails, road access, water points ... land managers are not going to do any maintenance but you can walk through it if you want. But how can you, it is so inhabitable yet they say you can access it, although officially you can’t access it”.

Theme 2: land management issues & alternate views

Unrestricted access except for water catchment areas:
While the majority of those interviewed advocate for the rights of environmentally trained bushwalkers to be entitled to unrestricted access to land without undue hindrance from national park rangers or private property owners, one participant did not support unrestricted access to water catchment areas. “... there should be the one rule for everybody ... there is no guarantee that bushwalkers or any group will abide by the rules... there are uncontrollable factors that may impact the water catchment areas...”.

Regulatory monitoring of illegal users:
Bushwalkers think that land managers need to increase their visibility and actively monitor the illegal activities of recreational users who are damaging the environment. “There is a very significant rat- bag element in the community who litter and conduct illegal logging/hunting, etc ... the 4-wheel drivers and trail bikers go to areas where there is no ranger presence, they are obviously well informed ... there is definitely a need for control ... we’re not allowed within 2km of a water reserve but you can hear motor bikes in there...what do you do ... there is no identification on them...”.

Flora and fauna management:
Interview participants overwhelmingly acknowledge that land managers face an difficult task managing and protecting flora and fauna including die-back control. The concern is that these issues are not effectively managed by DEC. “... In the Stirling Ranges, Mondurup Peak, there is a KEEP OUT sign at the bottom, been there for 3-4 years... people walk around it, ignore it, walking off the track ... justification of rare flora at the Peak is legitimate ...the assumption is that a sign means the Ranger is protecting the rare flora, the reality is that it is not. Better to have a sign that says, “rare flora up top, please stay on Track....”.

Dieback management & lacking public awareness:
Serious reservations are held about the effectiveness of DEC’s die-back management, as a diversity of recreational users and industrial activity contributes to the spread of the disease. “... Mt Many Peaks is closed due to die back, we used methylated spirits to clean our boots... some 67 000 people bushwalk – how many know that Many Peaks is closed due to dieback ... including the farmers, walkers, pig shooters, rabbit shooters, the apiarists, wild flower gatherers, bird watchers in the geo catches, they just trample over the lot...”. Suggestions to address the public’s lacking awareness include strategic management that incorporates educationally informative signs, a check-in at the rangers’ office and an adequate budget is considered critical.

Land access application process: impediment to planning:
There is frustration that land management policy is not consistent with facilitating the recreational access of organized groups. While outdoor groups abide by the Control Burning Policy and plan activities accordingly, there is great disappointment at the indifference of land managers to the planning requirements of outdoor clubs. For example, clubs experience lengthy time delays in processing land access applications and this severely impacts the logistics of planning. “... the issue is not the policy but the timeliness of the
decisions made to control burn. If the Agencies make their decisions earlier then it would be easier to plan events around this policy … Having to wait from four to six weeks for an officer to return from leave means that the organization cannot plan its activities, print the programs and update the website for members. This is considered an impediment to plan access activities.

**Competition among multi-recreational users on formal walk trails:**

The problem with formal walk trails is that multiple recreational users want to use it. Hence, creative land management solutions are imperative to deal with the impact and competition created by multi-purpose recreational users on formal walk trails. “The Bushies built the Eagle View Trail and they have lost it to mountain bikers, we don’t know how to stop them and neither does DEC… when you channel more people onto fewer locations, there is greater competition for access among the various Recreational groups…”. 

**DEC re-proclaimed land – undesirable to bushwalkers:**

While bushwalkers are being restricted from accessing areas they have traditionally walked in, DEC is offering re-proclaimed land as compensation. Access to re-proclaimed land however is not a comparable alternative. “The areas that are being re-proclaimed … just have no recreational value to us bushwalkers… most of these areas are worthless, they are not areas that anyone would want to recreate in. For us bushwalkers, the organized mobs, we know these hills like the back of our hands …we’ve been walking and exploring through there for years…”.

**Theme 3 - changes and positive experiences**

In terms of positive experiences with land managers, the overwhelming consensus is that collaborative relationships can exist with DEC officers and that the complexity of the regulatory and political environment is the source of the challenge. “…With some land managers we’ve developed personal relationships over the years and so they know we organized bushwalkers are doing and using minimum impact techniques… Rangers are under-resourced, the regulatory/policy framework does not encourage people to get out into the forests and be active and healthy … access management policies actually mitigate against it…”.

**Ranger style – autocratic to democratic:**

One observation is that the management style of Rangers has changed from autocratic to democratic, whether this is attributable to generational or organizational influences is unknown. “… late 1990s to early 2000s Rangers were particularly officious and obnoxious, they have an awful lot of power and some just abuse it, they are more helpful now… the relationship with Rangers and walking access is first class…”.

**Access experiences with private land managers**

Interview participants also report positive experiences with private land managers who are willing to facilitate recreational access even though permission cannot be granted due to liability issues. “… Private Owners answer is, I can’t say whether you can or you can’t access this quarry, but there is no one here to stop you … this private land manager would not give permission for access due to liability concerns but he gave me the train timetable to access it without formal permission…”.

**Positive contribution of innovative GPS technology:**

A positive change facilitating easier recreational access is the influence of GPS technology. “…Before everything was on paper and I’ve got $2000 worth of maps which are now obsolete because now you can get them on discs…” GPS sites also facilitate planning of expeditions to a variety of areas. “Now I can go to numerous web sites, pull out a variety of information, such as Google Maps which is brilliant…”. There is however the problem of inaccurate maps which can lead to disorientation. Consulting with knowledgeable bushwalkers is suggested.

**Increased publications:**

On the negative side the level of bureaucracy has intensified, however the positive is that the publications by DEC have increased. Although the bushwalking clubs have contributed their knowledge about their best walks, no royalties have been received. This appears to contradict the previous bushwalker claim that there is less information published by DEC.

