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March 11, 2010

Mr. M Parker
CEO
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Dear Sir

The following is a submission on the role of vehicles on beaches at Myalup and Binningup. Recently you will have received a submission from the Myalup Community Associated (MCA) based on a public meeting and input from a committee of which I was a member. As the dissenting committee member representing an alternative viewpoint on the use of vehicles on the Shire's beaches I would like to alert the council to concerns about not only the conclusions reached in the submission but also the process used in its compilation.

These concerns relate to the undemocratic processes used to silence what I believe are considerable community concerns regarding the feasibility of mooted control measures, the role of the motor-vehicle lobby, the general safety of all beachgoers, environmental degradation and finally, recognizing the fact that for a considerable segment of the community, their enjoyment of the beach area is negated once it becomes a de-facto water-edged highway. Hence rather than reflecting true community feeling it instead reflects the views of a Keep Vehicle Access Lobby (KVAL) and will be referred to as such in the remainder of this submission.

This alternative submission argues instead, that the beach should be immediately closed to all vehicles. A failure to do so will mean:

- A:** Establishing Myalup/Binningup as the beach-vehicle capital of the South-West
- B:** A tragedy on our beaches is inevitable and perhaps even imminent
- C:** Irreversible environmental degradation and a loss of amenity for the entire

coastline

- D:** A lawsuit due to liabilities arising from a historical lack of Council action
- E:** A continuation of routine breaches of regulations that are impossible to enforce
- F:** Overlooking a closure option that would be safe, cost-effective, straightforward, in line with Australian trends and ensure the enjoyment of the area for future generations

Further elaboration of each of these imperatives are included below:

A: The Beach-Vehicle Capital of the South-West?

The inappropriateness of vehicles on beaches for safety, amenity and environmental reasons is a position is being increasingly recognized across the world and now along the coastal strip of Australia. As far back as 1978 NSW had as official policy the position “Coastal beaches and dunes should be free of motor vehicles ...” [<http://www.speednet.com.au/~abarca/NPAPo101VEHICLES.htm>]. Vehicles are banned from all Victoria’s beaches. In SA and QLD the trend is similar with ever-increasing restrictions ranging from outright bans to bans restricted to winter and/or large sections of beach. In Western Australia, many smaller and larger south-west beaches have bans (e.g. Busselton) or stringent restrictions (Cable Beach has large sectional, night, high tide and turtle-hatching bans). As for beaches in Harvey Shire? it is open slather; anything goes - any vehicle, any time, any place.

The main driver behind these bans/restrictions is the environmental damage caused by 4WDs, a damage that extends to forestry regions to such an extent that recreational off-road drivers are finding it increasingly difficult to find any locations for their activities. Hence an immediate consequence of Council continuing to sanction the use of off-road vehicles is that our beaches will become one of the last bastions for vehicular beach access and therefore a beacon for many of the state’s recreational drivers. Indeed the lengths to which the Motor vehicle lobby has influenced the recent submission is an indication of the widespread ramifications of the Council’s decision (NB. a 4WD association was invited to have a representative on the committee and a Trail-Bike association has been involved).

The situation is set to become further exacerbated by the recent opening of the Forrest Highway effectively bringing Myalup to within 80 min of the city. There are few, if any, locations in the world in which within a ~1 hr drive of a major city, there exists unfettered vehicle access to a 14 km stretch of

pristine coastline. This is hardly surprising given that no matter how good the regulations; how feasible their enforcement; how good the signage; how good the driver education, how much goodwill exists amongst users - all these are comprehensively trumped with a sufficiently large number of vehicles on the beach. This is the fundamental issue conspicuously ignored by KVAL's submitted report.

B: Inevitable Tragedy

Based on previous incidents and behaviour and on the increased usage, here are the scenarios that are eminently foreseeable and I would suggest, inevitable in the next 3 years by continuing to sanction vehicle usage on beaches within Harvey Shire.

- A death or serious injury on the beach from excessive speed (e.g. A quad travelling at excessive speed hitting a log, divot etc)
- A death or serious injury resulting from a small child being run over (e.g. running out from behind a parked 4WD or a quad losing control or an accident in the swimming area)
- A death or serious injury from off-road riding in the dunes (the fences are routinely ignored).
- A death or serious injury resulting from a confrontation between a Council or *honourary* Ranger issuing infringements.
- A death or serious injury resulting from a collision between two vehicles (or any ensuing confrontation) due to the increased traffic

Currently on any public holiday the beach frontage resembles a car park with 4WDs lined up on the beach shore as far as the eye can see and is now worsening as this sight extends to regular weekends. So much for any beachgoers wanting to enjoy the amenity of a natural environment without the noise, pollution, fumes and danger of unregulated vehicles. This is set to become commonplace as an increasing population continues to place increasing pressure on Harvey Shire's coastline. This is the single issue that the submitted report refuses to acknowledge or discuss.

