



**Submission by the
Victorian National Parks Association
to the
Draft Belfast Coastal Reserve Management Plan
*16 March 2018***



VNPA submission to the Draft Belfast Coastal Reserve Management Plan

General comments

The January 2018 release of the draft Belfast Coastal Reserve coastal management plan (BCRCMP) came as community concerns continued to mount about the impacts of commercial racehorse training on the area's natural, cultural and recreational values, the protection of which was why the reserve was created in the 1980s.

Although there are many good elements to the draft BCRCMP—cultural heritage protection; joint management; monitoring; research; and the management of dogs, recreational horse riding, invasive species and illegal access—it remains deeply flawed because of its complicity in entrenching and expanding the use of the reserve by commercial racehorse trainers.

Under the draft BCRCMP, commercial racehorse training would rapidly expand onto multiple beaches and into fragile sand dunes, with devastating effects for the nationally threatened hooded plovers—the reserve is its most important breeding area in the state according to the plan—other coastal wildlife and the safety and enjoyment of mum, dad and the kids, anglers, surfers and other beachgoers, as well as the workplace safety of those in the racing industry.

This follows on from the Andrews Government's questionable interpretation of crown land management laws when in June 2017 it issued a 12-month licence to the Warrnambool Racing Club to coordinate racehorse training on the reserve's beaches, effectively privatising the management of coastal public land. The licence fee set was less than \$3 a day for each horse being trained.

For the government, the licence signaled the start of a 'bright future' for the reserve and its resident hooded plovers. According to a fact sheet released at the time, racehorse numbers would be:

'reduced to a maximum of 65 across the reserve. Before the introduction of the licence, the numbers of horses being trained in the area had increased from about 180 to 250 in two years, with a significant increase in the number of those horses using the beaches'.

But after almost two years of consultation, during which racing interests were given elevated status, the draft BCRCMP would increase length of beaches available to racehorse training by 250% (from 2 km to 5 km) and the number of horses by 400% (from 65 to 256 each day). That would make 25% of the reserve's beaches available to racehorse training, with nothing in the plan to stop future expansion. This is in stark contrast to the government's disingenuous spin when announcing the licensing that only 1% of the reserve would be available to racehorses.

The draft BCRCMP would also allow racehorses back into 750 metres of fragile dunes in the Levy's Beach–Hoon Hill area, where in the past they have caused severe dune erosion. The plan even recommends racehorse training within the proposed Conservation Zone at Rutledge's Cutting, although dogs and recreational horse riding would be banned there.

On more than 20 occasions the draft BCRCMP refers to damage caused by racehorses (see Appendix 1 of this submission for each mention of damage) but fails to explain how increasing the area available to them by more than 250% or by increasing their numbers by 400% will mitigate those impacts. Worse still, the plan's risk assessment table (table 5.1 on page 29) reveals that management will not make any difference. Before management, the risk to coastal dune vegetation, cultural heritage, resident and migratory shorebirds from racehorse training is rated 'Extreme'. After management is introduced, the rating remains—Extreme! And the risk assessment only considered 'Golfies' and Rutledge's Cutting, not the more fragile Levys Beach–Hoon Hill area, which the draft BCRCMP proposes being opened up again to commercial racehorse training.

Ever since the uninvited invasion by racehorses in 2015, their training has been mismanaged, with numerous breaches of licensing conditions, public safety put at risk and taxpayers footing the bill for costly Parks Victoria surveillance and infrastructure upgrades. Expanding the number of training beaches and the number of racehorses will simply make that worse. By entrenching and expanding commercial horse training the draft BCRCMP is a relic of past coastal mismanagement and inappropriate use. It will undermine the values that the plan claims it will protect, including:

- ‘This unique piece of land represents one of a small handful of public land reserves in the local area’ (page 1)
- ‘beach-nesting birds, migratory waders and a rich variety of native plants and animals can be found in the Reserve’s wetlands, beaches, dunes and waters’ (page v)
- ‘an important refuge for species of local, national, and international significance’ (page v)
- ‘an important cultural landscape of Victoria’s south west coastline for its scenic beauty, environmental attributes and cultural significance’ (page iii)
- ‘of outstanding cultural heritage value for the high density of middens and other types of Aboriginal places it contains’ (page 19)
- ‘The Australian Government’s Threatened Species Strategy identifies 20 priority EPBC-listed bird species for conservation, four of which have been recorded in the Reserve: Orange-bellied Parrot (identified for emergency intervention), Hooded Plover, Australasian Bittern and Eastern Curlew’ (page 33)
- ‘a Key Biodiversity Area by BirdLife Australia given it is known to support key or ‘trigger’ bird species (Orange-bellied Parrot and Hooded Plover) and habitat for these species, as defined by global scientific criteria’ (page 33)
- ‘Orange-bellied Parrots are one of Australia’s most threatened species, with less than 20 parrots thought to exist in the wild. The Belfast Coastal Reserve is the third most significant site on the mainland for the species, behind Western Port Phillip and Bellarine Lakes/Swan Bay’ (page 33)

In entrenching and expanding industrial-scale, commercial racehorse training, the draft BCRCMP will create an intensively used workplace that is in a fragile, dynamic and unpredictable workplace, a recipe for industrial accidents. Yet, WorkSafe Victoria and its protocols are not mentioned once in the draft BCRCMP, and safety is only mentioned in relation to the safety of other beachgoers (which is of great importance), but not the riders, trainer and horses in what is currently a worksite.

The draft BCRCMP indicates that its support of commercial racehorse training is ‘due to community interest’ and so:

‘proposes that commercial horse training be permitted at Golfies beach, Levys beach and Hoon Hill into the future (see Map 6) and horse training be permitted at Rutledges Cutting and Killarney Beach to provide access for local trainers that have historically used the reserve. Future considerations will have regard to comprehensive evaluation of community feedback, equity of access, protection of natural and cultural values, visitor services and infrastructure requirements (page 64).

But in the Parks Victoria phase two summary report summation, out of 11 identified public uses of the reserve, horseriding/training (combines recreational and commercial horse riding) was only the seventh most popular. That is hardly an overwhelming sense of community interest. The genuine community interest is for the reserve to be managed in ways that uphold the reasons for its existence: the conservation of coastal landforms and natural and cultural heritage, and support for passive recreational activities.

This VNPA submission follows the structure of the draft coastal management plan.

Draft management plan

On page iii of the draft BCRCMP, it makes the following claim:

It has been prepared in accordance with section 30(3) of the *Coastal Management Act 1995* and consequently is to be consistent with the *Victorian Coastal Strategy 2014*.

Curiously, the section on consent for use and development in the *Coastal Management Act* was ignored by the Andrews Government when issuing the licence to the Warrnambool Racing Club for commercial racehorse training in the reserve in June 2017 (although the local trailriders group had to seek consent under the same Act for limited access to the reserve in 2012). It also ignored the *Victorian Coastal Strategy* in relation to preventing damage to coastal systems and ensuring that uses of the coast were dependent on the coast. Commercial racehorse training is not a dependent coastal use.

But VNPA does support the following statement:

‘The Reserve provides a place enjoyed by many who value the ability to escape to nature, appreciate the scenery, rest and relax, socialise or exercise in a setting removed from the busier developed areas of Warrnambool and Port Fairy. Strong partnerships with local Traditional Owner groups, neighbouring land owners, volunteers and community groups will be vital to the Reserve’s future management’.

It is a great pity that the draft BCRCMP doesn't support it by excluding the industrial-scale commercial racehorse training that is incompatible with the sentiments of the above statement. As Maguire et al. 2011 (*Ocean & Coastal Management* 54 (2011) 781e788) found, people value clean, uncrowded beaches with opportunities to view wildlife. The draft BCRCMP acknowledges that the reserve can offer that but compromises itself by allowing the industrial scale of commercial racehorse training that undermines the cleanliness (horse faeces and urine in car parks and sand dunes and on beaches), the lack of crowds (car parks full of horse floats and the beaches dominated by racehorses with high safety risks) and reduced opportunities for the viewing of wildlife (disturbed wildlife and damaged habitats).

The final BCRCMP should be consistent with the:

- *Crown Land (Reserves) Act 1978*: commercial racehorse training is neither 'reasonable' nor 'appropriate'
- *Coastal Management Act 1995*
- *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999*
- Victorian Coastal Strategy with regard to protection of coastal dune systems and coastal dependent uses (racehorses training is not a coastal dependent use. Most racehorses in Victoria are not trained on beaches, and the Warrnambool Racing Club has its own sand training track and exercise pool built with taxpayer funds
- Victoria's biodiversity plan 2037
- recommendations of the Land Conservation Council.

It is inconsistent with each of these.