28
**Theme 4: changes and negative experiences**

In terms of negative experiences with land managers, the overwhelming concern involves the increasing restrictions placed on recreational groups to gain access to land and the lack of transparency and communication about changes to Land Management policy and practice. “...Since it has become DEC one notices a lot more signs to KEEP OUT. Whether this is legitimate management practice to maintain the land or just keep everyone out for the sake of it I don’t know ...”

**Lack of signs – negative experience of access**

Many of the negative experiences relate to the lack of signage and the assumption by DEC Rangers that recreational users are aware of the restrictions and the reasons underlying it. “... A DEC Ranger proceeded to tell me in no uncertain terms that we shouldn’t be there [back of Sawyers Valley] ... it was a diseased die-back area [NO SIGNS]. Same area, a control burn, no notification anywhere”.

**Removal/neglect of trail heads – impacts for recreational users**

Participants are highly frustrated by the arbitrary actions taken by land managers to remove and/neglect access routes without considering the adverse impact caused to outdoor recreational users. “they say bushwalkers can walk anywhere, then they remove the Trail Head at Leslie picnic area ... they remove the Boulder Rock Trail Head due to a dispute with the Jarrahdale Council ... the Trail Head picnic area at Glen Eagle and Windsor has been allowed to grow over...”. While bushwalkers can access the Windsor Trail Head, access is restricted to the public as it no longer marked on maps and the sign posts have been removed. The impact of limiting access results in the loss of safe parking and a rise in vandalism. “...when areas are regularly used by people it makes the place safer, because no one is there, it encourages vandalism ...”.

**Interaction with land managers - jurisdictional differences:**

In terms of the type of interaction experienced with DEC land managers, it is described as varied, as it depends on the office and the region. The negative experience with DoW, is related to its blanket ban on access, “... if we are on a reservoir protection area, how do we know that... Just want them to stop being inconsistent...”.

**Access to state forests since 1984 - threat to sporting events:**

For one representative, the experience of gaining access to state forests has become exceedingly restrictive over time. To ensure the survival of sports such as rogaining and orienteering, plans are in place to pursue access agreements with private land owners and develop maps on private land. Risks however, are involved with private land holders, particularly when ownership changes. While the ‘access agreements’ with private land owners is primarily positive, gaining access to government land is important to the sport.

**CALM’s oppressive regime – access ban:**

When it was state forest an approval process to gain access to land was non-existent. According to one participant, the negative experiences with access began when the Gallop government banned logging in the State forests and under CALM’s regime. “...Logged land is not particularly aesthetic or pristine, CALM took over and immediately signs went up to the effect, authorized access only...”. CALM’s regime was considered oppressive in their perceived actions to “seize” logged land as national park and then banning access without an honest explanation. “... It appeared as though they were locking up land to keep people out. A general sign like ‘no unauthorized access’– does that mean everybody, vehicles or what?... I just felt a lump in my throat when I saw those signs go up...”.

**Theme 5: solutions and dilemmas**

To address the concerns related to restriction of recreational access to bushwalkers and other outdoor recreational groups, including effective management of the environment, a number of solutions are proposed by interviewees.
Consistent policy framework – active lifestyle & land access

To enable consistency between Land Access Policy and the promotion of an active outdoor lifestyle, the governance of this issue should be the jurisdiction of the Premiers Department and Politicians as a State priority. “...being active and healthy is in the interest of the state, it reduces our hospital costs ...”. Respondents state that it is the government’s role to set the policy framework and ensure that government agencies’ policies are consistently applied. Addressing the issue of policy consistency would require a strategic level, whole of government approach.

Integrated land management approach:

To ensure that Land Management is conducive to recreational access and the development of walk trails, an integrated approach is proposed by bushwalkers. “...I think the way forward is there should be an inter-departmental panel to try and systematize them or make them more uniform but there may be circumstances where they can’t but if they can then it would be helpful...”. An integrated approach to management would include the involvement of DSR with the responsibility for promoting recreational access and the budget allocated for land access, maintenance and development of car parks. “…To recreate we need facilities in National Parks, Crown Land and Reservoir water areas ... DSR should be given the budget to spend in DEC’s areas...the funding should not be linked to Conservation organizations ...”. Where DoW bans access and DEC reluctantly facilitates access with restrictions due to conservation issues, DSR is deemed the ideal advocate for promoting recreational access.

Role of DoW & DSR:

While respondents are sympathetic to DoW’s concerns with the management of water contamination, the solution includes DSR playing an advocacy role for recreational access with the budget to finance DoW’s management solutions to facilitate responsible land access. Promoting healthy outdoor activities and tourism activities requires these issues to be resolved.

Government Hierarchy & DSR’s Advocacy Role:

While it would be desirable to have DSR advocate for greater land access, the issue is that DSR does not have the power to influence DEC and DoW due to the hierarchy that exists in the Public Service as DEC and DoW would be seen as quite separate. The issue of land management and recreational access must be seen as a Government level priority.

Inter-Government Panel & Expansion of Camping Sites:

The proposed solution to improve land management and access also includes Government responsibility for maintaining campsites to provide affordable outdoor recreation for WA citizens. An inter-governmental panel is considered the most appropriate mechanism by which agencies can collaboratively address recreational access issues. Significant expansion of the number of recreational camps is also called for to deal with the increasing competition for access to fewer areas and in peak holiday seasons. “... there needs to be a significant expansion of camp sites, the population of Perth is about 1.7million and as far as I know since 1984 there has not been any additional camping sites and the population since then has almost doubled, so we need to double it ...” The impact of limited camping sites also adds pressure to planning and booking arrangements for Outdoor Recreational Groups. “…The bookings in some areas is over a year in advance, we have had to book up to 18 months in advance, especially for large groups, and it shouldn’t be that way...”.

