



AN INQUIRY INTO

USE OF OFF-ROAD VEHICLES

IN SOUTH AUSTRALIA

Fifth Report

of the

NATURAL RESOURCES COMMITTEE

Tabled in the House of Assembly and ordered to be published on 4 June 2020

Second Session, Fifty-Fourth Parliament

PRESIDING MEMBER'S FOREWORD

The Natural Resources Committee self-initiated an Inquiry into off road vehicles in South Australia on 20 June 2019. The inquiry sought to inquire into and report on:

- a. The efficacy of the current legislative and regulatory framework;
- b. Impact on the environment, particularly coastal areas and protected areas;
- c. Impacts on the State in areas such as tourism, recreation, land rehabilitation and loss of biodiversity;
- d. Any other related matter.

Submissions ranged widely across the matters envisaged by the Terms of Reference. The Inquiry received 35 submissions and heard evidence from 11 witnesses. The Committee thanks all stakeholders who responded to the Terms of Reference and contributed to a robust inquiry.

Sound management of off-road vehicle use in South Australia's environment must balance a range of interests and take into account the relevant local, state and national frameworks. The current inquiry is the first undertaken at state level and has illuminated the complex issues involved. Issues raised as part of the inquiry related to:

- The growing number of people who are participating in off-road vehicle use and the spin-offs for tourism and economic activity that this brings;
- The impacts of off-road vehicles on safety, amenity, protected areas, cultural heritage, coastlines, and fauna. Information about the detrimental impacts of off-road vehicles on birds and bird habitats, damage to fragile areas and irresponsible user behaviours were particularly concerning for the Committee;
- The frameworks used to manage off-road vehicle use in South Australia, which differ according to land tenure and across local government regions. The effectiveness of compliance and enforcement activities is heavily dependent on available resources;
- Innovative options for managing the impacts of off-road vehicles. The Committee considered options such as dedicated parks, a permit system, the

introduction of a state-wide code of practice and potentially some limitations on future access to particularly fragile areas.

South Australia has a spectacular range of experiences that can be undertaken in its unique environment. The popularity and accessibility of off-road vehicles provides enormous potential for growth in tourism and recreation. Because of the high environmental values of South Australia's coastal and arid landscapes, growth in tourism and recreation must be achieved in the context of the state's goals for biodiversity and habitat protection.

I thank all those who gave their time to assist the Committee with this inquiry. I commend the members of the Committee, Mr David Basham MP, Dr Susan Close MP, Hon John Darley MLC, Mr Nick McBride MP, Hon Terry Stephens MLC and Hon Russell Wortley MLC for their contributions to this report. I also thank the Committee's staff Mr Phil Frensham, Mr Shannon Riggs and Dr Monika Stasiak for their assistance throughout.

Mr Josh Teague MP

Presiding Member

4 June 2020

COMMITTEE'S FINDINGS

The Committee found that the appeal of off-road vehicle use is growing, and that off-road vehicles are an accessible means of transport for exploring South Australia's many spectacular outdoor experiences. The challenge is to balance responsible off-road vehicle use with sustainable management of the state's unique and valuable environments.

The Committee heard evidence that the four-wheel drive club community encourages responsible off-road vehicle use and is involved in numerous community outreach activities, usually at members' own expense and undertaken in a voluntary capacity. There is no compulsion for off-road vehicle owners to join a user club, which means that the total number of off-road vehicle users in South Australia is unknown. Establishing behavioural norms across the entire user community becomes more challenging within this context. Incentives to join a user club could facilitate more involvement with clubs. The main incentives would be offering members'-only experiences, such as access to dedicated off-road vehicle 'parks' or facilities.

Submissions to the inquiry argued that irresponsible use of off-road vehicles can have many detrimental outcomes, including impacts on cultural heritage sites, impacts on birds and other fauna, impacts on coastlines, impacts on protected areas, and impacts on the safety of humans and the amenity of outdoor spaces. A plethora of Australian and international research undertaken over many decades shows that human impacts on coastal areas are particularly damaging for birds and their habitats.

Balancing opportunities to experience South Australia's spectacular environment with the need to ensure that off road vehicles are used responsibly is a challenge for the three levels of government and the stakeholder groups who are involved. The Committee heard that the framework currently used to manage off-road vehicles is somewhat complex due to the differing requirements that apply across the state and across different types of land tenures. Compliance and enforcement activities are undertaken less easily in remote areas and in areas where there are fewer dedicated resources. One issue of ongoing concern is the speed limit that applies on beaches.

Submissions received discussed concerns for human safety and beach habitats. The Committee heard from the Department for Planning and Infrastructure that beaches fall within the ambit of the Australian Road Rules. Due to the variability of conditions applying across different areas, drivers should be encouraged to drive in a way that is appropriate for the prevailing conditions.

The Committee recommends that more signage and infrastructure would assist users to understand the rules applying in some areas. The Committee undertook a fact-finding visit to Goolwa Beach and noted numerous instances of apparent non-compliance with the 40 km/h speed limit applying on that beach. The Committee noted that more signage could have the valuable impact of directly reminding users about the applicable speed limits and potentially curb some users' behaviours at that particular site.

The Committee further heard that permit systems have been used successfully in other states and are now being introduced in some South Australian protected areas through the online Parks booking system. A small number of local authorities are intending to introduce a permit system for specific areas, for example as part of the Goolwa Beach redevelopment project. A permit system would be valuable for multiple reasons: it identifies the person making the booking and therefore enables compliance activity if required, and enables the relevant authority to gather data about and/or limit the number of users in an area at a particular time. This could be particularly valuable on high demand days such as public holidays. The Committee therefore recommends that a permit system be further investigated for state-wide use.

Evidence presented to the inquiry demonstrated that the resources needed to completely manage the impacts of irresponsible vehicle use are difficult to quantify and difficult to budget for. In some Council areas, fencing and other solid structures have been either moved or destroyed by off-road vehicle users. Responding to instances of vandalism is costly and sometimes only has a temporary impact; users may repeatedly destroy or damage the same area after remediation or prevention works have been undertaken. Managing the impacts of irresponsible vehicle use is therefore an ongoing task for which project-based grant funding may be suitable. The

Committee recommends that local authorities should be encouraged to seek and apply for funding as this becomes available.

The Committee heard that re-directing off-road vehicle use away from sensitive environments is a logical means of managing their impacts. Several submissions discussed dedicated off-road vehicle parks being made available to users as a means of providing an off-road vehicle experience that causes minimal environmental damage. The Committee heard that Councils are cautious about providing such facilities due to the high-risk nature of off-road vehicle use and the consequent liabilities that would arise. There are several privately-owned off-road vehicle parks in South Australia. Government support for further ventures of this nature would provide opportunities to divert some sectors of the off-road vehicle user community away from damaging environmentally sensitive areas.

The Committee acknowledges that many off-road vehicle owners use their vehicles responsibly and are aware that irresponsible use can cause damage to humans and the environment. Many off-road vehicle users take their vehicles to sensitive environments to experience accompanying aspects of the outdoors, such as fishing spots, camping or hiking. Among these users, environmental damage is unlikely to occur deliberately and these users are likely to engage with guidance on minimising the impacts of off-road vehicle use in protected areas. The Committee therefore considers that a state-wide code of practice which attempts to minimise differences between areas and which provides clear and accessible messages to all users of off-road vehicles would be a valuable initiative, to accompany a permit system. The Committee recommends that this should be developed collaboratively using the expertise of off-road vehicle user groups, First Nations stakeholders, and the three levels of government involved in the management of off-road vehicle impacts.

Additionally, the Committee heard that some environments are so sensitive that a minimal amount of human impact would be ideal to manage these. Several submissions recommended that a state-wide inventory of sensitive areas should be taken to identify management regimes that are appropriate for specific areas. The Committee found that areas of local, state, national and international environmental

significance and areas of cultural significance should be prioritised for protective management. The Committee therefore recommends that an inventory process to identify these areas would be a valuable undertaking, with inputs from relevant experts.

RECOMMENDATIONS

The Natural Resources Committee recommends that the South Australian Government:

1. Encourages the development of appropriate infrastructure to support off-road vehicle use in South Australia, such as public-private sector partnerships in dedicated four-wheel drive parks.
2. Develops a code of practice in partnership with local governments, relevant statutory authorities, First Nations stakeholders, Landscape Boards and stakeholders, that would apply state-wide to set standards for off-road vehicle use in South Australia and explain the importance of protecting locally significant places.
3. Implements education and monitoring of the requirement, notwithstanding applicable speed limits, for vehicles driving off-road to travel safely according to all of the prevailing conditions.
4. Reviews the application and interaction of the road rules framework to the use of off-road vehicles on beaches.
5. Further investigates the introduction of a permit system for off-road vehicle use in South Australia, such as exists in other states.
6. Undertakes an inventory in partnership with local government to identify areas which should be prohibited either seasonally or permanently, areas which could be opened for limited use, and areas where environmental impacts are likely to be lowest.
7. Supports local governments and relevant authorities in accessing and applying funding for place-specific initiatives such as increased signage and remediation projects.

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NATURAL RESOURCES COMMITTEE

The Natural Resources Committee was established pursuant to the *Parliamentary Committees Act 1991* on 3 December 2003.

Its membership for the duration of this inquiry was:

Mr Josh Teague MP (Presiding Member)

Mr David Basham MP

Dr Susan Close MP

Hon John Darley MLC

Mr Nick McBride MP

Hon Russell Wortley MLC

Membership changes during the inquiry:

Hon Terry Stephens MLC replaced by Hon Dennis Hood MLC

Hon Dennis Hood MLC replaced by Hon Nicola Centofanti MLC

Parliamentary Officer to the Committee:

Mr Philip Frensham

Mr Shannon Riggs

Research Officer to the Committee:

Dr Monika Stasiak

FUNCTIONS OF THE COMMITTEE

Pursuant to section 15L of the *Parliamentary Committees Act 1991*, the functions of the Committee are:

to take an interest in and keep under review—

- (i) the protection, improvement and enhancement of the natural resources of the State; and
- (ii) the extent to which it is possible to adopt an integrated approach to the use and management of the natural resources of the State that accords with principles of ecologically sustainable use, development and protection; and
- (iii) the operation of any Act that is relevant to the use, protection, management or enhancement of the natural resources of the State; and
- (iv) without limiting the operation of a preceding subparagraph—the extent to which the objects of the *Natural Resources Management Act 2004* are being achieved; and
- (b) without limiting the operation of paragraph (a), with respect to the River Murray—
 - (i) to consider the extent to which the *Objectives for a Healthy River Murray* are being achieved under the *River Murray Act 2003*; and
 - (ii) to consider and report on each review of the *River Murray Act 2003* undertaken under section 11 of that Act by the Minister to whom the administration of that Act has been committed; and
 - (iii) to consider the interaction between the *River Murray Act 2003* and other Acts and, in particular, to consider the report in each annual report under that Act on the referral of matters under related operational Acts to the Minister under that Act; and
 - (iv) at the end of the second year of operation of the *River Murray Act 2003*, to inquire into and report on—
 - (A) the operation of subsection (5) of section 22 of that Act, insofar as it has applied with respect to any Plan Amendment Report under the *Development Act 1993* referred to the Governor under that subsection; and
 - (B) the operation of section 24(3) of the *Development Act 1993*; and
- (c) to perform such other functions as are imposed on the Committee under this or any other Act or by resolution of both Houses.
- (2) In this section—

natural resources includes—

 - (a) soil;
 - (b) water resources;
 - (c) geological features and landscapes;
 - (d) native vegetation, native animals and other native organisms;
 - (e) ecosystems.

REFERRAL PROCESS

Pursuant to section 16(1) of the Act, any matter that is relevant to the functions of the Committee may be referred to it in the following ways:

- (a) by resolution of the Committee's appointing House or Houses, or either of the Committee's appointing Houses;
- (b) by the Governor, or by notice published in the Gazette;
or
- (c) of the Committee's own motion.

TERMS OF REFERENCE

Pursuant to section 16(1) (c) of the *Parliamentary Committees Act 1991*, the Committee is inquiring into strategies to ensure a strong and robust South Australian livestock industry with particular reference to:

1. The efficacy of the current legislative and regulatory framework
2. Impacts on the environment, particularly coastal areas and protected areas
3. Impacts on the State in areas such as tourism, recreation, land rehabilitation and loss of biodiversity
4. Any other related matter.

INTRODUCTION

Reason for the inquiry

The Natural Resources Committee initiated the inquiry on 20 June 2019.

Scope of the Report

This report addresses issues related to the terms of reference.

Disclosure of evidence

The Committee resolved on 20 June 2019 that evidence received would be published on the Committee's website as soon as practicable following receipt of the evidence. This report will also be made available on the Committee's website upon tabling in the Houses on 4 June 2020.

Conduct of the inquiry

The Committee considered a range of evidence from submissions, witness statements and published literature. The Committee heard from 11 witnesses, received 35 submissions, and conducted a fact-finding visit to Goolwa Beach on 28 February 2020. The views of the Committee as expressed in this report are based on the evidence presented before it.

DISCUSSION

What are off-road vehicles?

Sargent et al define off-road vehicles as including: quad and trail bikes, and four-wheel drives that are also useable on normal roads that can be registered for road use¹. A four-wheel drive vehicle has power supplied to each wheel when engaged in four-wheel drive mode². The 1977 *Australian Government Inquiry into Off Road Vehicles Impact on the Australian environment* defined these vehicles as:

[N]ormally road registered, have a high ground clearance, large wheels and both two and four-wheel drive mechanisms and can be driven over steep and rough ground...

The 1977 *Australian Government Inquiry into Off Road Vehicles Impact on the Australian environment* included more specific categories in defining the types of off-road vehicles³:

- Trail bikes with engine capacity between 100 – 400 cc suited on on- or off-road use and capable of travelling over rough and steep terrain.
- Mini-bikes with an engine capacity not exceeding 180 cc used mainly by riders aged eight to fourteen. Used more frequently in urban areas due to unregistered status of users.
- Scramble or motocross bikes normally designed for high performance trail racing that are ineligible for road registration due to larger wheels, 'knobbly' tyres and high ground clearance.
- Two-wheel drives with limited slip differential including some rally cars that have the ability to be driven over very rough ground.

¹ P.2.

² *Limestone Coast 4WD Explorers' Guide* p .8.

³ Standing Committee on Environment and Conservation. (1977) *Off-road Vehicles Impact on the Australian Environment*, pp. 6-7.

- Dune buggies that are specialised four-wheel drive vehicles driven through the rear wheels, with large balloon tyres designed for maximum traction in soft dirt and sand.

Specialised all terrain vehicles, hovercraft and amphibious watercraft are included in a wide definition of off-road vehicles but these types of vehicles did not appear in the submissions to the current inquiry.

The Department for Planning, Transport and Infrastructure submission discusses the registration of vehicles that are non-compliant with the Australian Design Rules. These include two, three- and four-wheel motor bikes and agricultural utility vehicles. Non-ADR compliant vehicles cannot be registered for recreational use in off-road areas, including areas defined as roads or road related areas. Reasons why conditional registration is not available for recreational use of non-ADR compliant vehicles include the lack of minimum safety standards, the lack of consistent national standards for the manufacture of quad bikes and side by side vehicles, and legislative impediments to approve non-compliant vehicles. The Australian Competition and Consumer Commission released a report in February 2019 which recommended that a mandatory safety standard should apply to all vehicles sold in Australia that do not comply with the Australian Design Rules. Testing of non-compliant vehicles under controlled conditions was undertaken in mid-2019. The Department for Planning, Transport and Infrastructure continues to hold concerns about registration of these vehicles⁴.

Off-road vehicle use in South Australia

Users of off-road vehicles in South Australia are not required to join a peak body or representative organisation. Therefore, limited published information is available about the scale and scope of off-road vehicle use in South Australia, user groups and patterns of use.

