



The Hon Michael Gallacher MLC

Leader of the Government in the Legislative Council
Minister for Police and Emergency Services
Minister for the Hunter

Mr David Blunt
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Dear Mr Blunt

As the Premier's representative in the Legislative Council I am pleased to be able to provide you with the enclosed NSW Government response to the Legislative Council Inquiry into the Management of Public Land in NSW.

Yours sincerely

The Hon. Michael Gallacher MLC
Minister for Police and Emergency Services

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NSW Government response: Inquiry into the management of public land in NSW



Introduction

A number of key priorities identified by this inquiry are accepted as key areas of land management reform by the NSW Government including:

- a focus on efficient management of public land
- exploring opportunities to expand the flexibility of current land use arrangements
- a uniform or 'tenure-blind' approach to the management of key landscape threats including pests, weeds, fire and biosecurity risks
- ensuring land management decisions made by Government include an assessment of potential environmental and socioeconomic costs and benefits.

Related reforms to achieve greater land management integration across tenures are currently underway, for example, the establishment of Local Land Services. This reform will streamline the delivery of services to regional land holders across NSW and provide a vehicle to implement any new service delivery reforms consistently and efficiently.

Other key reforms include the proposed new planning system, the corporatisation of Forests NSW (now the Forestry Corporation NSW), the Crown land review, the NSW Biosecurity Strategy and associated reforms, and the review of NSW's biodiversity and native vegetation legislation.

This suite of policy reforms and reviews reflects the Government's commitment to exploring new approaches to delivering better land management outcomes. The recommendations of this inquiry have been considered within this framework and with an understanding of the costs and benefits of each proposal.

The remainder of this submission addresses each of the inquiry's 12 recommendations. A summary of NSW positions against each of the recommendations is provided in Table 1.

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Table 1: Summary of NSW positions

1. Independent full-scale review of the management of all public land in NSW	Partially supported
1.2 Investigate the wider application of the multiple land use model	Noted
1.3 Investigate the adoption of a nil tenure approach	Supported
1.4 Investigate innovative land management models including private land conservancies	Noted
1.5 Financial contributions from public landholders for local infrastructure	Noted
1.6 Investigate conversion of all remaining western land leases to freehold title	Noted
2. Moratorium on the creation of new national parks	Not supported
3. Improving the assessment process for conversion of land to the national park estate	Supported
4. Extension of the River Red Gums ecological thinning trial	Noted
5. Research into forestry management practices and the sequestration of carbon dioxide	Supported-in-principle
6. Improve fire management across public land	Supported in part
7. National park access for apiary and inland commercial fishing industries	Supported
8. Address outstanding disputes between the NPWS and its neighbours particularly relating to boundary fencing	Supported
9. Investigate whether the <i>Dividing Fences Act 1991</i> should apply to all public land managers	Not supported
10. "Tenure swaps" between national parks and state forest to augment commercial timber supply	Not supported
11. Investment in promoting tourism in regional areas and national parks	Supported
12. Improved opportunities for indigenous and joint management arrangements	Supported-in-principle

Recommendation 1

That the NSW Government conduct an independent, full-scale and comprehensive assessment of the management of all public lands in New South Wales, and that this be achieved by extending the current review of Crown land management to include an evaluation of the management of all public lands, including all national parks and State forests in New South Wales. The review should:

- 1.1) be conducted by an independent panel comprised of experts in the relevant fields, and be led by an eminent expert as chair*
- 1.2) investigate the wider application of the multiple land-use model in the management of public land in New South Wales, and identify appropriate areas for the multiple land-use model to be implemented*
- 1.3) investigate the adoption of a nil-tenure approach to the management of public land in New South Wales*
- 1.4) investigate innovative land management models, including the use of private conservancies, for possible application to public land in New South Wales*
- 1.5) examine requiring all public land managers to make a financial contribution to maintain local infrastructure, and investigate whether this contribution should be made through council rates or an alternative mechanism*
- 1.6) for the sake of simplification of land tenure arrangements in the State, investigate the option of converting all remaining Western Land Leases into freehold title.*

Partially supported

The NSW Government does not support extending the Crown land review to include an assessment of all public land in NSW. The Crown land review commenced in March 2012 and is now in its advanced stages. Broadening the review's scope at this stage will be both costly and time consuming and may delay implementation of efficiencies identified through the review process.

However, the Government is largely supportive of investigating the principles identified in recommendations 1.2 to 1.6. In a number of instances these issues are already being explored through a suite of reviews and policy reforms the Government has commenced including:

- the Crown land review process
- the Corporatisation of Forests NSW (commenced 1 January 2013)
- the establishment of Local Land Services (to commence 1 January 2014)
- the review of the planning system
- reform of native vegetation and biodiversity legislation
- the establishment of the NSW Biosecurity Strategy and related reforms
- reform of cultural heritage legislation
- review of the *NSW Aboriginal Land Rights Act 1983*
- grazing trials in national parks and horse riding trials in wilderness areas (further information on each of these reforms is attached at Appendix A).

These reforms aim to address public land management issues within a whole-of-government context and include opportunities for community consultation. Outcomes from these reviews will provide Government with a clear understanding of where improvements can be made and potential options for implementation.

