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OUTDOOR RECREATION AND ACCESS TO COUNTRYSIDE: FOCUS ON THE AUSTRALIAN EXPERIENCE

JOHN J. PIGRAM*

The concept of countryside is elusive. To some the term defines "rural areas in which the humanization process is dominant, where rural landscapes are occupied and essentially man-made."¹ Since human beings are the primary environmental agents, countryside must be distinguished from purely natural areas such as wilderness. Clearly, opinions differ over the degree of human dominance acceptable before countryside loses its rural character and appeal. Consensus is difficult to achieve among heterogeneous populations. Yet, one's understanding of the role of countryside is critical since the perceptual framework will fashion attitudes and values toward this important resource.

Davidson and Wibberley suggest a strong polarization in attitudes between those whose dominant concern is countryside's efficient production of food and fiber, and those who wish to preserve existing rural landscapes and heritage.² Between these two extremes are other groups which value different attributes of countryside. For example, planners and other professional groups often see the rural environment as a development reserve for the expansion of urban facilities, extractive industries, or water conservation. Still others link the resource function of countryside to leisure and recreation.

The appreciation of rural environments for outdoor recreation has been documented by a number of writers in the United Kingdom.³ The report to the Outdoor Recreation Resources Review Commission in 1962 noted that in the United States driving for pleasure was the principal recreational activity as reflected in a massive exodus of city

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1. Troughton, *The Concept of Countryside* 4 (paper presented at the Annual Meeting of the Association of American Geographers, New York City, April 13, 1976).

2. J. DAVIDSON & G. WIBBERLY, *PLANNING AND THE RURAL ENVIRONMENT* I (1977).

3. B. DUFFIELD & M. OWEN, *LEISURE + COUNTRYSIDE = A GEOGRAPHICAL APPRAISAL OF COUNTRYSIDE RECREATION IN LANARKSHIRE* (1970); Phillips & Roberts, *The Recreation and Amenity Value of the Countryside*, 24 *J. OF AGR. ECON.* 85 (1973); Davidson, *Recreation and the Urban Fringe*, 60 *THE PLANNER* 889 (1974); J. COPPOCK & B. DUFFIELD, *RECREATION IN THE COUNTRYSIDE* (1975).

dwellers to urban hinterlands and beyond for day trips and weekends.⁴ Gasoline supply restrictions and price increases seem unlikely to cause Americans to forego their automobiles as recreational vehicles. In fact, pressure on countryside will become greater near city boundaries as journeys are shortened and recreational opportunities closer to metropolitan centers are sought.⁵ A relatively recent survey in Ontario, Canada indicated that recreational driving was almost equal in popularity to swimming and indicated that most recreational activities were rural-based.⁶

In Britain, Kennleyside has classified countryside recreation into four main types: holidays, sport, education and active involvement, and day trips.⁷ Short term casual visitors in the last category were greatest in number, hardest to control, and most likely to conflict with traditional agricultural interests. Although a recent review casts some doubt on Australians' attachment to countryside, a similar situation seems likely to exist there as in other western societies.⁸

Thus, the countryside resource has a wide range of purposes or uses, but a clear distinction can be drawn between economic functions for agriculture, forestry, or urban development, and amenity functions for outdoor recreation. Moreover, conflict between these primary functions would seem most probable in the urban-rural fringe where the economic value of countryside is highest and pressure for amenity and recreational space greatest. It is here, too, that most problems and disputes over access to countryside arise.

ACCESSIBILITY AND RECREATIONAL SPACE

Outdoor recreation focuses on space-consuming activities where location and access become critical to the concept and classification of recreational resources. Whereas site-specific areas (such as wilderness) are distinguished in part by remoteness and difficulty of access, user-oriented recreational resources are classified according to ease of accessibility relative to population concentrations.⁹

Accessibility has several dimensions: technical, behavioral, and

4. OUTDOOR RECREATION RESOURCES REVIEW COMMISSION, OUTDOOR RECREATION FOR AMERICA, STUDY REPORT 1: PUBLIC OUTDOOR RECREATION AREAS—ACREAGE, USE, POTENTIAL (1962).

5. Williams, Burke & Dalton, *The Potential Impact of Gasoline Futures on 1979 Vacation Travel Strategies*, 18 J. OF TRAVEL RESEARCH 7 (1979).