⁴ Submission 17, pp.2-4.

Four Wheel Drive South Australia is the association which represents the interests of affiliated four-wheel drive clubs. It represents around 33 clubs and 1200 members. There are approximately 2000 members of four-wheel drive clubs in South Australia in total⁵. Four Wheel Drive South Australia contends that many members of four-wheel drive clubs are families who enjoy the shared interest of four-wheel driving. The association encourages responsible four-wheel driving, provides advice to prospective clubs and facilitates inter-club activities. It also engages with the Department for Environment and Water and contributes to protected areas management plans.

Mr Greg Chase, President of Four-Wheel Drive South Australia emphasised the community engagement role of the association. He used the example of Border Track in the Ngarkat Conservation Park, which has been ‘adopted’ by Four Wheel Drive South Australia. Each year four-wheel drive clubs undertake clean up and repair of the Track. Similarly, the Sleaford-Wanna Track on Eyre Peninsula is maintained by a local four-wheel drive club. Four-wheel drive clubs are involved in beach clean-ups at Beachport and undertaking a cactus cull in the northern Flinders Ranges which has removed around 10,000 cactus plants. Four-wheel drive clubs also provide logistics support for community events where four-wheel drive access is required. Mr Chase stated that the four-wheel drive community is willing to be involved in working with local and state councils in areas such as mapping of remote areas and other partnerships⁶. Mr Peter Harper, Treasurer Four Wheel Drive South Australia agreed that all of the four-wheel drive clubs affiliated with the association want to ‘do what they can to keep this pastime of ours a viable pastime.’⁷ Mr Darryl Royans, Immediate Past President Toyota Landcruiser Club of Australia (SA) agreed with Mr Harper’s sentiments. He commented that:

...what we try to achieve as a four-wheel drive club is an education about caring for the environment and all of the areas that we are able to access and treat them appropriately so that they are preserved for use⁸.

⁵ Committee Hansard, 14 November 2019, p.25.

⁶ Committee Hansard, 17 October 2019, p.14.

⁷ Committee Hansard, 17 October 2019, p.15.

⁸ Committee Hansard, 14 November 2019, p.25.

Mr Royans commented that four-wheel drive clubs 'share the frustration' of all parties who are working to protect the environment. Much of the volunteer work that club members undertake is done in an effort to balance or offset the damage done by irresponsible off-road vehicle owners⁹. Notably, this volunteer work is usually undertaken using the members' own equipment and fuel.

The Friends of Simpson Desert submission comments that it is much cheaper to buy a four-wheel drive now, and no specific training is required to drive one. This makes a 'bush' experience much more accessible for ordinary people and has resulted in larger numbers of people using off-road vehicles. It has also resulted in users who do not understand the impacts of off-road vehicles in sensitive areas¹⁰.

BirdsSA is the known name of the South Australian Ornithological Association, which was established in 1899 and is the oldest ornithological association in Australia. It is a non-profit organisation affiliated with the national organisation BirdLife Australia. Birds SA has 950 members state-wide who conduct research/study and bird watching to promote the health and protection of wild birds through conservation and research. The organisation also advocates for the protection of birds and habitats across South Australia. The BirdsSA submission views off road vehicle users in three categories¹¹:

1. Users who understand human impacts on the environment and will minimise their impacts by following codes of practice and possibly joining four-wheel drive clubs. These users are motivated by appreciating and enjoying the natural world and use off-road vehicles to do this. These users are the majority.
2. Users who enjoy the 'challenge' of activities such as climbing and descending slopes and sand dunes, driving away from established tracks, driving at high speeds and driving through/over obstacles.
3. Users who do not comply with signage or other directives and whose actions suggest that they have little regard for the environmental impacts of off-road

⁹ Committee Hansard, 14 November 2019, p.26.

¹⁰ Submission Five, p.1.

¹¹ Submission Seven, p.8.

vehicles. Much of the damage caused by off-road vehicles can be attributed to this third category.

Relevant Inquiries

Off-Road Vehicles Impact on the Australian Environment: Third Report of the House of Representatives Standing Committee on Environment and Conservation (1977)

The Committee was formed to inquire into the impact of off-road vehicles on the Australian environment. It found that off-road vehicle use was an established pastime among a diverse group of users, which would likely grow in future. It further found that indiscriminate use of off-road vehicles can cause serious damage to the environment and that users should be informed about the damage that the vehicles can cause. The Committee recommended that education and legislation used in concert would be the most effective approach to reduce potential damage, and that due to the wide range of users, land management policies would need to fulfil multiple needs. Primary producers, professional, exploratory, rescue, military and survey work were examined in the inquiry¹².

Overall, the Committee found that the best ways to ensure that the environment is protected are to: ban the use of vehicles off road except in designated areas, provide specific areas for off-road vehicle use, and educate users about why off-road vehicle use should be restricted to defined areas. The Committee further found that there is a positive correlation between membership of an off-road vehicle user group and improved environmental outcomes¹³.

The Committee recommended that:

- Vehicle use should be restricted and if necessary prohibited in areas with high nature conservation or wilderness value, in fragile environments such as

¹² Standing Committee on Environment and Conservation (1977), p. xi.

¹³ Ibid, pp. xi – xvii.

stabilising and vegetated sand dunes, arid areas, alpine moors and wetlands, and in areas of historical, geological or archaeological significance. Specifically, off-road vehicles should not be allowed to go off designated roads in ecologically sensitive areas or national parks.

- A zoning system could effectively regulate vehicle and pedestrian access to specific areas.
- State and local governments should be responsible for allocating land for off-road vehicle use.
- Multiple use areas such as forests could be adapted to vehicle and non-vehicle recreation.
- Measures should be implemented to restrict the use of off-road vehicles in urban and rural/urban fringe areas, and specific areas for off-road vehicle use should be established. Commercially established premises should be encouraged, with the caveat that these properties should include conservation outcomes within their mandate. A user-pays system should be attached to these opportunities.
- A form of compulsory registration should be introduced so that vehicles can be registered as recreational vehicles for use only off-roads.
- Trail bikes should be restricted for use only in areas that have been approved for off-road vehicle use¹⁴.

The Birds SA submission to the current inquiry reflects on the 1977 inquiry, stating that the issues identified in 1977 are substantially similar to those arising in 2019-2020. The main difference is that the population of vehicle users has grown so it is likely that the impacts of vehicles have worsened¹⁵. The Committee agrees that many of the same issues raised in 1977 were raised in 2019-2020 and that the management of issues is now likely to be more complex.

¹⁴ Ibid, pp. xi – xvii.

¹⁵ Committee Hansard, 26 September 2019 p.4.

Local Government Association Discussion Paper: *Management of Off-Road Recreation Vehicles in South Australia* (2011)

The Local Government Association developed a discussion paper in response to requests from councils to clarify how to most effectively manage access to resources by off-road vehicles¹⁶. The paper acknowledged that use of off-road vehicles is likely to increase rather than decrease and that use of off-road vehicles is causing environmental damage, much of which occurs where vehicles fail to stay on marked trails or roads. Detrimental environmental impacts identified include:

- Destabilisation of river banks and sand dunes
- Removal and compacting of vegetation and soils
- Spread of invasive species
- Destruction of native vegetation
- Destruction and removal of habitat for native fauna
- Potential oil contamination of waterways from vehicles¹⁷.

The paper also stated that Local Government appears to have primary responsibility for managing land, despite the defined roles of other parties. The paper recognises that managing off road vehicles imposes significant resource demands for local governments, and that much off-road vehicle use occurs on weekends and outside of usual business hours¹⁸.

In 2012, the Local Government Association stated that there is no ‘one size fits all’ solution to the issues of off -road vehicle access. It acknowledged that there are a number of elements, including vehicle licensing, speed management, public safety and natural resource management. The issues will need to be managed by multiple government agencies¹⁹. The Local Government Association State Executive Committee met in July 2019 and resolved that State and local governments would need to work together in addressing the issues. Regional Natural Resources

¹⁶ Local Government Association, p.3.

¹⁷ Local Government Association, p.11.

¹⁸ Local Government Association, p.9.

¹⁹ Sargent et al, p.13

Management Boards, vehicle representatives and Councils could work together to establish local codes of conduct. The Committee further stated that Councils remain in best position to respond to locally significant issues²⁰.

Environment Resources and Development Committee *Inquiry into Coast Development* (2007)

In South Australia, the Environment, Resources and Development Committee undertook an inquiry into Coastal Development in 2007, which included recommendations relating to off-road vehicle use and coastal development:

46. *The Committee recommends that the Minister for Planning requests local councils to draft plans to identify recreational coastal access strategies to manage impacts.*
47. *The Committee recommends that the Minister for Planning ensures that existing and planned roads in undeveloped areas are rationalised to provide environmentally sustainable nodal access to the coast.*
48. *The Committee recommends that the Government discourages the construction of roads that run close to and parallel to the coast, other than tourist routes where they do not detract from the amenity or the environment, and are designed for slow moving traffic.*
49. *The Committee recommends that the Government restricts vehicular access to beaches in general, and introduces a permit system for exemptions.*

²⁰ Sargent et al, p.13.

TERM OF REFERENCE A: *THE EFFICACY OF THE CURRENT LEGISLATIVE AND REGULATORY FRAMEWORK*

The Current Framework

Off road vehicle use throughout Australia is managed by state governments, local councils and by off road vehicle users. The following information explains key terms, regulatory instruments, and the responsible authorities.

Road

Defining 'roads' used by off-road vehicles requires looking at the definitions of road in several legislative frameworks.

Section 5 of the *Road Traffic Act* defines 'Road' as:

an area that is open to or used by the public and is developed for or has one of its main uses the driving of motor vehicles.

Unmade road reserves, dunes, beaches and open space reserves are included in the definition of road.

A road does not include the shoulder of the road, which is defined as the kerb of a road or any part of the road beyond the edge line.

Bicycle paths, footpaths and shared paths are not roads but usually fall within the definition of 'road-related area'. Road-related areas include:

- an area that divides a road
- a footpath or a nature strip next to a road
- an area open to the public used for driving, riding or parking vehicles
- an area open to the public used by cyclists and animals
- the shoulder of the road, which can be any unsealed part or any sealed part that is outside an edge line on the road
- the kerb of the road.

Road is further defined in section 4 of the *Local Government Act* as,

‘a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes: a) a bridge, viaduct or subway; or b) an alley, laneway or walkway.

The *Australian Road Rules*²¹ apply in South Australia. This means that all behaviours expected on bitumen roads apply on other types of roads and road-related areas. Where a speed limit sign does not apply to a particular road and that road is not a speed limited area or a school zone or shared zone, the default speed limit applies, which is 50 km/hr in a built-up area or 100 km/hr for other roads. The maximum speed limit in a National Park is 40 km/hr in accordance with the *National Parks and Wildlife (National Parks) Regulations* 2016.

South Australia Police are responsible for enforcement of offences relating to vehicles being driven on roads and road-related areas.

Harbors and Navigation Act 1993

The Act provides the management framework for South Australian harbors and harbor facilities, and provides for the safe use of South Australian waters for recreational and aquatic uses, among other objects. The Act is vested in the Minister for Transport.

Harbors are declared in Schedule 1 of the Act or by regulation as land and water where facilities exist or can be established to load and moor vessels. Ports include harbors and are declared by regulation.

Land that is included within a harbor is defined to mean land that extends from the low water on the seashore to the nearest road or section boundary, or to a distance of 50

²¹ See <https://www.legislation.sa.gov.au/LZ/C/R/Australian%20Road%20Rules.aspx>

metres from the high water mark, whichever is the lesser distance, or land that extends from the edge of any navigable waterway or body of water to the nearest road or section boundary or for a distance of 50 metres, whichever is lesser.

Section 18 states that the Minister may vest care, control and management of land that belongs to the Minister in accordance with the Act, or land that is adjacent or subadjacent to that land, in another body such as a Council or a statutory body and may impose conditions on that space. If the space is within the existing area of a council, then care, control and management will be vested in the council. Section 18A provides that Councils may make by-laws relating to land that falls under the responsibility of the Minister according to the Act.

Local Government Act 1999

Councils are empowered to enact by-laws in accordance with section 246 of the Act. By-laws are rules made within a Council area that operate only within that area. Section 238 of the Local Government Act provides Councils with powers to direct access to and use of local government land. This can include beaches.

Local Government are responsible for managing land within local government areas, which may include installation of signage or barriers, the development of codes of conduct, passing of by-laws, and opening/closing roads.

Opening and Closing of Roads

The *Roads (Opening and Closing) Act 1991* enables Councils to open and close roads. This means that Councils effectively have powers to restrict off-road vehicle access on Council property. To close a particular road, a local authority must follow the process outlined in section 4 of the Act.

Crown Land Management Act 2009

The Crown Land Management Act establishes the framework by which transactions involving Crown lands are undertaken and the principles used in undertaking these transactions. Transactions contemplated by the Act include dedication of land for

specific purposes, disposal of land, granting of easements, leases, licences, remediation of land, native title, and specific provisions for waterfront land.

Vegetation

The *Native Vegetation Act* 1991 provides the framework for managing and preserving native vegetation on all types of land tenures throughout the state. This includes incentives for establishing and managing native vegetation, and approving the removal of native vegetation.

Coast Protection

The *Coast Protection Act* 1972 is directed at protecting and restoring South Australia's coastline. It provides for the establishment of coastal protection areas. Section 21 provides that the Coast Protection Board may authorise works that protect and restore the coastline, for example moving sand and repairing coastal areas after storm damage or pollution.

Protected Areas

The Department for Environment and Water manages unalienated Crown land via the *National Parks and Wildlife Act* and *Crown Land Management Act*. It is responsible for coastal and park protection. Relevant provisions state that:

- Regulation 10 (1) of the *National Parks and Wildlife (National Parks) Regulations* 2016 state that vehicles must not be driven in reserves except on tracks or roads or areas designated for that purpose by the responsible authority.
- Regulation 10 (2) states that vehicles must not be driven at speeds greater than 40 kilometres per hour in reserves if no speed limit has been set in a reserve. If a speed limit has been set in a reserve, vehicles must not exceed it.
- Regulation 10 (3) states that vehicles may not be driven in reserves without due care, recklessly or in a manner or at a speed that is dangerous to the public.
- Regulation 10 (4) states that vehicles may not be left in positions that obstruct other vehicles from entering, leaving or proceeding along a road or track in a reserve. Regulation 10 (5) states that a vehicle left in a position that obstructs

other vehicles can be removed and the removal costs recovered from the vehicle owner.

- Regulation 10 (6) states that all internal combustion engine vehicles driven on land in reserves must be registered and insured.
- Regulation 10 (7) states that a person who drives a vehicle in a reserve must comply with all applicable traffic signs and signals.

Wilderness Protection

The *Wilderness Protection Act* 1992 provides for areas of the state to be prescribed as wilderness protection areas, which are conserved in a pre-European contact condition. Section 26 of the Act prohibits roads or tracks being established in these areas except as part of a management plan, and further prohibits groups of people undertaking any type of sightseeing activities, conducting activities that raise money for any purpose, and conducting any type of sporting competition in these areas. The Wilderness Protection Regulations stipulate that vehicles may not be driven or towed through a wilderness protection area unless permission has been provided, and only in accordance with the prescribed speed limit using prescribed entrance tracks.

Landscape SA framework

The Landscape SA legislation is being implemented at the time of writing this report.

The Department for Environment and Water is responsible for developing the State Landscape Strategy, a 10-year overarching strategy that guides the use of the state's natural resources.

Landscape Boards manage natural resources within the eight Landscape regions declared in South Australia. Each Landscape Board is responsible for developing a Regional Landscape Plan establishing five priorities for its area, the achievement of which is supported through annual reporting processes. Where applicable, Landscape Boards also prepare Water Allocation Plans and other policies affecting the use of natural resources within each Region. Landscape Boards therefore play a key role in the delivery of local projects. The Boards undertake their management functions in close collaboration with relevant stakeholders such as councils, First Nations

stakeholders, state governments, research entities, non-government organisations and the community.