1.2) Investigate the wider application of the multiple land use model

Noted

NSW has a number of multiple land use management practices in place that seek to manage public land for a variety of uses. Examples of this can be seen in NSW's management of:

- Crown land - which is reserved for a wide range of social, economic and environmental purposes
- National parks - which are managed to achieve conservation, recreation and tourism outcomes
- State forests - which provide tourism, recreation and productive land uses opportunities in addition to the provision of wood products.

To build upon this existing management framework, the NSW Government supports exploring further opportunities for public land to accommodate greater flexibility in land uses and activities including improving:

- sustainable recreation and tourism opportunities
- productive uses that do not compromise existing management objectives.

A number of projects are underway that investigate options to expand current land uses on public land. These include ecological thinning trials in selected national parks, pilot horse riding programs in wilderness areas and research on the impacts of beach fishing in coastal marine reserves.

The Government appreciates the importance of developing a strong evidence base to guide decisions about land management. Expansion of current land uses will be informed by the outcomes of such trials and existing Government reform processes.

1.3) Investigate the adoption of a nil tenure approach

Supported

As competition for public land uses has grown so have the pressures on Government to manage its resources more efficiently and effectively. To optimise the values and services provided by public land it is important to develop management models that are accountable, efficient, transparent and performance based.

The NSW Government supports the principle of a "tenure blind" approach to improve the management of key landscape threats which do not recognise tenure boundaries including bushfire, pests and weeds and biosecurity risks. This approach focuses investment on the areas of greatest need and maximises outcomes.

A tenure blind approach is also beneficial when considering the management of cultural and heritage values and has been demonstrated in other states to be an effective tool for the management of contemporary and historical Aboriginal cultural values across landscapes.

A number of policies are in place to enhance cooperation between NSW Government agencies across tenures on these issues including:

- NSW Biosecurity Strategy
- NSW Invasive Species Plan
- management of pest animals through programs such as the Fox Threat Abatement Plan and development of Regional Pest Strategies
- planning and managing bushfire risk cooperatively using the resources of NPWS, NSW Rural Fire Service, Fire and Rescue NSW and the Forestry Corporation of NSW.

In addition to these programs, the establishment of Local Land Services will help to coordinate a consistent state-wide approach to pest, weed and biosecurity risks across tenures.

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Further information about existing tenure-blind management approaches is provided at Appendix B.

1.4) Investigate innovative land management models including private conservancies

Noted

The NSW Government supports private land conservation and is committed to working with non-government and private organisations to improve conservation and sustainable land management across all public land. Private land holders play a significant role in protecting the environment through initiatives such as bush regeneration, control of weed infestations, and protection against soil erosion as well as formal voluntary conservation agreements.

The Government has committed to a goal of an average 20,000 ha a year of additional private land under conservation management with an extra 30,000 ha a year being improved for sustainable management.

In addition to this, the Crown land estate has a long history of providing local councils and community groups with land management opportunities through reserve trusts. Land held under such trusts is managed to achieve a number of objectives including conservation outcomes. With the establishment of Local Land Services as of January 2014, the Government will have an additional vehicle through which to deliver innovative land management approaches including funding for conservation.

More information about NSW Government efforts to improve the management of land by private landholders/community groups is provided at Appendix C.

As noted above, the NSW Government is willing to explore new approaches to ensure public land is managed as efficiently as possible. This could include assessing the viability of partnership or other collaborative models with private conservancies to optimise conservation land management. However, this will need to take into account the range of ancillary benefits currently offered by the reserve estate (in addition to conservation) and the capacity of a private conservancy to deliver these values. Current additional benefits offered by the reserve estate include:

- significant recreation and visitor uses
- commercial operations to support visitation
- Aboriginal and historic heritage protection
- ecosystem services such as maintenance of drinking water quality.

In relation to managing Aboriginal cultural values on public land, Aboriginal land managers such as Local Land Councils have the potential to work in partnership with public land managers to optimize the conservation of Aboriginal cultural values on public land.

1.5) Financial contributions from public landholders for local infrastructure

Noted

Public land managers make in-kind contributions toward local communities through the provision of tourism revenue and the management of functions and services that would otherwise be delivered by the local council including garbage disposal, provision of public facilities and other services.

For instance, all roads within state forests are public roads. While these roads are established to provide the Forestry Corporation of NSW with access to manage and harvest forests, they also provide public thoroughfares and access routes for public recreation opportunities within state forests. The capital costs and ongoing maintenance of these roads is (in nearly all cases) covered by the Forestry Corporation of NSW (FCNSW).

The issue of local government revenue including rating provisions is part of the terms of reference for the Local Government Review Panel.

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1.6) Investigate conversion of all remaining western land leases to freehold title

Noted

This issue is under investigation as part of the current Crown land review.

One of the primary reasons for retaining land in the Western Division under leasehold tenure has been to ensure that the NSW Government continues to protect the fragile rangelands from overstocking and the resulting implications for soil erosion and land-use sustainability. Should the land be converted to freehold title, an equally effective alternative mechanism to achieve this outcome would need to be devised and put in place.

Conversion of western land leases to freehold title would also need to take into account access to forestry, mineral, sand and gravel resources currently located in the Western Division.