C: Environmental Degradation

The accompanying environmental degradation currently taking place is a critical issue that by itself constitutes sufficient grounds for closing the beach. The science describing the damage to the beach ecosystem caused by vehicles is consistent, mounting and all heading in the same direction. While it

would be over-reaching to characterize it as inferring that “low” vehicle usage automatically equates to irreversible damage, the evidence of widespread damage from “high” vehicle usage is compelling. These widespread effects encompass every component of the beach ecology: from damage to fishing, to beach-nesting birds and most significantly, on the “lungs” of the beach ecosystem - the meiofauna (microscopic and larger sand-burrowing invertebrates) and wrack (beach-cast seagrass and algal detritus).

The two most worrying findings from the science is that firstly, the more it is researched the more 4WD damage is uncovered (it is still an active research area) and secondly, much of this damage may be irreversible - even with subsequent but belated vehicle bans (thereby adding extra impetus for immediate action). We return to this point later but first highlight the conclusions from some substantial and relevant studies on the effects of 4WDs on beach ecology.

To place these findings in context it first needs to be recognized that from the waves to the dunes there exists a complex web of interactions making up a functioning ecosystem.

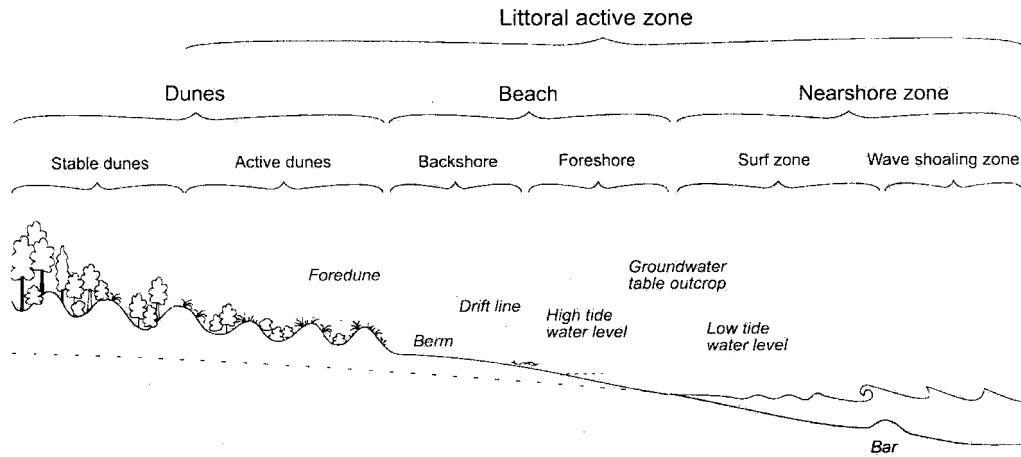
What is generally not known -or at least appreciated -is that beaches are diverse ecosystems in their own right. Contrary to popular belief, beaches are not marine deserts.

...

Once beaches are recognised as living, diverse and unique ecosystems, environmental damage caused by various forms of human beach use becomes readily visible.

4WD beach traffic - an acceptable use of sandy shores? - Thomas Schlacher, Associate Professor of Marine Science, University of the Sunshine Coast [<http://www.npansw.org.au/web/journal/200808/beach.htm>]

The components of this eco-system are illustrated below:



In 1996 a workshop was held by New Zealand's Department of Conservation after concerns were raised about the extent and intensity of motorized vehicles along the coastline and the accompanying threat to stability and biodiversity. Following this a comprehensive review was made of the scientific literature as part of preparing a coastal management plan for the country. For interest it provides a good introduction to beach ecology but here we quote from the *Conclusions and Recommendations* chapter:

The use of vehicles on coastal dunes has been demonstrated to be highly destructive to both flora and fauna, often with the first vehicle passage causing the most damage. The conclusion has been that coastal dunes have a nil "carrying capacity" for vehicles and that vehicle use of these areas should be banned altogether. Where vehicle access to the beach is required for emergency services or some other activity, such as boat launching, carefully designed roadways should be provided to cross the dune system.

