

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

**Organisation:** Ramps Ridge Rural

**Name:** Mr Ron Harris

**Date received:** 27/07/2012

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**RAMPS**

**Ridge Rural**



BEEF



COTTON



CORN



BARLEY  
WHEAT



DAIRY

PROPERTIES

'RAVENSWORTH' & 'LAKE MARIMLEY'

ABN 66 957 049 002

PO Box 223, Hay NSW 2711

"Lake Marimley Station"

Balranald NSW 2715

27 July 2012

Stewart Smith

Principal Council Officer

NSW Legislative Council, Parliament House, Macquarie Street, Sydney 2000

Dear Stewart

Redbank North floodplain Users ( RN Users) : Preparation Brief Meeting 31 July 2012 Balranald NSW  
: related matters : Inquiry into the Management of Public Lands in NSW.

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I refer to previous discussion when concerns about several issues were raised and your invitation to present them to the Legislative Council GPSC No 5. The members (undersigned) accept with gratitude the opportunity to meet with the committee at its planned visit to Balranald 31 July 2012.

I understand that your committee is to meet specifically with the Yanga National Park representatives and I draw your attention that the Redbank North users group has a comparable area of forest area ( 18,189 ha as compared to 21,537 ha ) and a comparable rated area basis.

The purpose of this brief is to provide some background to the concerns of the local group prior to your visit. The Committees report on the management of public land in New South Wales, including State Forests and National Park estate should consider several issues as they relate to the RN Users.

There are three inter related issues under the banner of adherence to management practices on all public land that are mandated for private property holders, including fire, weed and pest management practices. The three issues all relate to the forest environment, the lack of active management in one case ( Yanga), the need for a realistic approach regarding silviculture in another ( NSW Forests re the disparity of royalty freehold vs. leasehold) and the land management and acquisition proposals in another ( Western lands) .

In summary the RN users wish to bring to attention to the committee the following concerns :

National Park

- The Yanga National Park which adjoins the Redbank North side floodplain is a major environmental and property risk in that the RN Users believe that the park is not managed with proper consideration for fire abatement and control and in particular the failure to selectively thin and reduce the under storey fuel load. RN Users have an opinion that the Yanga National Park is a fire threat to them which continues to elevate as time progresses. ( Reference Appendix 1)

## NSW Forests

- Until as late as yesterday (26 July 2012) NSW Forests (FNSW) had not addressed the royalty arrangement despite our approach for some resolution to the issue. The position which the group put forward has been considered and I have included the key elements in reference 2. ( Reference 2: Appendix 2).
- This issue maybe resolved at a local level however it is an issue that the committee may appreciate as the response by FNSW suggests that the group approaches NSW office of Water seeking some consideration for the environmental benefit of water on the leasehold lands.

## Western Lands

- The inconsistency of the tenure of lands within the area in that all the subject portions requesting conversion to freehold should be recognised and enacted. ( Reference Appendix 3).

We look forward to meeting with the GPSC No 5 at Balranald and would like confirm that all the signatories will be present at the meeting.

It is also advised that the group has no objection that this submission be a public document.

Ron Hariss

On behalf of Signatories to this submission : Presentation to GPSC No 5

This group represents 82.08 % of the rated area of the Redbank North side users.

1 : Ron Harris HR 67,65,64,63,62,61

2 : Paul Coates HR 66.66A

3 : Craig Williams HR 57A, 57,56

4 : Brendan Coates HR 53,52, 51,50, 49

## Attachments :

Figure 1 : General locality : Yanga National Park and RN users : Forest Area boundary.

Table 1: Lowbidgee District Rated Areas: Redbank North: Freehold & Leasehold : Signatories

Figure 2 : General locality : Western Lands Leases within Lowbidgee District holdings.

Figure 3 : Freehold and Leasehold in Upper Redbank North Area : Harris HR 67,65,64,63,62,61 & P Coates ( HR 66 & 66 A)

Figure 4 : PNF - PVP 0393 Lake Marimley Freehold ( HR 62)– Tori Freehold ( HR 63) : Harris

Figure 5 : Freehold and Leasehold in Mid Redbank North Area : C Williams( HR 57A, 57 &56) & B Coates ( HR 49,50,51,52 & 53)

Response from Forests NSW ( 26 July 2012) & reply

Copy :

Mr John Williams

Member for Murray Darling

1/142 Argent Street

Broken Hill NSW 2880

[murraydarling@parliament.nsw.gov.au](mailto:murraydarling@parliament.nsw.gov.au)