DSR’s role in recreational access:

Impediments to recreational access also impact tourism potential, a key solution is the expansion of DSR’s responsibilities. “…many international tourists travel to WA to do the Stirling Ranges walks and are very disappointed when they arrive, this is a disincentive to tourism...”. The optimum solution involves expanding DSR’s role and function to fulfill the financial obligations of this State Agency’s mission statement.
Practical/Long Term Oriented land managers:
Improving the land management policy and practice requires visionary leadership and personnel who are skilled to deal with the diversity of issues at a pragmatic level. “...we need some practical people, people who can think on their feet and deal with issues regardless of the regulations, look long term, 1 to 10 years ahead...”. The effectiveness of Government agencies would also improve with a cultural change toward long term planning. “...5 years ahead is a big improvement in government thinking ... sounds idealistic but you have got to do this...”.

Effective use of staff and resources:
Land Management responsibility is vast and actions are curtailed by a limitation of staff and resources. To promote efficiency, organizational reform is needed to ensure that Rangers time and skills are effectively utilized to undertake monitoring of illegal recreational activities that cause environmental damage. “...Rangers are too busy emptying rubbish bins and making sure cars park properly, you need them out there on a Saturday or Sunday to photograph and/or fine people...”.

Coordination/communication between agencies:
To promote consistent land access policy and practice between different Land Management jurisdictions, it is vital to incorporate strategies that improve communication and coordination between government agencies. “…They need to talk to one another, I got permission years ago from DoW to walk in catchment areas, then some years later they withdrew it ... then DSR facilitated bushwalkers’ access. To ensure consistency of response, coordination and communication between Agencies is called for.

Maps and publications:
To prevent loss of knowledge and promote accessibility to areas in WA, the suggestion includes DEC funding the production of a variety of publications. “There is not a lot of literature on bushwalks and bushwalking trails, DEC needs to invest in producing booklets of walks of varying grades...”. The various aspects of the production process could also be outsourced where “…people could be employed to go out and test walks for publication ...”.

Transparent/consistent communication:
A key issue linked to the stated distrust of land managers decisions to restrict access, is the perceived lack of transparent and consistent communication and practices. “…the usual excuses that land managers give is that they are managing die back, protecting rare and endangered species, I don’t know if they use these as excuses to restrict access ...”. While establishing regular communications between land managers and Bushwalking and other Outdoor Recreational Groups is considered a first step, it would not reach those who do not belong to clubs. Recommendations also include public educational campaigns to reduce environmental risks.

Responsive land managers:
District Managers are considered the public contact for land management issues and should be responsive to queries even if it is outside their jurisdiction. “…If I wanted to raise a concern about the John Forrest National Park due to cats, dogs, bike intrusions, and he said that is not his problem, that is Head Office ... that is wrong...”. The recommendation is for District Officers to listen with concern and follow up the issues with appropriate levels of management. “…Like with any business, take responsibility, get back to the person and say we are looking at long term fencing not this year’s budget but in five years...”. It is considered that establishing good public relations is an imperative to build trust and cooperation to abide by the rules.

Effective communication with DEC
To ensure that Outdoor Recreational Associations can plan their program of activities in correspondence with Land Management commitments, a greater flow of communication is desired. A proactive approach would involve DEC land managers informing Outdoor Recreational Organizations of their proposed plans
for the areas they want to control burn or close off. It is more efficient to have this information before the draft application is submitted for access approval. “The Association puts a lot of work into a draft plan, if we knew in advance some of DEC’s plans we can incorporate this information at the planning stage rather than having to rework things further down the track...”.

**Development of formal trails**

To limit the destruction of flora, it is essential for DEC to construct formal tracks, otherwise numerous informal tracks and trails are created by recreational users who trample on vegetation. This appears to contradict the concern that walkers are being forced away from the more ‘natural’ off trail experience.

**Impacts of bauxite mining & government priority**

Despite the environmental conditions attached to mining activity, concerns are held about the socio-economic impacts and environmental loss that result from mining. “... there are many examples across WA where the ecology is destroyed, the birds disappear, they can re-vegetate but they can’t put back the mature trees that have taken hundreds of years to grow...”. While the impact of bauxite mining is a key concern, respondents are pessimistic about DEC’s capacity to manage it, as the state government prioritizes mining activity. “...a lot of those areas are of Aboriginal significance with artifacts of importance and they [are] going to be lost forever...”.

**Environmental protection & conflicts of interest:**

Respondents are of the view that government coordination is vital to manage and maintain the Forests and associated ecosystems. The consensus is that governments want to take action but pressure from interest groups is an impediment to environmental protection and responsible land access. “... bee keepers want the forest without trail bike riders roaring through ... environmentalists don’t want people walking through because of the orchids, 4-wheel driving clubs have no place to go within 100km of Perth...”. There is much recognition that land managers face intense pressure to make decisions that are fair to all.

**Role of bushwalkers & government response:**

While government is responsible for planning long term visions, bushwalkers advocate for fair and responsible land management and access decisions. The experience so far however, has been negative. “... nine times out of ten government is not going to take any notice, we advocated on recreation and catchment issues and the outcome was that we were lumped with everyone else and we were told that we could not have access by the Senate inquiry...”. This decision is considered unjustified on a number of grounds, however, most important is that Bushwalking groups are ideally placed to preserve the bush and observe and report illegal activity. “... If we are forbidden, restricted or discouraged from walking in the bush, what is ultimate aim of the government authority?...”.

**DEC land manager interview results**

This section summarises the views of DEC land managers as expressed during the survey follow-up interviews. Analysis of land manager interviews revealed four overarching themes which reflect a dual responsibility for environmental impact management and facilitation of recreational access within a safe environment. The four major themes are:

1. responsibility and issues related to land management practices;
2. negative experiences related land management;
3. positive experiences related to land management and
4. solutions to promote good land management.

The summary points below are the views of DEC land managers as the principle public land management stakeholder.