6. M. YEWER & M. HEIT, RECREATION PATTERNS IN ONTARIO 4-5 (1975).

7. C. KEENLEYSIDE, FARMING, LANDSCAPE AND RECREATION 1 (1971).

8. Pearson, *Leisure in Australia*, in LEISURE AND RECREATION IN AUSTRALIA 25 (D. Mercer ed. 1977).

9. M. CLAWSON & J. KNETSCH, ECONOMICS OF OUTDOOR RECREATION 37 (1966).

sociocultural. The concept implies more than mobility and cannot be divorced from the nature of the desired destination and the purpose or reason for access.¹⁰ Mobility, or the capacity to overcome space, is a technical, mechanistic condition determined by vehicle ownership, travel time, costs, and individual abilities and preferences. Accessibility, on the other hand, is a broader concept reflecting one's perception of available travel opportunities. It is related to the behavioral notion of psychic space or movement space: that restricted area in which the potential tripmaker reacts to stimuli within the constraints of his value system, experience, awareness, and perceived environmental opportunities.¹¹

Movement space, and hence accessibility, may also be limited by social and institutional conventions to which an individual is exposed. Examples include ineligibility to participate on the basis of age, sex, group membership, social class, and special problems of the handicapped and disadvantaged. In the recreational use of countryside these circumstances can be compounded by sheer difficulty of physical access; many sites are effectively closed off due to the lack of appropriate vehicles, equipment, stamina, or expertise.

The question of accessibility is also complicated by institutional and legal constraints on movement into and through recreational space. This raises the issue of property rights and privileges which ownership and control over land bestow. To some writers, property ownership, in a legal or economic sense, is the proprietorship of a bundle of rights.¹² Dales goes further and questions the concept of private property altogether, stressing that property should not be thought of as *things* but as *rights*, where ownership is circumscribed.¹³ In his view, ownership consists of a set of legally defined rights to use property in certain ways and a set of negative rights or prohibitions which prevent its use in other ways. A proprietor never *owns* physical assets but only the rights to *use* them.

In the context of countryside access for recreation, the crucial issue is ownership (and exercise) of the right to exclude others from use.¹⁴ Difficulties arise because the landholder is only one individual among several groups with an interest in how the countryside be utilized. Potential beneficiaries who may value a piece of land for various pur-

10. M. MOSELEY, ACCESSIBILITY: THE RURAL CHALLENGE 57 (1979).

11. M. ELIOT HURST, A GEOGRAPHY OF ECONOMIC BEHAVIOR 298-300 (1972).

12. Wunderlich, *Landownership: A Status of Facts*, 19 NAT. RES. J. 97, 108-9 (1979).

13. Dales, *The Property Interface*, in ECONOMICS OF THE ENVIRONMENT 308, 311 (D. Dorfman & N. Dorfman eds. 1972).

14. Thomson & Whitby, *The Economics of Public Access in the Countryside*, 27 J. OF AGR. ECON. 307, 308 (1976).

poses range from the occupiers and their neighbors, to recreationists, passers-by and non-participating beneficiaries or conservationists at large.¹⁵ In economic and legal terms the access issue is one of allocating among interested parties various rights over land in such a way as to maximize social welfare.¹⁶ It could be argued that private ownership rights are merely the residue after public rights are exhausted.¹⁷

Despite physical, legal, and institutional constraints on access, extensive and varied recreational use of countryside exists. In the United Kingdom, for example, individuals and the public, in small numbers, have long enjoyed access to many parts of the rural environment; complete exclusion from private land is rare.¹⁸ According to Thomson and Whitby, modes of access can be described by three functional classifications: (1) purposive (as in national parks); (2) by-product, where access is a subsidiary aim of an organization or institution; and (3) inherited or traditional, where *de facto* access is accepted and tolerated by the landholder. The preservation of an ancient system of traditional rights-of-way in Britain, for example, has guaranteed greater public access to rural lands. These "folk routes," previously neglected and overgrown, are gradually being re-defined, marked, and maintained to allow free and legitimate contact with the countryside. Thomson and Whitby go on to suggest new or improved means for public access, presenting the problem as an economic exercise in acquiring the rights of entry in competition with other regional and social interests.¹⁹

Other authorities see public access as a paying proposition, offering opportunities for additional income to the agricultural sector. This approach implies deliberate management of the rural environment to promote hunting, fishing, and other satisfying recreational opportunities. In the United States, commercialization of rural recreation is widespread; since 1962 the U.S. Department of Agriculture has encouraged development of recreational facilities on private land to increase farm income and foster efficient multiple use of rural resources. Where economic feasibility of such enterprises is demonstrated, credit assistance is available through government agencies, such as the Farmers Home Administration and the Agricultural Stabilization and Conservation Service, to establish fishing ponds, riding stables, campgrounds, farm zoos, and hunting lodges.²⁰

15. *Id.* at 308.

16. *Id.*

17. See Morris, *Owner Rights and Co-operation* in AUSTRALIAN CONSERVATION FOUNDATION, LANDSCAPE CONSERVATION PAPERS OF AN AUSTRALIAN CONSERVATION FOUNDATION CONFERENCE 79 (1975).

