

**Submission
No 76**

**INQUIRY INTO MANAGEMENT OF PUBLIC LAND IN
NEW SOUTH WALES**

Name: Mr John Denham

Date received: 26/07/2012

I am a neighbour to the Goonoo State Conservation area. Since this changed from Forests to NPWS, I have had ongoing problems with my access which is through the area. These problems are detailed in the submission. I am also concerned about their compliance with their fire plan.

Action on problems has been incredibly slow and nothing seems to happen without writing to the local member about the problems.

Submission to the Public Lands Inquiry of NSW Parliament
by J.I.Denham

Introduction

I was alerted to this inquiry by an email forwarded by a friend – it seems that whatever steps were taken to alert the public to the inquiry were inadequate. However, I shall endeavour to compile a submission in the short time remaining.

My Situation.

I am a next door neighbour to the Goonoo State conservation Area, formerly the Goonoo State Forest, and the only legal (and the most practical) access to my property is through this conservation area. Since the takeover of the area by NPWS there has been a long series of problems, and I can hardly regard them as a good neighbour.

Prior to the change of management there was much discussion about the change, including several public meetings. At one of these I asked a NPWS representative about my access under the new regime. I was told that they were required to maintain access for those that required it, but with surprising frankness, the speaker said that NPWS would do their best to evade such responsibility.

Following this I wrote to the responsible minister at the time, expressing my concerns, and in response received what I considered to be an ironclad guarantee that my access would be preserved. If I had realised that this commitment was going to be ignored, I would certainly have campaigned vigorously against the change.

The first hint of the new regime's attitude to their neighbours was shortly after the change of status, when one of my neighbours (now deceased) was threatened with prosecution for filling in some bad potholes in his access road (five years later they were still unfilled). However, my problems did not really arise until the major fire in the area in early 2007, which fortunately was stopped at my boundary. The firefighting traffic and the runoff resulting from the loss of cover resulted in substantial damage to my access. In particular, this applied to where Freeman's Road crosses Spring Creek. Shortly after the fire, I pointed out to the NPWS manager in Dubbo, in writing, that unless the drainage on the western bank was repaired before significant rain, then the crossing would be seriously damaged. I offered to do this (probably an hour with a shovel would have worked!). My offer was refused, and I was warned not to do anything.

It took three years before the work was undertaken, by which time the work needed was major due to the erosion that had taken place. There were erosion gutters down the wheel tracks almost a metre deep, making all my access risky, especially when the slope was wet and slippery. During these three years, I wrote repeatedly to the relevant minister (which kept changing) and to my local member, and all I got was promises and timetables that were never kept. The work eventually done has made the crossing barely satisfactory, and zero maintenance has been done on it since.

Last year I had a large number of visitors planned over a weekend, and fearing a possible accident where shrubbery had overgrown the road, I pointed this out to NPWS and offered to trim the bushes myself. I was told that I could not do so, and that they would not, but they had adequate insurance in the event of an accident where they were held to blame. Appalled at this attitude, I wrote to my local member, and eventually the shrubbery was cleared. Long after the weekend in question.

As a long term volunteer firefighter (Boomley Brigade) I am concerned that the NPWS has failed to adhere to the fire management plan agreed to with RFS at a public meeting in Ballimore after the

fire. Specific failures that I am aware of (and remember I only see a small part of the forest) include their failure to maintain major access roads, including the one I use to the standard agreed. These failures include allowing the roads to become substantially overgrown, failure to even know about, let alone repair or prevent water damage, and failure to upgrade the key access and perimeter roads to be accessible to all categories of tanker. The Spring Creek crossing (referred to above) , which is on both a major access road and is part of a perimeter road, has never been usable by any except small tankers, and the same applies to Mirrie Road, the section of perimeter road along my boundary. Significant sections of Freemans road, which is a major access road, is too narrow for fire appliances to pass, with less than 5m between substantial trees.

I should point out that my personal relations with local NPWS staff are quite good – the problem is the restrictive legislation under which they operate, and the culture of the organisation – neighbours are simply an irritant, it seems. Virtually no problems were encountered when it was Forests NSW.

If requested, I can supply copies of the extensive correspondence and a detailed timeline of the problems involved.