**Theme 1: responsibility and issues related to land management practices**

*Environmental management, safe access & social issues:*

The overwhelming consensus among those interviewed is the primary role they play in the management of environmental impacts and enabling safe recreational access to land. “... Managing the environmental
impacts of the access, primarily... Managing their impacts first and... Build that in such a way it is a safe environment of limited liability in terms of us allowing... [and] providing them access and facilities”. Managing environmental impacts include numerous other considerations, such as the spread of die back disease, hygiene, weed control and vandalism, which all impact on management operations.

Addressing DoW’s prohibition approach to land management:
DEC fulfills multiple roles and objectives that include protection of nature conservation values and cultural values, followed by recreation facilitation. This sits in direct contrast to Water Corporation’s sole responsibility to supply water. Of great concern is the department’s risk aversion approach to land management which is both impractical and ineffective in averting water contamination. “…banning or prohibiting activities will not be successful, particularly when you lack the resources or the will to enforce it. Banning recreation in water catchment areas and assuming that it does not happen is blatantly erroneous”. Given that people will continue to access water catchment areas irrespective of the legality, recreational access must be managed effectively to ensure that vulnerable areas are protected. “…instead of allowing this whole underground thing, they should be properly planning it and saying what are the places we really need to protect and they are a no go zone; what are the places where we could allow activities and under what conditions could we allow them...

Community engagement & transparent communication:
Suggested strategies to manage water catchment areas include DoW and Water Corporation engaging with recreational groups to gain their support in not accessing prohibited areas. Transparent communication is also seen as vital to facilitate public trust and agreement with access closures. DEC land managers have assisted Water Corporation in closing access to 4-wheel drive clubs through community engagement processes. "... we closed an area to 4WD groups by getting the Water Corporation to convince us first why this was needed and they gave us all the facts, figures, monitoring information, which we could directly link to this area ... we ran workshops with the 4wd groups and they could see the evidence and they were ok with the closure ... ”. DEC respondents think the problem is that the Water Corporation is unwilling to engage with recreational groups as banning access is preferred, although the vast majority of organized recreational groups gain access approval.

Change in level of complexity involved with land management role:
Interviewees emphasized that land management practice is now a vastly complicated executive responsibility. Aspects that need to be integrated in management practice include: laws; regulations; policies; resources; environmental protection and access. Projects such as walk trails inevitably require specialist planning and specialist facilities for the various activities. Additionally, the provision of ancillary facilities such as car parks, access off roads, roads, toilets, waste disposal, interpretations, direction of signage and so on are all managed by DEC. The land management role is further complicated by the level of knowledge, education and understanding of the community required to negotiate recreational access projects. “…It is difficult for those in the job to get their head around – different regulations that we have to comply with at certain times – and some all of the times – sometimes you do not realize that you are contravening one while you are undertaking another. I don’t know that I even have a solution on how to fix that – it is really up to the bureaucracy...”

“...sometimes that makes the results better and sometimes it makes it worse – there are sometimes competing interests politically or whatever needs to be taken into account which don’t really give you a better outcome. There is more compromise... DEC has probably got better at recognizing that we can’t solve everything...” However, the most significant change and challenge is considered to be the Aboriginal heritage and Native Title aspects of planning which is the most complicated.

Changes since 1984 - increasing role of stakeholders:
Interviews with land managers indicate they now engage with a greater diversity of stakeholders and while this has delayed decisions and increased costs, the quality of decisions have risen. “...everybody wants a say, Aboriginal stakeholder negotiations, Native Title all those things have become way more complex... the
time required between the idea and the execution has probably quadrupled, the amount things costs have massively increased but so has the quality...”

Higher levels of professionalism:
Respondents think that DEC is reasonably sensitive about the way recreational trails are designed and architecturally placed on the landscape and this involves high levels of professionalism. This change in level of professionalism is in direct contrast to the past. “... For instance if we were building a car park in 1984 we might have had a landscape architect if we were lucky ... And we would have gone there with our sketch and we would have got a bull dozer and put the gravel on and sort of worked it out ourselves on how we were going to do it and that would have been all done...”.

Dictatorial approach to the development of walk trails:
Interviewed land managers report a limited capacity to address the complexity of issues implicated with land management and access. Strong political leadership and a collaborative approach to land access is considered a vital process. “... it's about our political culture that needs to be changed ... We can only do so much ... The poor leadership culture that has been over-riding the whole process ... The politics behind it all [building walk trails] has forced the problem to be worse ... The autocratic and dictatorial approach is linked to the whole concept, its bred to even more of a problem than there was one before ...

Restricted access v provision of better access:
A growing concern with die-back disease management has increased pressure on land managers to restrict access rather than improve access management. A greater focus on access restriction is attributed to the lack of resources available to provide better access. “... one of the main camp sites, the main 4-wheel drive access tracks into the Fitzgerald River National Park is closed indefinitely directly due to die back. The nature of that closure is such that it does not have to happen, but because there is no commitment, resources or funding available to actually provide that access in a manageable way. So as a result, we can’t do, so we close it...

The illusion of freedom of access:
The Fitzgerald River National Park is highlighted as the ideal example of the rhetoric that ‘people are free to roam’ as there are no signs of restrictions or enforcement. The paradox, however is that no services or duty of care is provided by the land manager. People who are willing to experience complete wilderness are free to enter, at their own risk. “... There is no registration system in place; you are completely on your own, so there is no level of responsibility from the land manager. If you want to go in there and venture in, you are on your own; we are not going to help you. For a lot of people it’s an adventure ... But for a lot of people that is a complete deterrent for a variety of reasons...

Informal v formal management processes to gain land access:
A significant change noted by interviewed DEC land mangers is the move away from informal to more formal governance structures to deal with access to land and closure of areas. The more formalized management structure relates to the process of gaining registration, permits and guides to access DEC land. “... I’ve always preferred self-registration as opposed to formal permits ... Self-registration is saying to people you are welcome, you effectively have a self-duty of care and if you register we know that you are in there – we know that the car that is parked at Bluff Knoll or wherever is yours we don’t worry about it... People are not as threatened when it is voluntary they will almost certainly register.