Commonwealth legislation

Multiple relevant pieces of Commonwealth legislation are implemented within South Australia with impacts on safety and environmental aspects of off-road vehicle use. As noted above, the Australian Road Rules apply in South Australia to direct the types of vehicles that can be registered in the state and the road use requirements for all vehicles.

The *Aboriginal Heritage Act* 1988 provides protection and preservation of First Nations heritage including sites, objects and remains that are significant to First Nations tradition, archaeology, anthropology and/or history²².

The *Environment Protection and Biodiversity Conservation Act* 1999 provides the framework for managing matters of national environmental significance and establishes links to other international treaty commitments. The Act triggers the involvement of the Commonwealth when a state proposal impacts on a matter of national environmental significance.

Other jurisdictions

A brief overview of frameworks for regulating off road vehicles in other jurisdictions shows the following²³:

- In New South Wales, local governments govern off-road vehicle use on beaches through a by-law system. Some permit structures, and codes of conduct, are also used. One recreational vehicle area on public land exists in New South Wales at Worimi Conservation Lands.
- In Queensland, recreational vehicles are allowed in national parks under a permit system managed through the *Recreational Management Act* 2006. Local

²² See http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/sa/consol_act/aha1988164/

²³ Sargent et al, p.10.

Government by-laws can be made to exclude recreational vehicles or off-road vehicles or both, and can also be made to designate certain areas for vehicle use with a permit.

- In Victoria, off road and recreational vehicles are prohibited from driving on beaches except for private access. Victorian drivers are known to visit South Australian beaches.
- In Tasmania, beach areas can be designated for use through local government by-laws. Designated areas for use are in place, with applicable Codes of Practice.
- Western Australia has the *Control of Vehicles (Off-road Areas) Act 1978*, which applies to State lands and areas designated by local Government by-laws as suitable for off-road vehicles. Recreational vehicles are managed in accordance with the Road Traffic Act and local by-laws.
- In Northern Territory, registered vehicles can use beaches. Permits may be required in First Nations lands or protected areas.

Submissions assessing the current framework

The inquiry received a range of responses relating to the efficacy of the current framework. The submissions expressed concerns relating to the complexity of the framework and the difficulties associated with enforcing it due to the responsibilities allocated between state and local levels of government. For example,

- the Friends of the Simpson Desert submission comments that the current regulatory framework is ‘complex’ as multiple authorities are involved in management²⁴.
- The Coast Protection Board submission describes the current legislative and regulatory frameworks as ‘very complicated’ and dependent on the nature of the off-road vehicle and the tenure of land where the activity is occurring.

²⁴ Submission Five, p.1.

The Coast Protection Board submission is critical of the current framework, stating that it is 'seriously deficient in managing off-road vehicle use'²⁵. This is because of variations between land tenure types, and potential contradictions or ambiguity. For example, four pieces of State legislation regulate activities that occur on land for which the Minister for Environment and Water is responsible. In accordance with the *Harbors and Navigation Act* 1993, Councils are responsible for care, control and management of beaches unless the beach is within a harbour. Councils are empowered to pass by-laws under the *Local Government Act* 1999 to facilitate management of beaches. This has resulted in multiple local laws applying in different parts of the state. The Minister for Environment and Water is responsible for land gazetted to low water mark in accordance with the *National Parks and Wildlife Act* 1972 or the *Wilderness Protection Act* 1992. The Board also cites examples of conflicting policies, for example in national parks the creation of new tracks must be assessed before tracks are created, but there is no assessment process for Crown land. One example cited is the Millicent Sand Buggy Club, which has obtained a licence to access Crown land in the South East in accordance with the *Crown Land Management Act* 2009, but the land has been identified as vulnerable coastal dunes.

The Coast Protection Board submission observes that numerous discussion papers, reports and recommendations have attempted to resolve the issues associated with unmanaged off-road vehicle use at Federal, State and local levels. These previous attempts have been unsuccessful because there are multiple complex issues involved, and many stakeholders who would need to agree on proposed directions. The Board submission recommends that state government should be acting as the leader:

A lack of state-wide strategic direction on this issue also continues to contribute to the general inability to achieve effective results because management actions are often ad-hoc and stifled by administrative boundaries²⁶.

²⁵ Submission 10, p.3.

²⁶ Submission 10, p.2.

Local governments are concerned that councils bear the majority of responsibility for managing off-road vehicle use under state legislation²⁷. The Wattle Range Council submission surmises that local governments are ‘stuck in the middle’:

We manage the land, protect the environment and support tourism wherever possible, however there is no desire and councils are not equipped to police access and use of public lands by off-road vehicles²⁸.

Dr Alan Tingay’s submission also comments that local governments are in a difficult position when locally controversial issues are being confronted²⁹. This raises the important issue that local councils are part of local communities: conflicts about access and use of local sites can disrupt and fracture community relationships.

The Wattle Range Council submission agrees that the State Government must take a strong leadership role to set criteria and standards to manage future use of off-road vehicles on public lands. Such criteria and standards should take into account environmental, social and economic factors when identifying areas for access. Dr Alan Tingay’s submission agrees that coastal areas should be vested in a single State authority that would develop policies to manage beach access by off-road vehicles supported by evidence about coastal protection and with a view to minimising conflicts with recreational use³⁰. Dr Tingay’s submission observes that local governments may not have technical expertise or financial capacity to prepare coastal management plans that are designed to protect sensitive environments, and to assess how recreational use objectives fit within a management model³¹.

Wattle Range Council proposes that if a state authority is responsible for planning and policy, funding must be provided for enforcement³². The Council notes that several

²⁷ Wattle Range Council describes the current system as ‘ineffective’ due to local councils being the main enforcement bodies.

²⁸ Submission 14, p.2.

²⁹ Submission 15, p.1.

³⁰ Submission 15, p.1.

³¹ Submission 15, p.1.

³² Submission 14, p.3.

previous reports and investigations into off-road vehicle use have highlighted the difficulties of enforcement due to low staff numbers and large distances needing to be covered. These issues apply equally to State Government agencies and local government³³³⁴.

There does not seem to be an obvious solution. The Local Government Association contends that there is no simple solution that could be adopted state-wide because of the 'multitude of overlapping jurisdictions'³⁵.

In its 2011 Discussion Paper on off-road vehicle use, the Local Government Association proposed three options for management, including:

- 1) banning all vehicle access;
- 2) uncontrolled vehicle access
- 3) controlled vehicle access.

Uncontrolled access is not a preferred option for Councils as it does not facilitate good environmental management practices or risk management, it does not deter anti-social behaviour and could raise liability risks for Councils³⁶. Its main benefit is that it is less resource intensive in the short term, but the environmental degradation that is likely to result would not be an acceptable outcome³⁷.

Similarly, there would be very little community support for an approach which banned all vehicle access. This would have wide social and economic impacts. It would also be costly to enforce and voluntary compliance would be a key tenet of any ban. The prohibition of all off-road vehicles would require legislation to be made, implementation would be resource intensive and a complete ban would likely be unpopular within the community³⁸. A strong ongoing enforcement presence would be required, including personnel and infrastructure like fencing, signs and barriers. It should be noted that

³³ P.18.

³⁴ Submission 14, p.2.

³⁵ Local Government Association, p.3.

³⁶ Local Government Association, p.11.

³⁷ Local Government Association, p.14.

³⁸ Local Government Association p.3.

many of the same costs would be incurred if a controlled access model is adopted. That is, signage, education and enforcement are required if controlled access is permitted, with accompanying costs for trail maintenance. The costs for permitting off road vehicle are likely to be higher under a controlled access model, as ongoing trail maintenance will also be required³⁹.

The Local Government Association 2011 Discussion Paper considered controlled access 'the best option'. A controlled access model would provide for management of access that is suitable for each location. This could incorporate trails and areas that are suitable for off-road vehicle use, allow for rehabilitation of unnecessary or unsafe areas, protect and enhance sustainable venues and prohibit access to identified areas⁴⁰. Initial costs would include trail development and supporting infrastructure, with ongoing costs of maintenance and management to these. Further public consultation would be needed to identify appropriate parameters. Factors for Councils to take into account when developing an access model for a certain area include:

- the suitable extent of access
- trail design and construction
- maintenance
- education
- consistent and adequate signage
- voluntary codes of practice
- enforcement.

The Local Government Association 2011 Discussion Paper suggests that Councils would need to map all existing tracks and identify which would be suitable to remain open to the public, tracks that would be suitable only for use as service roads and would incorporate locking gates, and tracks that would need to be closed⁴¹.

³⁹ Local Government Association, p.13.

⁴⁰ Local Government Association, p.14.

⁴¹ Local Government Association, p.14.

The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* states that there is a lack of understanding within the region about the number or condition of and use of coastal access areas. A Regional Database was proposed as an outcome that would assist in identifying coastal access sites. This could be adopted across councils. The Framework recommends that sites be identified according to their value as 'highly valued', 'moderately valued' and 'less valued' in terms of their cultural, community, economic and environmental significance.

A key criticism of the current framework is that beaches are perceived and designated as roads in South Australia. The BirdLife Australia submission comments that this presents a major impediment to conservation management of coastal birds:

This immediately creates a perception that these have no value as habitats but instead are sandy strips, the equivalent of man-made tracks, existing between marine and terrestrial habitats that are of value⁴².

Wildlife expert Greg Irons expressed similar sentiments in a recent ABC article, commenting that: 'We're so careful about protecting many habitats yet beaches are just a free for all.'⁴³ Mr Irons observed that if humans were allowed into a forested habitat or similar with other, more iconic species, a public uproar would surely ensue. Mr Irons discussed a proposal whereby priority bird habitats could be identified and human access excluded. Monitoring of habitats and populations could be undertaken to assess whether birds view these as 'safety zones' and how quickly the environment regenerates. Eminent seabird and shorebird ecologist Dr Eric Woehler commented in the same article that exclusion zones have worked well in Victoria, such as on Philip Island⁴⁴.

⁴² Submission 18, p.3.

⁴³ <https://mobile.abc.net.au/news/2019-11-23/human-free-beaches-proposed-to-preserve-bird-habitat/11718932?pfmredir=sm&sf224375798=1&sfns=mo>

⁴⁴ <https://mobile.abc.net.au/news/2019-11-23/human-free-beaches-proposed-to-preserve-bird-habitat/11718932?pfmredir=sm&sf224375798=1&sfns=mo>

BirdLife Australia observes that off road vehicles can legally access the majority of coastal areas that are critical habitat for threatened and migratory shorebirds, which are protected under the *National Parks and Wildlife Act 1972*, *Environmental Protection and Biodiversity Conservation Act 1999* and international agreements such as the Bonn Convention, and bilateral migratory bird agreements with China, South Korea and Japan. South Australia is obliged to protect habitats in accordance with these instruments. The majority of site management plans for significant shorebird habitats state that mitigating the impacts of off-road vehicles are a high priority to improve conservation outcomes⁴⁵.

BirdLife Australia identifies the following issues with the current framework, and recommends solutions⁴⁶:

- The approaches to managing off road vehicles are inconsistent between NRM regions, local government areas and across the state. This could be addressed by undertaking an independent statewide audit of off-road vehicle access and establishing regional committees to implement consistency.
- Obligations and management plans associated with Commonwealth legislation are not being delivered at state and local levels. This could be addressed by ensuring that there are actions in place to reduce the threats to biodiversity, habitat values or threatened species posed by off-road vehicles, and evaluation of current strategies to mitigate off-road vehicle impacts undertaken.
- Limited action being taken where the impacts have been demonstrated as a major threat to nesting shorebirds. This could be addressed by reviewing the spatial overlap between threatened species or critical habitat and off-road vehicle access, and developing a coordinated statewide plan to prioritise and mitigate the impacts identified.
- The issue of off-road vehicle access to beaches is being evaded because of the potential for discussions to become heated among stakeholders. This could be addressed by undertaking an audit of access, impacts and management

⁴⁵ Submission 18, p.3.

⁴⁶ Submission 18, p.4.

strategies, producing recommendations and forming committees to implement the recommendations including community consultation.

- Lack of alternative infrastructure if off-road vehicles were excluded from coastal access. Access tracks, carparks and walking access paths would need to be constructed if beach access is determined to be important on a continuing basis. This could be addressed through an audit process which would identify investments needing to be made. Additional funding would be required.
- Off road vehicle users have not been consulted on their values, attitudes and motivations. Stakeholder consultation and behaviour change messages need to be targeted to be effective. This could be addressed by undertaking research into the values, attitudes and motivations of off-road vehicle users.
- Lack of research into best practice driving conditions and access requirements for beaches. This could be addressed by assessing the effectiveness of the strategies that are currently used to mitigate the impacts of off-road vehicles on biodiversity, threatened species and habitats, investing in research to trial additional solutions, and developing best practice standards.
- Lack of awareness among off road vehicle users and land managers about the impacts of off-road vehicles on environmental values and biodiversity, partly due to advertising that promotes off-road vehicle use on pristine beaches and dune systems. This could be addressed by increasing communication with off road vehicle users and developing best practice standards for tourism advertising.

The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* mentions that some birds' habitats stretch across Council boundaries. This points to a need for a collaborative or agreed response between Councils. The Framework suggested that one possible approach could be a 'model by-law' that multiple councils could adopt. While the Framework discussed this option to apply to camping and fees, it could be extended to other matters within Councils' powers.

The Four-Wheel Drive South Australia submission notes that Memoranda of Understanding between that organisation and the Department for Environment and Water and Forestry SA have expired and require renewal⁴⁷.

Committee Response:

The Committee heard that stakeholders are concerned about the complexity of the current regulatory framework. The Committee understands that variation across regions and land tenures could contribute to confusion among off-road vehicle users and potentially less compliance. Stakeholders are also concerned that councils bear the majority of responsibility for enforcement and compliance with state legislation, which is difficult to achieve with limited resources.

The Committee agrees that a state-wide system of managing controlled access off-road vehicle use would be ideal. As the Local Government Association recommended in 2011, it is necessary to understand which areas would be best suited to off-road vehicle use and which should be closed. The Committee therefore recommends that the state Government should initiate a project that surveys priority use areas to develop recommendations about which should continue to be available for off road vehicle use and which should be closed in future. To achieve greater consistency between areas, the Committee recommends that a Code of Practice be developed which would apply across the state. This document would specify expectations of user behaviours across the range of land tenures used by off-road vehicles.

Enforcement and Compliance

The Friends of Louth Bay submission comments that the organisation is 'puzzled' that beaches are designated as roads but these 'roads' lack enforcement of road rules, and the rights of pedestrians, beachgoers and birds are not clearly defined. According to the Friends of Louth Bay, SAPOL has advised that vehicles have right of way and

⁴⁷ Submission nine, p.5.

that speed limits are 100 km/hr. The submission contends that this does not seem appropriate for beach users or wildlife⁴⁸.

Four Wheel Drive South Australia stated in evidence to the Committee that it views the current regulatory framework as 'adequate, but unfortunately rather impractical to enforce'. This is because many off-road vehicle activities are undertaken in remote places⁴⁹. The current framework relies on good will and ethical behaviour of the majority of off-road users. The Four-Wheel Drive South Australia submission contends that the problem lies with a minority of users who disregard the frameworks⁵⁰. The association contends that a code of ethics and peer pressure are the appropriate behavioural change mechanisms to guide responsible off-road vehicle use. The Alexandrina Council submission agrees with Four Wheel Drive South Australia that it is important for user groups to develop codes of practice and work with their members to encourage responsible behaviour⁵¹. The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* contends that self-regulation is preferable and more achievable than regulatory instruments, and provides for greater community ownership and action in managing coastal access⁵².

