

# **Submission Regarding the Access Working Group Recommendations to the Gascoyne Muster II**

Recfishwest is Western Australia's peak recreational and sport fishing body. It represents the interests of an estimated 645,000 Western Australians who go fishing and is recognised in this capacity by the Government of Western Australia, the WA Department of Fisheries and other government departments and authorities. Recfishwest has a particular interest in access for fishing and we were pleased to have the opportunity to make input during the working group process into this matter.

We would like to take this opportunity to thank the Minister for Planning and Infrastructure, the Gascoyne Musters I and II and the Working Groups that gave the broader community the opportunity to interact with the Pastoral industry on a number of issues.

Recfishwest realises that in the longer term access is being addressed in two ways. One way will be through the exclusion of some coastal areas in the new leases to be issued in 2015. Other access issues were covered in the report of the Access to Pastoral Land Working Group and it is the recommendations in this Working Group report that our submission addresses.

## **Basis for concern**

Both the points which Recfishwest wishes to make relate to the establishment of public access routes. The way in which public access routes are dealt with is the crux of the whole issue of access to pastoral land.

Apart from special circumstances applying to Aboriginal Australians, dealt with by another Working Group, and for the use of miners' rights, the only provision which the Working Group recommended was that there should be public access routes which would enable the public to traverse, and under particular conditions camp on, pastoral land.

However, the provision for public access routes already exists under current legislation. Despite this and despite at least one application having been made by a pastoralist, no public access routes have been established. If any progress with regard to access is to be achieved from the whole exercise and the public access route system is made to work, some key critical changes are needed.

## **Processing of applications for public access routes**

The Working Group finally recommended that the Pastoral Land Board should be the body to consider and recommend on proposals for public access routes. Recfishwest is strongly opposed to this. The Pastoral Land Board has a past history of being exclusively concerned with the interests of pastoralists. It has not done anything to overcome any perceived problems of establishing public access routes in the past. One cannot help but assume that this was because the members were not interested in public access routes. Even now it does not have the membership that it would need to act as a rangelands authority, which would look after the interests of all the various users of the rangelands, including recreational fishers as well as the rangelands.

Recfishwest advocates that the task of considering and recommending to the Minister on the establishment of public access routes needs to be separated from the Pastoral Land Board. A committee should be formed for this purpose under the Ministry for Planning and Infrastructure.

It should have stakeholder representation from bodies such as commercial tourism, recreational fishing, recreational caravanning and camping. It would of course need pastoral representation, conceivably from the Pastoral Land Board. It would only need to meet infrequently but it would need proper executive support from a government officer who could negotiate on behalf of the government and see approved proposals through to completion.

### **Approval for Pastoral Access Routes**

Recfishwest strongly disagrees with the recommendation from the Working Group is that the pastoralist must approve any public access route. The recommendation states that if the pastoralist does not approve, an excision may be made for a public road. The form of the recommendation leaves it open as to whether the excision would be mandatory or not. An excision may be a very unsatisfactory alternative, especially in cases where the volume of traffic would be small. The cost of an excision and establishment of a public road could be high and if a pastoralist does not agree this could effectively veto access.

Some pastoralists, in discussing this issue suggested that the practical proviso, which should also look after the interests of the pastoralist, would be to lay down that the pastoralist must be consulted on the route and the route chosen must be acceptable to that pastoralist. Recfishwest believes that this would be a practical and acceptable way to meet the legitimate interests of pastoralists.

Recfishwest strongly believes that the relevant government minister, currently the Minister for Planning and Infrastructure, is clearly the proper person to consider and approve proposals for public access routes on pastoral lease land.