Limited information and access to a diversity of walking trails:
While land managers are encouraged to provide foot access, there is little information available on how recreational access can be facilitated. Apart from the Bibbulmun Track, there appears to be little information available on the variety of walks, especially in the south coast as a whole. “... There are a lot of places you can go in a car and look and walk to a site, but if you look at the scale of the land –I’m talking from Esperance to, including the Wheatbelt –it is not that easy to find that many well managed walks with good information or moderate sized walks, a variety of things to choose from – you look at the potential for it and
the possibilities for it and what is actually there and formalized access is very limited”.

Capitalist political ideology adverse to land management:
A key issue raised in the interviews is that land management is underpinned by a dominant capitalist political ideology that is antithetical to good land management practices and environmental sustainability, as it lacks the impetus for society to push for environmental and social responsibility. “... My short 15 years in the industry has made me realize that certain political ideologies are completely adverse to land management ... The ideologies of free enterprise, free market and capitalism are very adverse on environmental management because it lacks ethics and accountability. Market forces will not push people to do the right thing and that is what has changed – [capitalist] political ideologies are adverse to the way we manage the environment.

Under resourcing and good governance:
A significant change reported in interviews is that DEC is becoming so under-resourced, that it is now a major obstacle implicated with responsible fire management and restriction of recreational access. “...I’m looking at that specifically in terms of fire management – there is a great deal of risk currently worked into the system of how we manage wild fire. It is also a huge consideration in terms of restricting access...”. The trend of under-resourcing also undermines good governance of the environment. “... This is happening to organizations, to departments ... land ownership is about good governance of that land and when we start to jeopardize who is in charge and who owns that land then the end of those environments is inevitable...”.

Volunteer/DEC responsibility for maintenance of trails:
An issue of concern is the maintenance responsibility for formal trails like the Munda Biddi and the Bibbulmun Track. While volunteers attend to the maintenance of specific sections of the trails, concern is raised about the retention of volunteers. “... DEC use to get in the volunteers once a month and communicate with them ... the [volunteers] seem to have dropped off; may be due to less staff or resources, who knows, but there is less engagement now with the volunteers, we are not running monthly meetings to see what is happening and what is on each part of the track and if there is anything that DEC needs to be doing and so on...”.

Operational guidelines on trails construction – lacking clarity:
While DEC has formulated a draft policy to guide the planning and development of trails, it is considered no clarity currently exists on the criteria that underpin trails construction. While colleagues with expertise were consulted, the diversity of opinions caused greater confusion for the novice district officer attempting to construct a trail. “... everyone is unsure, I’ve got some operational guidelines that I am trying to follow ... we just had a huge discussion about where I am going to site my huts – people from Perth had a look at my hut and the trail I am proposing and they had their comments, then I had someone from the district fire area saying, oh no, you must have a 20 metres clearing around each hut... Then you’ve got other people from the fire area also saying – oh no but we’ve got to balance aesthetics and fire and who are we protecting, are we protecting the infrastructure or are we trying to protect life ...”. Although concrete guidelines on trails and hut placement was attained, the decision making required management collaboration between the district manager, regional manager and fire coordinator.

Regional jurisdiction of trail construction & maintenance:
While attempts are made to construct trails according to operational guidelines, there are reported problems with consistency in practice, as each district builds its section of the trail according to subjective standards. “it is personal decision-making rather than clear organizational objectives... It is quite hard to get your head around exactly how it works... Each [DEC] region will have different ideas about how it should be done, while we might slash, put in water bars and manage our trail in one way, other regions do it differently...”. Clarity is sought on trails development and how the ‘long trails unit’ fits in with trails maintenance undertaken in the regions. “…the regions do most of the maintenance... clarity is needed on how the long trails unit fits ...”.
Theme 2: positive experiences related to land management

DECs philosophical approach to land access:
The healthy parks and healthy people message is an important value guiding management operations in the development of trails. Highly acknowledged are the significant health benefits of trails for local populations and tourists. “... [trails] have a significant role to play ... to be fit and healthy both physically and mentally ... I have seen really good benefits of trails, it’s simple things like putting a proper surface on trails so mum can push the pram on it or kids can ride their bikes and be safe, separated from the traffic – all those things are basic but makes a huge difference...”. A high level of responsibility is attached to providing appropriate access to places managed by DEC. “... They are often some of the most beautiful and spectacular places and people want to go there and they have the right to go there, it’s their land. So providing access is really important... trails like the Bibbulmun Track provided some significant social benefits to the SW over time and still does...”

Positive interactions – organized recreational users:
Land managers report more positive interactions with recreational users and have established collaborative relationships with organized recreational groups. “... I have always had positive dealings with recreational users, I have really good relationships with organized recreational groups who do the right thing ...”.

Community collaboration - construction of Munda Biddi Trail:
Land managers also report positive experiences of collaborative working relationships developing among a diverse group of recreational users to allow access to all. “...the section of the Munda Biddi Trail I was working on, there is a community organization involved...it allowed horses on there, which is not done anywhere else...they were already a fair way down the track with planning their own trail and they were going to allow horses, walkers, and bike riders... They now all have access to a piece of the trail, so this was a very positive community response...”

Harmonious relationships - traversing local & state jurisdictions:
In maintaining the Bibbulmun Track, DEC land managers work collaboratively with the city of Albany to restrict access to recreational users who are causing environmental damage. The local council however, advocates against the closure of tracks that limits access to local recreational users. “...they see that other users want to have access to that area, they may be fishermen, surfers or people who like driving their 4-WDs... We have to work harmoniously because we are working on their land ...”