... The use of vehicles on the backshore of sandy beaches has been demonstrated to be highly destructive to both flora and fauna, while the impact of vehicles on the biota of the intertidal beach has appeared to be minimal, at least when the vehicle use occurred during the day. (However in reality the impact of vehicles on the biota of the intertidal beach has not been adequately quantified and requires further research.) The conclusion has been that vehicle use of sandy beaches should be restricted to periods of low tide, to the area seaward of the drift line, and to daylight hours (i.e. from one hour before sunrise to one hour after sunset).

Vehicle impacts on the biota of sandy beaches and coastal dunes: A review from a New Zealand perspective, Gary Stephenson 99, pg 33
<http://www.doc.govt.nz/upload/documents/science-and-technical/sfc121.pdf>

This has direct implications for the beaches in Harvey Shire where despite improvements in fencing, the coastal dunes are regularly breached and the entire beach area is regularly driven on including on the critical "non-seaward" side of the drift-line.

Another example of this accumulating body of evidence comes from a Flinders University study commissioned by The City of Onkaparinga to provide an independent assessment of the social, environmental and economic implications of beach closures. From the summary of their 3-year study we have:

... Vehicles were found to have a significant impact on macrofauna (i.e. small invertebrates, like insects and beach hoppers) associated with wrack (i.e. beach-cast seagrass and algal detritus), with sections of beaches open to vehicles having lower macrofaunal abundance and species richness (i.e. fewer and less diverse invertebrate animals). Vehicle effects are more noticeable in the high-shore soft-sand area, where rutting of sand by tyres is most obvious and wrack also tends to accumulate. Climate change is expected to exaggerate the impacts of vehicles on beaches as beaches retreat landward, become narrower and possibly softer and steeper as they respond to sea level rise...

... There was some evidence that vehicles may increase sediment compaction on the open section of Aldinga Bay. This observation has significant ecological implications. More compacted sands have slower rates of water movement within them (i.e. slower draining & infiltration by waves etc.). Between the sand grains on beaches there lives a set of invertebrate animals called the meiofauna, these animals are responsible for processing organic material dissolved in the seawater and act like a water-filtering system. Reduced flows through compacted sands result in conditions that are less suitable for these organisms. Compaction of sediments also affects the ability of larger invertebrates to burrow into the sand, and so burrowing animals like worms, cockles, snails and small crustaceans may be especially affected. Some of these animals are economically important; for example, cockles and worms are used by fishermen as bait. These potential impacts, combined with the tendency for beaches open to vehicles to have fewer and less diverse macroinvertebrates in wrack, could significantly impair the beach's ability to function as an ecosystem.

The high-shore area of the beach is the most susceptible to vehicle impacts: the soft sands are easily rutted by tyres, wrack accumulates at the high tide mark and beach-nesting birds that lay their eggs on the beach tend to nest above the drift-line. Beach-nesting birds tend to use the high-shore, foredunes and dune areas of the beach for nesting, but chicks and adults may forage anywhere on the beach, from the dunes down to the swash (waves).

Vehicles on Beaches: Final Report to City of Onkaparinga - Oct 08
pg 7-8 <http://www.onkaparingacity.com/web/binaries?img=13171&stypen=html>

In terms of beach-nesting birds on Harvey Shire beaches the obvious one

of concern is the Hooded Plover. It is likely that this endangered bird is having its eggs regularly crushed by tyres and their habitats and nesting sites destroyed by vehicles. The Hooded Plover has been identified as a priority species in Council planning documents and yet *nothing* has been done to protect them on our beaches from vehicles despite clear evidence in the scientific literature:

In the Coorong region of South Australia Hooded Plovers usually nested on the ocean beach above high tide mark and close to the base of the frontal dunes. There was a significant overlap in the areas of beach used by vehicles and by Hooded Plovers for nesting and the potential rate at which nests would be run over was estimated by deploying painted pigeon eggs in artificial nests. On average 6% of these nests were run over per day. This rate was equivalent to 81% of the nests on beaches being run over during the incubation period. ... It is considered that the use of off-road vehicles on ocean beaches potentially reduced the reproductive output of Hooded Plovers in the Coorong region.