The final decision will be guided by the relative costs and benefits of the existing system and any practical alternative mechanisms.

Recommendation 2

That the NSW Government impose a moratorium on the creation of any new national parks or the extension of any existing national parks, for the duration of the review of public land management in New South Wales, with the exception of conversion of existing reserved areas, or a National Park declaration that is currently before the NSW Government.

Not supported

The NSW Government does not support implementing a moratorium on the creation of new national parks as it:

- is inconsistent with goals set out in *NSW 2021* to conserve biodiversity and native vegetation through the establishment of national parks
- has potential to negatively impact development proposals which use additions to the national park estate to offset development impacts
- conflicts with existing statutory processes including the five-yearly review of State Conservation Areas (SCAs). This process assesses the status of each SCA to determine whether it should be retained as an SCA or reserved as national park or nature reserve.

Recommendation 3

That the NSW Government develop a process of converting land to national park estate that:

- 3.1) *is consistent, transparent, inclusive and independent, and in which the economic and social impacts of conversion decisions are accorded equal weight with conservation objectives. In addition, the conversion process should require a comprehensive Impact Statement outlining the economic, social and environmental impacts of conversion for public exhibition prior to the conversion of land to national park estate.*
- 3.2) *includes the development of a community engagement strategy to guide consultation with local communities prior to making decisions on the conversion of land to national park estate. The strategy should set clear expectations regarding what consultation will occur and mandate consultation with local government throughout the conversion process.*

Supported

In line with *NSW 2021* commitments to improve the involvement of the community in decision making on government policy, services and projects (Goal 32) the NSW Government is taking steps to revise the national parks establishment process. The aim of this process is to

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develop a consistent, transparent assessment process that considers socio-economic and environmental benefits and costs of reserving land, together with community feedback.

The investigation of new park proposals and the community engagement process will include the consideration of a tailored assessment approach that is relative to the scale of the proposal. For example, there is significant difference between establishing a new large-scale park compared to small additions to existing parks to improve management efficiency.

Variations in approach will also be needed in dealing with public compared to private lands proposed for inclusion in the national parks system, and the differences in social and economic characteristics across the state.

By mid-2014 the NSW Government will, in consultation with the community:

- Review and update the NSW National Parks Establishment Plan to take account of recent information and current and future conservation priorities. This will reinforce the scientific basis for building the national parks system, consistent with international best practice and nationally agreed frameworks.
- Update the NPWS Reserve Establishment Guidelines to enhance consideration of the social and economic implications of new national park proposals. This will ensure that decisions on new park proposals take greater account of the economic, environmental and community implications that accompany the establishment of a new park. It will include measures to optimise local community participation in land management activities and to take early advantage of visitor and other tourism opportunities.
- Provide clear, accessible information on how new national park proposals are investigated and assessed, future priorities and how the community can participate in decisions establishing new parks and their subsequent management. This will:
 - explain how the community can identify areas considered to have important natural and cultural conservation values to directly inform future park choices
 - establish clear criteria demonstrating how community engagement will be targeted to fit the particular circumstances of a new park proposal
 - involve working with the NSW Local Government Association and other public land managers to develop suitable mechanisms for local government engagement in strategic assessment and planning for national park establishment and on-going management.

Recommendation 4

That the NSW Government expand the current joint New South Wales-Victorian thinning trial to initiate a large-scale trial of ecological thinning in the river red gum forests of the southern Riverina, in accordance with the Natural Resource Commission's recommendations, and that commercial operators be engaged to conduct these thinning operations.

Noted

The details of the current River Red Gum trial, including the trial's size and duration were agreed during inter-jurisdictional negotiations between NSW and Victoria. The current trial size was deliberately selected as part of this process to ensure the project generated a statistically valid result which could be used to guide future decisions about ecological thinning in the area.

The proposed trial is now being considered by the Commonwealth in accordance with the requirements of the *Environment Protection and Biodiversity Conservation Act 1999*.

The trial will commence as soon as Commonwealth approval is received with thinning forecast to commence in 2014 and to continue for a period of 3 to 5 years. The thinning work for the trial will be the subject of a tender process with the tender to be awarded once Commonwealth approval is received.

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Some felled timber will be retained on site to maintain forest floor habitat. The remaining timber will be used in the NPWS's domestic firewood program. Timber to be used in the firewood program will be removed from the trial location by NPWS and located in an accessible location for residents to collect under permit.

The NSW Government will consider whether a large scale ecological thinning trial would be appropriate following consideration of the outcomes of the current trial.

Recommendation 5

That the NSW Government commission more independent research into the impact of different forestry management practices on the sequestration of atmospheric carbon dioxide and other greenhouse gases.

Supported-in-principle

NSW is currently undertaking research to improve forestry management. There is scope to broaden this research subject to funding considerations.

NSW Trade & Investment has significant expertise regarding the assessment of carbon balance in forest systems. Ongoing research that is independently tested and evaluated is critical in furthering our understanding of forest management in relation to the carbon cycle.