Commitment & collaboration with mountain bike members:
Working collaboratively with a group of Pemberton mountain bike members, DEC land managers provided resources and financial assistance to create a mountain bike park. “...we found a degraded area of land used by mountain bikers... we helped them get funding and provided funding to modify it and turn it into a mountain park bike... a really positive thing is to help build relationships and show that if we work together we can get a good outcome... there was commitment from both sides to try and work together, not only words but actions ...”. DEC also financed the visit by a US mountain bike expert to provide the training and assistance for land managers and mountain bike members to work collaboratively on the project. “... the US expert had the street credibility but he also understood land management issues, there was a much better acceptance of all the issues by both sides ...”. The success of this governance model has been replicated a number of times with the mountain bike groups and collaborative working relationships are firmly established.

Theme 3: negative experiences related to land management

Accommodating the access needs of diverse recreational users:
A significant change for land managers was seen to be catering to the diverse access needs of recreational users who have varied environmental consciousness. While some are highly aware of the risks and impacts of recreational activities, many lack awareness about the impacts of their activities. Land managers face a daunting task in accommodating land access for the diversity of recreational users. “... There are a lot of
people who don’t walk for the right reason … they don’t feel it is the right thing to do if access creates environmental impacts. Also a lot of people don’t understand enough about the bush to know the variety of impacts that are caused by access. There are also a very diverse set of requirements from people or things that they wish or want to take from their experience, so it is very hard to cater to all those people…”.

Development of walk trails & managing conflict among recreational users:
A significant and complex issue associated with the development and management of walk trails is managing the inter-conflict between different recreational users accessing a small area. “… there is now the realization and the reality that as a by-product of development of walk trails, there will be mixed recreational usage and it will not necessarily reduce access to other recreational users…”. Facilitating walking trails, managing die-back disease and limiting vehicle access is a multifaceted challenge. “… it’s very hard for professional management to manage the hygiene of walkers … When they are being impacted by the hygiene of the other recreational users... So you need a certain degree of separation between the two, so if you’ve got people with muddy vehicles driving over your walk trails, it’s very hard to say that you have done the right thing in terms of managing the hygiene of that walk trail …”.

Local politics and development of walk trails.
DEC land managers reported they often face intense negative community reactions when planning walk trails, if locals perceive their ‘right to access’ local areas is threatened by externally imposed initiatives. Community consultation is insufficient to placate fears of access restrictions, as local politics and cultural issues impact greatly on development of walk trails. “… Even during the planning stage … people ignore our access policy and just smash through fences and drive wherever they like … there is a certain local parochial mentality that this is our spot and you are not telling us that we can’t go there … Even with community consultations … The feedback is that we don’t care about your stinking walk trail; we don’t care about the hikers you are not going to cut off our paths to build a walk trail …”.

Dictatorial approach to development of walk trails:
Some DEC managers attribute the dictatorial, political, cultural approach to the building of walk trails as the leading cause of community discontent and hostile local politics. “… these politics has come about through the poor leadership culture that has been over-riding the whole concept. The politics behind it all [building walk trails] has forced the problem to be worse … The autocratic and dictatorial sort of approach is linked to the whole concept, it’s bred to even more of a problem…”.

Community rejection of walk trail:
When planning a walk trail, land managers often confront initial negative community reactions toward the project, as land owners often cite a loss of privacy. “… there were certainly issues with some of the public not wanting the trail going through their area… they don’t want it going past their place, they don’t want people to see that it’s not their property – they perceive it as their own – there has always been a buffer – bush between them and the road…”. This issue is best resolved if residents are provided the opportunity to raise their concerns and left for a period of time before the issue is re-visited. “… provided the issue is raised early, you then go and talk to the people individually about their perceived problems and leave it some months and go back again…”. After a period of time residents either feel ambivalent or more positively about the project, while a small minority will adamantly reject it.

Conflict of interest between economic rationalism & access
While DEC undertakes a multiplicity of roles and activities, the issue of concern is that a higher priority is placed on management activities directed at generating income. To ensure that management activities related to safety, education and maintenance of recreational access is not neglected, a best practice land management model that integrates all of DEC’s roles and responsibilities as a complementary set of priorities is proposed. “… managing access and managing recreational activity is sometimes funded purely because it is seen as a way of generating revenue … So you have a situation of putting in entry stations, putting in ways of getting money out of people, however, giving them the right information and making it safe for them gets put down the list of priorities... Then managing their access so they are not impacting the
environment negatively is even a lower priority... it’s a philosophical, but also a regional management thing as to why facilities that are put in for walk trails and access, bike trails and all those stuff are to a certain point ok but way more needs to be done to bring them to a well functioning best practice... “

Public acceptance of good environmental practices:
A challenging issue for land managers is seen to be the need for promoting public acceptance of pro-environmental habits to limit the environmental impact of recreational use. It is perceived that people in general are reluctant to change their behaviours to limit environmental impacts. “… There are always little things (e.g. hygiene, die back practices) that as a land manager that you try to instigate that people just don’t necessarily see as important but you try to get those things in place but they don’t tend to respect them. It’s the cultural or individual thing that they do that you try to correct and they don’t necessary change straight away – when people have developed habits it’s harder to break it...

Theme 4: solutions to promote good land management

Inter-government collaboration & community engagement:
A popular proposal to enhance DEC land management resources and practices is the concept of inter-government collaboration. Regional managers desire to move beyond inter-agency interaction that consists of communications from DSR about external funding opportunities. While better communication flows may transpire between the upper levels of management, currently no interaction exists with other government agencies such as DSR or the Department of Agriculture at the regional level. Given the level of planning required to undertake ‘walk trail’ developments spans many jurisdictions, it would be beneficial to establish collaborative relationships with other government agencies and pool resources. “…you would be able to function at a much higher level of management if there is inter-government collaboration on planning. You would be able to pool resources ... The local government is under resourced, there is a very much an us and them mentality between local and state departments – a DEC colleague made a fantastic point about good land management in a place like this – your best management tool is your neighbour... Unfortunately we are kind of working remotely in a place like Hopetoun at the moment, some roots need to be put into the local spot...the ability to collaborate and have more cooperation between organizations at state and community levels is vital ...