Buick, A.M.; Paton, D.C. 1989. Impact of off-road vehicles on the nesting success of Hooded Plovers *Charadrius rubricollis* in the Coorong region of South Australia. *Emu* 89:159-172

The Council is ostensibly aware of its responsibility to not only local residents but also to the wider community in both Western Australia and Australia in relation to endangered species. For example, at its reception desk at Council chambers there are pamphlets for the public on the Hooded Plover and its endangered status. And yet ... inexplicably there are no restrictions for vehicles in their beach habitat? Has the Council made the judgement that they are not endangered enough to protect on our beaches? - that it is perfectly acceptable that future generations not have the same opportunity to see these birds on our beaches? The situation is critical. The species has become extinct in Queensland and Northern NSW. Only 400 are left on the Victorian Coast where they have initiated an emergency response http://www.mesa.edu.au/seaweek2008/hooded_plover.asp. In WA, a 2008 survey counted 368 in the entire state of which 88 were in the Yalgorup National Park. On Beaches within Harvey Shire, as part of this survey we have:

On 25 February 2008 Steve Dutton, Senior Ranger with DEC, and Dick Rule conducted a beach run of 31km from White Hills Road to 9 km south of Preston Beach. It was important to survey this stretch of beach as it fronts Yalgorup National Park. Unfortunately, no Hooded Plovers were observed here and the beach was covered with tyre marks.

http:

[//www.birdsaustralia.com.au/our-projects/west-australian-hooded-plover.html](http://www.birdsaustralia.com.au/our-projects/west-australian-hooded-plover.html)

I know of a single Hooded Plover observed on this stretch of beach in late 2009 but this may well be the last year our generation has the opportunity to enjoy such an experience. The nesting season is in spring and summer - both of which have seen unprecedented vehicle access in 2009/2010 and which are likely to have destroyed any remaining nests. It is hardly a legacy to be proud of.

Finally, to see the mindset and guiding principles of the *Shoreline Management Plan* used throughout Queensland we have:

Next to the destruction of habitat through development, driving of 4WD vehicles is the most harmful of all human activities on sandy beaches. Cars dramatically change the physical properties of beaches leading to deep rutting. Fragile dune vegetation is easily destroyed by vehicles. Animals inhabiting beaches are highly susceptible to vehicle impacts: 4WDs can destroy nests and kill chicks of shorebirds, turtle hatchlings show lower survival rates on beaches open to 4WD vehicles, and ghost crabs are crushed in large numbers by night traffic. Many other smaller, buried invertebrates of the beach may also be impacted by beach traffic. A recent study on beaches in South-East Queensland showed that beaches open to 4WD vehicles have substantially fewer species of invertebrates and these occur at much reduced densities.

http://www.griffith.edu.au/_data/assets/pdf_file/0004/100993/sandbeach.pdf

To read the report from the KVAL one could be forgiven for thinking that environmental damage is minimal to non-existent and/or cannot be worsening with increasing population and access from Perth. Presumably the logic is that vehicle usage has increased sufficiently to create serious safety concerns but somehow not sufficiently enough to cause any environmental damage. The flaw in such reasoning is self-evident but it once again highlights the biggest weakness inherent in the KVAL's report - the failure to consider at

any point the sheer number of vehicles on the beach and the effect this has on any putative safety-control measures or on the environment.

The complete lack of acknowledgement of environmental considerations in the KVAL report also severely undermines their claim that this has been the result of proper community consultation. As the committee member representing those views not supportive of the KVAL's core position, I repeatedly raised meeting environmental concerns about general degradation, the lack of comprehensive evaluations and in particular, the effect on the habitat of the endangered Hooded Plover. None of these made it to the final submission. Not one. According to KVAL, the only balancing act to be performed is the one between the drivers of competing motor vehicles.

Contrast this with the beach management plans of other local government throughout Australia in which the central point of contention is balancing environment concerns with recreational drivers with beachgoers who want to enjoy the area sans vehicles. Closer to home the contrast couldn't be clearer. Take the coastal management input used by many shires South of Mandurah <http://www.coastswap.com.au/> or further south in Denmark, Albany, Jerramungup, Ravensthorpe and Esperance the following *Key Concerns* of their coastal management plan.