The final BCRCMP should:

- ensure the long-term protection of the coastline from Lady Bay, Warrnambool to Griffiths Island, Port Fairy for the enjoyment and appreciation of future generations
- protect the unique and fragile Belfast Coastal Reserve environment and habitat
- prevent the setting of a precedent for the authorising of commercial race horse training in Victoria's sensitive coastal zones and public recreational spaces.

It can only achieve this by removing commercial racehorse training from the reserve.

Executive summary

The draft plan claims on page vi of the executive summary that it is consistent with the 'existing strategies and guidelines of relevant governing bodies'. This is simply not true. It was the Land Conservation Council that recommended the area for a coastal reserve for the protection of coastal landforms, wildlife and cultural heritage, and support of passive recreation. Not one of the LCC's six recommended zones mapped in the draft management plan's Appendix I refers to commercial horse training (or recreational horse riding) but refers to conserve wildlife, provide for low-intensity recreation and public education, maintain the scenic beauty and stability of the area, provide for nature study activities, walking, and fishing. Allowing commercial racehorse training flies in the face of that, as it does with the Victorian Coastal Strategy.

The coastal strategy urges that coastal dune and beach systems be protected from damage and that any uses should be coastal dependent, which means they can only be carried out along the coast. Commercial racehorse training is clearly not one of those. It should be using the new taxpayer-funded pool and sand track training facilities at the Warrnambool Racing Club. Commercial racehorse training is also inconsistent with the *Crown Land (Reserves) Act* and the *Coastal Management Act* because of its extreme risk to the reserve's natural a cultural heritage.

Under the City of Warrnambool's planning scheme, the Levy's Beach–Hoon Hill area is covered by a Public Conservation and Resource Zone, which lists the uses that are allowed with or without a permit. Any other uses are prohibited. Commercial racehorse training is not listed to be allowed with or without a permit, so by definition it should be prohibited. Again, commercial racehorse training is inconsistent with 'existing strategies and guidelines'.

On page vii the draft BCRCMP articulates a vision and direction that provide 'a strategic guide to the management of the natural and cultural values of the planning area which defines and provides for a range of continuing and future uses including coastal protection, recreation, conservation, interpretation and education'. No mention of commercial racehorse training there.

Introduction

This section is a useful summary of the Belfast Coastal Reserve's tenure, cultural, legislative and strategic context of the Belfast Coastal Reserve. A major flaw in this section is the lack of a map, which would have helped better understand the tenures described in 1.2. It could have been a scaled down version of the first fold-out map at the back. Neither the body text nor the fold-out map clarifies the status of the Belfast Lough, which is assigned a goal in Chapter 6 but is unclear whether it is viewed as part of the Belfast Coastal Reserve. This uncertainty also applies to the dunes and beach west of Golfies, which is not marked on the map as being in the reserve but an on-site visit reveals signage proclaiming it is in the reserve.

Chapter 2 Vision

Parks Victoria visions for the places it manages are typically very long and this one for the Belfast Coastal Reserve is no exception. However, it is worthy of strong support except for the reference to 'horse riding':

'The location, timing and intensity of activities such as horse riding has been managed to avoid conflicts between uses, and to reduce the risk of damage to the environment and cultural sites'.

The softer term of 'horse riding' deflects from the extreme risk and existing damage to wildlife, culture and passive recreation from commercial racehorse training in the reserve. The term 'horse riding' should be removed from this statement and commercial racehorse training removed from the Belfast Coastal Reserve. Throughout the rest of the plan there are more than 20 references to the impacts that horses have on the reserve's natural, cultural and recreational values. More on this when we comment on Chapter 5 Healthy Country.

Chapter 3 Zoning

The photo fronting the first page of this chapter, which depicts a racehorse and plovers, symbolises the distorted attitude of the Andrews Government towards the conflict between beach-nesting birds and commercial racehorse training. For the Government, there is no conflict because the birds and racehorses can exist side-by-side. But they can't.

VNPA supports the intent of the zoning system as outlined in this chapter but not its later application in the draft BCRCMP. We accept the purpose of the two zones as described in chapter 3:

- Conservation Zone: covering the areas with highest cultural and environmental values with closely managed recreation and ecotourism activities and
- Conservation and Recreation Zone: covering cultural and environmental values with dispersed recreation and ecotourism activities, the scale of which does not impact on natural processes.

If the zones were applied in this way, VNPA might only be arguing about the spatial extent of each zone in the draft BCRCMP. But when the zones are applied in Chapter 6, commercial racehorse training appears out of the blue and is even included in the Conservation Zone with reference to it as an 'historical' use as if it has some cultural heritage value in the cultural landscape. This will be discussed further in our comments about Chapter 6.

Chapter 4 Cultural landscape and living heritage

According to the World Heritage Centre, cultural landscapes are: 'Combined works of nature and humankind, they express a long and intimate relationship between peoples and their natural environment'.

This section does a reasonable job of referring to the human elements and the geological features in the 'cultural landscape' but largely ignores the 'nature' of habitats within that landscape, leaving a limited discussion of that for the next section under 'Healthy Country'. There is no mention of coastal vegetation, hooded plovers, other resident shorebirds or the fish off the beaches and reefs. By doing this it fails to adopt an integrated and holistic management approach.

Table 1 VNPA comments on BCRCMP goals and strategies in Chapter 4

Goal	VNPA Comment
4.1—Geological features and functioning dune systems are maintained and protected from avoidable damage	<p>One of the aims of the Belfast Coastal Reserve when it was created was to protect coastal landforms, so this goal is an important one, as are the strategies. But the goal and strategies should also make specific reference to the habitats of dunes, beaches, reefs and cliffs. A focus on erosion is important but it needs to recognise that dune erosion is in part caused by damage to and loss of coastal vegetation. There is plenty of evidence to show that commercial racehorse training causes significant damage to and instability in sand dunes, especially along the Levy’s Beach and Hoon Hill dunes. It also damages beaches (a geological feature) and their habitats and impacts on the animals that use those habitats.</p> <p>The strategy under this goal—‘Work with users and community groups to reduce impacts from both authorised and illegal access on the fragile coastal dune systems’—is expecting too much from community groups to act as delivery partners when those groups will witness daily the extreme damage to sand dunes and beach habitats from commercial racehorse training which, under the plan, will have ‘authorised access’.</p>
Goal 4.2—The cultural landscape of Belfast Coastal Reserve is recognised and landscape features and values, including Traditional Owner and local community connections, are recognised, respected, protected and celebrated	This goal is supported. So too are its strategies, including the renaming of features to better reflect traditional culture, but it is unclear how community heritage or historical groups can be expected to have responsibility for implementing the first strategy.
Goals 4.3—Historic heritage and connections are recognised and understanding of heritage values and places is enhanced and Contemporary Traditional Owner and local community connections are recognised as an integral part of heritage management	This goal is supported
Goal 4.4—Partnerships with Traditional Owners protects and conserves Aboriginal features, places and objects of cultural significance.	This goal is supported but the strategies ignore the risk to cultural heritage from commercial horse training, even though its impacts are mentioned in the preceding body text: ‘There are several areas of the Belfast Coastal Reserve where Aboriginal cultural heritage is being negatively impacted by visitors, particularly related to dune access. This impact ranges from relatively low (foot traffic) through to extremely high (four-wheel drive traffic and repeated horse traffic’
Goal 4.5—Partnerships with Traditional Owners protects and conserves Aboriginal features, places and objects of cultural significance	This goal is supported.

Chapter 5 Healthy Country

This chapter jumps right into threat and risk management without first describing the key features of the reserve’s natural heritage or describing what healthy country looks like. This is a missed opportunity to educate the community on the various habitats, plants and animals within the reserve and why they need protection. This also presumes that unless there is a risk or threat to natural and cultural values they don’t need protection. But there is also the need to protect these values before they are threatened to ensure their future resilience.

It is in this section where the draft plan’s underlying contradictions of commercial racehorse training are exposed. In Table 5.1 on page 29 (see below), the draft plan admits that the extreme risk to coastal habitats, cultural heritage and resident and migratory wildlife from commercial racehorse training will remain so even following management action (see the fourth row of ‘threat agents’ in the table extract below). The above statement implies that the extreme impacts of commercial racehorse training can be ‘managed’ when the plan admits that they cannot. Commercial racehorse training and the reason for the reserve’s creation—the conservation of wildlife and cultural heritage and support for passive recreation—do not mix. This fundamental contradiction in the plan will undermine the achievement of the goals and strategies in this chapter, even though most of them are worthy of support.