The Alexandrina Council submission contends that it is vital that councils continue to have the ability to close unmade roads to protect against inappropriate off-road vehicle use. Section 32 of the *Road Traffic Act* establishes a process by which this can be achieved, however the Council notes that it is difficult to practically enforce road closures when off road vehicle users disregard locked gates and road closure signs, cut fences, remove gates and move boulders. There is often a lack of evidence about the perpetrators and some of the non-compliant behaviours occur in areas where the resident population is low.

The Berri Barmerra Council is managing off-road vehicle use around Lake Bonney and is developing the *Lake Bonney Caring For Country Management Plan*. That plan will

⁴⁸ Submission 35, p.1.

⁴⁹ Committee Hansard, 17 October 2019, p.14.

⁵⁰ Submission nine, p.3.

⁵¹ Submission 20, p.1.

⁵² P.8.

restrict vehicle access to environmentally and culturally sensitive areas through fencing and other measures. The plan will restrict vehicle access to designated camping areas and day visitor locations. Walking and cycling tracks will be established so that visitors can enjoy local amenity in a sustainable way.

The Berri Barmera Council submission states it has very little authority to undertake enforcement and address non-compliance: its only power is *By Law Number 3. Local Government Land*. The Council recommends that the South Australian Government should explore regulatory and legislative frameworks to support Councils and State agencies in policing unauthorised access to areas by off-road vehicles. It suggests that members of the public should be able to present evidence to authorities, such as registration details of offending vehicles and expiation fees that can be issued to registered owners. Due to the lack of resources available for enforcement, regional Councils have great difficulty in gathering evidence after an event has occurred. The Berri Barmera Council submission recommends that security cameras should be used in concert with evidence gathered by members of the public using mobile phones or dashboard cameras in vehicles⁵³. In Western Australia, the Preston Beach Volunteer Ranges assist the Waroona Shire rangers to issue infringements by reporting illegal activity and providing evidence in the forms of photographs and video footage⁵⁴.

The Berri Barmera Council submission also recommends that the South Australian Government should consider supporting Councils in undertaking environmental protection activities that are aimed at restricting off-road vehicle access to environmentally sensitive and valued areas. This would include assisting Councils to meet the costs of fencing and other barriers, signage and surveillance⁵⁵.

The BirdsSA submission recommends that the South Australian government and local governments should publish maps for publicly accessible parks and reserves, showing access points, where off-road vehicles are either permitted or excluded. Linked to its

⁵³ Submission 4, p.3.

⁵⁴ Blair Darvill, CoastSWaP Coastal Management Case Studies, January 2017 https://coastswap.org.au/PDF/CoastSWaP_Case_Study_3_ORV_Management.pdf

⁵⁵ Submission 4, p.3.

recommendation that an assessment should be undertaken to identify key biodiversity areas, a system of legislation and by-laws should be introduced that stipulates the areas where off-road vehicles are permitted without restriction, permitted subject to specific rules, or not permitted. Penalties for non-compliance should be developed to accompany⁵⁶.

The Limestone Coast Local Government Association contends that a practical approach would be to improve communications, signage and education on responsible off-road vehicle use with the community, to identify accessible areas and enforce the current rules. The submission argues that it would be a poor outcome if regulatory changes are introduced that impact in significant economic and social impacts⁵⁷. The Subaru Four Wheel Drive Club of SA believes that more drivers stay on designated paths if track maintenance is undertaken and more signage is available, so it would like to place the emphasis on these activities⁵⁸.

The Local Government Association Discussion Paper suggests that enforcement actions could include: Codes of Practice that are established by community and representative user organisations, Council by-laws to enforce breaches of Codes of Practice, including the appointment of authorised persons, partnering between local government and State Government to undertake enforcement within the current legislative framework, new State Government legislation to prohibit or control activities on Council land.

Committee response:

The Committee acknowledges that Councils manage most of the compliance issues arising from off-road vehicle use when this use is occurring outside of protected areas such as National Parks. The Committee heard that Councils have limited resources to respond to damage occurring through irresponsible vehicle use, in terms of compliance staff availability, time, and materials such as fencing. Ensuring that a

⁵⁶ Submission seven, p.9.

⁵⁷ Submission 32, p.2.

⁵⁸ Submission 31, p.1.

robust compliance system exists is a key challenge. The Committee recommends that a state-wide Code of Practice being developed by all relevant stakeholders would assist to establish a consistent set of expectations for off-road vehicle users and enable collective accountability within the off-road vehicle user community. The Committee also recommends that an inventory of off-road vehicle use areas ranked according to their environmental impacts would assist in compliance activities. To assist with resourcing, the Committee encourages councils to seek funding assistance through any available means including State and Commonwealth allocations. Redirecting off-road vehicle users to specific facilities such as four-wheel drive 'parks' will assist councils to manage the amounts of off-road vehicle use in council areas.

Speed Limits

The Yorke Peninsula Council provided evidence to the Committee which expressed its concerns about vehicle speeds on beaches. The Council stated that it views high speeds on beaches as a risk to public safety and to the integrity of the environment. Mr Stephen Goldsworthy, Operations Manager, Yorke Peninsula Council stated that the Council has received reports of four-wheel drives and motorbikes using beaches at speeds of 100 km/hr. Conflicts between beach users occur where the speed limit on the beach is 100 km/hr and vehicles and pedestrians are using the same beach. The Council would ideally like the limit to be reduced to 25 km/hr but the logistics of enforcement would be challenging. The Council has previously sought to negotiate with the Department of Planning, Transport and Infrastructure to have speeds lowered on certain beaches and has not been successful. Speeding vehicles and other offences against the Australian Road Rules are enforced by SA Police. While SA Police are willing to assist the Council in managing speed on beaches, a small number of police are expected to operate across large distances to service the entire Yorke Peninsula. Mr Goldsworthy estimated that there are around seven to eight police officers servicing the entire Peninsula⁵⁹.

⁵⁹ Committee Hansard, 26 September 2019 p.11.

Mr Darryl Royans, Immediate Past President of the Toyota Landcruiser Club of Australia (SA), stated that speed limits on beaches within national parks are gazetted and are usually maximum 40 km/hr. He commented that there is a need to maintain momentum while driving on soft sand, but that drivers must also be aware of other beach users and adjust their speed accordingly. Mr Royans stated that he would be supportive of a maximum speed limit of 40km/hr on beaches to ensure the safety of all users⁶⁰.

The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* includes recommended text for accessing coastal areas. The document recommends that drivers adopt a safety-based approach to using beaches, stay at least 15 metres away from people and animals on the beach when passing, and slow to 20 km/hr⁶¹.

Ms Ingrid Hunt and Ms Sarah Clark from the Department of Planning, Transport and Infrastructure provided evidence to the Committee about speed limits on beaches⁶². Ms Hunt confirmed that beaches are considered road-related areas, so that the Australian Road Rules apply. The default speed limit in urban areas is 50 kilometres per hour and the default speed limit in rural areas is 100 kilometres per hour, with most South Australian beaches falling within the default rural speed limit. The onus is on drivers to drive to the conditions prevailing on the road. Ms Hunt stated that it is difficult to locate speed signs on beaches where they will be obvious to drivers. The Committee heard that the Department for Planning, Transport and Infrastructure does not take environmental issues into account when setting speed limits; its concerns are related to the safety of drivers and other road users according to road conditions. Ms Hunt and Ms Clark referred to the *Speed Limit Guideline for South Australia*⁶³, a document which explains how speed limits operate and the factors taken into consideration when applying these.

⁶⁰ Committee Hansard, 14 November 2019, p.26.

⁶¹ P.20.

⁶² Committee Hansard, 30 April 2020, pp. 29 – 34.

⁶³ See

https://dpti.sa.gov.au/_data/assets/pdf_file/0007/338713/Speed_Limit_Guideline_for_South_Australia.PDF

Table 2.1 in the *Guideline* indicates that there are ‘typical’ applications for the range of speed limits used in South Australia:

Speed limit (km/h)	Type of speed limit	Typical application
10	Linear or area	Pedestrian mall, car parks, shared zones Confined area where pedestrians and vehicles occupy the same space. Low speed environment where vehicle movement is physically constrained. Shared zones where pedestrians have priority. <i>Refer Section 3.3.3.</i>
20	Linear or area	Off-street area, car parks, access driveways, beaches Confined area where vehicles and pedestrians mix. <i>Refer Section 3.3.5 for beaches.</i> Note: Shared spaces may also be designed as a low speed environment in the order of 20 km/h, without the need for a posted speed limit (<i>refer Streets for People Compendium</i>). The design principles of shared zones in <i>Section 3.3.3</i> may also be adopted in these situations.
25	Linear or area	School zones, children’s crossings Part-time speed limits at locations where school children may cross or where concentrations of school children may be adjacent to the road. <i>Refer Section 3.3.4.</i>

30, 40	Linear or area	<p>Recreational areas, car parks, residential streets or areas, commercial streets or areas</p> <p>Open areas where vehicles and pedestrians may mix, but some separation between vehicles and pedestrians is provided. Roads in recreational areas such as parks, gardens, sports fields or large car parking areas. Pedestrian activity areas including shopping precincts, town centres, residential areas, holiday house / shack areas. Often used in conjunction with local area traffic management scheme. Bicycle boulevards where accompanied by traffic calming devices to achieve the desired speed. <i>Refer Section 3.3.1 and Section 3.3.2</i></p>
50	Default urban speed limit	<p>Default urban limit</p> <p>Applies to all built-up areas unless otherwise signed.</p> <p>Typical applications of the 50 km/h speed limit are collector roads, or arterial roads with commercial or retail roadside development which generate frequent on-street parking (particularly in rural towns) and moderate levels of pedestrian volumes. <i>Refer Section 3.2</i></p>
60	Linear	<p>Urban arterial road</p> <p>Arterial roads within the fully built-up area. <i>Refer Section 3.2</i></p>
70, 80	Linear	<p>Urban arterial road</p> <p>Arterial roads in partially developed roadside environment with low levels of direct access. These are typically township fringes. <i>Refer Section 3.2</i></p>
80, 90	Linear	<p>Urban or rural arterial road, rural roads</p> <p>Arterial roads in sparsely developed roadside environment with very low levels of direct access. Rural roads which are not suited to 100 km/h. <i>Refer Section 3.2</i></p>
90, 100	Linear	<p>Urban expressway</p> <p>High standard urban roads with no direct access, adequate clear zones, grade separated interchanges. <i>Refer Section 3.2</i></p>
100	Default rural limit	<p>Default rural limit</p> <p>Applies to all roads outside of the built-up area unless otherwise signed.</p> <p>A 100 km/h speed limit is typically applied to roads in farmland, or undeveloped land, where any houses are isolated and set well back from the road. <i>Refer Section 3.2</i></p>
110	Linear	<p>Rural arterial road or expressway</p> <p>Maximum allowable speed limit in SA. Typically these roads will be of the highest standard in non-built-up areas and feature full access control, have divided carriageways, sealed shoulders and be a major traffic and primary freight route. <i>Refer Section 3.2.</i></p>

Figure One: typical applications of speed limits used in South Australia

Section 3.3.5 of the *Speed Limit Guideline (Guideline)* specifically discusses beaches⁶⁴. It emphasises that speed limits on beaches are applied for the context of a driving environment that is shared use by pedestrians and vehicles. It states that beaches are considered road-related areas so that default speed limits apply, however consideration should be given to the compatibility of the speed limit to the varying driving surfaces experienced on beaches. The relevant road authority is responsible for ensuring that the road surface is 'sufficiently robust for the type of vehicles that may be driven on it'. The *Guideline* suggests that a 20 km/hr speed limit may be appropriate where 'there is a concentration of people or significant pedestrian activity or children'. The relevant authority should create a well-defined pedestrian area that is as short as possible so that drivers will be able to identify and understand the importance of abiding by the speed limit within the pedestrian zone. The pedestrian zone should be located near the beach access point to maintain the already slow entry speed of drivers. The *Guideline* suggests that a 50 km/hr speed limit may be appropriate in coastal built-up areas. While a 50 km/hr speed limit does not meet the Australian Standard for unsealed roads, the *Guideline* establishes flexibility to create a consistent speed limit in a built-up area. The 50 km/hr speed limited area should be kept to a minimum and be consistent with other roads subjected to a default 50 km/hr speed limit in a built-up area.

A number of differing speed limits are applied on South Australian beaches. For example:

Beach	Speed limit in application
Aldinga Beach	10 km/hr
Goolwa Beach	40 km/hr
Emu Bay	100 km/hr (residents seeking 20 km/hr)
Lincoln National Park Coffin Bay National Park Scotts Bay Conservation Park	40 km/hr

⁶⁴ See pp. 27-28.

Robe	40 km/hr
Wallaroo North Beach	30 km/hr

Committee Response:

The Committee heard that beaches are used as recreational areas and as 'roads'. This can pose a conflict between users and have detrimental environmental impacts. The Committee further notes the variance in speed limits being applied across the state on beaches. The Committee recommends a review of the application and interaction of the road rules to the use of off-road vehicles on beaches. In terms of monitoring and enforcing speed limits, many drivers maintain their vehicles at or below the speed limit applying on a particular road because of signage posted adjacent to that road. When conditions are variable on beaches, and there are challenges involved in locating signs to ensure that drivers will see them, the Committee suggests that effective outcomes may be achieved by communicating with drivers about driving to prevailing conditions.

Access

Mark Beaglehole's submission comments that he and his family prefer to undertake four-wheel drive tourism in the eastern states because there is more access to natural resources. Mr Beaglehole comments that South Australia offers comparatively limited four-wheel drive access to its National Parks and less access to land that other states open to visitors, such as State Forests. Offering more experiences to South Australian tourists would result in increased spending on tourism. Mr Beaglehole states that his family spends \$2500 - \$4500 on food, fuel, accommodation and tourist experiences while they travel, which multiplies when his family travels with other families.

Mr Beaglehole's observation is that off-road vehicle tourism is 'easier' in the eastern states. Facilities are well managed so that users have minimal impacts. Some free camping areas in Victoria are better than paid camping sites in South Australia. Mr Beaglehole also comments that South Australia's online booking system for National

Parks is ‘terrible’ because it’s impossible to make a booking if a user does not have internet reception. He asks:

If other states with significantly higher populations and less land can efficiently, and sustainably, offer access to their natural resources to four-wheel drives, why can’t we?⁶⁵

In contrast, Glenys Clarke’s submission argues that national parks are places set aside to nurture and sustain an increasingly fragile natural environment, and off-road vehicles should therefore be banned from use in national parks⁶⁶. Ms Clarke’s submission describes the example of Long Beach in Coffin Bay National Park, which is habitat for an internationally significant population of shorebirds. Ms Clarke contends that the issue of access to the beach by recreational vehicles has been considered by local and state authorities over the past 15 years without resolution. Meanwhile, the beach has been incrementally damaged by vehicle impacts, which have compacted the sand and threatened the safety of birds, animals and people who use the area. The BirdsSA submission agrees that privately owned off-road vehicles should be banned from use on Long Beach and on similar habitats throughout the state, due to the damaging impacts of vehicles on the beach⁶⁷.

⁶⁵ Submission Two, p.1.

⁶⁶ Submission six, p.1.

⁶⁷ Submission seven, p.4.



Figure Two: Damage to vegetation at Long Beach by vehicles, photo courtesy BirdsSA

The Aldinga Washpool and Silver Sands Heritage Group submission seeks a ban on beach access on all beaches within the Onkaparinga Council area, with the exception of boat launching facilities⁶⁸.

The Coast Protection Board submission notes that beach access is entirely prohibited in certain jurisdictions, such as Victoria⁶⁹. Sargent et al cites Stephenson's research in commenting that some habitats and environments, such as coastal dunes or tidal saltmarsh, may have a nil 'carrying capacity' for vehicles. In such areas, vehicle use may need to be prohibited⁷⁰. The Friends of Louth Bay submission states that South Australia seems to be lagging behind in allowing beach access to off road vehicles. It observes that a high number of off-road vehicle operators in the area seem to be from interstate, where beach access is prohibited. This creates negative outcomes for South Australia whereby:

⁶⁸ Submission 16, p.7.