18. Thomson & Whitby, *supra* note 14, at 309.

19. See generally Thompson & Whitby, *supra* note 14.

20. U.S. DEPT. OF AGRICULTURE, OUTDOOR U.S.A. 374 (1967).

In other situations, however, access is inhibited by prevailing attitudes of rural landholders who fear, with some justification, negligence or vandalism by large numbers of visitors. Their experience suggests that, in some circumstances, recreation is simply incompatible with other uses of countryside, by virtue of its concentration in time and space, as well as problems of trespass, litter, property damage, and general nuisance. These problems have been fairly well documented in the United Kingdom. Even in remote upland grazing areas, disturbance to stock and damage to stone walls, gates, and other farm installations can seriously disadvantage already low income farmers whose existing opportunities to profit from visitors are few. Conflict is most likely to occur near towns where fringe landholders face higher levels of trespass damage necessitating some form of boundary protection. In extreme cases visitors may cause farmers to modify farming practices or abandon farming altogether. A Ministry for Agriculture survey of 100 farms in the Thames Valley near Slough reported that two-thirds had been troubled by trespass over the previous three years.²¹ Similar problems were identified in central Scotland, depending on the type of recreational activity (see Table 1).

In light of such widespread problems, the negative attitude of rural communities to access for recreational purposes is understandable. Continuing invasion of the countryside by urban dwellers seeking diversion, set against rapid changes in farming, creates antipathy between farmer and visitor.²² As a result, the recreation potential of urban-rural fringe is not realized, and the amount of land devoted to public and private recreational use on the edges of towns is less than might be expected.²³

In Australia, where the concept of inviolate rights of property ownership is widespread and generally accepted, the line between town and country is also clearly drawn. Landowners generally regard access to private land for sport or recreation as a privilege, not a birthright, which may be earned by good behavior and responsibility. The landowner's attitude is typified by this statement made by the Graziers' Association of New South Wales: "This Association will not consent to accept the entry upon private land, without the permission of owners or occupiers, of any persons who are not performing a statutory function, as other than trespass."²⁴ As a result, caution-

21. MINISTRY FOR AGRICULTURE, *AGRICULTURE IN THE URBAN FRINGE* (1973), cited in Davidson, *The Urban Fringe*, 1 *COUNTRYSIDE RECREATION REVIEW* 3 (1976).

22. J. DAVIDSON & G. WIBBERLY, *supra* note 2, at 4.

23. Phillips & Roberts, *supra* note 3, at 94.

24. Graziers' Association of New South Wales, *Submission to the Select Committee of the Legislative Assembly Upon the Fishing Industry* 3 (1975) (copy on file in NRJ office).

TABLE 1

Problems Arising From the Recreational Use of Rural Land in Scotland

	<i>Problems arising from:</i>			
	<i>Rights of way</i>	<i>Walk- ing</i>	<i>Pick- nick- ing</i>	<i>Car- Parking</i>
	<i>(Percentage of all problems notified)</i>			
Disturbance and damage to stock	20	27	28	18
Gates left open	14	12	7	5
Litter/rubbish	14	18	27	30
Damage to dykes/fences	9	8	15	—
Vandalism	7	9	2	—
Damage to crops/grazing	8	6	—	4
Poaching/theft	10	7	4	15
Fire/arson	4	8	10	7
Noise	3	—	—	—
Trespass	2	2	2	—
Damage to trees	2	2	—	2
Access roads blocked	2	3	—	16

Source: Duffield and Owen³ 1970, pp. 138, 146.

ary signs at property boundaries and warning notices in the rural press frequently advise that all previous permission to enter has been cancelled; trespassers will be prosecuted.

Thus, for many Australians, recreational contact with countryside remains restricted; it is often confined to illicit and fleeting entry to private land or viewing from a moving vehicle. Moreover, there seems little prospect that landholders will or can divert resources from agricultural activities to recreation for city dwellers. Generally, constraints on access to countryside are widespread. In areas away from coastline access to water, such constraints can become a particularly contentious issue.

ACCESS TO WATER-BASED RECREATIONAL SITES

Water is often regarded as a fundamental requirement for outdoor recreation, either as a medium for the activity itself or to enhance the appeal of a recreational setting. Mattyasovsky, for example, in examining the form, quantity, and quality of water appropriate for recreational uses, noted that water proved to be the most critical single factor enjoyed by 70 to 80 percent of visitors to North Amer-

ican parks.²⁵ A report prepared for the Outdoor Recreation Resources Commission also considered at length water-based availability of particular recreational opportunities in terms of amount, extent, distribution, and other characteristics of waterbodies.²⁶ Both of these reports recognized the role of access as a basic limitation on recreational use of water, whether on streams, enclosed waterbodies, or in the coastal zone.