Table 5.1 – Key threats to the conservation assets of the Reserve

Threat Agent	Coastal Dune Scrub Morphology is very rare (also important to the integrity of Aboriginal Cultural Values in some areas including middens and burials)		Wetland Habitats Hydrology and Water Quality, condition and extent of fringing vegetation: Swamp Sedges/Aquatic Herbland Mosaic, Permanent Saline Wetland, Estuarine Wetland, Sandy Saline Herb-rich Wetland - (threatened species: <i>Carex lasiocarpa</i> (Cudy Sedge))		Orange-bellied Parrot Feeding		Wetlands Feeding/Breeding: Magpie Gull, Blue-billed Duck, Australian Silliman, Painted Snipe, Frilled-neck Duck		Resident Shoebirds: Nesting, Feeding, Feeding: Hooded Plover, Oyster Catcher			Migratory Shoebirds: Feeding, nesting Fairy Tern, Grey-headed Albatross, Ruddy Turnstone		
	Risk Current	Risk Mitigation management action	Risk Current	Risk Mitigation management action	Risk Current	Risk Mitigation management action	Risk Current	Risk Mitigation management action	Risk Current	Risk Mitigation management action	Risk Mitigation management action (Conservation Plan)	Risk Current	Risk Mitigation management action	Risk Mitigation management action (Conservation Plan)
Habitat fragmentation: includes access roads + tracks, fuel tanks	Extreme	Low	Extreme	Low	Medium	Low	Medium	Low	Medium	Low	Medium	Medium	Low	Medium
Habitat degradation: Recreational activities includes walking, beach activities, swimming, surfing, fishing	Medium	Medium	Medium	Medium	Medium	Low	Medium	Medium	High	Medium	Medium	High	High	Medium
Habitat degradation: Recreational activities (disturbance from domestic dogs)	Medium	Medium	Negative	Negative	Low	Negative	Medium	Medium	Extreme	Medium	Low	High	High	Low
Habitat degradation: Recreational activities (disturbance from humans, includes recreational fishing and boating activities)	Extreme	Extreme	Medium	Medium	Low	Low	High	Medium	Extreme	Extreme	Extreme	Extreme	Extreme	Extreme

Prior to a licence being issued to the Warrnambool Racing Club in June 2017, the Department of Environment, Land, Water and Planning (DEWLP) moved commercial racehorse training to the eastern end of the popular East Beach, Port Fairy from 1 December 2016. Training had never previously occurred there but continues today and is included in the draft BCRCMP. This is an area where there are several active hooded plover breeding sites.

The area between Port Fairy and Warrnambool has been identified as a Key Biodiversity Area by Birdlife Australia with ‘trigger’ bird species—orange-bellied parrot and hooded plover—with two of the main threats being horses and dogs. The area is a most important breeding ground for the hooded plover, but the bird is experiencing unprecedented pressures along this section of coast. Although the draft BCRCMP includes a list of the threatened fauna species found in the reserve, by allowing existing and increasing pressure on them from the commercial racehorse training undermines its own vision and objectives.

Table 2 VNPA comments on BCRCMP goals and strategies in Chapter 5

Goal	VNPA Comment
Goal 5.1—Habitat protection: The condition of Coastal Dune Scrub and Swamp Scrub/Aquatic Herbland Mosaic communities and wetlands is maintained and enhanced to support dependent flora and fauna species	This goal is supported but it won’t happen if commercial racehorse training remains in the reserve. The risk assessment table on page 29 of the BCRCMP proves that. Marram grass, which dominates the coast between Warrnambool and Port Fairy, needs serious consideration. It is a high threat to the future resilience of beach-nesting birds such as the hooded plover. The draft BCRCMP skips over the issue of weeds, in particular marram and sea spurge, and needs to address them.
Goal 5.1—Significant fauna1: The impact of predation is reduced to maintain and increase native fauna populations	This goal is supported but should have following words added after reduced: ‘and destructive activities removed’.
Goal 5.1—Significant fauna2: The impact of visitors at key locations is reduced to allow for an increase in the extent and richness of vulnerable fauna, and the occupation of most of their potential habitat	This goal is supported with the following words added after reduced” ‘and ‘destructive activities removed’.
Goal 5.2—Managing marine ecosystems: The diversity and productivity of the marine habitats is maintained and impacts from new pests and other threats are reduced	This goal is supported. Disappointingly, it is the only marine goal even though the half of the reserve is marine. Its strategies focus on marine pests and water quality and fails to consider fisheries management and strong habitat protection from extractive use
Goal 5.3—Water management: Water levels in the Lower Merri are managed to maintain resilience and aquatic values in the wetlands and estuary	This goal is supported. It is very pleasing to see one of the strategies under this goal including water management of the Belfast Lough, which until now was not considered as part of the Belfast Coastal Reserve. But the strategy is vague, only referring to maintaining its aquatic values. This needs to be more articulate and refer to water quality, water levels and habitat protection, especially the strong management of the motor boats and jet skis, which in the shallow waters can significantly impact on shallow-water habitats and birdlife.
Goal 5.4—The risk of bushfire into and from the Reserve is minimised and ecologically appropriate fire regimes are maintained to enhance Reserve ecosystems	This goal is supported where the fire management is ecologically sustainable.

<p>Goal 5.5—Management activities build resilience of coastal systems, ecosystems, species and dependent species to climate change risks and minimise impacts on Reserve facilities</p>	<p>This goal is supported but it will be undermined by the entrenchment and expansion of commercial racehorse training in the reserve. Reducing threats and impacts are a commonly used measure to build resilience to climate change within natural systems. Horses have the most impact, especially with regard to dune vegetation and stability. Sea-level rise may reduce the width of beaches and intensify the impacts of racehorses on that habitat. There is already ample evidence of sea-level rise and its associated erosion. The proposal for a sea wall to defend a fairway of the Port Fairy Golf Course is a symptom of this. Rather than build another sea wall along this section of coast, which will reduce available habitat for hooded plovers and space for recreation, a policy of planned retreat should be implemented by relocating the fairway.</p>
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Chapter 6 Recreation and use

This chapter is largely about recreation but a two-page section on commercial racehorse training, a lot of which refers to the regional importance of the racing industry, is included under the heading of ‘Authorised uses’. Frequently the plan conflates recreational horse riding and commercial racehorse training by often referring to horses or horse riding. Although both recreational riding and commercial racehorse training can impact the values of the reserve, the scale, intensity and frequency of training is vastly different.

Recreational riding and commercial race horse training were also conflated in ‘Ways participants use the Reserve’ in the Phase 2 Engagement Summary Report on p.8) and was ranked 7th out of 11 activities. By including racehorse training within a chapter mainly on ‘recreation’, the draft BCRCMP again tries to downplay its highly commercial, industrial and intensive nature.

The impacts of commercial racehorse training in the Belfast Coastal Reserve

For many years the use of the reserve by horses was minimal but since 2015 there has been an invasion by commercial horse trainers. This accelerated when the trainer of the 2015 Melbourne Cup winner put much of that win down to training on local beaches. Moyne Shire Council’s Environment Officer described the increased horse activity to his council in March 2016:

‘Reports and officer observations confirm up to 20 horses are working on the beach at any one time with training occurring on the beach on a daily basis, including weekends, from sunrise until about 10.30am. However, a resident reported racehorses on the beach at about 4pm on 10 February 2016. Council officers have observed horse trucks, horse oats and vehicles blocking access to the boat ramp and making access to the car parking areas difficult with up to 12 horse trucks and oats using all of the available car parking. Horses then access the beach from the boat ramp causing the sand to become loose and difficult to drive on when launching and retrieving a boat. Horses are also using pedestrian access tracks to enter and leave the beach, increasing the risk of a serious injury arising from a horse versus pedestrian incident’.

In a letter to *The Standard*, Toni Ryan of the Far West Friends of the Hooded Plover wrote that:

“Horses have been galloping over the soft sand at the top of the beach where they nest. Over nearly all of the beaches. On some stretches of beach the birds were forced off completely, others tried to nest but the nests were trampled and some tried repeatedly all summer but couldn’t succeed in the traffic. If chicks were born, it was impossible to feed on the sand or get down to the water without getting trampled...if this level of horse training continues, the beach birds will not be able to breed on these beaches. It will be a matter of time before they are locally extinct.”

In response to this escalating problem, DELWP and Parks Victoria, the reserve’s manager along with Moyne Shire Council (MSC) and Warrnambool City Council (WCC), did nothing. They finally stirred after the Killarney community began to publicly call for action after forming the Belfast Coastal Reserve Action Group (BCRAG) in May 2016.

The invasion of the reserve by commercial horse trainers before and after the issuing of the licence is causing:

- dune erosion: the horses are trained at the base of the dunes, creating dune instability, the reverse of what the reserve was created for
- damage to cultural sites: trampling by horses causes dune instability and damages cultural sites. It is for this reason that horse access to Levy’s Beach, for the moment, has been banned by WCC
- public amenity: the community’s enjoyment of the reserve is being upended with car parks full of horse floats, up to 50 horses using Golfies Beach near Port Fairy each day, and sanitation problems with horse droppings, urine and rubbish

- public safety: there is a dangerous mix of narrow beaches, fast moving and highly strung horses and recreational users that could lead to people being injured
- workplace safety: horse training guidelines under the *Occupational Health and Safety Act* advise that to be safe, training facilities should have quality lighting (pre-dawn), high visibility, barriers to contain horses and restrain the general public, control of dogs, and designated areas for oat parking, mounting yards and spectating. None of these exist in the Belfast Coastal Reserve, nor should they as training is an inappropriate use.