⁶⁹ Submission 10, p.1.

⁷⁰ P.4.

They view the unrestricted access as a free-for-all and openly mock our lax rules in relation to beach protection when approached⁷¹.

The *Eyre Peninsula and Far West Coastal Access Management Strategy and Decision-Making Framework* recommends that drivers avoid driving or parking on sand dunes, vegetation, pebble banks or high beach areas. Instead, drivers should drive and park on firm sand between the waterline and high tide mark – driving below the high water mark minimises possible impacts on shorebird habitats⁷².

Committee Response:

The Committee recommends that a state-wide code of practice could guide users towards responsible use of accessible areas by providing requirements relating to driving on firm sand, driving between the waterline and the high tide mark, minimising impacts on shorebirds and appropriate speed. The Committee further recommends that the Code be supported by an inventory or survey of accessible areas to prioritise which should continue to be used and/or which should be closed.

⁷¹ Submission 35, p.4.

⁷² P.20.

Committee Findings: Term of Reference A

The Committee received evidence demonstrating that stakeholders would ideally like to see a state-wide system of management implemented that is simple to understand and which can be applied with consistency. The current system of managing off-road vehicle use has the capacity for complexity in its application and is difficult to enforce. The Committee recommends that a statewide code of practice be developed in partnership with all relevant stakeholders to set standards for off road vehicle use that can be communicated with users and easily understood.

The Committee heard that in other states and in South Australia, the use of permit systems has contributed to improved user behaviour and higher accountability. The Committee recommends that further consideration could be given to introducing this system in South Australia. The Committee suggests that this system could be particularly valuable if used in vulnerable locations such as Long Beach if these are considered sufficiently important tourism and recreation locations suitable for off-road vehicle use in the future.

Stakeholders submitted that they hold concerns about off-road vehicle use in fragile and vulnerable coastal areas, and are further concerned about off-road vehicle use proliferating across the state where compliance and enforcement activities are challenging to undertake. The Committee heard about numerous examples of vehicles being used irresponsibly and in some cases, repeatedly causing damage to areas where councils and other statutory authorities have sought to install obstacles or undertake remediation works. The Committee further heard that there is a lack of information about off road vehicle use in some council areas, which makes remediation and protection more difficult to undertake. The Committee recommends that a state-wide inventory of areas used by off-raod vehicles be developed and some prioritisation undertaken about which areas can continue to be used by off-road vehicles, which areas are highly valuable or highly fragile environmental assets that should not continue to be used, and whether further remediation works need to be undertaken to facilitate more responsible vehicle use.

The Committee heard that the costs of compliance, remediation and infrastructure associated with responsible use of off-road vehicles are ongoing and often difficult to quantify. The Committee recommends that local authorities should be supported to access any applicable funding that will assist in meeting these costs, whether from state or federal sources.

Stakeholders raised concerns about speed limits on beaches because excessive speed can pose a danger to drivers, other beach users, and can also cause environmental damage. The Committee heard that the default speed limits apply in accordance with the Australian Road Rules. Communications with beach users could encourage drivers to drive to the applicable conditions rather than emphasising the speed limits in place as a numeric value.

Applicable Recommendations: 2, 3, 4, 5

TERM OF REFERENCE B: *IMPACTS ON THE ENVIRONMENT, PARTICULARLY COASTAL AREAS AND PROTECTED AREAS*

In a 2012 Discussion Paper, *Off-road Vehicles on Beaches – the impacts, implications and options for Coastal Managers in Australia*, Sargent et al summarised the impacts of off-road vehicles on beaches, dunes and coastal wetlands. Sargent et al comment that, ‘The impacts of off-road vehicles on beaches...have been documented internationally for a number of decades.’⁷³ The information that follows discusses the impacts in detail and how these are occurring in the South Australian context. Sargent lists the impacts as including:

- Direct impacts on flora through loss of vegetation cover and subsequent erosion. This includes direct impacts on saltmarsh.
- Direct impacts on fauna such as migratory and resident shorebirds and nesting marine turtles listed in the listed in the *Environment Protection and Biodiversity Conservation Act* 1999. Impacts include disturbances that cause birds to leave their nests/eggs/chicks/feeding/roosting areas, collisions, nest destruction, crushing of chicks and hatchlings.
- Direct impacts on benthic micro- and meiofauna through compaction of sand. This reduces habitat potential for birds, reduces the numbers of invertebrates available for feeding, and leads to changes in community composition and structure.
- Direct social impacts on beach users where user activities are incompatible, for example off road vehicles driving through areas used for sunbathing, swimming and playing, dunes where rehabilitation work is being undertaken, or where off road vehicle use affects the aesthetics or private enjoyment of a beach.
- Direct impacts on cultural heritage sites.
- Indirect impacts to coastal communities through erosion. This inhibits resilience to changing climatic conditions.
- Indirect impacts on native flora and fauna through introduced weeds and pests vying for habitat and resources. Introduced diseases such as *Phytophthora* are also of concern.

⁷³ Sargent, S (ed). 2012. Off-Road vehicles on Beaches – the impacts, implications and options for coastal managers in Australia. http://mybribieisland.com.au/wp-content/uploads/2013/02/Discussion-Paper_ORVForeshores_2012+1.pdf

Impacts on coastal areas

The Coast Protection Board submission contends that beach access in South Australia, 'has come at considerable environmental cost.'⁷⁴ Its view is that rights to access beach areas must depend on keeping the environmental impacts of vehicles within acceptable limits⁷⁵. The BirdLife Australia submission comments that intact coastal environments provide significant ecosystem services and will assist in ameliorating the impacts of climate change for coastal birds and the community⁷⁶.

The 2012 Discussion Paper by Sargent et al states that unmanaged off-road vehicle use will cause significant long-term damage to the environment⁷⁷. It cites scientific evidence demonstrating the negative impacts of inappropriate off-road vehicle use on the environment. For example, in *Vehicle Impacts on the biota of sandy beaches and coastal dunes*⁷⁸, Gary Stephenson describes the impacts of off-road vehicles in coastal dune environments, such as contributing to physical changes in the form, shape and structure of the landform, the destruction of dune vegetation, and contribution to the introduction and spread of pest species and disease into the coastal environment. Physical changes to the shape of the dune and loss of plant cover can make the dune more vulnerable to wind erosion and can increase the likelihood of a sand drift hazard. Off road vehicles can also contribute to a loss of biodiversity through physical damage to vegetation and the spread of introduced pest species, which impacts on the integrity of coastal ecosystems⁷⁹. These impacts are also discussed in Sargent et al⁸⁰.

Schlacher et al⁸¹ found that off-road vehicle use on beaches can significantly affect invertebrate faunal communities found in sandy environments, decreasing the

⁷⁴ Submission 10, p.1.

⁷⁵ Submission 10, p.1.

⁷⁶ Submission 18, p.6.

⁷⁷ Sargent et al, p.1.

⁷⁸ Department of Conservation, Wellington, New Zealand. 1999. Available: <https://www.doc.govt.nz/globalassets/documents/science-and-technical/Sfc121.pdf>

⁷⁹ Submission 10, p.2.

⁸⁰ P.7.

⁸¹ Schlacher, T., Richardson, D., & McLean, I. (2008) Impacts of off-road vehicles on microbenthic assemblages on sandy beaches. *Environmental Management* 41, 878 – 892.

diversity and abundance of these communities. This influences food availability of resident and migratory shorebirds and other fauna that are reliant on this food source. Unregulated vehicle access is known to impact on the breeding success of shorebird communities⁸² such as Hooded Plovers. Hooded Plovers are listed as 'vulnerable' in both South Australia and nationally.



Figure Three: Vehicles on Aldinga Beach parked adjacent to Hooded Plover nesting site. Photo courtesy BirdLife Australia.

The Yorke Peninsula Council submission is concerned about the impacts of off-road vehicles in its sensitive coastal environment. It comments that, 'any access or activity, regardless of its purpose, causes disturbance to native fauna'⁸³. The Yorke Peninsula coast is around 485 kilometres long, and supports a 'very diverse' range of marine and terrestrial flora and fauna, some of which are nationally and internationally significant. The Council describes its coast as its 'biggest asset', 'a tourism draw-card' and 'a pinnacle in nature-based tourism'. The coastal environment appeals to a multitude of

⁸² Stephens, E. (2004) *Life's a beach: habitat preference and disturbance impacts on the Hooded Plover, a globally threatened shorebird*. University of Adelaide; and Dennis, T., & Masters, P. (2006) Long-term trends in the Hooded Plover, *Thinornis rubricollis* population on Kangaroo Island, South Australia. *South Australian Ornithologist* 34, 258-266.

⁸³ Submission 12, p.2.

users such as families, anglers, surfers, divers, boat users, kayakers, bushwalkers, cyclists and campers. The Council lists a range of concerns associated with off road vehicle use, including:

- loss of vegetation resulting from vehicle use on unauthorised tracks or access points
- substrate being exposed to wind and rain, in particular sand, resulting in erosion
- movement of sand in large quantities
- high costs of rehabilitating sand dune drifts
- smothering of vegetation by exposed sand, resulting in loss of vegetation and dune blow-outs that are costly and difficult to manage and restore
- loss of habitat for fauna where vegetation loss occurs
- introduction of weed species by vehicles
- increased risk of fires through vehicle access
- disturbance of beach-nesting birds and invertebrate fauna within sand
- pedestrian and vehicle conflicts
- decreased stability of rocky and clifftop areas caused by vehicle weight and use
- species decline caused by disturbance to habits and breeding patterns – eg hooded plovers, white-bellied sea eagles
- increased risk of rock/cliff falls

The Council uses strategies to manage the impacts of off-road vehicles, such as:

- Install/maintain/upgrade infrastructure to restrict public access to sensitive and hazardous areas and promote designated access
- revegetation to restrict public access to sensitive and hazardous areas
- stabilising techniques to rehabilitate degraded areas – revegetation and infrastructure
- consolidate number of tracks and access points
- monitor weeds and eradicate
- request speed limits on council land
- install signage

The 2012 Discussion Paper by Sargent et al commented that increasing levels of off-road vehicle usage will impose enforcement costs that will be a growing burden on land managers⁸⁴. This issue seems to be apparent in the Yorke Peninsula Council area. In evidence to the Committee, Ms Letitia Dahl-Helm stated that, 'we are assuming that people feel that they can just go where they please.'⁸⁵ She referred to the example of Cape Elizabeth. Many unauthorised vehicle tracks have been created in the area which have resulted in dune drifts, potential damage to First Nations cultural sites, loss of vegetation and risks to safety. Conflicts between users have occurred in which objects have been placed on tracks to cause deflation of off-road vehicle tyres⁸⁶. At Parsons Beach, Watsons Beach and Cockle Beach, vehicles create unauthorised access paths. In areas like the Gap, the Bamboos, and Tiparra Rocks, the Council has tried to introduce measures to prevent unauthorised access such as fencing and rock obstructions, but these are moved or cut to allow vehicle access⁸⁷. Wauralte Conservation Reserve contains First Nations significant sites. In this area also, users are cutting fences and removing barriers to gain entry⁸⁸. At Hickey's point, off-road vehicles are used to dump waste illegally. At Port Clinton, motor bikes are illegally using walking trails. The Council has also erected stiles to prevent vehicle access, but these have been ripped out by four-wheel drives. Mr Goldsworthy stated that vehicle users sometimes view these obstructions as 'challenges' and use winches to winch them out. The Council tries to repair these incursions as quickly as possible but has limited time and resources to complete the repairs repeatedly. The Council estimates that around 80 per cent of users who are involved in these issues are visitors, with the remaining 20 per cent being local residents⁸⁹. The Committee discussed the difficulties of communicating with beach users under these circumstances. The Council also noted that some ratepayers are resentful that their rates are spent on rehabilitating

⁸⁴ P.2.

⁸⁵ Committee Hansard, 26 September 2019 p.8.

⁸⁶ Submission 12, p.4.

⁸⁷ Submission 12, p.4.

⁸⁸ Submission 12, p.4.

⁸⁹ Committee Hansard, 26 September 2019 p.11.

damage caused by visitors, especially in the context of limited resources being available to deliver services⁹⁰.



Figure 4: Stile erected by Yorke Peninsula Council to deter vehicle access

The Wattle Range Council submission discusses the damage caused by off-road vehicle drivers in its area, where it has attempted to block access to coastal areas by using fences and gates, which have been cut and/or towed from their hinges. The Council has had some success using large rocks to block tracks, but has also found that drivers form new tracks by circumventing the rocks⁹¹. At its visit to Goolwa Beach in February 2020, the Committee witnessed degraded and damaged areas and examples of barriers erected by SA Water and National Parks and Wildlife, intended to prevent irresponsible use. The Committee heard from National Parks and Wildlife staff that off-road vehicle users remove bollards erected to prevent access and then replace these. At the Goolwa dredging site, SA Water maintains a security officer presence to deter irresponsible use.

⁹⁰ Submission 12, p.2.

⁹¹ Submission 14, p.2.



Figure 5: Bollards installed to deter vehicle use at Goolwa Beach.

The Friends of Louth Bay submission comments on the frustration felt when years of community rehabilitation work is undone within minutes, and the powerless position that communities are in when there is no authority with whom they can work to ensure that coastal areas are protected⁹².

⁹² Submission 35, p.3.

The Aldinga Washpool and Silver Sands Heritage Group submission includes an excerpt from a 2018 Onkaparinga Council meeting, which stated that Council receives regular correspondence from residents attaching evidence of vehicles accessing prohibited areas and damaging protected areas⁹³. The Onkaparinga Council submission comments that significant damage to native vegetation has occurred during winter where off-road vehicle users have accessed unmade roads. The Council has enacted road closures in areas such as Woodchester, Ashbourne, Finniss and Hindmarsh Island in an endeavour to prevent damage⁹⁴.

The BirdsSA submission also discusses non-compliant behaviours on Long Beach near Coffin Bay. It mentions that signage and markers have been placed on the beach, which are regularly ignored and have been defaced. BirdsSA is concerned that anti-social behaviours are still too frequent, and argues that Coffin Bay residents share these concerns⁹⁵. The Friends of Louth Bay submission observes that vehicles are often seen driving at excessive speeds and swerving along the beach. ‘Scurfing’ is also undertaken, where a four wheel drive tows a person on a surfboard through shallow waters along the shoreline⁹⁶. BirdsSA comments that enforcement officers are disempowered and have neither will nor capacity to respond appropriately to irresponsible behaviour⁹⁷. While the number of offenders are a small number of people, ‘their impact is devastating’⁹⁸.

Marian McDuie’s submission expresses concerns about the impacts of off-road vehicles in the Aldinga/Silver Sands beach areas. Ms McDuie’s submission states that ongoing access to the beaches causes serious impacts on the long-term health of the local marine/coastal ecosystem⁹⁹. Ms McDuie is a long-term local resident who has observed changes over the past 10-15 years in the sand condition, extent and distribution of beach pebbles and misuse of the beach by vehicles. According to Ms

⁹³ Submission 16, p.5.

⁹⁴ Submission 20, p.2.

⁹⁵ Submission seven, p.4.

⁹⁶ Submission 35, p.2.

⁹⁷ Submission seven, p.5.

⁹⁸ Submission seven, p.5.

⁹⁹ Submission eight, p.1.