In inland Australia, water for any purpose is generally in short supply; apart from perennial streams and man-made lakes recreational water space is severely restricted. Increasingly, provision for recreation is being incorporated into the design and management of irrigation and power generation water storage projects as part of a policy of multipurpose use. However, there is a general reluctance by controlling authorities to permit recreational activities on or adjacent to domestic water supplies because of contamination risk. Therefore, pressure is great on other water-based recreational resources, especially in the vicinity of inland towns. Conflict over access occurs between both users and uses of waterbodies and adjacent shorelines.

Australia's problem is heightened by the numerous titles under which riparian land can be held. In the State of Victoria, for example, nearly all the coastline and much of the land abutting major rivers and lakes has been legally free to public access since 1881. Lands alienated before that date are unaffected so that parts of some stream frontages, and in some cases whole streams and stream beds, are in private ownership. However, the existence of a Crown reserve frontage is no guarantee that the area is available for recreational purposes, if an adjoining owner encloses it along with his own land. Even where the status of stream frontages can readily be determined and the limits of public access clearly indicated, the visitor may wrongly be denied access rights, or conversely may claim rights to which he is not entitled.

Similar conflict situations can be identified in other states. In New South Wales, with respect to land grants prior to 1918, titles of holdings adjoining non-tidal streams, in general extend to the middle thread of the stream bed.²⁷ Titles granted since 1918 usually extend only to the stream bank. A recent (1979) amendment to the Fisheries

25. Mattyasovsky, *Recreation Area Planning: Some Physical and Ecological Requirements*, 8 PLAN 91, 98 (1967).

26. UNITED STATES GEOLOGICAL SURVEY, U.S. DEP'T OF INTERIOR, STUDY REPORT 10, WATER FOR RECREATION—VALUES AND OPPORTUNITIES (1962).

27. This is known as the *ad median filum aquam* rule. See J. GRIMES, CLARK ON SURVEYING AND BOUNDARIES § 566 (4th ed. 1976).

and Oyster Farms Act has given anglers the right to fish all inland streams from a boat or from the stream bed, whatever the conditions of title.²⁸ However, it remains to be seen whether this decision will promote improved access. Although landholders can no longer close off waterways to wading or boating anglers, they retain the right to refuse access *across* their land to streams.

Thus the question of access to streams within privately owned land remains complex; the situation is worsened by the problem of bank definition and changes in the stream's course and flow. In most cases, visitors are unaware of property boundaries or title details and can only gain access with the permission of the landholder. It seems probable that the ramifications of the new policy will remain obscure, open to interpretation by either party, so that *de facto* access will continue to be restricted.

ACCESS FOR SPORT FISHING

The New England Tablelands in northern New South Wales contain some of the best sport fishing streams in the state (see Figure 1). Trout fishing, in particular, attracts great numbers of anglers each season and the streams are restocked from a regional hatchery. A comparatively cool climate, clear water, and good natural food supply encouraged the introduction of brown and rainbow trout early this century. At first the sport was for private fishing only with landholders stocking streams on their own properties. As trout fishing became popular, clubs were formed and the licensing and supervision of fishermen became the function of the State Fisheries Department. The sport has continued to be popular despite occasional poor seasons; pressure on more accessible and favored trout streams has led to some conflict between landholders and fishermen.

This background provides a suitable setting to investigate the management of countryside resources, particularly as recreational space for the wider community. A study of sport fishing in New England was undertaken to clarify access and utilization issues of water-based recreation sites on the tablelands. The research first determined physical conditions of accessibility to streams relative to terrain and proximity to public roads. Property boundaries and land tenure conditions were also surveyed to delineate the extent of private property, public ownership, and access.

The results of field research reveal an interesting, if somewhat disturbing, paradox. On the New England Tablelands of Australia, de-

