

Proposed amendments to the Forestry Regulations 2013

Community consultation summary report | September 2020

Overview

State forest reserves are important areas of public open space managed by ForestrySA for a variety of recreational activities within commercial pine plantation and native forest.

Some activities are subject to regulated fees and conditions outlined in the Forestry Regulations 2013 under the *Forestry Act 1950*.

The Forestry Regulations were last reviewed in 2013. Since then significant funding and resources has been invested in building new facilities and maintenance of existing infrastructure.

ForestrySA sought feedback from the community and key stakeholders on the following amendments proposed to the Forestry Regulations 2013:

- Modest increases to regulated fees including horse riding and fossicking permit fees
- The introduction of a per vehicle fee for campsite bookings
- The requirement for dogs to always be kept on a lead while in a forest reserve
- Tighter restrictions around the use of generators, chainsaws and metal detectors within forest reserves
- An increase in expiation fees for offences committed under the *Forestry Act 1950*.

A modest increase in regulated fees has been proposed to help offset costs of the online booking system, associated administrative fees and ongoing maintenance and provision of recreational infrastructure. The transition to online permits at the beginning of the year has proven popular, with campers, horse riders and fossickers recognising the convenience of the system.

For the 2021 camping season, ForestrySA intends to implement a per-vehicle fee for campsite bookings. A per-person fee will remain available for campers hiking or cycling to a campsite without a vehicle.

This will mean less administration time to process changes to bookings and cancellations and simplifies on ground monitoring of camping activities for Ranger staff. The introduction of a per vehicle fee is more consistent with the National Parks and Wildlife Service campsite fee structure.

ForestrySA also proposed to amend current regulations to require dogs to be on a lead no greater than 3m (three metres) in length while within forest reserves.

The proposed amendment is in response to public complaints and an increase in dog attacks on other dogs, the public and wildlife within forest reserves as a result of dogs off lead. The requirement for dogs to be on a lead is consistent with National Parks and Wildlife Service Regulations.

Community Consultation Process

A comprehensive consultation process was undertaken with key stakeholders and the community over a four-week period from 3 - 30 August 2020. Consultation was conducted via a yourSAy survey with the public encouraged to contribute to the online discussion, while also having the option to email and post submissions direct to ForestrySA.

The consultation process was promoted by email and social media, with links to the yourSAy online discussion posted on the ForestrySA website and Facebook page.

Stakeholder groups, including peak recreational bodies, local government and state government departments were advised of the consultation process and provided with details on how to contribute to the discussion.

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The aim of the consultation was to engage with stakeholders and community members to:

- Inform them about proposed amendments to the Forestry Regulations 2013
- Generate discussion, comments and feedback on proposed amendments
- Review comments and feedback received during the consultation process to inform variations to the Forestry Regulations

Results of community consultation

ForestrySA has been encouraged by the level of feedback received and contribution of the community and stakeholders to the proposed amendments. The following is a summary of responses received during the community consultation process:

- 108 contributors to the yourSAy online discussion, including 132 comments made
- 15 email responses received
- One letter received via post

Significant feedback was received regarding the proposed amendment to Regulation 20, which would require dogs to always be maintained on a lead while in forest reserves.

This amendment was proposed in response to an increase in dog attacks and incidents within forest reserves as a result of dogs off-lead. A total of 11 separate incidents associated with off-lead dogs have been documented via the ForestrySA incident reporting system during the 2019-20 financial year.

The majority of feedback received was opposed to this amendment, citing the importance of wide-open spaces for their dogs to exercise uninhibited. Some respondents provided constructive suggestions such as allocating specific areas for off lead dog walking or making specific high traffic areas such as campgrounds and picnic areas dog on-lead only.

Several respondents agreed with the proposed amendment, sharing personal experiences of being approached by dogs off-lead and concerns for their own safety, other dogs and wildlife as a result.

Responses were also received from the horse-riding community who felt it was inequitable to charge a fee for horse riders to use the forest reserve when other recreational users are not (eg. bike riders).

ForestrySA notes that although bike riders do not require an individual permit for general use of forest reserves, they are required to obtain a permit and pay the associated fee for organised events. ForestrySA has recently reviewed its non-regulated recreational fee structure, including increases to cycling event fees.

ForestrySA also acknowledges the majority of bike-specific infrastructure maintenance and development within forest reserves has been undertaken by mountain bike clubs and achieved through grant funding applied for by individual clubs and many volunteer hours to build and maintain trails.

ForestrySA is committed to using revenue from horse riding permits for maintaining and improving existing horse-specific infrastructure, including popular horse yard accommodation sites within the Kuitpo and Mount Crawford Forest Reserves.

In response to feedback received from the horse riding community, ForestrySA will be improving access for horse riding opportunities within Second Valley Forest, with the construction of new trails, stepovers and the development of a new visitor car park in collaboration with the District Council of Yankalilla.

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ForestrySA is seeking advice from Horse SA to ensure the new car park will provide suitable space for float parking and newly constructed stepovers meet the required standard for safe horse access.

It is ForestrySA's intention to add the Jack's Paddock Campground to the new online booking system for 2021.

Consisting of six bush campsites and offering eight horse yards, the campground is an exclusive-use site for horse riding permit holders, particularly those using the Kidman Trail and seeking overnight stays.

Where to from here?

The Draft Forestry Regulations Project Team have completed its review of comments and feedback received during the community consultation process.

A yourSAy report on the engagement process has also been received and reviewed by the Project Team. You can view yourSAy's **Proposed Amendments to the Forestry Regulations Online Engagement Report, here.**

ForestrySA has considered feedback received from the community and stakeholders during the consultation process and the advice of the Office of Parliamentary Counsel to draft a revised amendment of the Forestry Regulations 2013.

Some proposed regulations have been revised to balance ForestrySA responsibilities and the needs of various forest stakeholders as much as practically possible.

Specifically, after considering the high level of feedback received regarding dogs in forest reserves, Regulation 20 has been revised, requiring dogs to be on a lead within a forest reserve in high use areas as designated by ForestrySA (eg. campgrounds, picnic areas, trails, and during community events).

This means dogs can be off-lead in most forest reserve areas. However, they must be under effective control at all times.

A definition of the term "effective control" has now been included under the Interpretation of the regulations, outlining that dogs must always be within sight and under voice control. This change will improve ForestrySA's ability to address compliance matters in relation to dog attacks and incidents.

Following advice received from the Office of Parliamentary Counsel, the maximum amount ForestrySA can prescribe in the regulations for offences is limited by section 21(2)(f) and (g) of the *Forestry Act 1950* to \$750 and \$105 respectively. For now, it is not ForestrySA's intention to amend the Act, therefore a decision has been made to not increase any of the penalty or expiation fees as originally proposed for offences committed under the *Forestry Act 1950*.

For detailed information on the updated amendments, please read the draft **Forestry (Variation) Regulations 2020** and **Forestry (Fees) Notice 2020** prepared by Parliamentary Counsel on behalf of ForestrySA.

ForestrySA encourages feedback from key stakeholders and the community on the revised amendments.

To have your say, contact ForestrySA:

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