Trails planning: linking to community services:
To address some of the issues related to trails development and access, the suggested solution includes long term, integrated planning at regional and sub-regional levels. “...to look at trail use, what sort of trails are needed across this landscape, link that up with good promotion and marketing so it is easy to find the information in a form consistent with uploading it on your Iphone, Ipad, computer...”. Also vital is the establishment of links between the trails and the region’s businesses to provide the services needed by visitors. “…linking those trails to the towns, businesses, support services that are going to underpin them...”. As long as these three aspects are implemented, better outcomes can be expected compared to building a trail in isolation.

Trails development guidelines – articulated criteria
While the role expectation of DEC is high, gaining clarity around the criteria for trail development projects is a vital solution. “… we have issues with regard to maintenance, design and construction of trails ... less than 100km they are doing something completely different ... Clarity on expectations through greater intra-agency collaboration is warranted ... we have diverse eco-systems, what may fit here may not fit elsewhere...”. All of these issues need examination at the management level. An operational guideline that clearly articulates all the criteria in order of priority will enable effective decision making on trails development. “…you need to be aware of trail grade; minimize erosion risk, make it easier for walking; visitor experience, avoid priority species, vary vegetation type, pick up views, etc...”. While trails development combines artistic planning and alignment to fulfill a multiplicity of criteria, it needs prioritization. “…other people say it’s the trail grade that is important, we should be keeping it as flat as possible ... All sorts of conflicts arise, consensus is difficult, it depends whether you have to take notice of conflicting perspectives...”.

38
Planning walk trails – establishing authentic community engagement:
The planning and development of walk trails has been seen to present numerous challenges to land managers. However, many valuable lessons have emerged and future projects would begin with establishing authentic community engagement and communication. “...I think we would have done it a lot better if we made it well and truly obvious from the word go that what we were trying to do is to encourage them to have increased access ... for me as the land manager that is the role [communicating it] ...it’s all about decreasing vehicle access and increasing foot access, but doing it in a way that is best land management practice...”.

Collaboration & principles of good land management & practices:
In the context of planning and development of walk trails, preventing an adversarial mentality developing with the local community requires adoption of best practice management principles, including collaborative processes. The model of collaboration adopted by the Munda Biddi and the Bibbulmun Track foundation is considered an ideal stakeholder process to guide the development of future walk trails. “... To start the whole process again, it would be more collaborative ... Principles of good land management and good land practice being the over-riding principle of the project not trying to appease some economic or political agendas...”.

Securing trust and credibility with the community:
To promote community acceptance of DEC land management principles and practices, it is considered that the agency and its employees need to be seen as part of the community and benefitting the community. Local members also need to feel that they are engaged and own the initiatives (e.g. walk trails) being developed in their local communities. “… what they are seeing is a temporary, come and spend some money, do some stuff and run away kind of mentality ... If they felt we were involved in commitment to permanently putting more people in the place – a permanent work centre, a permanent resources and facilities, I think we would be treated very differently. The temporary mentality of it, the political nature of the decisions have provoked this attitude – we leave them with the mess ... Localized ownership, engagement with initiatives is what they want – they want us to feel local, they want us to feel like we are part of the community and they are not getting that and it is having an impact on how people are seeing our land management activities ...”.

Promoting community understanding of land tenures:
To respond to criticisms that mining is allowed yet bushwalking access is denied, the respondents think the public should be provided with information about the different land tenures within state managed land. “… The message needs to be put into a lot of areas so that people are encountering it and it needs to be coming through in all sort of communications from different mediums that they come across – eventually it is almost reinforced enough from all those medias that they get the picture. Getting a paradigm shift like that is also complicated...”

Resources to provide clarity of activities allowed on DEC land:
Providing clarity to people on the activities that are permitted on DEC land is dependent on the management system being resourced sufficiently to undertake it. The call is for government to prioritize access management with the funds and resources vital to remove obstacles that currently restrict access.

Paradigm shift needed to promote pro-environmental behaviours impacts:
A key challenge for land managers is the promotion of pro-environmental behaviours among the diverse range of recreational users. While the design of land access policy and practice can support pro-environmental behaviours to a limited extent, a fundamental paradigm shift in thinking is vital. “… there is a certain point where people will act and behave beyond what your architectural design can do...”. Influencing a paradigm shift requires societal level changes where education and awareness of land access issues need to be prioritized. “… education and awareness needs to occur at community and society levels to promote much broader understandings of the issues, to look at people’s behaviour and how they interact
with land and government estate especially...”.

**Similarities between bushwalkers and DEC land managers**

**Inadequate funds & resources:**
Both groups agree that access restriction is due to lack of funds and resources provided to undertake adequate land management and access. Hence the restricting access is the easier option as there are limited funds to facilitate access. Both groups also agree that flora and fauna, as well as die back control is not being effectively managed due to a lack of management resources.

**Limiting bushwalkers to formal trails**
Both groups agree that over time, bushwalking has been limited to fewer trails as there is not the diversity of graded trails previously provided.

**Greater competition created among multi-recreational users**
Both groups also acknowledge the challenges posed to bushwalkers and land managers when multi-recreational groups compete for access to land. Bushwalkers highlight that the conflict of vested interests is a barrier to effective DEC management.

**Creation of wilderness areas**
Both groups agree that the creation of wilderness areas means that such areas become inaccessible to most potential bushwalkers due to lack of facility provision, lack of maintenance and issues related to risk and safety.