28. PARLIAMENT OF NEW SOUTH WALES, *Fisheries and Oyster Farms Act (Amendment) Section 116A* (1979).

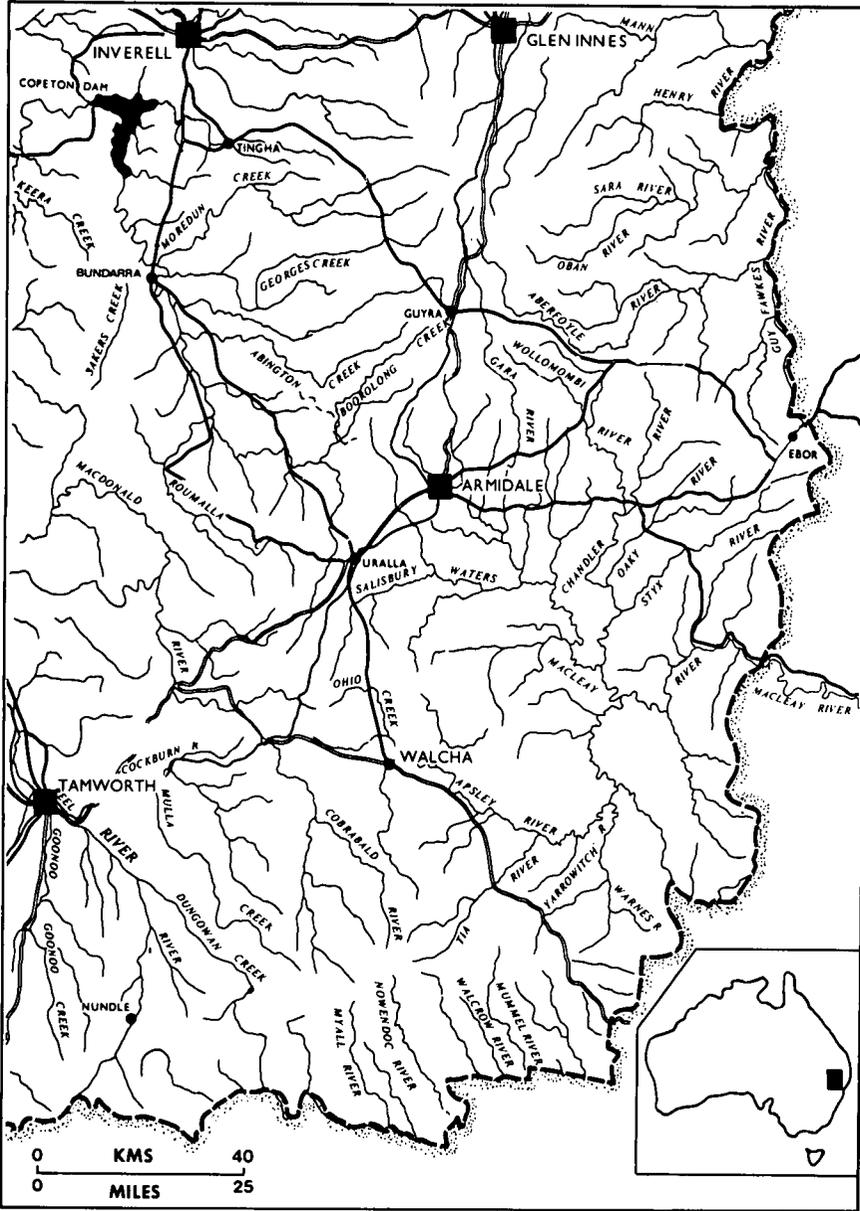


Fig.1: Sport Fishing streams on the New England Tablelands.

spite considerable variation, the extent of legal access is inversely proportional to conditions of physical accessibility. In the study area those streams with the most suitable location and terrain are generally closed to the public, whereas those which are open are often impractical to reach for physical reasons (see Figure 2).

For example, northeast of Armidale, a 36 kilometer section of the Wollomombi River, all of which is readily accessible even by ordinary motor vehicles, has only three kilometers of legal access where public roads or reserves meet the stream. On the other hand, a 34 kilometer section of the Styx River has 31 kilometers of legal access, mostly within state forests. However, it is inaccessible physically except to the most agile and determined angler on foot, with a few isolated points open to four-wheel drive vehicles. Overall, it is estimated that legal *and* physical access is available along only 20 percent of New England Tablelands' trout streams.

A related survey of landholders in the area, whose properties encompass or adjoin fishing sites, revealed contrasting attitudes toward visitors. In general, land titles extend to the middle thread of streams and landholders along the best trout water are antagonistic to fishermen. In a few cases access has been closed off altogether; in others, a temporary ban has been imposed, sometimes accompanied by a proclamation of "fly only" water. Several of those surveyed stressed that they would not refuse any reasonable request for entry; a common arrangement is for access to be allowed only to members of fishing clubs, or to friends and others known to the landholder. In practice, this ad hoc approach means that visitors are uncertain as to their welcome and, not infrequently, are subject to abuse and harassment. Access for tourists and strangers to the area under such a system remains problematical.

The results of this study are apparently representative of attitudes widely held in rural Australia. On a statewide basis, less than 50 percent of respondents to a survey by the Graziers' Association of New South Wales reported that permission to enter their land was usually granted, and then only when certain conditions were met.²⁹ The graziers' particular concerns were guns, dogs, litter, gates, unattended fires, and disturbance to stock. Unfortunately, too often, such caution is apparently justified. As part of its submission to a recent state government Committee of Enquiry into the fishing industry, the association canvassed its members for factual evidence to substantiate objections to easing entry on private lands. The evidence gathered covered a wide range of damaging incidents and potentially danger-