‘Licensing’, ‘authorising’ and ‘legitimising’ commercial racehorse training

When the draft BCRCMP refers specifically to commercial racehorse training, it uses words like ‘authorised’ or ‘licensed’ to remind people that the Andrews Government has ‘legitimised’ commercial racehorse training by the issuing of a licence, although that was after the questionable use of the *Crown Land (Reserves) Act* and the ignoring of the *Coastal Management Act* (legal advice to VNPA is that the issuing of the licence is likely unlawful).

In the introduction to chapter 6 and when commenting on the results of consultation, the draft BCRCMP states, with our underlining:

Riding of horses for recreational or commercial purposes was viewed as a threat to dune health, cultural heritage, shorebirds and public safety, especially if riders did not comply with regulations, codes of conduct or licence conditions.

In this statement, the plan is suggesting that the community is mainly concerned about impacts that occur when commercial racehorse training doesn’t follow the rules. But as the risk assessment table reveals on page 29, even with rules, management will not mitigate the extreme risk. There is no indication nor evidence that local residents support commercial race horse training in the Belfast Coastal Reserve. In fact, the opposite was the case when they were surveyed by Moyne Shire Council in December 2016; 76% were against horse training at Killarney.

Numerous documented breaches of ‘interim licence’ conditions (those in place between December 2016 and June 2017 when the licence was issued to the Warrnambool Racing Club) are not mentioned in the draft BCRCMP but include:

- horses being in the reserve at the wrong time and in the wrong location
- horses being ridden too close to the public and to hooded plovers
- inadequate identification on horse and saddle
- failure to wear hi-vis vests
- failure to leaving the car park in a clean and tidy condition
- failure to place warning signs at training location
- horse-training vehicles blocking access to other users

Community monitors have also observed two instances of horses throwing the rider, one horse careering down the beach toward Port Fairy, the other, charging up the dune face, through the dunes and into close proximity of the Port Fairy Golf Club. At times there have also been too many horses on the beach and more than three horses to a group, again in breach of conditions.

DELWP and its Minister, along with the Racing Minister (who is also Attorney General) determined that the best way to protect the reserve from the impacts of commercial racehorse training was to ‘legalise’ it by issuing the Warrnambool Racing Club (WRC) a licence under section 17B of the *Crown Land (Reserves) Act 1978* and without any process for consent under the *Coastal Management Act 1995*. VNPA’s legal advice has indicated that the government’s approach to ‘legalising’ commercial racehorse training in the Belfast Coastal Reserve is likely unlawful under both statutes. Two key clauses in section 17B apply to licensing: they set out mutually exclusive tests for the minister to use when approving the licence.

The first clause states that where the Governor-in-Council has given notice of a reserve recommendation from the Land Conservation Council (LCC), the use to be licensed must be consistent with the purposes of the reserve-in this case protection of the coastline. Such a recommendation exists for the Belfast Coastal Reserve. The second clause states that where a reserve has no LCC recommendation, the minister must cite special reasons which she believes make the issuing of a licence ‘reasonable and appropriate’.

The Minister mistakenly chose the second clause and by so doing ignored the LCC recommendation. If the minister had chosen correctly and used the first clause, we believe she could not genuinely argue that commercial horse

training was consistent with the reserve's purpose.

VNPA legal advice has also indicated that under section 37 of the *Coastal Management Act 1995*, the WRC should have sought consent to use the reserve for racehorse training. It didn't. Just four years earlier, the Warrnambool Horse Trail Riders had applied for consent under the Act to conduct a 2–4-hour trail ride with 20 horses twice per year at each of four locations in the Belfast Coastal Reserve. The trail riders' successful application included the group's environmental rules and research on environmental impacts and acknowledged the Victorian Coastal Strategy and Indigenous people's interests. We also understand that the recent upgrade to the car park at Golfies require Coastal Management Act consent. Yet again, intensive and extensive commercial racehorse training did not require an application for consent.

Well-managed, respectful, small-scale, occasional recreational horse riding should not be an issue in the Belfast Coastal Reserve although anecdotal evidence suggests that recreational horse riding has put unnecessary pressure on natural and cultural values in the reserve, especially along the Levys Beach section. The big issue is the daily and intense workouts by racehorses that threaten hooded plovers, other coastal wildlife, cultural sites and beachgoer safety and enjoyment. Yet, the commercial racehorse industry was somehow exempt from the provisions of the Coastal Management Act.

Skewed consultation

In October 2016 the ministers for Environment (D'Ambrosio), Racing (Pakula) and Aboriginal Affairs (Hutchins) announced the consultation process that was to be coordinated by the DELWP regional office in Geelong. The announcement was made via Warrnambool's local paper, *The Standard* (15/10/16). The paper portrayed the process as a way of 'ramping up efforts to resolve beach access issues for south-west horse trainers before the end of the year'. According to Minister D'Ambrosio:

Resolving this issue will require the cooperation of Parks Victoria, Aboriginal Victoria, the City of Warrnambool, Moyne Shire, Racing Victoria, South West Owners, Trainers and Riders Association and the Warrnambool Racing Club, Ms Ambrosio said.

There is no mention of community in that quote nor in other statements by the three ministers, which also failed to mention the natural and social values of the reserve and appeared to relegate the issue to a 'local' or 'regional' one. Trying to keep it local may be the reason VNPA was not invited to be part of the first phase of the coastal management plan consultation process. And later, at a major consultation workshop for the planning process, invited community representatives were outnumbered by those invited from horing interests. The community views the consultation process as a way to 'legitimise' an unauthorised and inappropriate use, namely commercial racehorse training.

Escalating horse numbers

In a fact sheet issued on 15 November 2016, at the time of the government's announcement that it would licence commercial racehorse training in the reserve, it stated:

'The Belfast Coastal Reserve is approximately 750 hectares in size, of which approximately five hectares will be accessible by commercial horse trainers under the special conditions. In other words, commercial training will be prohibited at 99% of Belfast Coastal Reserve. The number of horses permitted to train on beaches within the Belfast Coastal Reserve will be reduced to a maximum of 65 across the reserve. Before the introduction of the licence, the numbers of horses being trained in the area had increased from about 180 to 250 in two years, with a significant increase in the number of those horses using the beaches'.

The draft BCRCMP proposes increasing daily racehorse numbers by 400% to up to 256. It would also give over 25% of the reserve's beaches to the racing industry and return racehorses to 750 metres of sand dunes at Levy's Beach near Warrnambool, where in the past they have caused severe erosion. The daily numbers of horses would be:

Golfies

50 horses per day December 1st to March 1st

20 horses per day March 2nd to November 30th (based on current licence)

Rutledges

15 horses per day 1 May to 31 August (based on licence).

Levy's and Hoon Hill

WRC wants 280 horses per week (40 per day assuming 5 days per week) in the dunes area and 120 horses per day in the foreshore beach (based on management plan).

Killarney

WRC wants 30 per day when Lady Bay closed and 10 per day when Lady Bay open (based on FOI documents with WRC estimate of numbers desired in an email from WRC to DELWP in Warrnambool).

The total number of racehorses in the reserve under the new plan when Lady Bay is closed would be $50+56+120+30=256$. When Lady Bay is open, the maximum number of racehorses per day would be $20+15+56+120+10=221$. There could be between 221-256 racehorses per day in the Belfast Coastal Reserve under the draft BCRCMP.

The draft coastal management plan would return racehorse numbers to more than what they were before the licence was issue. Will a 400% increase in racehorse numbers initiate a 400% increase in the licence fee, which was very low to begin with, and will taxpayers continue to cover the cost of Parks Victoria surveillance and monitoring, which will have to be over five sites, not two?

Commercial racehorse training is a dangerous business

The 2006 report, "Prevention of injuries that result from working with horses in the Victorian thoroughbred horse racing industry" was prepared by the Victorian Institute of Occupational Safety and Health (VIOSH) at the University of Ballarat (https://www.worksafe.vic.gov.au/_data/assets/pdf_file/0003/207930/NOC-Prevention-of-injuries-that-result-from-working-with-horses-in-the-Victorian-thoroughbred-horse-racing-industry-2006-03.pdf)

It reported on several fatalities within the industry: between January 2001 and December 2005 there were four fatalities among jockeys recorded by WorkSafe Victoria and there are a number of references in the literature to the potential. Many authors emphasise that the falls that occur during racing are from a height of 3 metres measured to the jockey's head or from 2 metres measured to the saddle at speeds of up to 60km/hr (Turner et al 2002).