- During consultation, the community perception was that on-road licensed 4 WDs cause a significant amount of damage in coastal areas, with a lesser but still substantial amount of damage from motorbikes, quad bikes and other unlicensed vehicles.
- The number of 4WD vehicles in Western Australian has increased significantly over the last 30 years.
- The use of off-road vehicles (ORVs, i.e. non road registered 4WDs, motor bikes etc.) are valid recreational pursuits. However, these activities can be detrimental to the coastal environment and potentially dangerous to participants and others, when not appropriately managed.
- Land managers are generally unable to adequately police the illegal or inappropriate use of vehicles, particularly in remote locations.
- Many coastal tracks are created for no apparent reason, leading to increased damage to the environment.

http://southcoastmanagementgroup.org.au/images/documents/scmg2009_southern-shores_lo.pdf-pg93:

We argue that based on observations of the rise of vehicle numbers over the past decade, the number of safety incidents, the amount of rubbish strewn up

to the dunes; the tyre marks that are now a permanent feature of the beach's landscape (from the foreshore to the stable dunes) that such a threshold has long since passed. We acknowledge however that an updated, independent, professional evaluation needs to be performed and in fact to proceed with a beach management plan *without* considering such evaluations would show an unalloyed disregard for the environment and therefore a dereliction of one of the fundamental duties of any council.

While we argue that closing the beach to vehicles is justifiable purely on safety grounds, doing so would have the additional benefit of halting any environmental damage currently occurring to an area that following a comprehensive study may well prove to have exceptional environmental value. As foreshadowed earlier, the research also points to the urgency of the situation. For example, at the beaches within the City of Onkaparinga, (winter) closures of sections in 3 year period did not lead pre-vehicle levels of biodiversity and health.

... there was no trend for recovery of the macrofaunal populations within the bollarded closure area, nor any trend for increased macrofauna abundance or richness during periods of vehicle absence in the seasonal closure area.

Vehicles on Beaches: Final Report to City of Onkaparinga - Oct 08
pg 17: <http://www.onkaparingacity.com/web/binaries?img=13171&stypen=html>

D: Council Inaction

The last 20 years have seen minimal to non-existent enforcement of beach regulations by Harvey Shire Council. Any argument to the contrary needs to explain the number of infringements that have been issued over this entire period (apparently 0? - the Shire refuses to provide explicit data) with the ongoing, consistent complaints of residents (in the hundreds) alerting the council to these continual "near misses". Part of this unfortunate situation stems from an apparent unwillingness on the part of the Ranger to enforce the regulations, but to be fair, an unwillingness that probably and understandably stems from a lack of Shire commitment and/or sufficient resources to adequately and safely police existing regulations.

There is perhaps no better illustration of the high farce that is the vehicle management on our beaches, than with Myalup's so-called swimming area. For starters, in 14 km of beach only 100m can be found for swimming. To demarcate this area bollards have been erected at either end of this 100m

stretch of beach. Presumably this is to notify drivers about this swimming area but perhaps also to prevent vehicles from physically moving amongst them. Well this would be the case except for the fact that the bollards are placed at intervals strategically larger than the width of standard 4WD wheel base. Hence 4WDs (and any two-wheelers and quads) can pass snugly between the bollards and amongst the beach towels - which they duly do on a regular basis. It's almost as if they have been designed this way and were it not for the stickers on the bollards (and beach towels) you could hardly blame a driver for coming to such a conclusion.

It is difficult to understand such a set up - perhaps it is a wink and a nod to drivers to let them pass southwards; perhaps the reason is to maintain access for the Ranger (although it is hardly an unsolved problem in park management to design an unobtrusive entry system that excludes non-Ranger vehicles?). This latter explanation seems unlikely however since the only time I have ever seen the Ranger pass between the bollards (as opposed to the thousands of cases of recreational drivers doing so) was when following another "near miss", he was called to a entirely predictable confrontation between a local resident and a bike rider that was threatening to get out of hand. After this was resolved three hoons provocatively blazed through the swimming zone before being chased by the Ranger with siren blaring. Naturally the hoons escaped a few kilometers down the beach simply by careering off into the unfenced, unprotected and fragile dunes as they are want to do (if you doubt this go and observe the ever-present tracks in the fenced off areas).

Hence we have the bizarre situation of a tiny swimming zone exquisitely designed to promote confrontation and conflict between motorists and swimmers. The Keystone Kops nature of the entire situation would be comical were it not so potentially dangerous. That blind freddie can see this would, I imagine, also have considerable liability implications.

Another example of the Council's total lack of interest, acquiescence or even facilitation of breaches of vehicle regulations is the labyrinth of bike tracks in the dunes south of Myalup (near the new desalination plant). Far from any policing of this area, weekly meets are held by off-road enthusiasts with the launching point of such meets conveniently accessible with a Council paved road. These and many other examples mean that it is hard to avoid the conclusion that there is a certain culture of entitlement amongst off-road drivers that the Harvey Shire Council implicitly endorses through their ongoing inaction.