Recommendation 6

That the NSW Government, with regard to fire management in New South Wales:

- 6.1) *Require public land managers to comply with the same fire management requirements as private land managers, and require them to maintain adequate fire breaks on the borders of their property to ensure fires can be suppressed adequately before injury or damage is caused to neighbouring land*
- 6.2) *Investigate the application of the National Parks and Wildlife Service draft plan of management Living with Fire in NSW National Parks – A Strategy for Managing Bushfire in National Parks and Reserves to 2021 to all current parks and newly acquired land and support the National Parks and Wildlife Service's five primary fire management objectives.*

Supported in part

Both public and private landowners are required to comply with consistent fire management practices. These requirements are outlined in the *Rural Fires Act 1997* and regulatory documents including:

- Planning for Bushfire Protection 2006
- Bush Fire Environmental Assessment Code 2006
- Bush Fire Risk Management and Community Protection Plans prepared by local Bush Fire Management Committees.

Together these documents provide flexibility to enable protection works appropriate to the level of risk and the mitigation options available and suitable for any given site.

Public authorities are required to report to the NSW Rural Fire Service (RFS) Commissioner each year on works to reduce hazards including compliance with Bush Fire Risk Management Plans. Hazard reduction activities are prioritised based on potential risks to property and management of bushfire risk. Further information about how key public land managers respond to and manage fire, including cooperative approaches, is provided at Appendix B.

The NSW Rural Fire Service (RFS) has a well-established system to respond to complaints from landholders and the public about treatment of lands or concerns about fuel loads. On

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average 80% of hazard reduction complaints lodged with the RFS each year relate to private lands rather than public lands. State government lands account for around 7% of complaints received by the RFS each year.

Living with Fire in NSW

Living with Fire in NSW National Parks – A Strategy for Managing Bushfire in National Parks and Reserves to 2021 was officially launched by the Minister for the Environment in April 2013. The strategy provides a clear framework for NPWS to manage bushfires in national parks and reserves and outlines priorities for the next ten years. The strategy contains NPWS fire management principles, actions and deliverables with key indicators to measure agency performance. The 2013-14 NSW Budget allocated an extra \$38 million for increased fire mitigation and hazard reduction burning in national parks to assist in achieving these objectives.

In the case of Sydney Catchment Authority's Special Areas, the protection of water quality is a prime concern and fire management is undertaken in consultation with SCA in order to ensure the risk of pollutants entering the drinking water supply is kept to a minimum.

Recommendation 7

That the NSW Government actively support the apiary and commercial inland fishing industries by enabling continued access to land which has been converted to national park estate.

Supported

The NSW Government supports the continued access to national park estate for pre-existing apiary and commercial inland fishing industries.

There is a large apiary industry in NSW national parks and NPWS ensures continued access to existing apiary sites when a park is reserved. For example, there are 1,772 apiary sites in parks in western NSW. The NPWS Apiary Policy is currently under review to improve, streamline and clarify the process for apiary approvals.

NPWS also facilitates continued access for legal commercial inland fishing that requires access through the national park estate, when land is converted to national park. To further simplify access arrangement across commercial fisheries, NPWS has been working closely with industry and Fisheries NSW to develop a state-wide permit system. This new system will be relevant to bait collectors, aquaculture permit holders and licensed operators within the ocean beach hauling, estuary general and inland restricted fisheries. The aim is to establish a simple standardised procedure across the industry. Standard access points are also currently being developed to further simplify access.

NPWS is also working with Fisheries NSW on the development of a strategy for recreational fishing in national parks. The strategy aims to identify and promote iconic fishing opportunities in national parks, improve access for recreational fishing in the reserve system and improve consultation processes during plan of management preparation.

Recommendation 8

That the NSW Government take urgent action to resolve outstanding disputes between the National Parks and Wildlife Service and its neighbours, particularly in regard to disputes on boundary fences and access roads.

Supported

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NPWS works actively and cooperatively with neighbouring land holders to resolve issues when they arise. A number of specific issues were raised during the Public Land Management Inquiry and NPWS continues to examine options for addressing these.

NPWS is working closely with neighbours to replace boundary fences that were damaged as a result of the Wambelong fire in the Warrumbungle National Park in January 2013. To expedite repair and replacement of fences, NPWS has simplified and streamlined the standard fencing agreement process.

NPWS has written to all neighbours offering to contribute 50% to the cost of fencing and to undertake works at a time convenient for the neighbour. NPWS is working with neighbours to ensure individual circumstances are taken into account and to reach a solution that is suitable for the land holder. Numerous fencing agreements have been entered into between NPWS and neighbours of the Warrumbungle National Park to replace boundary fencing.

NPWS also continues to work with the local Bush Fire Management Committee and landholders to ensure there is an integrated fire trail network.

Recommendation 9

That the NSW Government investigate whether the Dividing Fences Act 1991 should be amended to apply to all public land managers in New South Wales.

Not supported

Fencing of public land is undertaken in consultation with neighbours to determine the need for fencing, the appropriate method and cost-sharing arrangements. Decisions to fence land need to be based on a clear rationale and take into account resource implications, including ongoing maintenance.

It is not necessary for all public lands to be fenced, just as not all private lands require fencing. Further information about how land management agencies approach fencing is provided at Appendix D.