A search of the Victorian State Coroner's database (NCIS) for the years 2001–2005 revealed the death of an apprentice jockey at Benalla during 2001; the death of a trainer in 2002 as a result of being crushed by a horse during unloading at a float park; and the death of a strapper in 2002 as a result of a fall during track work. The death of a horse breaker was reported during 2006. The report outlines various figures from different data sets, which shows:

- 67% of falls injuries recorded in the Racing Victoria Limited (RVL) data set are suffered by jockeys at race events;
- 33% of falls injuries recorded in the RVL data set are to licensed jockeys at track work;
- 43% of falls injuries recorded in the VWA data set are to track work riders (excluding licensed jockeys) at track work.

The report concluded:

'Based on these analyses, it is apparent that a reasonably large proportion of falls injuries are to track riders and licensed jockeys at track work'.

Further analysis in the report found that 25% of injuries were related to buildings and grounds.

A later 2007 report, 'Injuries in the Victorian thoroughbred racing industry', published in the British Journal of Sports Medicine (*Br J Sports Med.* **41**(10):639-643 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2465182/>), notes that:

'Many of the injuries reported by workers in the sector in Victoria were serious and involved fractures, and the patterns are similar to those reported in other countries where fractures to the lower limb, upper limb and shoulder predominate'.

The report recommended, among other things, to '...include increasing the focus on the safety of riders during track riding through attention to track design and track work rules and procedures'.

Horse Stables and Track Riding Safety is provided in accordance with section 7(1)(f) of the *Occupational Health and Safety Act 2004* (OHS Act) to assist employers and employees to comply with their duties and obligations under this Act and associated Regulations (<https://www.worksafe.vic.gov.au/_data/assets/pdf_file/0018/211239/ISBN-Horse-stables-and-track-riding-safety-2007-06.pdf>)

A later and more-detailed study of insurance claims found that:

“Between 1 August 2002 and 31 July 2010, the direct cost of workplace injuries to jockeys and apprentice jockeys was at least AUD\$9 million per annum. Less than half (41%) of the *WorkCover* claims made by jockeys were the result of an incident at a race meeting.” It concludes “..costs of workplace injuries to the Australian Thoroughbred racing industry have been greatly underestimated because the focus has historically been on incidents that occur on race-days’
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4598712/>

Understandably, Worksafe has produced guidelines. Horse Stables and Track Riding Safety is provided in accordance with section 7(1)(f) of the OHS Act to assist employers and employees to comply with their duties and obligations under this Act and associated Regulations. The guidelines note that:

‘It is expected that stable and training facility management, employees (staff), Health and Safety Representatives (HSR) and contractors use this guide to form an opinion about suitable health, safety and welfare risk controls under the test of ‘reasonably practicable’. WorkSafe Inspectors and Racing Victoria stewards should also refer to this guide for the same purpose’.

https://www.worksafe.vic.gov.au/data/assets/pdf_file/0018/211239/ISBN-Horse-stables-and-track-riding-safety-2007-06.pdf

The Worksafe guide provides information that can be used to determine the most effective solutions for providing safe stables and training facilities. It contains tables with two columns. Work practices undertaken in the stable environment or at a training facility deemed unacceptable under occupational health and safety legislation appear in the red column. To avoid exposing employees and contractors to risk of injury or illness, the practices described in the red column must not be allowed to occur. Common risk control solutions to prevent exposing employees or contractors to unacceptable work practices appear in the green column. These solutions are regarded as ‘reasonably practicable’ for most stables and training facilities where track work is undertaken and therefore would be expected to be implemented when required. That said, the risk controls listed in the green column are not exhaustive and where alternative risk controls are identified, these should be implemented.

Section 20 of the OHS Act outlines what you must consider when determining if something is ‘reasonably practicable’. Specifically, the factors to be taken into account are:









- the likelihood of the hazard or risk eventuating
- the degree of harm that would result if the hazard or risk eventuated
- what you know, or ought reasonably to know, about the hazard or risk and any
- ways of eliminating or reducing the hazard or risk
- the availability and suitability of ways to eliminate or reduce the hazard or risk
- the cost of eliminating or reducing the hazard or risk, if the cost is grossly
- disproportionate to the hazard or risk.

All factors listed above have to be taken into account when deciding if something is ‘reasonably practicable’. No single factor is more important than another—they all contribute equally. The Worksafe guide outlines procedures for a number of areas including stable safety, but importantly for the issues around Belfast Coastal Reserve, track riding safety, which includes track security and a range of other issues. On even a superficial assessment against these guidelines, it is unlikely that racehorse training in Belfast Coastal Reserve could comply with track security requirements, track facilities and amenities, emergency access and track supervision and possibly more without a huge investment in infrastructure that would severely damage the reserve’s values and undermine the draft BCRCMP. Table 4 highlights the guide’s unacceptable work practices and risk control solutions within the context of a dynamic, unpredictable and fragile natural environment popular with people for recreational activities. VNPA comments are included with images of the reserve.

Table 3 Problems (red) and solutions (green) in the Worksafe guidelines on horse stables and track riding safety

UNACCEPTABLE WORK PRACTISE	RISK CONTROL SOLUTIONS
Work practices in the red column should not be used in a stable environment or at a training facility (e.g. race track). Stable or training facility managers who allow these work practices to be used are likely to be in breach of OHS legislation.	The solutions in the green column are the most effective at reducing risk and should be the target for all stables and training facilities.

Table 4 Racing industry infrastructure requirements to satisfy Worksafe horse training safety guidelines

Infrastructure requirements of the Worksafe guidelines	VNPA comment						
<p>5. TRACK SECURITY</p> <p>Training facilities must be secure. Hazards such as loose horses escaping onto adjoining properties or roads, animals such as dogs, kangaroos or cattle roaming onto training facilities and unauthorised access by the public must be adequately controlled.</p> <table border="1"> <thead> <tr> <th data-bbox="181 336 591 371">UNACCEPTABLE WORK PRACTICE</th> <th data-bbox="591 336 1010 371">RISK CONTROL SOLUTIONS</th> </tr> </thead> <tbody> <tr> <td data-bbox="181 371 591 703"> <p>Perimeter fencing</p> <p>- No perimeter fencing or minimal fencing provided only.</p> </td> <td data-bbox="591 371 1010 703"> <p>Perimeter fencing</p> <p>- Fencing suitable to retain a horse erected around the entire training facility.</p>  <p><i>Full perimeter fencing erected around the training facility that is high enough to contain horses.</i></p> </td> </tr> <tr> <td data-bbox="181 703 591 1251"> <p>Access and egress</p> <p>- Uncontrolled access and egress points. - Gates or suitable barriers not used to secure access and egress points.</p> </td> <td data-bbox="591 703 1010 1251"> <p>Access and egress</p> <p>- Access and egress to training facilities limited to one point only (if possible). - Automatic self closing gates used at primary access and egress points.</p>  <p><i>Fully automatic security gates – access is strictly controlled.</i></p> <p>- Barriers (such as 'horse shoe' design) help to entrap a loose horse coming from the track. Most effective when:</p> <ul style="list-style-type: none"> • positioned between the 'gap' and the main entrance to the track riding area; • the main entrance and the 'gap' are in line of sight; • positioned closer to the main entrance than the gap itself, and • the area between the 'gap' and the main entrance is reduced as much as possible. </td> </tr> </tbody> </table>	UNACCEPTABLE WORK PRACTICE	RISK CONTROL SOLUTIONS	<p>Perimeter fencing</p> <p>- No perimeter fencing or minimal fencing provided only.</p>	<p>Perimeter fencing</p> <p>- Fencing suitable to retain a horse erected around the entire training facility.</p>  <p><i>Full perimeter fencing erected around the training facility that is high enough to contain horses.</i></p>	<p>Access and egress</p> <p>- Uncontrolled access and egress points. - Gates or suitable barriers not used to secure access and egress points.</p>	<p>Access and egress</p> <p>- Access and egress to training facilities limited to one point only (if possible). - Automatic self closing gates used at primary access and egress points.</p>  <p><i>Fully automatic security gates – access is strictly controlled.</i></p> <p>- Barriers (such as 'horse shoe' design) help to entrap a loose horse coming from the track. Most effective when:</p> <ul style="list-style-type: none"> • positioned between the 'gap' and the main entrance to the track riding area; • the main entrance and the 'gap' are in line of sight; • positioned closer to the main entrance than the gap itself, and • the area between the 'gap' and the main entrance is reduced as much as possible. 	 <p>It is very difficult to see how the Belfast Coastal Reserve could be fenced and comply with the perimeter fencing requirements—and where would the gates go?</p> 
UNACCEPTABLE WORK PRACTICE	RISK CONTROL SOLUTIONS						
<p>Perimeter fencing</p> <p>- No perimeter fencing or minimal fencing provided only.</p>	<p>Perimeter fencing</p> <p>- Fencing suitable to retain a horse erected around the entire training facility.</p>  <p><i>Full perimeter fencing erected around the training facility that is high enough to contain horses.</i></p>						
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Infrastructure requirements of the Worksafe guidelines

VNPA comment

UNACCEPTABLE WORK PRACTICE

RISK CONTROL SOLUTIONS

Access and egress (continued)



'Horse shoe' designed barrier looking towards the main entrance from the 'gap'.