**DoW’s policy - banning recreation**
Both groups agree that DoW’s banning policy is ineffective in preventing access. Both also agree that low impact recreational access is acceptable. However bans on vulnerable areas based on informed decision making was also agreed on by both groups. Both groups also think that processes need to be more democratic, land managers highlight community engagement approaches as being important.

**Formalized access process**
Both groups agree that bureaucracy has increased, and gaining access is more restrictive. Bushwalkers would like more communication and responsive officials to facilitate quicker access approvals. Even after gaining approvals, officials can prevent access through ad hoc control burning schedules.

**Government commitment to land management**
While both groups agree that government commitment is crucial for sustainable land management and recreational access, the land managers attribute the values of capitalism and changing political agenda and pressures as an impediment.

**Suggested Solutions**
While both groups support the concept of inter-government collaboration there are differences to the vision, land managers desire integrated planning with other government agencies at the community and regional levels to pool resources and promote efficiencies.

Bushwalkers desire governance of land management to sit at the premier’s or politician level as a state priority. The establishment of an inter-government agency also includes DSR as the lead advocate, funded to undertake the role of affordable recreational access.

**Differences between bushwalkers and DEC land managers**

*Policy 13:*
While both managers and bushwalkers agree that total exclusion is basically impractical and undesirable, only the bushwalkers highlight fears over policy 13 restricting access to water catchment areas.
**Mining activity:**
Bushwalkers express concern over the perceived deliberate attempt by government to degrade land through neglect or classification to wilderness area - which they think can then be rezoned for mining purposes. Environmental impacts of mining also highlighted as a concern by bushwalkers as it would be rezoned and inaccessible by bushwalkers.

**Environmental monitoring**
Bushwalkers would like to see a greater role played by DEC personnel in the regulatory monitoring of illegal users.

**Access to information on trails – loss of knowledge**
Bushwalkers believe that access to information is limited and a loss of public knowledge on accessing popular areas is occurring. Bushwalkers would like to encourage DEC to undertake more publications, while some believe that the mapping authority should change to another agency.

**Walk trails development**
DEC land managers attribute an autocratic and dictatorial approach results in a lack of trust with community groups.

**Changes since 1984 - complexity of planning**
For DEC land managers, since the complexity of planning has intensified; the role of stakeholders in management decisions has increased and the quality of professional building standards is higher.

**Changes since 1984 - DEC organizational issues - development of walk trails**
The administrative issues highlighted by DEC interviewees include retention of volunteers and the development of clear operational guidelines that prioritize organizational objectives for trails construction and maintenance.

**Changes since 1984 - tighter access restrictions – bushwalkers**
For bushwalkers the changes since 1984 include intensified access restrictions through a variety of means, (neglect, removal access trails, bureaucracy, etc) but there is no transparent communication provided. While interaction varies according to DEC officer/region, DoW uses invalid science to ban access.

**Solutions suggested during interviews**

**DEC land managers** highlight the establishment of best land management practices integrated with collaborative, authentic community engagement to secure trust and credibility with the community with planning and development of walking trails. Transparent communication, societal level education and awareness is also part of the solution to promote greater understanding of land tenures and adoption of pro-environmental behaviours.

**Bushwalkers** highlight that solutions include visionary leadership, pragmatic personnel and cultural change toward long term vision of recreational access. Organizational reform includes effective utilization of staff and resources; improved communications with the community and coordination between government agencies; investment in publication of maps; transparent and consistent communication and practice to promote trust. bushwalkers also believe they play a guardianship role in monitoring illegal activity.
**Stage 2 summary and conclusions**

Surveyed bushwalkers recognise that DEC has a complex role to fill and report a mixture of positive and negative opinion regarding land management practices by DEC. However DoW and Water Corporation are considered to be generally unreasonable in their exclusion from drinking water catchments policies.

From the bushwalker perspective it appears that management of access for bushwalking has undergone a general shift toward controlled “on-track” experiences and increased bureaucratic requirements when applying for access generally.

Meanwhile, off track bushwalking opportunities are seen to have been reduced with access management under stricter control. This is combined with a view that bushwalking opportunities are generally being reduced due to expansion of other land uses, such as urban areas, mining, die back control and logging, into preferred bushwalking areas.

At the organizational level, poor communication, lack of consultation and slow or ad hoc decision making are seen to inhibit access for bushwalking combined with confusion over whom to approach and who can make a final decision. Bushwalkers who see themselves as following due process and official channels to gain access to land perceived that they are disadvantaged because there is no effective policing of illegal or inappropriate access on the ground. Generally, there is a view amongst respondents that bushwalking is valued less than other uses by land managers, particularly government managers.

While the regulation has increased, policing is seen to be lacking. This is considered to penalise recreation users who follow due process while there is little or no consequence for those who don’t. This points to a need for either increased policing resources or decreased regulatory requirements to a level that is practical for on the ground policing.

There appears to be a significant rift between the public exclusion land management approach of DoW and Water Corporation and that of DEC. From DEC’s perspective it is not enforceable and thus not practical. From the bushwalker perspective it is not rational or evidenced based. A system or method for constructively working with the disparate land management approaches to access is required.

The DEC land managers also point to the complexity of their task in managing multiple land uses in conjunction with multiple stakeholders, including other government agencies. Combined with a complex and cumbersome bureaucracy and top down political influences, there is a recognition that effectively providing for the wants and needs of all groups of users in addition to effectively fulfilling the numerous land management tasks is virtually impossible. DEC respondents consider that engaging with community and management stakeholders is important but lack of adequate resources and the overlapping and conflicting land management approaches by different agencies make effective communication and engagement difficult.

**Further Work**

Detailed information on bushwalking access management in other states could inform a good practice approach to managing recreation access.

Interviews with other land managers such as Water Corporation, DoW and private land holders are required to obtain their perspective on recreation access issues and ensure a balanced view.

This additional work would inform a hypothetical workshop designed to address the complexity of issues relating to land access management across multiple jurisdictions, and tenures.
REFERENCES