Recommendation 10

That the NSW Government immediately identify appropriate reserved areas for release to meet the levels of wood supply needed to sustain the timber industry, and that the NSW Government take priority action to release these areas, if necessary by a 'tenure swap' between national park estate and State forests. In particular, urgent action is required for the timber industry in the Pilliga region.

Not supported

The NSW Government does not support logging in national parks and has no plans to allow it through the implementation of tenure swaps or by other means.

The Government is working with the forestry industry through forums such as the Forestry Industry Taskforce to find other ways to address industry sustainability and to support the sector's viability over the long-term.

In regard to the Pilliga region, the NSW Government has recently commissioned the Natural Resources Commission to undertake work to assess the potential environmental and socio-economic impacts of undertaking adaptive and active management processes in Brigalow and Nandewar State Conservation Areas. The NRC is due to report on findings from this work in early 2014.

Recommendation 11

That the NSW Government provide further investment in promoting tourism and developing facilities and infrastructure for national parks, and in particular, those in western and southern New South Wales, created following recent conversion decisions.

Supported

The NSW Government supports growing tourism development and opportunities across all land tenures. Recreation and tourism facilities on national parks, Crown land and in state forests are a source of tourism and an important opportunity for further economic diversification and employment in rural and regional economies.

In response to the recommendation's specific focus on national parks, the NPWS is committed to ongoing investment in the promotion of tourism and development of visitor facilities in national parks, particularly newly reserved areas in western and southern NSW.

The NSW 2012-13 Budget committed an extra \$40 million in investment in national parks for infrastructure, park management, visitor facilities, education programs and safety initiatives. This includes improvements to walking tracks and accommodation and upgrades to the national parks visitor website.

Additionally, the Aboriginal Tourism Action Plan 2013 – 2016 provides for a range of measures to support the development of Aboriginal tourism across all tenures, including national parks.

The 2012 national parks domestic visitation survey, reported 35.5 million visits to NSW national parks in 2012. This was an increase in overall park visitation by 2 million visits from the 2010 survey. Furthermore, in 2012, parks in western NSW received their highest recorded visitation levels since the research commenced, with over 1.3 million visits reported.

Further information about regional tourism programs being implemented across all land tenures is provided at Appendix E.

Recommendation 12

That the NSW Government improve engagement with Indigenous communities to explore opportunities for the management of public land, including the acceleration and expansion of joint management arrangements and the priority development of sole management opportunities. As part of the priority development of sole management arrangements, the Yarkuwa Indigenous Knowledge Centre Aboriginal Corporation should be given the opportunity to solely manage the Werai forest on a trial basis.

Supported-in-principle

The NSW Government supports the development of opportunities for management and joint management of public lands by indigenous communities while acknowledging the interests of other stakeholder groups. NSW agencies are currently considering joint tenure approaches for the identification of Aboriginal cultural values due to the range of benefits it can offer to the joint management of public land including:

- broader engagement with stakeholders
- consideration of landscape and regional scale management of cultural values and economic development options (such as tourism, food and fibre production)
- providing for culturally appropriate and integrated consideration of contemporary cultural practices.

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The NSW Government supports improving opportunities for indigenous land management across all land tenures and is currently examining ways to improve effective engagement with indigenous communities as part of the review of the planning system.

For instance, NPWS actively engages with Aboriginal communities in the management of the national park estate. There are currently 25 joint management arrangements in place between NPWS and traditional Aboriginal owners covering approximately 1.5 million ha or almost a quarter of the national parks system.

Furthermore, there are over 200 Aboriginal people formally appointed to boards of management and committees to oversee the management of jointly managed parks, and over 100 Aboriginal staff members directly employed in management of these parks.

Additionally, the Government is investigating improving links with the Commonwealth's Indigenous Protected Areas program to enable multi-tenure joint management options for Aboriginal communities and land managers.

The recommendation that the Yakuwa Indigenous Knowledge Centre Aboriginal Corporation be given the opportunity to solely manage the Werai forest on a trial basis is not supported. Negotiations are already underway between NPWS and the broader Aboriginal community in the area to explore options for Aboriginal management.

Related public land management reforms and review processes



The Crown Land Review

The Crown land review is focused on improving the administration and stewardship of Crown land and increasing the benefits and returns from Crown land to NSW. The review is expected to be completed before the end of 2013.

Establishment of the Forestry Corporation of NSW

On 1 January 2013, Forests NSW became a state owned corporation entitled the Forestry Corporation of NSW. This has provided a greater commercial focus and flexibility to the organisation so it can concentrate on its core business functions and deliver a better return on state owned assets.

Establishment of Local Land Services

Local Land Services will commence on 1 January 2014, replacing Catchment Management Authorities and Livestock Pest and Health Management Authorities as well as streamlining various pieces of biodiversity and natural resource management legislation. Local Land Services will be regionally based, semi-autonomous statutory organisations, governed by locally elected and skills based board members. They will deliver locally prioritised services including agricultural advice, pest control and biosecurity, natural resource management and emergency and disaster assessment and response.

Biosecurity Strategy and related reforms

The NSW Biosecurity Strategy was launched in May 2013 and operates on the principle of shared responsibility for the management of biosecurity. The new Strategy expands on previous Government policies in this area and views the management of biosecurity risks within a broad spectrum of situations including:

- primary industries
- biodiversity and the natural environment
- infrastructure and service industries
- lifestyle, recreation, sport and social amenity.