McDuie, vehicles rarely observe the 10 km/hr speed limit and beaches are treated as roads and carparks. Constant vehicle traffic causes compaction of sand granules, which seriously impacts on the number of diversity of organisms that live between the sand grains and provide food sources up the food chain¹⁰⁰. Ms McDuié is further concerned about the Sellicks Beach Motorcycle Classic event, which potentially causes beach pollution through depositing of oil and other pollutants from vintage vehicles¹⁰¹. The Birdlife Australia submission expresses concerns that stranded vehicles or bogged can cause localised pollution and disturb shorebirds¹⁰². Ms McDuié's submission also provides evidence of sand movement caused by vehicle traffic, which causes loss of sand from the beaches. The submission presents photographs of sand collected over a two-day period on the beach which has been removed from the beach by sticking to vehicles¹⁰³. The City of Onkaparinga commissioned the *Social Investigation in Flinders Research Centre for Coastal and Catchment Environments* study in 2008, which researched the environmental, social and economic aspects of the policy regarding vehicles on beaches at Aldinga. The report stated that trends for compaction of sediments on beaches with vehicle access may have been beach related. Vehicles were found to have a significant impact on macrofauna, so that sections of beaches with vehicle access were observed to have fewer and less diverse invertebrate animals¹⁰⁴. Erosion and undermine of coastal cliffs is another risk in the area where vehicles encroach on pebble fortifications and dunes¹⁰⁵.

The Aldinga Washpool and Silver Sands Heritage Group submission states that limited statistics on beach access within the area are available. Data from 2017/2018 shows that the number of permits issued on peak summer holiday days was around 50,000¹⁰⁶. It comments that access to these beaches has been allowed historically, so there is resistance to changing or adapting access rights despite an improved understanding of the potential problems caused by vehicle access. Increased traffic

¹⁰⁰ Submission eight, p.1.

¹⁰¹ Submission eight, p.7.

¹⁰² Submission 18, p.5.

¹⁰³ Submission eight, p.8.

¹⁰⁴ Submission 16, p.3.

¹⁰⁵ Submission 16, p.4.

¹⁰⁶ Submission 16, p.7.

and increased vulnerability of the environment within a changing climate are likely to exacerbate these issues. The submission contends that the benefits of allowing vehicles on local beaches are likely to have minimal benefits for authorities as there are very few retail outlets adjacent to the beach. There may be some overall impacts on numbers of people visiting the beach if vehicle access was prohibited¹⁰⁷. The submission also indicates that a particular section of the community applies pressure to the Council to allow access, which makes the Council's role difficult. The Aldinga Washpool and Silversands Heritage Group believes that State Government is therefore the logical party to institute action¹⁰⁸.

The Onkaparinga Council submission comments that the Sir Richard Peninsula is a site where off-road vehicle users are known to have a detrimental impact on the environment. SA Water is responsible for the Peninsula and funds private security personnel to monitor the site and provide education to users about the importance of respecting the dune system¹⁰⁹.

¹⁰⁷ Submission 16, p.5.

¹⁰⁸ Submission 16, p.2.

¹⁰⁹ Submission 20, p.2.



Figure Six: vehicle on Pebble Beach behind conservation sign. Photo courtesy M McDuire

Committee Response:

The Committee was concerned that a large swathe of evidence presented in hearings and submissions related to negative impacts of off-road vehicle use in coastal areas. These submissions are supported by scientific evidence gathered over decades, which shows the environmental damage caused by off-road vehicle use. While responsible vehicle use is less impactful, the weight of available evidence shows that vehicles being permitted to use coastal areas is likely to cause damage to coastal species and habitats. The Committee recommends that a proposed code of practice must explain to users the reasons why responsible use must be a shared goal for all stakeholders. The costs of remediating and rehabilitating damage are untenable if undertaken in the same areas repeatedly. Sadly and significantly, damage may not be possible to remedy if cultural heritage sites or valuable habitats are permanently destroyed.

Impacts on birds

BirdLife Australia is Australia's largest bird conservation organisation, which represents 145,000 supporters across Australia and undertakes multi-species landscape-scale adaptive management programs. The organisation has undertaken two major programs in South Australia since 2009, including the Beach-nesting Birds program and the Migratory Shorebirds Program. Its submission discusses a range of issues associated with off road vehicle impacts on birds and coastal environments. The BirdsSA submission raises many of the same concerns as its national affiliate. It observes that 'the impacts of off-road vehicles on bird life has been a major issue for Birds SA for many years'¹¹⁰. Mr Jeff Groves, Vice President of BirdsSA provided evidence to the Committee.

The first issue raised by the bird conservation organisations is direct impacts on migratory and resident shore birds on beaches and adjoining salt marshes where birds can be disturbed from their nesting, feeding and roosting sites, their nests and hatchlings run over, and beaches being compacted so that the birds cannot readily access food sources¹¹¹. Some birds nest in the sand so that their eggs are camouflaged and high a high risk of being destroyed. This also applies to turtle hatchlings trying to reach the sea¹¹². The Vulnerable species Hooded Plover are of particular concern to BirdsSA. The Friends of Shorebirds SE and BirdLife Australia submissions also raise this concern¹¹³. The Aldinga Washpool and Silver Sands Heritage Group submission notes that tyre channels formed by vehicle access during the hood plovers' breeding season are the main cause of chicks perishing¹¹⁴. Research by Buick and Paton cited in Sargent et al showed that 81 per cent of artificial Hooded Plover nests were run over by off-road vehicles in South Australia¹¹⁵. The Friend of Louth Bay submission states that:

¹¹⁰ Submission seven, p.1.

¹¹¹ Committee Hansard, 26 September 2019 p.2.

¹¹² Sargent et al, p.5.

¹¹³ Submission 13, p.2, Submission 18, p.4.

¹¹⁴ Submission 16, p.4.

¹¹⁵ P.6.

All four of our monitored Red Capped Plover nests have been destroyed by vehicle impact over the past five weeks alone¹¹⁶.

The Department for Environment and Water notes that most shorebirds nest during the spring and summer seasons, which coincides with the highest human use of beaches¹¹⁷.



Figure 7: Vehicle tracks through Pied Oystercatcher roosting area at Long Beach, photo courtesy BirdsSA

Another issue is impacts of off-road vehicles on vegetation, which results in loss of food resources, roosting and nesting habitats for birds. Vegetation loss also increases the risk of erosion, which is more likely to occur in arid areas because they are particularly vulnerable in the context of increasing extreme weather events such as floods and droughts. The increasing prevalence of off-road vehicles means that these impacts are likely to increase rather than staying the same if mitigating action is not taken¹¹⁸. The Wattle Range Council submission comments that erosion is a 'significant' issue for the Council, which is exacerbated by vehicle use. Erosion of sand dunes also impacts on surrounding infrastructure such as roads and footpaths. The

¹¹⁶ Submission 25, p.3.

¹¹⁷ *Limestone Coast 4wd Explorers' Guide*, p.16.

¹¹⁸ Committee Hansard, 26 September 2019 p.2.

Birdlife Australia submission discusses the impacts of off-road vehicles on samphire flora and habitat. Wheel ruts from off-road vehicles and trail bikes persist for years in saltmarsh. Several ecological communities in South Australia are listed under both state and Commonwealth legislation.

BirdsSA and Birdlife Australia are further concerned about direct disturbance from off-road vehicles and related excessive noise levels. The incursion of off-road vehicles into previously undisturbed areas can have major impacts on birdlife, with associated impacts like off-leash dogs¹¹⁹. The BirdLife Australia submission also raises this issue¹²⁰. Sargent et al also raise this issue, and add disturbance by harvesting bait and angling¹²¹. BirdsSA comments that many birds are territorial and alternative habitats may not be available or may place the birds in the position of being vulnerable to attack. In a recent article, renowned bird ecologist Dr Eric Woehler commented that certain species are 'utterly dependent on beaches, they don't have the option of going somewhere else.'¹²² Birds can also be disturbed by excessive noise, especially from trail bikes¹²³. The Friends of Shorebirds South East submission expresses concern that shorebirds are forced to desert breeding territory by trail bikes travelling in soft sand and spinning their wheels, or by four-wheel drive vehicles using beaches at high tide¹²⁴. BirdLife Australia discusses a 2014 study which found that human presence in an area was observed to have negative impacts on bird behaviours, including feeding patterns and abundance. Mitigation strategies include minimum distances for human access away from shorebird habitats with fencing in the most sensitive areas¹²⁵.

¹¹⁹ Submission 18, p.5.

¹²⁰ Submission 18, p.2.

¹²¹ P.5.

¹²² <https://mobile.abc.net.au/news/2019-11-23/human-free-beaches-proposed-to-preserve-bird-habitat/11718932?pfmredir=sm&sf224375798=1&sfns=mo>

¹²³ Committee Hansard, 26 September 2019 p.3.

¹²⁴ Submission 13, p.2.

¹²⁵ Submission 18, p.9.



Figure 8: Trail bike use on beach, photo courtesy BirdsSA

The Friends of Shorebirds South East submission also notes that invertebrate fauna diversity and abundance is diminished by driving on beaches. This reduces food availability for migratory, resident and breeding shorebirds¹²⁶.

Deaths of birds caused by direct collisions with off-road vehicles have been observed. The Friends of Shorebirds South East submission discusses an incident at Nora Creina beach, a heavily used off-road vehicle area¹²⁷.

The Department for Environment and Water encourages beach users to take rubbish home. Fish scraps and bait attract foxes and cats, which prey on shorebirds¹²⁸.

The Friends of Louth Bay submission comments that shorebirds in the local area have decreased markedly in numbers, including the effective elimination of shorebirds which previously used the area¹²⁹.

¹²⁶ Submission 13, p.2.

¹²⁷ Submission 13, p.2.

¹²⁸ Department for Environment and Water, *Limestone Coast 4wd Explorers' Guide*, p.19.

¹²⁹ Submission 35, p.1.

BirdsSA provide case studies demonstrating the concerns raised. They describe Long Beach at Coffin Bay, where 'motor vehicles and trail bikes have disturbed the birds and damaged the fragile beach and surrounding environment for many years.'¹³⁰ Mr John Gitsham, President of BirdsSA, commented that he was previously employed as a park ranger and the problematic use of off-road vehicles was also a concern in the Coorong at that time. He noted that there are some four-wheel drive clubs who do restoration work in the Coorong, and that responsible use of four-wheel drives is not the main issue. In his view, it is rogue operators or individuals who do damage by not sticking to established tracks.

Evidence from the Eyre Peninsula Natural Resources Management Board substantiates the points made by BirdsSA. Mr Jonathan Clark, Presiding Member of the Eyre Peninsula Natural Resources Management Board stated that unmanaged travel and access to beaches from camping and four-wheel driving on beaches is impacting on the hooded plover, a threatened species¹³¹.

Mr Gitsham noted that around 20% of Australia's 800 bird species are in serious decline due to loss of habitat or habitat disturbance. He discussed migratory birds, whose habitats are threatened in the Northern Hemisphere. These birds need to eat vast amounts in their feeding season before undertaking a return migration to breed in other countries. If the birds cannot feed in Australia due to habitat loss or disturbance, they either die on their return journey or cannot undertake the journey at all. Mr Gitsham stated that these populations have crashed dramatically, up to 90 per cent in some species¹³². The Friends of Shorebirds South East submission also expresses this concern and emphasises that migratory birds need to be able to increase their weight before undertaking international migration journeys and once they return from seasonal migration¹³³. The 2012 Discussion Paper by Sargent et al also identified this issue¹³⁴.

¹³⁰ Submission seven, p.4.

¹³¹ Committee Hansard, 17 October 2019, p.20.

¹³² Committee Hansard, 26 September 2019 p.6.

¹³³ Submission 13, p.2.

¹³⁴ P.5.

BirdsSA makes several recommendations to the Committee. The first is to identify key biodiversity areas in the state where off-road vehicle use would have a major impact on vegetation and/or wildlife. In these areas, access should be limited or precluded. The suggested criteria for assessing a key biodiversity area would be whether the sites are habitat for Rare, Vulnerable or Endangered species, and whether the sites are habitat for other native flora and fauna including migratory birds. The Friends of Shorebirds South East also recommends that controlled access should be South Australia's primary strategy for managing the impacts of off-road vehicles on the environment. It recommends that the State Government should develop legislation in conjunction with Local Government to stipulate areas where off-road vehicles are permitted without restriction, areas where off-road vehicles are permitted subject to specific rules, and areas where off-road vehicles are not permitted¹³⁵.

BirdLife Australia recommends that an audit should be undertaken into current access and impacts on biodiversity, threatened species and critical habitats. Actions to protect these areas should be developed, with priority given to protecting the critical habitats of threatened species such as the Hooded Plover and Fairy Tern. It recommends that further research be undertaken into social and environmental solutions to managing off-road vehicles on beaches and in wetland habitats¹³⁶.

Committee Response:

The Committee was concerned to hear evidence that damage and destruction of South Australian bird populations is occurring that can be attributed to off road vehicle use. It recommends that further investigation of a permit system be undertaken, which would more easily identify irresponsible parties. It further recommends that a code of practice be implemented which explains what standards are expected and the importance of protecting South Australia's delicate coastal habitats. Excluding certain areas from use may be an option of last resort. The Committee recommends that an inventory could potentially identify areas that are too fragile to warrant continuing

¹³⁵ Submission 13, p.2.

¹³⁶ Submission 18, p.2.

impacts from off-road vehicles. Diverting use away from fragile areas and encouraging off-road vehicles to use dedicated facilities and parks may have productive outcomes.

Impacts on protected areas

At Kinchina Conservation Park near Murray Bridge, the main problem is trail bike riders riding up the sides of creek beds. The BirdsSA submission refers to 'abundant evidence' of trail bike activity that is not permitted, despite the recent erection of signs clearly stating that trail bike use is banned in the area¹³⁷. Mr Gitsham commented that he also observed this while working as a ranger at Ngarkat Conservation Park. The rangers are not opposed to riders using the designated tracks but are concerned when riders go off track and ride in the dunes, which creates erosion. When rangers undertake restoration work, this is destroyed by irresponsible users. With rangers not being available to enforce behaviour, rogue riders and drivers take the opportunity to 'do pretty well what they want'¹³⁸.

¹³⁷ Submission seven, p.5.

¹³⁸ Committee Hansard, 26 September 2019 p.4.



Figure Nine: Damage caused by trail bike use, Kinchina Conservation Park. Photo courtesy BirdsSA.

The BirdsSA submission also discusses the case study of the Ramsar site in the Riverland, where vehicle noise, motorbike track proliferation and disturbance to colonial-nesting waterbirds from boating and noise are identified in the management plan for the site. Dinghy Derby races are conducted near the Ramsar site. The BirdsSA submission recommends that the races should be more closely enforced to ensure actions are taken to limit disturbance to native flora and fauna. It is unlikely that the community would support discontinuing the races altogether, but efforts should be made to contain the races to their current area. Environmental offsets could be considered as an alternative, for example, by imposing a non-hunting status to the Chowilla Game Reserve area¹³⁹.

¹³⁹ Submission seven, p.9.

The BirdLife Australia submission comments that off-road vehicle use is damaging the Adelaide International Bird Sanctuary. It observes that ‘a myriad of approaches have been undertaken’ at the site to prevent off road vehicle access to no avail.

A news release of 1 December 2017 describes the efforts undertaken in the northern Fleurieu to recover one of Australia’s rarest orchid species. The Copper Beard Orchid declined to three plants in 2016, attributed to kangaroo grazing, weed infestation and off-road vehicles. A protective fence around the orchids and a program of targeted weeding and monitoring has resulted in 19 plants now being present at the site¹⁴⁰.

Committee Response:

The Committee was concerned to hear evidence about the impacts of off-road vehicles in protected areas. It notes that some of these impacts are continuing to occur even where a legislative framework is in place that supports valuable environmental resources being protected. Evidence from National Parks and Wildlife SA staff indicates that the recently adopted permit system may be a promising initiative in addressing irresponsible behaviours in protected areas. This appears to accord with the experience of other Australian jurisdictions. The Committee recommends that more widespread application of a permit system should be investigated.