There have been minimal policy changes to address these concerns, little improvement in signage, token policing (the recent, occasional “blitz” does not constitute adequate enforcement). Instead ratepayers have had to endure silence to letters, “jurisdiction buck-passing” between local police and Shire Rangers or a familiar refrain about just not having sufficient resources. In such a case the solution is clear.

Surely the Council can see the extent of community frustration that exists from the extent of these two submissions. This has been going on for well over a decade now and begs the question: just what will it take for the Council to finally do something?

E: Infeasible Enforcement

It is obvious that to police the entire coastline in the Harvey Shire’s remit would, given the multiple entry points, require a large fleet of Rangers working around the clock. This is clearly not feasible without huge increases in Council rates.

The proposal in the KVAL’s submission to address this by appointing residents to act as voluntary or part-time Rangers is at best, oddly quixotic and at worst, dangerously naive. The notion that the overt aggressiveness and intimidation exhibited by a proportion of 2-wheel bike riders (in particular but also quad and 4WD drivers) can be managed by well-meaning *honourary rangers* is simply a recipe for confrontation and personal injury or death. It would be nice to think that such community-based enforcement could still be possible but realistically this type of measure belongs to a gentler but lost era more reminiscent of the 1950s. One only has to note the increasing number of once-taboo assaults on trained and equipped police officers to see the obvious folly and dangers inherent in such a proposal (n.b. the Ranger himself has, entirely understandably, been reluctant to patrol alone).

Further, the notion that an educational program can somehow overturn entire societal and generational trends solely for beach drivers in the Myalup and Binningup enclaves is similarly fanciful and naive.

F: The Closure Option

Closing the beach to all vehicles is a simple, cost-effective solution. It would drastically reduce the chance of a tragedy on our beaches, remove liability questions, halt potentially irreversible degradation, and finally, open up the beach to a greater proportion for today’s and future generations. Closing off the existing half-a-dozen access points would make it extremely difficult for any 4WD to get on the beach. Clear signage and an initial blitz would go a

long way to establishing new expectations and a new culture.

That it is impossible to absolutely prevent all access given the proximity of private properties is not a rationale that has prevented the increasing number of beach closures throughout the country. Further, given the clarity of the closure option, future infractions would be easily identifiable and reportable either from number plates or from noting those private properties from which any breaches emanated. Finally, if necessary and as has been done elsewhere, it would be straightforward to place unobtrusive barriers at intervals along the 14km stretch of beach.

Fundamental Flaws of KVAL's Report:

I would also like to comment on the flawed process used to compile the recently submitted report and in particular on the dubious claim repeated throughout the submission that it somehow represents community opinion. While it is naturally the prerogative of those residents wanting to maintain beach vehicle access to mobilise and produce a coastal management plan, it also means that it cannot be seriously touted as a true representation of community sentiment (as indeed this document cannot either). That is, by apriori setting the terms of reference to explicitly exclude a particular outcome (that being closing the beaches - the original motivation behind KVAL's formation), any developed proposal must then immediately exclude and disenfranchise those community members who in fact support such an outcome. This original motivation is openly acknowledged in the KVAL report and yet curiously and contradictorily, the submission still purports to represent widespread community opinion.

To belabour a point that however, needs belabouring - you can't have it both ways - either you have an independent, open forum that includes, measures and reports on all community views (and leaves a final position to Council) or else, on the other hand, you argue for a particular position based on input from a meeting run and attended by predominantly like-minded proponents - but then don't unashamedly claim that this represents widespread community opinion - that would be disingenuous.

A better measure of community sentiment might be an actual survey similar to the one commissioned by Harvey Shire Council in 2005 [http://www.harvey.wa.gov.au/_content/Documents/Planning/Coastal%20Management/Appendices.pdf]. The theme relating to the importance of the natural beauty of the area being preserved was pre-eminent and consistent and unequivocal. For example, at Myalup in answering the question What is your main activity at the beach? 95% of the activities included partaking in swimming, fishing, picnicking, walking,

sunbathing, dog exercise and only 5% 4WD/Motor biking. Combining both localities Myalup and Binningup by far and away the two most popular activities were swimming and walking. To be sure, the sample size was smallish (65 in Binningup, and 32 in Myalup - although still potentially statistically significant) and non-random (the self-selection inherent in questionnaires being sent to all households); it is also now over 4 years old.