View from inside the main entrance towards the 'gap'.



View from outside the main entrance looking towards the 'gap'.

How many kilometres of gates and fencing would be required to control access and egress? And how would that separate racehorses from swimmers, surfers, anglers and other beachgoers? Where will the main entrances for each of the five areas be located? Will the areas be closed off to the public during training times each morning?



Infrastructure requirements of the Worksafe guidelines	VNPA comment
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Track facilities and amenities

<ul style="list-style-type: none"> - No appropriate facilities and amenities such as: <ul style="list-style-type: none"> • Toilets, and • access to hot and cold drinking water. - Available facilities or amenities are in a poorly kept condition and unfit for use. 	<ul style="list-style-type: none"> - Toilet, showers, change rooms and tea rooms are available (where appropriate) and accessible to all track users. - All facilities and amenities are fit for use and regularly maintained.
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There are toilets at the Killarney Beach Recreational Reserve but nowhere else in the reserve. Where would the toilets be located in the five areas earmarked by the BCRCMP for commercial racehorse training?


UNACCEPTABLE WORK PRACTICE	RISK CONTROL SOLUTIONS
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Track first aid and emergency evacuation

<ul style="list-style-type: none"> - No first aid facilities and resources (including qualified first aid providers) available at the track for all track work. - No track emergency and evacuation plan and procedure. - No clearly marked emergency services entry points to the track. - No communications available to the track supervisor(s). 	<ul style="list-style-type: none"> - First aid facilities and resources available at the track. Ideally first aid resources, such as kits, should be located at the supervisor's box and regularly inspected. Appropriate first aid facilities, such as a dedicated first aid room, should be available in a well maintained building close to the track. - As a minimum, track supervisor(s) trained to deliver 'first response' first aid. - Emergency evacuation plan and procedure clearly on display and understood by the track supervisor(s). Emergency services advice used in developing emergency management and evacuation plans. - Emergency services access to the track is clearly visible. - Appropriate communications, including mobile communications, should be available to the track supervisor(s).
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There is no mention of an emergency evacuation plan in the draft BCRCMP. When a racehorse died in the dunes at Levys Beach, it had to be cut into pieces with a chainsaw because it was too difficult and damaging to get vehicles into the area. How will emergency vehicles be able to gain clear access the five areas earmarked for commercial racehorse training in the reserve? And where would the best place be to locate one of the reserve's five required supervisor's boxes in the Levys Beach area, when 2 kms of beach and 750 metres of sand dunes will have to be supervised?

Track supervision

<ul style="list-style-type: none"> - No track supervision provided during track work. - Track supervision box (or boxes) not appropriately located to provide complete track visibility. - No means of alerting track riders and others of a fall, loose horse or other track emergencies, such as sirens and high visibility flashing lights, etc. - No incident reporting log. - Training facility management not enforcing track riding rules, including safe riding and restricted riding policy and use of approved helmets and body protectors. 	<ul style="list-style-type: none"> - Track supervision present at all training track sessions. - Track supervision box (or boxes) located next to the 'gap' and in locations (if required) to provide complete visibility of the track. <div style="text-align: center;">  </div> <p style="font-size: small; text-align: center;"><i>Supervisor box located next to the 'gap'. This position often provides the best location as monitoring and communicating to riders coming on and off the track is easier.</i></p>
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UNACCEPTABLE WORK PRACTICE

RISK CONTROL SOLUTIONS

Track supervision



The supervisor box is well elevated to provide total visibility of the entire course proper.

- Track supervision box (or boxes) equipped with emergency siren and light systems.



Emergency siren and lighting devices provided at the supervisor box.

- Training facility management ensure that:
 - approved track riders are registered with RVL
 - details of incidents at the track are recorded according to track procedure
 - riders have approved helmets, body protectors and other safety equipment as required by RVL and track management, and
 - track riders comply with safe track riding policy.

Five widely distributed training areas would presumably require five emergency sirens, one for each supervisors box.

Animal welfare in the racehorse industry

In a review of integrity issues in the Victorian racing industry, the author Paul Bittar noted that:

‘These issues [race fixing; live baiting; drug use and other scandals] have all had a bearing on the perception of the adequacy of, and confidence in, integrity services of Victorian racing. In addition, it is a matter of public concern that the self-regulation of Victorian racing has exposed weaknesses in its ability to safeguard animal welfare and to avoid conflicts in the integrity processes’.

<http://assets.justice.vic.gov.au/justice/resources/3d6028a3-70cf-49fb-93fe-ad42824353e0/review-of-the-integrity-structures-of-the-victorian-racing-industry.pdf>

There have been at least two racehorse deaths in the Belfast Coastal Reserve, and other incidents where riders have been thrown and lost control of the racehorses. Training in a natural environment like the reserve is fraught with risk to rider and beachgoer safety, as well as racehorse and wildlife welfare.

Costs and benefits of commercial racehorse training

Chapter 6.5 has a two-page section entitled ‘Authorised uses’, code for commercial racehorse training and its licensing. Much of the emphasis in this section is the regional economic importance of racing industry as justification for the damage that it is causing and will continue to cause if it remains in the Belfast Coastal Reserve. The industry-supplied data are rubbery and exaggerates its importance to south western Victoria but the plan states that: ‘In particular, horse training in the Reserve has been highlighted as an important activity for the regional economy’

But in a September 2013 report prepared for the Victorian racing industry by consultants IER (https://cdn.racing.com/~media/rv/files/reports/ier_vicracingstudy_lowres.pdf?la=en), it was revealed that the racing industry generates a gross value added of \$75 million in the Western District, which includes Warrnambool but also a number of other racing clubs at Casterton, Coleraine, Hamilton, Terang, Camperdown Mortlake, Peshurst and Dunkeld. The report also reveals that 40% of the gross value added statewide for horse racing is from gambling, which takes money out of the community. There is no regional breakdown for the gambling figure, but an extrapolation of the 40% would indicate that in the Western District, \$30million of the gross value added is from gambling, which leaves \$45million of gross value added shared across all of the Western District racing clubs.

In relative terms, the racing industry is a small contributor to Warrnambool and district, with most jobs provided by the healthcare and social assistance, retail and accommodation and food services sectors. Tourism generates more than half of Warrnambool’s total economic output of \$3.3billion. Except for the May Racing Carnival being mentioned in a dot point in an event strategy, the racing industry in Warrnambool is ignored in the Warrnambool Economic Development and Investment Strategy 2015-2020 prepared by the City of Warrnambool.

If the BCRCMP is going to extend itself beyond the scope of a coastal management plan to promote the economic value of the racing industry, it should seek to be more honest in its analysis by including the value of other sectors that use the reserve i.e. tourism and recreation, science and education. As part of the analysis, it should also include the costs in terms of both expenditure and opportunity costs. It should also ensure that the data being used is independent and reliable. It should not simply accept the industry data at face value. As a previous section highlighted, for the racing industry to operate within Worksafe guidelines, the cost of infrastructure would be enormous. The opportunity costs of losses for recreation and tourism activities from disturbance by racehorse training should also be factored into the analysis, along with the costs to ecosystem services from damage and disturbance.

But even if we were take the racing industry’s data of its worth at face value, why would it cry so poor when asked to supervise training? Just five days after the licence was signed on 15 June, documents supplied under a VNPA FOI request revealed that the Warrnambool Racing Club (WRC) was wanting to weaken the licence condition requiring WRC staff at all training locations as it would be a ‘cost that will not be worn by the trainers using the area for 9 months of the year for 35 horses. The cost would not be able to be absorbed by the WRC either’. This case of the industry crying poor is surprising when it and the government frequently state its great worth to the Warrnambool region.

Twice a week, two PV staff monitor the training for breaches of licence condition. Due to limited staff numbers in Warrnambool, one of those is brought in from another region, adding travel and accommodation costs. A quick calculation would reveal that the cost of that throughout the year along would far exceed the licence fee of \$25,320. With the draft BCRCMP proposing that commercial racehorse training be allowed in not two but five locations, this cost to taxpayers will skyrocket.