The Balance in Allowing Access

Four Wheel Drive South Australia acknowledges that all activities have the potential to impact the environment, so that a balance must be struck between areas that are closed off with no access and allowing full access which may potentially result in complete destruction. The Four-Wheel Drive South Australia submission comments that:

There is no doubt that the unregulated, unpoliced and unaccountable use of off-road vehicles in sensitive, protected and usually remote locations (but not

¹⁴⁰ Natural Resources Adelaide and Mount Lofty Ranges. *Close shave for bearded Orchid*. 1 December 2017. <https://www.naturalresources.sa.gov.au/adelaidemtloftyranges/news/171201-bearded-orchid>

necessarily so) results in damage, disturbance and loss of either wildlife, flora or geography¹⁴¹.

However, it contends that responsible use of off-road vehicles has limited negative impact. It promotes the ethos of 'tread lightly' and encourages members to stick to established tracks, lower tyre pressures in sandy areas¹⁴², and follow the code of conduct that it has devised¹⁴³. It conducts training and education with members on responsible use of four-wheel drives. It would be eager to provide reports on the state of off-road areas in South Australia by asking members to self-report. John Maguire runs a four-wheel drive club that has 2000 members. His submission describes the principles on which his club operates, including:

- tourism supporting local economies
- reconnection with nature, prompting acts of conservation and rejuvenation
- develop awareness of ecology and biodiversity
- promote minimal impact
- camaraderie, improved mental health
- club project works, restoring and maintaining

Mr Maguire's submission comments that 'Hoon' drivers are not tolerated by off-road enthusiasts in South Australia:

It would be a shame if tracks and areas in SA are closed because of a few hoons, those that are willing to protect an area are shut out and the hoon just goes somewhere else...I have seen their damage but have only seen it in action a few times, at an estimate I would say there are a few hoons in every thousand enthusiasts, not many.

The Yorke Peninsula Council submission acknowledges that its area is an appealing and important destination for recreational tourism in supporting the region's economy. The Council therefore does not advocate for unreasonable restrictions on off-road

¹⁴¹ Submission nine, p.3.

¹⁴² Lowering tyres to 15 psi when driving on sand is also suggested by the Department for Environment and Water in its 'Limestone Coast 4wd Explorers' Guide', p.10.

¹⁴³ Committee Hansard, 17 October 2019, p.15.

vehicle use but would like to focus more resources and stronger regulatory frameworks on minimising environmental degradation and ensuring community safety¹⁴⁴.

The 2011 Local Government Association Discussion Paper recommended a controlled access model be adopted, which would facilitate off-road vehicle use on Council-controlled unmade roads. Four Wheel Drive South Australia also recommends that a controlled access model should be implemented. This would recognise that some areas are sensitive and that minimal impacts in these areas should be a goal. Access to state forest areas or other new areas for four-wheel drive activity, perhaps on Crown or local government land, could be provided as an alternative.

The Yorke Peninsula Council submission recommends a similar strategy via the development of dedicated four-wheel drive facilities. It is not in a position to provide areas for use due to land availability, resource availability or public liability issues, but 'strongly believes' that designated areas would allow users to enjoy recreational off-road vehicle use while allowing environmental degradation to be contained and/or managed¹⁴⁵. The Wattle Range Council is also concerned about liability issues where off-road vehicles are accessing public lands. Injuries could occur where tracks are unsafe, where off-road vehicles use tracks that are not suitable, or where collisions occur between motor bikes, cars, bicycles, pedestrians and horses¹⁴⁶. The Onkaparinga Council submission also states that privately managed facilities are preferable to controlled access of public areas from a risk management perspective¹⁴⁷.

Four Wheel Drive South Australia suggests that more areas should be created that are only accessible to clubs, such as exist in New South Wales and Victoria where clubs only can access certain parks and forest areas supported by a management arrangement¹⁴⁸. As clubs have public liability insurance that facilitate safe access, providing clubs (only) with access to specified four-wheel driving areas would be

¹⁴⁴ Submission 12, p.5.

¹⁴⁵ Submission 12, p.6.

¹⁴⁶ Submission 14, p.2.

¹⁴⁷ Submission 20, p.2.

¹⁴⁸ Committee Hansard, 17 October 2019, p.15.

worthy of consideration¹⁴⁹. Mr Darryl Royans, Immediate Past President of the Toyota Landcruiser Club of Australia (SA) agreed that it would be ‘wonderful’ if drivers needed to be a member of a club before they could access certain areas but that this was explored for access on Fraser Island in Queensland and not implemented due to the likelihood of backlash¹⁵⁰.

John Maguire’s submission comments that private parks play an important role in diverting four-wheel drive traffic away from protected areas, and suggests, ‘perhaps we could consider developing and supporting new parks.’¹⁵¹ Some private operators have taken advantage of this opportunity. The Berri Barmera Council submission notes that the Loveday 4WD Park recognises a demand and caters for it. The Park is located midway between Adelaide and Mildura. It provides 8000 acres where drivers can enjoy four-wheel drive experiences, camping and other facilities¹⁵². Another example is Minjemibah Camping at North Stradbroke Island Queensland¹⁵³. John Maguire’s submission describes four ‘excellent’ parks that his club has used in the past three years, including Eagle View 4WD track near Mount Pleasant, Terowie 4WD Park, Loveday 4WD Adventure Park and JAKEM Farm near Callington. Mr Maguire comments that the parks ‘are taking a load of our conservation parks’, and that managers are managing their properties for sustainability. Having the opportunity to use the private parks increases drivers’ skill levels, which will assist in minimising their impacts when they travel elsewhere. Skills learned at the private parks include car control and capability, managing tyre pressures, and camp and track etiquette. JAKEM also offers off-road training courses¹⁵⁴.

¹⁴⁹ Committee Hansard, 17 October 2019, p.15.

¹⁵⁰ Committee Hansard, 14 November 2019, p.27.

¹⁵¹ Submission 19, p.8.

¹⁵² See loveday4x4adventures.com

¹⁵³ See minjerribahcamping.com.au

¹⁵⁴ Submission 19, p.7.

Committee Findings: Term of Reference B

The Committee received evidence demonstrating that stakeholders are concerned about the environmental impacts of off-road vehicles and provided evidence to the inquiry about impacts on protected areas, coastal areas and birds. Impacts of off-road vehicles include damage to flora, erosion, fauna particularly migratory and resident shorebirds, sand micro- and meiofauna, reduced climate change resilience of degraded environments, and greater susceptibility to pests, weeds and diseases. Conflicts with other users are likely to occur in coastal areas, and the destruction of cultural heritage sites is a risk.

The Committee also heard evidence about the need to balance the impacts of off-road vehicles with the interest of vehicle users, many of whom do act responsibly and are aware of the impacts that their behaviours may have. The Committee understands that some compromises are necessary between stakeholders. One opportunity may be the development of dedicated facilities or parks where off-road vehicle users can enjoy their pastime while pursuing it in a way that creates less detrimental environmental impacts. The Committee therefore recommends that more infrastructure to support responsible off-road vehicle use would be a productive outcome.

To manage the impacts of off-road vehicles on coastal and protected areas and minimise environmental damage, the Committee recommends the development of a state-wide Code of Practice which would set clear expectations and explain to users the reasons why responsible behaviours are a collective responsibility. A permit system to access protected and fragile areas has produced positive outcomes in other jurisdictions, by facilitating greater accountability and in some cases promoting for partial cost recovery for compliance activities. The Committee therefore recommends that further consideration should be given to the introduction of permit systems where these are not already in place. The Committee further recognises that some areas are extremely vulnerable to environmental damage and their 'carrying capacity' for off-road vehicle use is limited even where this is

undertaken responsibly. A state-wide inventory to identify such areas would be useful in prioritising future compliance and enforcement activities. Such an inventory may similarly identify areas where 'carrying capacity' is greater and facilitate responsible future off-road vehicle use where this is supported by responsible behaviour among users and environmental stewardship activities, such as is undertaken by off-road vehicle user clubs currently.

Applicable Recommendations: 1,2,3,4

TERM OF REFERENCE C: *IMPACTS ON THE STATE IN AREAS SUCH AS TOURISM, RECREATION, LAND REHABILITATION AND LOSS OF BIODIVERSITY*

Achieving a Balance

Approximately one third of the state's coastline is located within the Eyre Peninsula Natural Resources Management Region¹⁵⁵. The Eyre Peninsula Natural Resources Management Board conducted a survey among residents to find out what residents value about the Eyre Peninsula. The survey provided an 'overwhelming response' about the value of the coast. With so much value attached, there is an obvious imperative to protect South Australia's coastline as an asset and negotiate appropriate access. The *Eyre Peninsula and Far West Coastal Access Strategy and Decision Making Framework* recognises the need to apply 'proactive and strategic management of coastal access'.¹⁵⁶ It also recognises that the coast is part of the 'brand' and identity of the Region, which should be promoted and built on¹⁵⁷.

Dr Alan Tingay's submission notes increased populations in coastal areas, significant growth in the ownership of off-road vehicles and substantial increases in visitor numbers to coastal locations¹⁵⁸. These trends are factors in any management strategy.

¹⁵⁵ Committee Hansard, 17 October 2019, p.19.

¹⁵⁶ P.8.

¹⁵⁷ P.8.

¹⁵⁸ Submission 15, p.1.

The submissions to the inquiry received demonstrate a range of impacts arising from the use of off-road vehicles. While these issues are complex, most stakeholders acknowledge that productive outcomes will arise through negotiating a balance of interests. The BirdsSA submission comments that responsible use of off-road vehicles in a way that minimises their environment impact provides a way for people to ‘observe and appreciate our native flora and fauna’¹⁵⁹. The Friends of Simpson Desert submission suggests that, ‘there needs to be a balance between protection of the environment and freedom to participate in recreational activities.’¹⁶⁰ John Macguire’s submission notes that he has observed improved mental health, improved connection and respect for nature, and shared experiences with family and friends that enhance people’s lives within the 2000-member four-wheel drive group that he coordinates¹⁶¹. The 2011 Local Government Association Discussion Paper also mentions some positive issues: that responsible off-road vehicle use on designated trails allows the community to experience nature and the outdoors, which can promote greater appreciation for the environment and promote a sense of pride and ownership¹⁶², improved social networks through the off-road vehicle community, improved social skills, reduced isolation, and mental health benefits such as enhanced self-esteem and confidence¹⁶³. The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* recognises the need to provide visitors with a diversity of experiences, which differ according to the environment, social, cultural and economic values of each location¹⁶⁴.

Impacts on safety and cultures

The Local Government Association 2011 Discussion Paper lists social impacts such as damage to private property, trespassing, hazardous driving, user conflicts, noise and nuisance behaviours, parking issues¹⁶⁵.

¹⁵⁹ Submission seven, p.8.

¹⁶⁰ Submission Five, p.2.

¹⁶¹ Submission 19, p.2.

¹⁶² Local Government Association, p.12.

¹⁶³ Local Government Association, p.13.

¹⁶⁴ P.8.

¹⁶⁵ Local Government Association, p.12.

The Berri Barmera Council submission recognises that off-road vehicle use around Lake Bonney, 'has resulted in escalating impact upon local environment and threat to areas of cultural heritage significance.'¹⁶⁶ The submission cites a recent incident of damage to beach between Lake Bonney and Queen Elizabeth Road, which:

puts both the vehicle operator and passengers at higher risk of an accident and brings into question matters of public safety and liability, in addition to environmental damage to sensitive areas¹⁶⁷.



Figure 10: Impacts of off-road vehicles at Lake Bonney, photo courtesy Berri Barmera Council

The Friends of Innamincka Regional Reserves submission also comments that culturally significant and heritage sites of the Yandruwandha and Yawarawarrka Peoples are damaged when off-road vehicles do not stay on existing tracks¹⁶⁸. It is advocating for vehicle use to be restricted to existing tracks, and a process to be introduced where any new tracks must be formally assessed¹⁶⁹.

¹⁶⁶ Submission Four, p.2.

¹⁶⁷ Submission Four, p.2.

¹⁶⁸ Submission 11, p.2.

¹⁶⁹ Submission 11, p.2.

The Subaru Four Wheel Drive Club of South Australia submission describes track maintenance as a ‘crucial safety issue’, not just an access issue¹⁷⁰. The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* states that coastal access issues must manage the important dimension of visitor safety¹⁷¹.

Impacts on Amenity and Tourism

The Berri Barmera Council submission states that, ‘there remain good reasons to attempt to accommodate the use of off-road vehicles for visitors and locals in an environmentally sustainable way.’¹⁷² Four Wheel Drive South Australia commented that there is ‘huge’ tourism potential for activities associated with off road vehicle use in South Australia. Its submission observes that travelling vast distances to visit remote locations requires significant investment in fuel, equipment, servicing and repairs as well as food¹⁷³. Many off road vehicle owners buy Australian-made accessories to use with their vehicle and spend money in local regional communities. The Subaru Four Wheel Drive Club submission comments that the wider commercial community benefits from services, spare parts, accessories and advice sought by four-wheel drive users¹⁷⁴. Four-wheel drive visitors to areas like Robe and Beachport offer a significant revenue stream to businesses in those areas during summer months. Mr Greg Chase observed that these visitors, ‘are all on holidays and they are all spending their holiday dollars’.¹⁷⁵ Mr Darryl Royans made similar remarks in relation to Lake Eyre and the surrounding townships. He commented that public access routes to four-wheel drive tourism destinations must remain open because they are ‘vital’ for tourism and regional economy building¹⁷⁶. Michael Witcher’s submission comments that ‘less visited places need tourism to keep the towns alive, hotels, shops, service stations, museums, etc’¹⁷⁷. The Friends of Simpson Desert also makes this point in commenting that,

¹⁷⁰ Submission 31, p.1.

¹⁷¹ P.8.

¹⁷² Submission Four, p.3.

¹⁷³ Submission nine, p. 4.

¹⁷⁴ Submission 31, p.1.

¹⁷⁵ Committee Hansard, 17 October 2019, p.15.

¹⁷⁶ Committee Hansard, 14 November 2019, p.26.

¹⁷⁷ Submission One, p.1.

‘without these tourists coming because of off-road attractions, the towns may not survive financially.’¹⁷⁸ The Wattle Range Council submission comments that large groups of off-road vehicle users congregate in its area and make a ‘significant’ contribution to the local economy through meals, accommodation and retail. The Council describes this contribution as ‘crucial’ in the shoulder and winter seasons because there is limited potential for other sources of tourism income. The income generated from off-road vehicle tourism supports main towns and surrounding towns that offer ancillary services¹⁷⁹. The Friends of Simpson Desert submission observes that South Australia offers off-road vehicle drivers a wide range of experiences, such as coastal drives in the south, the Flinders and Gammon Ranges in the middle and the desert scapes in the north of the state. The Alexandrina Council submission acknowledges that off-road vehicle tourism is a key attraction for the Goolwa Beach Tourism precinct. Patronage is expected to increase with increased population and increased visitor numbers. The Goolwa Beach Car Park and Surrounds Master Plan focusses on collaborative management of the site and educational strategies directed at drivers, as well as the proposed local permit system¹⁸⁰. The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* recognises that consistent management of coastal access can grow the economic contribution that coastal access makes to tourism and aquaculture¹⁸¹.

The Eyre Peninsula Natural Resources Management Board noted that increasing numbers of visitors to the region are resulting in unmanaged access. The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* predicts that tourist visitation will ‘increase exponentially’ within the next decade¹⁸². Mr Jonathan Clark, Regional Manager of the Eyre Peninsula Natural Resources Management Board stated that there are growing numbers of visitors who want to drive off-road in coastal areas. More four-wheel drives, caravans and camper trailers are also using facilities, and this is causing noticeable impacts. Mr Clark cited the example of Cowell, where unmanaged access and growing demand for a popular

¹⁷⁸ Submission Five, p.1.

¹⁷⁹ Submission 14, p.2.