Nonetheless since it was conducted the situation in relation to vehicles on the beach has deteriorated further and the survey does at least represent an independent sampling of community opinion. In fact, the degree to which the findings of this independent body are at odds with KVAL's claims about community support for their position, calls into question the independence of the entire KVAL process.

Looking at the survey in more detail and recalling the community emphasis on swimming and walking in the beach area, one might expect values relating to the natural environment to take precedence and indeed this is exactly what was found. The values given a ranking of 1 in the order as they appeared in the survey's results: *No overcrowding; Lovely natural beach; Quiet and un-commercialised lifestyle; Non-polluted - conservation; Conservation of coastal strip - control of future development; Beauty and Environment (Wildlife, flora); Clean Beach; Natural Environment; Protecting Natural Beauty; Isolated from main highway.*

In terms of resident's biggest concerns, 4 main themes emerged: *Access and 4WD use; Environmental degradation; Over-fishing; Lack of or poor quality of facilities.*

In the light of these survey results it is hard to reconcile the Shire's continued support of vehicles on the beach. This survey was done 4 years ago. What has the Council has been done to address such community concerns? What has the Council done about the tens of letters and hundreds of phone calls of concerned residents? I would argue that one explanation for such inertia is a vocal group of beach drivers who have attempted to monopolize the agenda and silence those urging the Council to establish a vehicle-free beach.

Given the survey's results and the entire KVAL process, some of the claims in their submission cannot be left unchallenged:

Objectives of Committee

1. To contribute to the collation and development of information to inform the debate by the Council on whether it "*will allow vehicles on the beach or not*" [original emphasis]
2. To assist the engagement of a broad cross-section of the Shire of Broome Community, both residents and visitors, through consultative processes.
3. To contribute to the development of a Cable Beach Motor Vehicle Management Plan which ensures the sustainability of Cable Beach for use by future generations.
4. To make recommendations to the Council relating to motor vehicles and their future access to Cable Beach

<http://www.broome.wa.gov.au/pdf/attachments/2006/Feb/09Feb06-921.pdf>

This council also recently hosted a weekend function in which input from recreational 4WD drivers, environmentalists, and those who use the beach in a variety of ways was sought. For an even more relevant example take the top 3 *Key Concerns* of the management plan used by numerous South-West councils all of which indicate considerable community debate as opposed to the supposed consensus claimed by KVAL.

- During community consultation for Southern Shores 2009 - 2030, vehicle access to beaches (4WD, motorbikes and quad bikes) was the most raised issue of concern and represents one of the major land use conflicts in the coastal zone.
- During consultation, the community perception was that on-road licensed 4 WDs cause a significant amount of damage in coastal areas, with a lesser but still substantial amount of damage from motorbikes, quad bikes and other unlicensed vehicles.
- *Some*[my emphasis] people consider driving on the coast and beaches as a legitimate means of access when it is done sensitively and with proper knowledge.

<http://southcoastmanagementgroup.org.au/content/view/13/28/---pg93>

There is also a culture of intimidation amongst those hellbent on preventing any such beach closure. Following the first "public" meeting at which I voiced

this option, half a dozen attendees approached me to say that they shared this view but were afraid/reluctant to voice them. Perhaps this also explains the reluctance of the KVAL group to put various options to a vote or the low turn out at the second public meeting.

A more sinister note of intimidation exists amongst a minority of two-wheel bike riders against anyone who seeks to curb their unfettered use of the beach. Some of these disturbing incidents (some of which were reported to the police) can be provided on request to the Council.

Finally, it is worth noting that a continuation of the status quo effectively “silences” those who want to enjoy the beach without the degradation, pollution, noise, fumes, and safety concerns that come with unfettered vehicle access. Any resident/visitor to the area on any public holiday or weekend is confronted with a beach dominated by vehicles (the tiny swimming area is breached by vehicles with impunity). Hence those who want to access the beach via their 4WDs/quads/bikes simply join the procession; those who don’t turn away never to return. In this way a skewed sense is created of how the community at large might actually like to enjoy the beach. Conversely, closing the beach to all vehicles could (we argue, *would*) see a resurgence of these second type of beachgoers and result in, especially in conjunction with the suggestions below, open up the beach to a greater proportion of the community but without the concomitant environmental damage.