29. Graziers' Association of New South Wales, *supra* note 24, at 4.

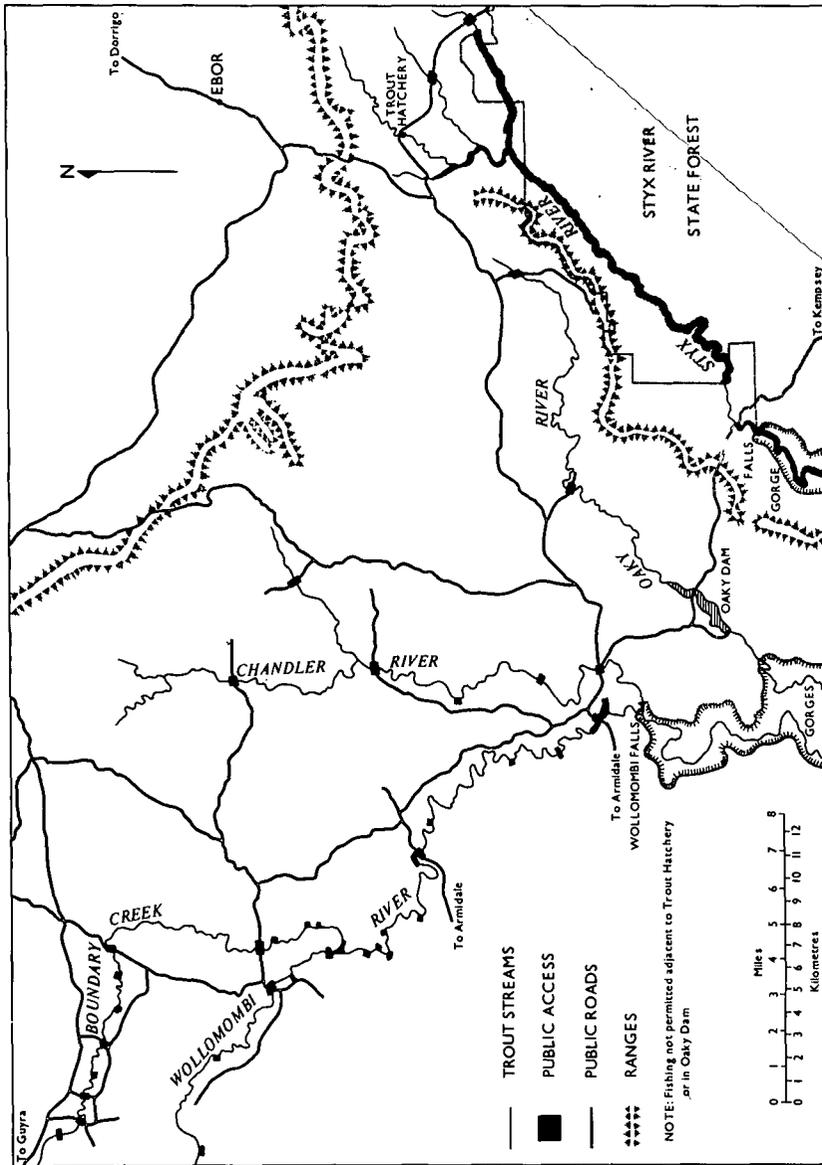


Fig.2: Public Access Points on the Wollomombi, Oaky and Styx River Systems.

ous situations,³⁰ indicating that landholders' fears are soundly based (see Table 2). The association clearly indicated that any further relaxation of restrictions on access would not be welcome, and that private landholders' civil rights should remain unaltered.

TABLE 2
Trespass Damage in New South Wales

<i>Damage category</i>	<i>Number reporting (n = 83)</i>
Gate problems	30
Fire hazard	34
Litter	34
Shooting	35
Stock disturbance	28
Violence/vandalism	23
Theft	19
Other problems	28

Source: Graziers' Association of New South Wales,²⁵ 1975.

Subsequently the Committee of Enquiry, in its report, endorsed the view that "it would be a major and serious departure to in any way interfere with the rights of property owners . . . by allowing free public access for whatever purpose."³¹ In their view, granting fishermen a general mandatory right to enter property would amount to licensing irresponsible persons to abuse the rights of others, and eventually lead to despoilation of recreational sites. In the committee's opinion, the solution lay in strengthening understanding between fishermen and property owners through anglers clubs and tourist authorities with encouragement from government agencies.

The committee did recommend that future subdividers of land, near recognized or potential fishing sites, should consider creating reserves for fishermen. Furthermore, future grants of Crown Land should provide for fishing reserves and adequate access to streams.³² The policy of the New South Wales Lands Department already requires preservation of a strip of land, compatible with existing roads, to provide access along stream frontage whenever titles are converted. Moreover, local government bodies have power to set aside reserves

30. *Id.* at 9-21.

31. PARLIAMENT OF NEW SOUTH WALES, REPORT FROM THE SELECT COMMITTEE OF LEGISLATIVE ASSEMBLY UPON THE FISHING INDUSTRY 33 (1976).