The Strategy also outlines how the NSW government will partner with other levels of government, industry and the community to share responsibility for the management of biosecurity risks.

Reform of the planning system

The planning reforms represent a fundamental transformation of the planning system for NSW. The proposed reforms focus on up front strategic planning and consultation with the community. They will provide certainty for the community and investors. Government introduced legislation into Parliament in October 2013 to implement the planning reforms.

Reform of native vegetation and biodiversity legislation

The Government has made a number of amendments to the Native Vegetation Regulation 2005. The new Native Vegetation Regulation 2013 commenced on 23 September 2013 and focuses on cutting red tape by removing the need for land owners to seek approval for common land management activities including the removal of paddock trees and clearing of invasive native species. This will be achieved largely through the introduction of self-assessable codes (which will take the legal form of Ministerial Orders) and an increase in the number of routine agricultural management activities that are exempt from approval requirements.

The NSW Government has also commenced a process to reform the legislative and regulatory framework governing native vegetation and biodiversity management. This will

Appendix A: Related public land management reforms and review processes

develop a modern legislative regime that delivers better environmental protection while facilitating sustainable economic and agricultural development.

Local government reviews

Two parallel local government review processes are currently underway. A review of the Local Government Act is being undertaken by the Local Government Acts Taskforce to develop a flexible, principles-based legislative framework. A broader review is being conducted by the Independent Local Government Review Panel to improve the strength and effectiveness of local government.

Reform of Aboriginal Cultural Heritage legislation

The Government is currently considering options for stand-alone legislation to manage and protect Aboriginal culture and heritage in NSW. This will bring together ideas from the Aboriginal communities of NSW and other interested parties. It aims to streamline regulation, better define roles for Aboriginal people in the conservation of their heritage and integrate Aboriginal culture and heritage considerations into land use and environmental management.

Current 'tenure blind' management approaches for pests, weeds and fire



Pests and weeds

NSW Government agencies promote the need to work cooperatively across tenures to manage pests and weeds. For instance, the Department of Primary Industries and OEHL worked closely with other government agencies, industry and the community to develop the NSW Biosecurity Strategy and the NSW Invasive Species Plan.

These plans establish goals and principles for nil-tenure programs to eradicate new invasive species, contain the spread of emerging invasive species and manage the negative impacts of widespread invasive species. Moreover, they specify who is responsible for managing pests, weeds and other invasive species (e.g. disease pathogens) across a range of land tenures and outline the broad framework for managing pests and weeds in NSW.

In accordance with state-wide pest management frameworks, agencies work cooperatively to undertake coordinated pest and weed control across all land tenures. Examples of where this approach has been applied include the NSW Fox Threat Abatement Plan, the Biodiversity Priorities for Widespread Weeds and various wild dog management plans.

Many aerial culling programs are also conducted across parks and neighbouring land. In 2012, a collaborative project between NPWS, Western Catchment Management Authority and Darling Livestock Health and Pest Authority resulted in over 2700 feral pigs being shot on Toorale National Park and surrounding properties.

In addition to these initiatives, NPWS has developed new Regional Pest Management Strategies to provide a strategic framework for pest and weed management in NSW national parks and reserves. The strategies identify and prioritise actions to manage pests across each NPWS region, based on, for example, the protection of economic enterprises (e.g. neighbouring agriculture), issues of health and disease and emerging pest species. The new Regional Pest Management Strategies were developed in close consultation with the community throughout 2012-2013. They will be implemented in the second half of 2013.

The Minister for Primary Industries has also requested the Natural Resources Commission to evaluate the effectiveness and efficiency of the current weed management arrangements in NSW, with the view of informing the further development of the NSW Biosecurity Act and other relevant strategies under the NSW Biosecurity Strategy.

Fire

NSW has a very effective framework for multi-agency cooperation on bushfire management and planning between NPWS, RFS, Fire and Rescue NSW and FCNSW.

There are some differences in the roles of the major public land management agencies in relation to bushfire management. These differences arise because the NPWS and the Forestry Corporation NSW (FCNSW) are both fire fighting authorities while the NSW Rural Fire Service (RFS) fights fires on Crown land. However Crown Lands Division plays a strong role in planning and preparation for the bushfires season.

The NSW Bush Fire Coordinating Committee coordinates relevant government and non-government organisations to develop and progress policies and procedures to ensure a coordinated and consistent approach. At a regional level, all State land management agencies actively participate in local bush fire management committees throughout NSW and are important contributors to coordinated and cooperative bushfire planning and operations, as well as joint training initiatives.

Further information is provided below about how fire risk is managed on public land including current examples of land managers working cooperatively to improve fire mitigation.

Appendix B: Current ‘tenure blind’ management approaches – pests, weeds and fire

National Parks and Wildlife Service

NPWS maintains more than 7,000 ha of dedicated asset protection zone land across NSW plus an additional 600,000 ha of adjacent lands where fuels are kept within strict limits to assist in suppression of wildfires threatening assets. Since 1 July 2012 NPWS has undertaken hazard reduction works treating more than 200,000 hectares of parks and reserves which is estimated to have protected over 23,500 assets.