An Alternative Path

Although it has never been tested with a vote or survey (and in fact scrupulously avoided by the KVAL group) it is still possible that, if not a majority, then a significant proportion of Myalup/Binningup residents (the proportion in the wider WA and Australian community is another question altogether) would like to see the beach remain open to all vehicles. The aim here is clearly to try and preserve a special lifestyle that locals and visitors have enjoyed for many decades. To access a secluded fishing spot, to watch a sunset in a natural unspoiled environment, to introduce young family members to outdoor pursuits. Such an aim is laudable and indeed the action of the KVAL is basically admirable in trying to retain this lifestyle and to avoid a tragedy on the beach in the face of, what must be said, has been decades of inexcusable inaction by Harvey Shire Council. Unfortunately and sadly however, it needs to be recognized that “progress” has finally caught up with sleepy Myalup and that clinging on to such a vehicle-enabled lifestyle is to risk destroying a viable alternative.

It is self-evident that vehicle proliferation and environmental degradation

is moving the beach from the natural jewel many once cherished towards a barren, sandy highway that a certain group are obviously but obliviously constructing. Further, in my opinion, the close-mindedness and undemocratic instincts of segments of the community and Council augurs poorly for any changes in beach management (much less a prescient and urgent vehicle ban).

In that sense it seems inevitable that the KVAL view will prevail at Council - assuming the latter ever act at all. Sadly however, any such "victory" will be decidedly pyrrhic for in addition to an inevitable, upcoming tragedy, the place that we have enjoyed and loved will inexorably transform into something not worth frequenting. We have already lost the Hooded Plover on the beaches and in the next few years: fish stocks will continue to deplete; secluded and pristine spots will resemble car parks; recreational driving will become unwieldy amongst the crowds; oil spills, fumes and rubbish will become increasingly noticeable; the utter fecklessness of fences and enforcement in preventing dune access will ensure their degradation continues apace: Finally, the fragile beach ecosystem that subtly but critically underpins the biodiversity and desirability of the region will silently break down under the onslaught of beach drivers too ignorant or unwilling to know better.

This is a textbook *Tragedy of the Commons* effect in which the members of a vehicle on each excursion receive all the benefits of a natural experience with the accompanying environmental damage being shared by all. Hence it is actually a perfectly rational decision to adopt a KVAL-like stance (under of course, a purely self-interested value system). It also explains many a Council's dithering until it is too late. The only way to avoid such an effect is an awareness by each driver that while their trip in isolation causes minimal and manageable degradation, it is precisely this reasoning by *all* drivers that creates a lasting and unmanageable degradation. Unfortunately, as reinforced by the KVAL submission, the cultural background of vehicle usage formed within low populations over many decades makes such an awareness unlikely.

An alternative path does exist. By immediately removing all vehicles from the beach, it is perhaps still possible for a return of the beach to a semblance of its natural state before becoming a defacto water-edged highway. Fishing can again become viable as fish stocks recover and are monitored; swimmers will no longer have to lay out a towel on the "corrugated-iron" sand while keeping an eye out for rogue vehicles; walkers can once again start to enjoy the area's wilderness feel while the local wildlife can be protected with a combination of an awareness of nesting times, keeping to intertidal zones,

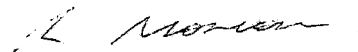
and observing comprehensive signage.

Where needed, access could be created with elevated wooden board walks at dune bases. Consideration could be given to purchasing (or compulsorily acquiring with compensation) two land strips bookmarking an unoccupied 1000 acres currently on the market north of Myalup. This would open up a whole new area of the beach north of Myalup thereby enabling more people to enjoy the beach in a sustainable way. All such measures are hardly new; there is a blueprint for their implementation throughout the coastal strip of our country.

Hence such measures do not necessarily mean locking out the public but in fact allow more people to enjoy it in a *different* way; a less destructive, more sustainable way. Of course all human activity brings with it some degradation, but surely we need to treat our beaches differently. They are iconically Australian, no place attracts us in the same way - they are too valuable to risk diminishing.

Harvey Shire has the opportunity to *finally* ... at long last ... show some leadership, foresight and courage in choosing a different path. A final opportunity to make a pro-active decision that prevents a foreseeable death in our sands while halting an ever-creeping arc of degradation and loss of biodiversity. In doing so even members of the KVAL, over time, may come to appreciate and be grateful for saving what is quite simply a unique and amazing part of the world.

Yours sincerely



Ronald Monson



Myalup Beach, Australia Day, 2010.

cc: The Hon Peter Garrett AM, MP
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Canberra ACT 2600

cc: The Hon Donna Faragher JP, MLC
Minister for the Environment
Government of Western Australia
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cc: Conservation Council of Western Australia
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cc: The Wilderness Society
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