¹⁸⁰ Submission 20, p.2.

¹⁸¹ P.8.

¹⁸² *Eyre Peninsula and Far West Coastal Access Strategy and Decision Making Framework*, p.3.

campsite is impacting on local vegetation and species. Specific species are being impacted by four-wheel drive and beach access, such as the threatened West Coast mintbush, threatened fairy terns and the white-bellied sea eagle. Coastal saltmarsh is important for habitat and carbon storage¹⁸³.

Mr Clark acknowledged that the provision of visitor facilities and managing these at a high standard attracts more visitors and encourages responsible behaviour towards the environment¹⁸⁴. The Friends of the Simpson Desert submission comments that 'installing appropriate infrastructure' can assist in minimising impacts on the environment and protecting areas¹⁸⁵. The submission uses the example of Dalhousie Springs, where a strategically placed camping ground, fencing, walkways, steps, and revegetation kept visitors and vehicles away from fragile and degraded areas. The Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework acknowledges that 'coastal access needs to be supported by appropriate infrastructure' that is fit for purpose, that is, location specific¹⁸⁶.

The Berri Barmera Council submission recommends that the South Australian Government should work together with Councils, Regional Development bodies, and Tourism authorities to identify and develop areas for tourism opportunities involving use of off-road vehicles¹⁸⁷. The submission further suggests that under-utilised Crown Lands could be developed as tourism destinations for off-road vehicles, potentially through public-private partnerships¹⁸⁸. The Onkaparinga Council submission also suggests that providing dedicated off-road vehicle facilities would mitigate the uncontrolled impacts of off-road vehicle use in council areas. The Council contends that these facilities would also bring local economic development benefits.

John Maguire's submission suggests that conservation groups may be able to further develop tourism as an income stream. He is aware that some groups are already

¹⁸³ Committee Hansard, 17 October 2019, p.20.

¹⁸⁴ Committee Hansard, 17 October 2019, p.21.

¹⁸⁵ Submission Five, p.1.

¹⁸⁶ P.8.

¹⁸⁷ Submission Four, p. 5.

¹⁸⁸ Submission Four, p.6.

offering accommodation and touring options such as self-drive tours in remote parts of the state that enable visitors to see natural history and learn about the environment¹⁸⁹.

Management Strategies

The Committee discussed the application of fees or levies to access certain areas. Mr Greg Chase, President Four Wheel Drive South Australia, commented that the association's membership would be averse to paying money to access natural resources. However, this would be more palatable if the funds gathered through fees to access an area were diverted directly into managing that area rather than a central revenue model¹⁹⁰. The Subaru Four Wheel Drive Club suggests that a free permit would encourage more users to identify themselves. This may assist in enforcement¹⁹¹.

The Eyre Peninsula Natural Resources Management Board is active in managing the impacts of off-road vehicles. It is assisting private landowners to erect exclusion fencing, installing educational signage and installing seasonal exclusion zones to protect breeding wildlife. The main challenge to further effectiveness of these measures is lack of resources. Jonathan Clark commented that, 'there is a lack of revenue in small regional councils and from other sources to reinvest into maintenance and improvement of coastal infrastructure. A lot of these things cost a lot of money upfront and then you need ongoing funding to maintain these sites.'¹⁹² The Eyre Peninsula and Far West Coastal Access Strategy and Decision Making Framework recommends that funding should be sourced to drive capacity building with Council officers and staff in other organisations in using the Decision Making Framework. This approach could potentially be adopted across multiple councils.

The Friends of Simpson Desert submission notes that many infrastructure building projects are undertaken by volunteers. It requests that more government funding be

¹⁸⁹ Submission 19, p.3.

¹⁹⁰ Committee Hansard, 17 October 2019, p.14.

¹⁹¹ Submission 31, p.1.

¹⁹² Committee Hansard, 17 October 2019, p.21.

provided to assist with building infrastructure, and that the process of applying for grants should be simpler¹⁹³. Mr Mark Whitfield, Presiding Member of the Eyre Peninsula Natural Resources Management Board observed that there has been a shift in funding emphasis towards contract-based funding with initiatives such as National Landcare Program. Mr Whitfield suggested that regions have an opportunity to ‘think more creatively’ about how to access funding sources given the links between management of access to coastal environments and the demonstrable environmental outcomes of management programs¹⁹⁴.

The lack of available resources to facilitate more prohibitive strategies has led the Eyre Peninsula Natural Resources Management Board to embark on educative rather than enforcement approaches. Mr Whitfield commented that providing facilities where access will have the least impact has been one strategy. A further strategy would be engaging more closely with peak bodies such as Four-Wheel Drive SA and other partners. Providing more educational information will assist users to do the right things rather than relying on enforcement measures. Mr Whitfield commented that local businesses are also important partners in reinforcing messages about responsible use and access of coastal areas¹⁹⁵. The Berri Barmera Council submission would like to see a comprehensive state-wide education and awareness campaign. It also sees partnerships as vital: it suggests that tourism operators, Councils and off-road vehicle clubs should be involved to build a ‘groundswell of community support’ to modify behaviour over time¹⁹⁶. John Maguire also believes that more user education would assist. Mr Maguire contends that most users are accessing remote and protected areas because they enjoy environmental experiences, so most would benefit from materials that explain how to reduce impact, how to join with others to eradicate poor driving behaviour and promote positive practices, how to support conservation projects and initiatives, and how to maintain and protect tracks¹⁹⁷. He comments that, ‘the

¹⁹³ Submission five, p.2.

¹⁹⁴ Committee Hansard, 17 October 2019, p.22.

¹⁹⁵ Committee Hansard, 17 October 2019, p.22.

¹⁹⁶ Submission Four, p.3.

¹⁹⁷ Submission 19, p.8.

connection between scientific information and the average off-road vehicle driver can be improved, there is room for more sharply focussed information.¹⁹⁸

The Friends of Simpson Desert submission also uses a management approach that combines education and infrastructure. They suggest that new four-wheel drive vehicle users should be required to undertake basic education about environmental responsibilities when driving off-road. Existing owners of off-road vehicles should be encouraged to participate in driver training that explains environmental responsibilities. The submission notes that many four-wheel drive user clubs offer 'excellent' education materials. The BirdsSA submission recommends that the South Australian Government should work with off-road vehicle user groups and local government to develop and promulgate codes of practice for both public and private land. However, the BirdsSA submission also contends that increased education for off-road vehicle users about the impacts and ways to minimise the impacts of off-road vehicles is necessary, but in itself is insufficient to prevent significant damage from occurring. A section of society will always ignore the frameworks relating to responsible off-road vehicle use. BirdsSA argues that the authorities who are responsible for enforcement 'appear to be unwilling or incapable of performing this function effectively'¹⁹⁹. Therefore, BirdsSA recommends that the South Australian Government and Local Government Association should conduct a review of enforcement mechanisms and practices, with outcomes including improvements to ensure compliance and cost recovery provisions²⁰⁰.

There are also opportunities to seek funding for projects that have multiple benefits. Mr Mark Whitfield, Presiding Member of Eyre Peninsula Natural Resources Management Board discussed regional economic development, tourism, and employment grants as possibilities for cross-subsidising projects that would have those outcomes and environment benefits also. This has been an effective strategy for the Berri Barmera Council, which has funded the *Lake Bonney Caring for Country Management Plan* via a \$500,000 grant from the Murray Darling Basin Authority

¹⁹⁸ Submission 19, p.8.

¹⁹⁹ Submission seven p.8.

²⁰⁰ Submission seven, p.9.

Economic Development Program and matching Council investment. The Berri Barmera Council submission states that approximately half of the investment made in the project will be used in addressing the impacts of off-road vehicle access and implementing robust and sustainable protection and conservation measures²⁰¹.

Mr Whitfield Presiding Member of Eyre Peninsula Natural Resources Management Board suggested that another opportunity may also arise through guided experiences such as managed access and managed camping²⁰². This would provide visitors with access to coastal areas but also assist in managing the impacts.

The BirdsSA submission suggests that a permit system for off-road vehicle use could be introduced. The mid coast of NSW has introduced this system and could serve as a precedent for its introduction in South Australia. Main features of the NSW system include²⁰³:

- Permits can be purchased from Visitor Information Centres, Council Customer Service Centres and some bait and tackle shops.
- Permit must be clearly displayed on the bottom passenger side of vehicle.
- Permits are available for a 30-day period, annual, annual professional fisherman, or annual restricted.
- All permit fees are directed towards maintaining beach access points, dune rehabilitation and weed control.
- Permit holders agree to comply with beach rules as enforced by the Council and SA Police.
- Permit holders must access beaches using the designated access points and observe any beach closures.
- Permit holders must observe beach speed limits of 40 km/hr, give pedestrians right of way, and remain at least 15 metres away from pedestrians. The speed limit reduces to 15 km/hr when within 100 metres of other vehicles or pedestrians.

²⁰¹ Submission Four, p.2.

²⁰² Committee Hansard, 17 October 2019, p.23.

²⁰³ See <https://www.midcoast.nsw.gov.au/Recreation/Beaches/Driving-on-Beaches> and <https://www.midcoast.nsw.gov.au/News-Media/Explore-our-beaches-four-wheel-driving>

- Vehicles must drive between the tide marks, that is below the high tide mark and above the low tide mark.
- Vehicles must not drive on vegetation, sand dunes or bird nesting areas.

The Goolwa Beach Car Park and Surrounds Masterplan 2017 proposes a fee-paying permit system for recreational four-wheel drive vehicles that access Goolwa Beach and the Murray Mouth via the Goolwa Beach car park. The system would be considered in more detail at the time of upgrading the car park. The permit system proposal was supported by stakeholders and can implemented as the beach access track is located on Council-controlled land. The Masterplan recommends that revenue that is generated through the permit system is committed to funding environmental and cultural education, protection and maintenance programs within the Goolwa Dune System. A collaborative steering committee involving multiple stakeholder groups would be responsible for making decisions related to managing the funds²⁰⁴. In its visit to the Goolwa Beach in February 2020, the Committee heard from National Parks and Wildlife staff (insert names) that the online permit system introduced in 2017 to pay for camping in National Parks in South Australia has resulted in more responsible use of visitor facilities. The National Parks staff theorise that users' identifying details being accessible has resulted in more potential accountability. That is, if a user could be identified as being located in an area at a particular time, that user is more likely to behave responsibly.

²⁰⁴ Submission 20, p.2.



Figure 11: Members of the Natural Resources Committee at Goolwa Beach site visit

The *Eyre Peninsula and Far West Coastal Access Strategy and Decision-Making Framework* recommends that a regional approach to messaging and promotion should be adopted, with a focus on branding and market positioning, signage, coastal access code of conduct and information guidelines²⁰⁵.

²⁰⁵ P.11.

Committee Findings: Term of Reference C

The Committee received evidence demonstrating that stakeholders recognise the key factors impacting on the continued use of off-road vehicles in South Australia. South Australia's population is increasing and more visitors are using coastal areas for recreation and tourism. Tourism is vital for regional development. Increased ownership of off-road vehicles for both tourism and daily use will likely contribute to more frequent use of those vehicles in off-road capacities. The growing sector of off-road vehicle tourism plays a significant role in regional tourism and regional development. Participation in enjoyable recreational activities has many benefits, including improved community, improved appreciation for cultural heritage, and increased economic activity. The opportunity to experience natural heritage may also promote environmental stewardship and better understanding of the need to protect South Australia's environment as an asset. However, the growing use of off-road vehicles may also create conflicts between users and raise legitimate safety and liability issues for individuals, landowners and authorities at state and local levels.

The Committee recognises that appropriate infrastructure contributes significantly to responsible use of environmental assets. It heard examples of minor modifications to landscapes being implemented which have resulted in a balance being achieved where users can experience the environment but not damage it while doing so. The Committee also heard that clear messaging supports sound infrastructure and can be used to set consistent expectations. The Committee recommends that a statewide code of practice would effectively communicate expectations to users about their standards of behaviour, and provide a forum for delivering messages about the need to protect and conserve South Australia's environment. The Committee further recommends that local infrastructure such as improved signage, boardwalks, revegetation and other remediation projects should be viewed as an important factor in ensuring that accessing places to recreate and visit can be done in a sustainable way. The Committee recognises that finding the funding to undertake infrastructure and remediation works is an ongoing challenge for local

and state authorities. It therefore recommends that the State Government should support local governments and relevant authorities to access and apply funding for relevant projects from all possible sources.

Applicable Recommendations: 2, 5

TERM OF REFERENCE D: *ANY OTHER RELATED MATTER*

The Committee did not receive evidence relating to this term of reference.

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APPENDIX A: LIST OF WITNESSES

<p>26 September 2019 – Constitution Room, Old Parliament House</p> <ol style="list-style-type: none"> 1. Ms Letitia Dahl-Helm, Environment Officer, Yorke Peninsula Council 2. Mr John Gitsham, President, BirdsSA 3. Mr Stephen Goldsworthy, Operations Manager, Yorke Peninsula Council 4. Mr Jeff Groves, Vice President, BirdsSA
<p>17 October 2019 – Constitution Room, Old Parliament House</p> <ol style="list-style-type: none"> 5. Mr Greg Chase, President Four Wheel Drive SA 6. Mr Jonathan Clarke, Regional Manager, Eyre Peninsula Natural Resources Management Board 7. Mr Peter Harper, Treasurer, Four Wheel Drive SA 8. Mr Mark Whitfield, Presiding Member, Eyre Peninsula Natural Resources Management Board
<p>14 November 2019 – Constitution Room, Old Parliament House</p> <ol style="list-style-type: none"> 9. Mr Darryl Royans, Immediate Past President, Toyota Landcruiser Club of Australia
<p>30 April 2020 – Constitution Room, Old Parliament House</p> <ol style="list-style-type: none"> 10. Ms Sarah Clark, Director Road Safety, Policy and Research, Department for Transport, Planning and Infrastructure 11. Ms Ingrid Hunt, Acting Team Leader, Engineering Standards, Department for Transport, Planning and Infrastructure.

APPENDIX B: LIST OF SUBMITTERS

No.	Name	Dated
1	M Witcher	6 July 2019
2	M Beaglehole	13 July 2019
3	Berri Barmera Council	18 July 2019
4	Friends of Simpson Desert	29 Aug 2019
5	Toyota Landcruiser Club of Australia (SA)	1 August 2019
6	G Clarke	2 August 2019
7	Birds SA	5 August 2019
8	M McDuie	12 Aug 2019
9	Four Wheel Drive South Australia (4WDSA)	8 August 2019
10	Coast Protection Board of SA	13 Aug 2019
11	Friends of The Innamincka Reserves	7 August 2019
12	Yorke Peninsula Council	29 Aug 2019
13	Friends of South East Shorebirds	14 Aug 2019
14	Wattle Range Council	14 Aug 2019
15	A Tingay	15 Aug 2019
16	B Mitchell	29 Aug 2019
17	Department for Planning, Transport, and Infrastructure	15 Aug 2019
18	BirdLife Australia	14 Aug 2019
19	J Maguire	29 Aug 2019
20	Alexandrina Council	15 Aug 2019
21	SA Tourism Commission	15 Aug 2019
22	S Clues	16 Aug 2019
23	Australian Coastal Society	16 Aug 2019
24	District Council of Grant	23 Aug 2019
25	Adelaide Mount Lofty NRM Board	23 Aug 2019
26	B Williams	29 Aug 2019
27	Adelaide Plains Council	28 Aug 2019
28	Eyre Peninsula NRM Board	27 Aug 2019
29	V Gubbin	14 Aug 2019
30	D Clarke	29 Aug 2019
31	D Clements	3 Sept 2019
32	Limestone Coast LGA	3 Sept 2019
33	J Smyth	9 Sept 2019
34	Department for Environment and Water	19 Sept 2019
35	Louth Bay Coastal Action Group	18 Oct 2019