NPWS is involved in cross-tenure wildfire prevention strategies and operates within the joint agency Bushfire Arson Task Force which has representation from NPWS, NSW Police, RFS and Fire and Rescue NSW. NPWS works closely with these partner agencies to investigate fires on the national parks estate using appropriately trained and experienced staff reporting to Strike Force Tronto, in accordance with the NSW Coroner’s guidelines.

NPWS works closely with neighbours, undertaking cooperative risk-planning and hazard reduction before and during fire seasons. NPWS is committed to providing fire fighting assistance for wildfires on other tenures. During 2012-13 NPWS staff were involved in 490 fires, 138 of which were on neighbouring tenures. NPWS also undertakes hazard reduction burns with other agencies and on other tenures. During 2012-13 NPWS was involved in more than 90 interagency burns, and hazard reduction of over 6,800 ha off-park. This is in addition to the over 200 000 ha of hazard reduction that occurred on park over 2012-13.

Crown Lands Division

The Crown Lands Division (CLD) of the Department of Primary Industries is not a fire fighting authority. Under the *Rural Fires Act 1997* land managers are responsible for hazard reduction, which includes programming and identifying land for hazard reduction burns. A current Memorandum of Understanding held between CLD and RFS states the RFS will carry out hazard burns on behalf of CLD. However it is the responsibility of the Crown Lands Division to ensure hazard reduction burns are programmed and to carry out the environmental assessments. Mechanical hazard reduction (e.g, mowing, slashing and grading) is undertaken by contractors.

It is estimated that 29,874 properties were protected by hazard reduction activities (by various methods including burning) on Crown land in 2010-11.

Forestry Corporation NSW

FCNSW takes a very active role in wildfire detection and suppression as well as fuel management and supports a coordinated cross tenure approach to wildfire control and fuel management. FCNSW has established and maintains a network of roads and trails through the forest estate that assist in the control and management of fires on both state forests and neighboring tenures.

In 2011/12 FCNSW treated around 28,450 hectares with hazard reduction burning, significantly above the target of 16,605 hectares.

Government programs to boost conservation efforts on private land and with individual landholders



The Green Corridors program

The \$40 million Green Corridors Program focuses on supporting interested private land owners in the protection and on-going management of native plants, animals and bush land on their land. This includes working with over 120 organisations as part of the Great Eastern Ranges initiative to build a continental scale conservation corridor along the Great Dividing Range and Eastern Escarpment.

Local Land Services

The establishment of Local Land Services (LLS) from January 2014 is a major change to the delivery of natural resource management and agricultural extension services in NSW. LLS will become the government's delivery arm for a wide range of land management and related services, including funding for conservation.

Crown land trusts

Crown land can be broadly classified as tenured Crown land and reserved Crown land. Reserved Crown land is reserved (by notice in the government gazette) for one or a number of public purposes. Reserved Crown land can be managed by local government; by community based reserve trusts; or directly by the Crown Lands Division.

As at 28 September 2013 there were a total of 34,789 Crown reserves. Of these 7,733 are managed by local government; 6,482 by Livestock Health and Pest Authorities (Travelling Stock Reserves); 720 by Community Trust Boards; 602 by Corporations (e.g. Scouts Australia); and over half of the total (18,812) are managed by NSW Trade and Investment (Crown Lands Division).

Management of the Western Lands Division

The Western Division is largely retained as Crown land and held as western lands leases (under the *Western Lands Act 1901*) by private landholders. These leases represent a private property right that can be bought and sold in a similar way to freehold title.

However due to the fragile nature of this semi-arid zone, western lands leases are subject to conditions that help prevent land degradation and desertification. While some cultivation leases have been granted in the higher rainfall zones and where soils are less erodible, much of the Western Division is held under grazing leases that prohibit cultivation and impose conditions to manage groundcover and stocking levels. While these conditions provide some ecosystem benefits, they are primarily designed to minimise wind erosion and soil loss.

Fencing on public land – further information



National parks

The NPWS Boundary Fencing Policy and Good Neighbour Policy builds on the principles of the *Dividing Fences Act 1991*. The policy aims to ensure NPWS proactively and fairly manages relationships with neighbours on a range of issues including fencing.

Under the policy, NPWS works cooperatively with neighbours to construct, maintain and repair fences where necessary for land management purposes. NPWS negotiates fencing agreements with neighbours which generally provide for the sharing of construction and maintenance costs. Where warranted, NPWS will also apply more flexible arrangements to suit particular circumstances.

The NSW Government recognises that there are community concerns with current fencing arrangements and NPWS is currently reviewing its Boundary Fencing Policy to ensure it is equitable and effective.

State forests

Forest Corporation NSW has supported the provision of perimeter fencing where properties adjoin intensively managed plantations. In areas of native forests, assistance has traditionally been provided with the establishment of boundaries. The corporation does not have a management imperative to fence its native forests and as such, is prepared for neighbours not to erect fences except to facilitate stock control.

FCNSW supports the use of forests for multiple purposes (including grazing) where it is compatible with other values. Where forest permits are issued, generally the holder is responsible for perimeter fencing and maintenance.