Using rubbery figures to justify the destructive use of the reserve is one thing, but the main justification for a 400% expansion in the number of racehorses in the reserve, and a 250% increase in the areas available to them, is ‘due to community interest’ and because the ‘plan sets out an approach for horse training that balances support for the racing industry, equity of access for all trainers and ensuring adequate protection for cultural and natural values’:

‘Due to community interest, the draft plan proposes that commercial horse training be permitted at Golfies beach, Levys beach and Hoon Hill into the future (see Map 6) and horse training be permitted at Rutledges Cutting and Killarney Beach to provide access for local trainers that have historically used the reserve. Future considerations will have regard to comprehensive evaluation of community feedback, equity of access, protection of natural and cultural values, visitor services and infrastructure requirements’.

The consultation carried out by Parks Victoria confirmed the serious concerns the community had about commercial racehorse training, but that is now being referred to as ‘community interest’ that justifies the racing industry’s use of the reserve. It sounds ludicrous and it is. But the implied meaning in the second sentence in that quote is also of great concern. The criteria listed for future consideration should be used by the plan in the here and now to assess the racing industry’s use of the reserve and not be kicked down the road for future consideration. If they were, the plan would have to conclude that commercial racehorse training was neither ecologically, culturally nor socially sustainable. But this second sentence also implies that in the future, such consideration could be used to justify an expansion of commercial racehorse training in the reserve.

Even so, the racing industry continues to receive significant public funds for new infrastructure: \$70,000 for a new swimming pool and \$600,000 for a sand training track. It also demanded and received a taxpayer-funded upgrade of the Golfies car park in November 2017, and before Killarney Beach was excluded from the list of beaches licensed for training in June 2017, the WRC was seeking a car park upgrade there too. No doubt the WRC will expect further upgrades at Killarney, Levys Beach and Hoon Hill, if the draft BCRCMP remains intact.

In a 2017 round of grants to community groups, the Far West Friends of the Hooded Plover received \$17,671 from the Victorian Government to strengthen hooded plover monitoring in south-west Victoria between Warrnambool and Portland. Although the funding is welcome, it is a tiny fraction of the funding received by the racing industry, which is putting intense pressure on the little birds being monitored, and Parks Victoria’s compliance and enforcement costs in the Belfast Coastal Reserve.

Table 5 VNPA comments on BCRCMP goals and strategies in Chapter 6

Goal	VNPA Comment
Goal 6.2—Recreational activities: Opportunities for a range of recreational visitor activities are provided with minimal impacts on natural values, cultural values and other users	This goal is supported, along with the strategies to manage vehicular use, dog walking and recreational horse riding, and to ban dune boarding, hunting and off-road vehicles. But jet skis should not be allowed in reserve waters, including Belfast Lough, because of their disturbance to wildlife and other recreational users and damage to shallow water habitats, and area restrictions should be placed on motorboats. Commercial racehorse training should not be permitted anywhere in the reserve.
Goal 6.3—Access and visitor facilities: A range of access and infrastructure is provided and maintained to support passive recreation, emergency response and management of the Reserve while minimising the environmental and cultural impacts of visitation. Tracks are closed or access modified where they do not support this goal. Generally, the undeveloped character of the Reserve is maintained	This goal is supported, especially the reference to passive recreation. However, jet skis cannot be considered passive recreation and should be excluded from the reserve.
Goal 6.4 Site strategies Golfies Beach Access: Golfies will continue to be a key site for active recreation providing for a variety of uses including walking, horse and dog exercise, beach fishing and surfing	This goal would be supported if commercial racehorse training is excluded from the goal and the strategies. Without commercial racehorse training, there is no need to use scare resources on a separate parking area for horse floats. Repositioning of the car park further inland is supported.
Goal 6.4—Site strategies Golf Course East Beach access: Golf Course East will continue to provide for more passive recreation, including walking and fishing	This goal and its strategies to close and rehabilitate West Beach access, ensure dogs are on-leash and maintain gravel access at Golf Course East are supported.

Goal 6.4—Site strategies Killarney Beach access and Camping Reserve: Killarney beach access and recreation reserve will continue to support high visitor numbers as a popular site for camping, fishing and swimming	This goal would be supported if commercial racehorse training is excluded and dogs are not allowed off-leash from 1 August to 30 November, which coincides with the first part of the hooded plover breeding season.
Goal 6.4—Site strategies Basin beach access plus Pelicans and Towilla Way: The Basin, Pelicans and Towilla Way beaches will support recreational activities which are managed to reduce their impact on natural and cultural values	This goal and its strategies are supported.
Goal 6.4—Site strategies Rutledges Cutting, Gormans Road carparks number 1, 2 and 3 Rutledges Cutting will provide a key site for nature appreciation, including birdwatching and citizen science	This goal and its strategies that include prohibiting dogs, rationalising access and constructing a viewing platform will be supported if the commercial racehorse training strategy is deleted.
Goal 6.4—Site strategies Kellys Swamp Track west of Big Baldy (including Sarahs and Roller Coaster beach access) Kellys Swamp Track west of Big Baldy (including Sarahs and Roller Coaster beach access), will provide a dedicated trail for walkers and cyclists to enjoy the scenic wetland system and connect to remote beaches	This goal and its strategies that include dog and horse bans, track closures and more formal beach access are supported.
Goal 6.4—Site strategies Kellys Swamp Track between Big Baldy and Spookys beach access: Kellys Swamp Track east of Big Baldy will continue to provide access for surfers, anglers, dog walkers, recreational riders and other beach users, as well as connection to dedicated trail for cyclists and walkers	This goal and its strategies for increased enforcement, dog restrictions, track closures and access track rationalisation will only be supported with the exclusion of commercial racehorse training from the Hoon Hill area. It is ludicrous to consider renaming Hoon Hill to 'improve expectations on visitor behaviour' when those same visitors will witness horses and their riders 'hooning' up and down the dunes of the hill.
Goal 6.4—Site strategies Levys Beach access: Levys Beach access will be a key site for active recreation providing for a variety of uses	This goal and its strategies of dog restrictions, rationalisation of beach access and amenity improvements will only be supported if commercial racehorse training is excluded. Such an intensive and commercial use contradicts the goal for recreation.
Goal 6.5—Authorised uses: Authorised uses of the Reserve are managed to minimise the effect on values and visitors	This goal is very strongly condemned as incompatible with the goals of the plan and the purposes of the reserve.
Goal 6.6—Risks and safety: Promote visitor safety and awareness of safety issues and risks associated with access and use of the Reserve	This goal and its strategies to improve safety and emergency procedures will be supported if the extreme risk from commercial horse training is removed from the reserve.
Goal 6.7—Information, interpretation and education: Visitors appreciate, understand and care for the values of the Belfast Coastal Reserve	This goal is supported.
Goal 6.8—Tourism partnerships, marketing and promotion: Tourism experiences focusing on nature and cultural heritage are supported to generate opportunities for economic and social benefits to communities, including Traditional Owners	This goal is supported

Chapter 7 Managing in partnership

The majority of Belfast Coastal Reserve was reserved for 'Protection of the Coastline' by Order in Council on 11 October 1984. During 2017, unreserved Crown land south of the high-water mark between Mills Reef, Port Fairy and Killarney, was also reserved for Protection of the Coastline to enable regulations under the *Crown Land (Reserves) Act 1978* (introduced on 16 July 2017 by Minister D'Ambrosio). This was to be consistent with the Land Conservation Council 1978 recommendation for the land as a coastal reserve.

But the land in question was merely given temporary reservation status, whereas the reserve established after the LCC recommendation is permanently reserved. That is not the only inconsistency with the LCC recommendation; the other is that the purposes of the permanently reserved area were conservation and recreation, not commercial use.

Like many coastal reserves along the Victorian shoreline, Belfast has had no specific regulations that managers can use to enforce compliance with its objectives. It is also beset by fragmented management (Parks Victoria, Moyne Shire Council and City of Warrnambool manage separate sections of the reserve), off-leash dogs, illegal camping and off-road vehicle use, sand dune erosion and invasive species. The use of the reserve by other wildlife, walkers, swimmers, surfers, boaties and anglers, and the protection of cultural sites, are also at risk.

On 16 July 2017, the Minister introduced regulations to support the licensing of commercial horse training. Although limited in scope (they don't refer to dogs, illegal campaign and other issues facing the reserve), they do provide some additional enforcement powers for managers. Additional regulations will be gazetted with the finalisation of the coastal management plan being prepared for the reserve.

In the VNPA report, *The Coast is Unclear*, it was recommended that the reserve become a park protected under the National Parks Act under the management of Parks Victoria, with a set of regulations that provided rangers with the authority to implement the objectives of a new management plan. This would provide greater protection and a stronger sense of purpose.