32. *Id.*

as a condition of approving private subdivision, although this power is not consistently exercised.³³ Rural landholders, on the other hand, oppose such recreational reserves because of alleged littering, vandalism, insobriety, irresponsible use of firearms, and ineffective policing.³⁴

Further field research on the New England Tablelands revealed a possible, but little-known, basis for opening up access to streams through private property: a network of publicly owned Crown subdivision road reserves. These reserves, or "paper roads," were surveyed originally in colonial days as access roads when parishes were first defined. Many have never been proclaimed or used as public roads but retain their status as public rights-of-way. McGlashan has noted the existence of similar roads in the state of Tasmania where they were designed to give access to watering places or remote parcels of land.³⁵ The existence and location of these road reserves is shown on topographic maps, but is not generally known except to the landholder, who may not be anxious to reveal their existence unless a formal complaint is lodged.

Much of the New England Tablelands is laced with these strips of reserved land to which the public already has (or should have) rights-of-way. Many of them parallel and adjoin streams or lead to potential fishing sites (Figure 3). If they were identified, mapped, and marked, some of the more remote stretches of streams would be opened to fishing and other forms of outdoor recreation. Any such action, however, would require careful planning, consultation, and cooperation. Selection of sample areas would also be advisable to create a trial system of marked legal rights-of-way and access points. Otherwise, the potential for these roads may not be realized and greater antipathy and confrontation could result.

Clearly, however, legal solutions alone are not the answer even with the most enlightened legislation. The whole question of property rights, access, and rights-of-way requires reexamination. Fresh policy initiatives need to be framed in new legislation incorporating reciprocal safeguards for both landholders and visitors, supported by public expenditure for planning, construction and maintenance of recreational facilities, as well as education for all concerned. Such a program would reflect an emerging land use ethic which sees land and water as communal resources held by individuals in stewardship

33. PARLIAMENT OF NEW SOUTH WALES, *Local Government Act*, Section 33(1)(g) (1919).

34. Graziers' Association of New South Wales, *supra* note 24, at 6.

35. McGlashan, *Preserving a Road through the Woods*, 48 *THE GEOGRAPHICAL MAGAZINE*, 354, 356 (March 1976).

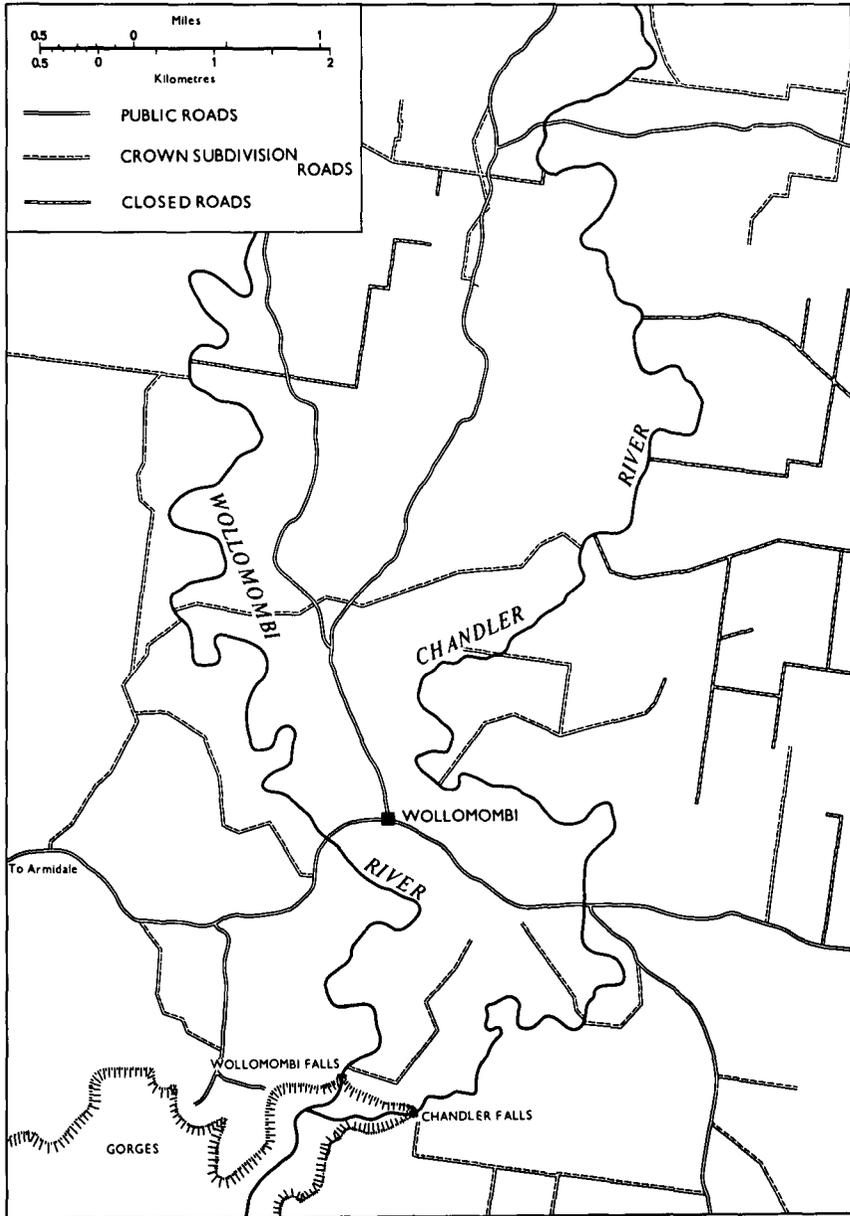


Fig.3: The Network of Crown Subdivision Roads in a Portion of the New England Tablelands.