Crown land

The Crown land estate contains a large number of relatively small land parcels and linear reserves (e.g. Crown roads and travelling stock reserves). Cumulatively these reserves have an extremely large boundary length that is impractical to fence if the fencing is not specifically required.

Current Government programs to boost tourism in regional areas



National parks regional tourism programs

The NSW Government has recently developed a number of initiatives specifically targeted at increasing tourism in regional areas and regional national parks. The Outback NSW campaign, delivered by NPWS in partnership with Inland NSW Tourism and Destination NSW, aims to build awareness and encourage visitation to Outback NSW. National parks are a key focus of the campaign, with many national park commercial tour operators offering holiday packages as part of the campaign. In 2012, the campaign delivered a 20% increase in visitation to the NPWS website's Outback section and generated over 8 000 leads to operators in the region. The 2013 campaign has recently concluded and evaluation is currently underway.

In 2012, NPWS delivered the Toorale and Gundabooka Nature Tourism Action Plan, which sets out actions to develop and enhance visitation to the Toorale and Gundabooka national parks and state conservation areas. Implementation of the plan is well underway, with over \$100 000 allocated to visitor projects in Toorale, including a look out, scenic drive and improvements to access and signage.

The River Red Gums Nature Tourism Action Plan was developed collaboratively with local government, regional tourism stakeholders and the local community to improve and promote visitation opportunities across the region. The government delivered over \$2 million in funding in 2012-13 for the development and enhancement of visitor experiences, including walking and cycling tracks, bird hides, signage and digital interpretation. It has also funded the revitalisation of picnic grounds, boat access areas, visitor facilities, car parking, campgrounds and walking tracks. An additional \$100 000 has been allocated in the 2013-14 NSW Budget for promotion and marketing of newly established facilities and experiences in the parks.

In 2010, NPWS launched *Wild About Whales*, a fully integrated marketing campaign that leverages the annual migration of humpback whales along the east coast of Australia to motivate visitation to NSW coastal parks over the cooler months, while growing support for conservation. The campaign involves partnerships with regional and local tourism organisations to deliver coastal nature-based experiences that encourage visitation and longer stays in regional NSW. It also has a highly engaged social media community of more than 16,000 through Facebook and Twitter. The 2013 campaign is currently underway.

New NPWS website

In May 2012, NPWS launched the first phase of its new visitor-focused national parks website. The new website delivers on a major NSW Government commitment and provides visitors with significantly more content and simple-to-navigate functionality. The new website is available at www.nationalparks.nsw.gov.au.

The phase two release has brought the total number of profiled parks to 180, along with more than 1000 activities and attractions, and thousands of new images. Phase two also delivered improved maps and significantly more opportunities to book accommodation and camping online (including 31 campgrounds and 42 holiday properties). A range of park tours and events are now also available to book online.

To date, the new website has achieved the following statistics:

- Approximately 1.2 million visits, with more than 8 million page views since launch (more than 2.5 times the amount of visitors compared to site visits this time last year)
- Between January and September 2013 online accommodation bookings exceeded 22,000 bookings for around 61,000 room nights in 73 properties across regional NSW.

Appendix E: Current Government programs to boost tourism in regional areas

Regional Visitor Economy Fund

In April 2013, the NSW Government launched the Regional Visitor Economy Fund administered by Destination NSW. NPWS is working closely with Destination NSW to target regional national parks as key visitor destinations. The total value of the fund is \$21.6 million over three years, a record level of funding for the promotion of regional tourism in NSW. In the 2013/14 financial year the NSW Government will contribute more than \$7.2 million to the fund. This represents a \$2 million increase on previous funding and demonstrates a commitment to promoting tourism in regional communities.

Visitor Economy Industry Action Plan

The Government's Visitor Economy Industry Action Plan recognises the role NPWS plays in the State's visitor economy and includes specific recommendations for the promotion and sustainable development of facilities in NSW's national parks to support tourism. Key recommendations which have been supported and are being implemented include actions to identify and facilitate opportunities for commercial and strategic tourism partnerships and participation in national parks, historic sites and other relevant State-operated reserves including Crown land and state forests.

Recreation and Tourism Facilities on Crown Reserves

Tourism facilities on Crown land also represent a significant public asset. In the case of caravan parks on Crown land they also attract private investment in infrastructure. Tourism facilities on Crown land includes:

- 1) 15 iconic State Parks, including eight based around major inland dams
<http://www.stateparks.nsw.gov.au/>
- 2) recreational trails including the Great North Walk, Hume & Hovell Track and other iconic walking, rail and canoe trails across the State
http://www.lpma.nsw.gov.au/about_recreation/walking_tracks
- 3) more than 200 caravan parks on Crown land across the state
<http://www.caravanandcampingnsw.com.au/>

Recreation and Tourism Facilities in State Forests

State Forests are popular recreation and tourism venues for the people of NSW and have potential for extensive tourism development and promotion. The forests of the Watagan Mountains on the NSW central coast were visited by over 600,000 people last year and since FCNSW opened the 21-metre timber and steel Forest Sky Pier in 2011, visitor numbers to the Sealy lookout have doubled to almost 100,000 a year. Cumberland State Forest in Sydney consistently receives over 100,000 visitors per year.