Table 6 VNPA comments on BCRCMP goals and strategies in Chapter 7

Goal	VNPA Comment
Goal 7.1—Coordinated management of the Reserve enables efficiencies in program delivery and is supported by consistent land status and regulations	This goal is supported but some of the strategies to achieve it take the reserve's management in the wrong direction. The BCRCMP recommends retaining the fragmented management across the Warrnambool City Council, Moyne Shire Council and Parks Victoria for the land but there is no clarity on the marine area. It also recommends leaving the reserve under the Crown Lands (Reserves) Act. The reserve should become a park under the National Parks Act to provide greater protection and a stronger sense of purpose. Although the plan mentions the problem of having the reserve zoned Farming Zone, which is inappropriate for public land, it fails to include the rezoning as an immediate strategy (it should be rezoned to Public Conservation and Resource Zone). Any exploration of opportunities for consolidation of land management should be immediate, not as they arise. There is nothing in the strategies about integrating land and marine management. There should be. It is sensible to cooperate with the adjoining landholders, as one of the strategies recommends.
Goal 7.2—Managing with Traditional Owners: Traditional Owners caring for their Country is an integral part of the Reserve's management	This goal and its strategies are supported
Goal 7.3—Working with the community: Community skills, knowledge and assistance provide stewardship and help in managing the Reserve	This goal is supported but community groups will be reluctant to work with government agencies if commercial racehorse training is retained inside the reserve. All of their efforts would be to nought.

Chapter 8 Research and monitoring

Effective research and monitoring is key to the long-term adaptive management of the Belfast Coastal Reserve. For that to be successful will require strong community involvement. That involvement, which to date has been the hallmark of research and stewardship in the reserve, is under serious threat because of the government's continuing support for commercial racehorse training in the reserve.

Table 7 VNPA comments on BCRCMP goals and strategies in Chapter 8

Goal	VNPA Comment
Goal 8.1—Monitoring and evaluation improves management decisions and techniques through enhanced ecological, cultural and visitor use knowledge	This goal and its strategies and the indicators to be used to evaluate the effectiveness of the management plan are supported. However, there is no indication as to how the plan would lower the extreme risk presented by commercial racehorse training. The table on page 29 suggests that it cannot and so commercial racehorse training should be removed from the reserve.

VNPA recommendations

The VNPA makes the following recommendations to improve the Belfast Coastal Reserve coastal management plan before it is finalised:

1. Commercial racehorse training should be removed as an allowable use in the reserve and the existing licence be withdrawn.
2. A more comprehensive description of the reserve’s natural values be included in Chapter 5 Healthy Country
3. That the area of the reserve south of the high-water mark and recently given temporary reservation be permanently reserved for Protection of the coastline.
4. That the public land of Belfast Lough, the strip of dunes between Golfies car park and the first houses of Port Fairy, and Griffiths island be included within the Belfast Coastal Reserve.
5. That the Belfast Coastal Reserve become a conservation park under the National Parks Act.
6. That there be one single manager of the park, Parks Victoria.
7. That an Indigenous ranger group, funded by the Australian and Victorian governments, be established to jointly manage the park with Parks Victoria.
8. That the reserve be rezoned from Farming Zone to Public Conservation and Resource Zone in the Moyne Shire Council planning scheme.
9. That the use of jetskis be prohibited in the Belfast Lough and other waters in the reserve.

Submission Appendix 1

Here are extracts from the draft plan that implicate racehorse training in damage to the natural, cultural and recreational values of the reserve:

Furthering the plans contradictions in relation to commercial racehorse training, there are at least 23 instances where the impacts of horses on natural, cultural and recreational values are highlighted:

- The protection of vulnerable fauna such as Hooded Plover will require reducing threats to these species through controls on the key impacting activities of dogs, horses and people (pages vii and 27).
- Horse riding can impact dune health, cultural heritage, public safety and disturb beach-nesting birds. It is critical that the most significant areas for shorebird breeding are protected from disturbances including those from dogs and horses (page vii)
- Other significant threats include weed invasion, predation from introduced species such as foxes, the impacts of vehicles, horses and dogs on wildlife (particularly shorebird disturbance) and dune structure, extreme weather events and coastal erosion (page vii).
- Other significant threats include predation from introduced species such as foxes, weed invasion, the impacts of vehicles and horses on beach nests and dune geomorphology, extreme weather events and coastal erosion (page 28)
- The Statement [Flora and Fauna Guarantee Action Statement] notes a key threat to breeding success is disturbance (including by domestic dogs, walkers, vehicles and horses) (page 35)
- Zoning will be used to protect the most significant areas from impacts associated with activities including horse riding (page 9)
- There are currently potential risks and impacts to Aboriginal cultural heritage from existing authorised activities including recreational horse riding, licensed horse riding tours and licensed commercial racehorse training which are being undertaken in the Reserve under a range of varying conditions (page 22).
- There are several areas of the Belfast Coastal Reserve where Aboriginal cultural heritage is being negatively impacted by visitors, particularly related to dune access. This impact ranges from relatively low (foot traffic) through to extremely high (four-wheel drive traffic and repeated horse traffic) (page 22)
- After being closed for a relatively short period (approximately 3 months) vegetation within the shell midden impacted by horse and foot traffic has begun to regenerate and cover the ground that was once exposed by repeated trampling (page 22)
- On steep faced dunes, 'blowouts' are common; any removal of vegetation, for example, tracks created by horse riding or illegal driving over the crest of a dune, can cause the wind to funnel through the gap and quickly blow away a deep cutting (page 30)
- Remnant native vegetation can be readily degraded by human, animal and vehicle disturbance. For example, research has shown that low levels of horse trampling can cause a significant reduction in vegetation height with fewer plant species found on trampled sites (Dyring 1990). The rate of soil stress is dependent on the amount of horse trampling and characteristics of soils, however structurally unstable deposits such as dunes are more readily impacted by this process (Phillips and Newsome 2002). Deluca *et al* (2001) and Wilson and Seeny (2009) determined that horses caused the greater degree of trail erosion as they loosen soils to a greater degree than hikers and motorcyclists (page 30)
- Dogs, vehicles and horses can displace wildlife, create disturbance and stress in animals, and cause direct and indirect wildlife mortality (page 33)
- Horses can trample eggs or run over a chick or adult bird, particularly when riding above the high-tide mark or in dunes. Horses also leave craters in the sand that make chick navigation across the beach difficult. Chicks can become trapped in hoof craters if they are deep enough, leading to death from predation, trampling, dehydration or starvation (Barwon Coast 2009) (page 35).
- The threat from horses at those monitoring sites was observed to occur in 66% of all assessments, with vehicle use (illegal access) in 20%. The threat from dog off-leash was reported to occur in 32% of observations while dog on-leash was 11%. Evidence of threat from foxes was 11.5%, raven 8%, and magpie 3% (BirdLife Australia 2014). NB: This survey was carried out before the racehorse invasion in 2015 (page 36)
- Riding of horses for recreational or commercial purposes was viewed [during consultation] as a threat to dune health, cultural heritage, shorebirds and public safety, especially if riders did not comply with regulations, codes of conduct or licence conditions (page 45)
- Of the range of activities undertaken in the Reserve, it is the competition between people, vehicles, dogs and horses that presents the most significant challenges. This conflict in demand can impact public safety, cultural heritage, environmental values and threatened species, dune stability, visitor enjoyment and amenity (page 46)

- The areas of the Reserve with the widest, most remote or uncrowded beaches are around Armstrong Bay and Rutledges Cutting - which are key areas for shorebirds during both breeding and wintering. These areas are within the Conservation Zone where it is considered critical to minimise disturbance by dogs, horses, vehicles and high visitor use (page 49)
- Beach access from carparks requires ongoing maintenance to minimise erosion of the primary dune system, particularly where horses or vehicles access the beach e.g. at boat ramps (page 55)
- Recently the site has been used by racehorse trainers to access beach from the carpark towards Mills Reef (for a distance of 800m) under specific conditions e.g. weekdays between dawn and 10am. There has been a consequential increase in use of the carpark by horse floats and trucks, coupled with exacerbated erosion of the beach access by horses and trampling of the protective dune vegetation by people. The carpark and beach access are also at risk from beach recession (page 56)
- The road and carpark 2 can also accommodate horse floats (as opposed to carparks 1 and 3), however when several horse floats are present the carpark is crowded (page 59)
- Horse riding has both created new tracks and caused deep incising of existing tracks in several places (page 60)
- Both horse and trail bike riders are riding off tracks, damaging dunes and impacting cultural heritage (page 62)
- The approved CHMP has determined that the proposed activity [commercial racehorse training] cannot be conducted in a way that minimises harm to Aboriginal Cultural Heritage and proposed the salvage and storage of artefacts from the area before the activity commences (page 64)
- Concerns currently exist relating to people, vehicles, dogs and horses within the Reserve, including risks to public safety (page 65)
- Having horse trucks and floats travelling to and from carparks at the Reserve alongside other visitor vehicles also presents a safety risk (page 65)