



The ACT Equestrian Association Incorporated

ABN 47 674 025 536

All correspondence to:
The Secretary, PO Box 4, Curtin ACT 2605
Phone 02 6247 7843

www.actea.asn.au

President: Christine Lawrence Vice President: Bronwyn Barnard Secretary: Beth Stone Treasurer: Letitia Toms

Senior Manager

Natural Environment and Resource Management

Dept of the Environment, Climate Change, Energy and Water

GPO Box 158

Canberra ACT 2601

Email environment@act.gov.au

Review of the Nature Conservation Act (NC Act) 1980 Discussion paper of November 2010

The ACT Equestrian Association (ACTEA) welcomes the opportunity to comment on the *Discussion Paper* and the issues canvassed in it. Many of these issues are of interest and concern to this Association and its membership. While the Association does not have legal expertise to comment in detail on the Nature Conservation Act (NC Act) and proposals for its amendment we do wish to indicate our attitude to some of the suggested amendments to the legislation.

ACTEA is the peak umbrella body representing the majority of equestrian organisations and activities in the ACT. Its vision is to enable people to enrich their lives through their relationship with horses, other equestrians and the environment. As part of its interest in the development and maintenance of equestrian infrastructure in the ACT the Association promotes access to ACT open space, continuation of the system of Government Horse Holding Paddocks, and preservation of grassland and woodland within and around Canberra despite urban development. ACTEA meets regularly with representatives of a range of government agencies to further these objectives.

1. Connectivity and ecological sustainability across the ACT (section 1 p.15)

The *Discussion Paper* suggests that s38 of the NC Act could be expanded to declare key areas for connectivity and sustainability. The *Discussion Paper* highlights the dilemma of balancing future urban growth and conservation needs. Private conservation reserves on rural leases is briefly discussed (section 3 p. 21)

The *Discussion Paper* does not canvass the possibility of applying this concept to land not actually under rural lease but used for agricultural purposes. The Government Horse Holding Paddocks (HHP) of approximately 1000 hectares already adds to the connectivity and biodiversity of the Canberra urban fringe. This Association would like to see some form of permanency given to the HHP first as a community recreational resource but also as land which is contributing to the ACT's conservation and biodiversity capital. The outsourced private

ACTEA supported by funding from Sport and Recreation Services ACT

ACTEA submission part 2

management of the paddocks is very strictly controlled with strict stocking rates, and agricultural practices aimed at a high standard of landcare. Tree cover and wildlife corridors in HHP are not permitted to be threatened by the horse stock. Agistees, in fact, participate in tree planting to augment the existing areas of natural tree cover. However the ACT Government has so far refused our requests to declare these paddock complexes as permanent reserves but regards them as “land banks” for urban or industrial development.

2. Managing the urban-bushland edge (section 4 p.22)

The Association is aware of the problem of encroachment of detrimental activities onto reserved lands and supports strengthening of laws and resources to remedy this.

3. Consistent management of public lands (section 6 p.28 -29)

ACTEA would not wish to see all current provisions that control public activities in reserved areas extended to public activities in open space and unleased lands generally. The extension of offences under Part 8 of the NC Act to special purpose reserves applying to all Territory public lands such as Public Land – Water Catchment or urban open space has massive implications for equestrians.

Under the NC Act Part 8 Section 68 (1)(a) for any animal other than a native animal to be taken into a reserve requires the consent in writing of the Conservator to this action. At present the use of parts of Canberra Nature Park as horse riding areas is very limited as the Conservator has given such consent in very few of the reserves.

The *Discussion Paper* suggests (p.28) “Even though different management objectives apply, the offences provided by Part 8 of the NC Act are not ones that would unduly restrict recreational or educational pursuits.” This Association would contend that there would be undue restrictions on recreational pursuits if all public land not under lease was declared special purpose reserves. Urban open space is very heavily used by Canberrans seeking exercise and recreation with their companion animals – either horses or dogs. Use of parts of Canberra Nature Park for horse riders has been retained only by considerable lobbying effort by this Association and others.

As Canberra’s population grows there is more pressure to reduce current open space for development and more people using the open space we have. It makes more sense that we find positive ways to combine recreation and conservation rather than creating competition between groups with varying views on the use of public open space. In the eight years since the 2003 bushfires Canberra’s equestrians have lost access to the extension of the National Zoo and Aquarium, the development of the Arboretum and the new Molonglo suburbs. This is an enormous loss which we would not like to see increased by further limitations on our use of our parks, open space and reserves.

4. Part 8 of the Act – reserved areas (particularly section 15.1.3 p.44-45)

Under s 68(1) (a) of the NC Act the Conservator’s consent to the taking of non-native animals into a reserve is necessary. For horse riding it is stated this consent is provided by a management plan or plans. Agreement to management plans is a cumbersome and long drawn out procedure as we have seen in the case of finalising Namadgi National Park Management Plan. If there is extension of the reserve category to additional areas we suggest there needs to be revision of Part 8 Section 68 (1) (a) to wording that requires the Conservator to declare which of such specific reserves or parts thereof, if any, are to be

reserves where non-native animals such as a horse cannot be taken. There needs to be a requirement for definite evidence of environmental damage which would result from horse riding in the area proposed as reserve, before the Conservator declares that non-native animals are prohibited in the specific area.

Otherwise in the situation where more areas of open space are declared reserves, the blanket limitation on taking a non-native animal such as a horse into a reserve resulting from the current s 68(1) (a) would deny many more areas to recreational horse riders.

The experience of this Association has been that equestrian use of reserves, for example Public Land – Water Catchment is either prohibited or subject to draconian conditions. As a special case use of the Cotter catchment and Brindabella National Park (NSW) fire trails for a recent endurance horse ride was permitted contingent on limitations on the route and a strict protocol for a cleanup of horse droppings on the route. In the event there was little manure to be collected (one and one-half buckets from 73 horses).

This Association believes the evidence does not suggest that equestrian use is as detrimental to land as has been alleged in some documents of the 1990s. We would welcome further opportunity for discussion on these matters.

Beth Stone
Secretary
ACT Equestrian Association Inc
Ph 6247 7843
18 February 2011

ACTEA supported by funding from Sport and Recreation Services ACT