only.³⁶ This will take time. Unfortunately fears expressed by landholders and the negative stance adopted by the Committee of Enquiry give little hope that such attitudinal change is imminent.

ACCESS AND PROPERTY RIGHTS

Public access to the countryside and to rural land and water for outdoor recreation is a complex and controversial subject. In the New England study area, fishermen are anxious to gain access to as many streams as possible. At the same time many individuals seem unaware that they should seek permission to enter private lands, or act responsibly and avoid interference with the property's normal operation. On the other hand, landholders are anxious to protect their holdings from vandalism and thoughtless action. Whereas, in many cases, an amicable working relationship exists, a minority of landholders act with almost feudalistic zeal in maintaining exclusive use of streams and recreational space within their property boundaries.

Yet the concept of inviolable rights attaching to ownership is a myth.³⁷ A person does not own *land*; he owns rights to land and these rights are not absolute. A refined definition of rights to property would seem desirable to identify those which accrue to the property holder, to the state, and to society. It could be argued, for example, that ownership rights do not apply to the aesthetic component of the resource base, or extend to exclusive access over common property assets such as wildlife or fish within a holding, especially where the streams are now stocked from publicly funded hatcheries. Nevertheless, the landholder assumes effective control of countryside resources which may be valued by the wider community for recreation. This privilege, in turn, should imply a responsibility for making those resources available to that community.

Where a landholder wishes to retain exclusive rights to these resources, purchasing such rights over and above the price of the land could well be made mandatory. In other words the privilege of excluding the public from recognized communal recreational resources would become taxable. This policy has wide application. It could apply to other recreational resources, from beachfront to spectacular mountain view, in much the same way as tax exemptions or compensation might be sought for loss of market value or alienation of re-

36. LAND CONSERVATION STUDY GROUP, *LAND CONSERVATION IN NEW SOUTH WALES* 25 (1977).

37. Morris, *supra* note 17, at 79.

source potential because of planning proclamations, hazard zoning, and the like.

To extend the proposition further, in situations where the landholder chooses not to exercise his privacy option by bidding for exclusive rights, the public, or at least recognized groups, should be able to enter specified areas, also at a price, for designated recreational purposes. That is, the rights of access for recreation would be taken up by the public (or the state in some circumstances) and distributed through the community by way of the price mechanism or some other institutional means. Furthermore, if some part of the entry or license fees accrued to landholders, they, in turn, would be encouraged and assisted to maintain suitable portions of the property as a recreational reserve. Presumably, government grants may also become necessary to cover operating costs and compensation for any damage. Ultimately, access agreements as used in parts of Britain and New Zealand, may be advisable.^{3 8}

Some would argue that the purchase price and subsequent charges and taxes levied already reflect the existence of recreational resource potential or other site values. They claim there is already a return to society from the privileged status of ownership and therefore no cause for further site taxation. Others would deny that it is ever equitable or efficient to permit the holders of land to alienate recreational space to themselves, even if these rights have been obtained through lease or purchase on the open market. However, reconciling ethics with economics will not be easy.

CONCLUSION

In Australia the question of public access to streams, lakes or estuarine water space for recreation is far from academic. The problem will be resolved only by providing improved conditions of entry at existing sites and creating new water-based recreational opportunities. An enlightened attitude by all parties, based on cooperation and awareness of the mutual responsibilities entailed in securing maximum benefit from both the economic and amenity functions of countryside, is also fundamental.

Leisure has become a vital part of the lives of all Australians; in an increasingly complex society, the task of creating and enhancing leisure environments will call for many fresh initiatives. At the same

38. New Zealand Walkway Commission Staff, *New Zealand's National Walkway Network*, 4 PARKS 13-15 (1979).

time, participation in outdoor recreation is very much a function of available opportunities.³⁹ The challenge of rural accessibility planning is to expand the supply of opportunities by enlarging the space-time prisms available for outdoor recreation.⁴⁰ Perhaps access to countryside is a good place to begin.

39. Knetsch, *Interpreting Demands for Outdoor Recreation*, 48 *ECONOMIC RECORD* 431 (1972).

40. M. MOSELEY, *supra* note 10, at 69.