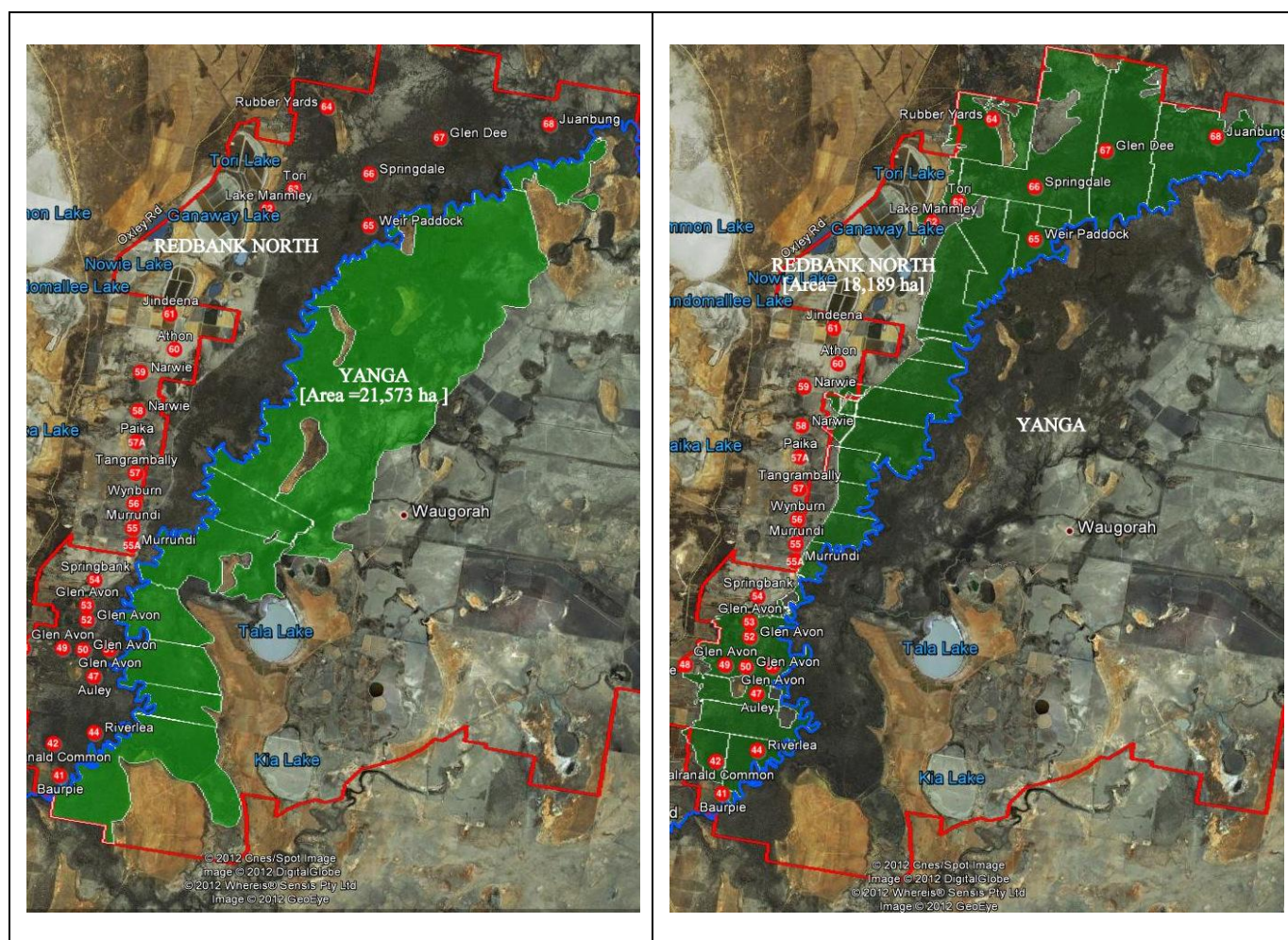


## Appendix 1 : National Park

The Yanga National Park which adjoins the Redbank North side floodplain is a concern in that the RN Users believe that the park is not managed with proper consideration for fire abatement and control and in particular the failure to selectively thin and reduce the under storey fuel load.

RN Users have the view that the National Park is a fire threat to them which continues to elevate as time progresses.

The RN side area is as significant in area despite being in a multiple of ownerships and its owners should receive equal representation as they are affected by the lack of proper fire management practices of a single owner.



**Figure 2 : General locality : Yanga National Park and RN users : Forest Area boundary.**

The basis of these concerns are :

- River red gum invaded a human habitat along these rivers less than 10,000 years ago. It invaded despite the indigenous inhabitant's use of fire. However the way the indigenous peoples handled fire would have meant there was minimal woody debris on the woodland floor nor was there buried layers of leaf, twig and bark in the surface 20cm of soil.
- River red gum forests being on the floodplain drop their litter then the next flood buries the surface litter under a layer of silt dropped by the flood waters as the flow is slowed by floodplain irregularities.
- Regular fires would have minimised the quantity of leaf litter available to be incorporated in layers in the soil. However in the last 150 years fire has been generally excluded and the quantity of incorporated litter significantly increased. So now surface fires are more intense due to increased surface debris and are more likely to ignite the buried litter which may smoulder for many days. This smouldering litter has the effect of cooking surface roots and ringbarking the butt of each tree it encounters.
- Hence if we are to attempt to relearn the "how when and why" of indigenous peoples' handling of fire we have to be prepared to accept significant forest and woodland death.
- We would then have to rely on enough seed-trees surviving to regenerate the next generation woodland. I use the term 'woodland' purposely because explorer's journals indicate that river red gums were commonly observed as open woodland rather than closed forest.

The advisory committee chaired by Dr John Williams in recommending National Park tenure for river red gum on public land was quite clear in stressing the need for "active management" which inferred the practice of silviculture to manipulate stand densities.

If silviculture is not put into effect as part of a commercial operation it will result in trees being removed to waste, thus increasing the volume of woody fuel on the forest floor. The conservation lobby that campaigned for National Parks even promoted the proposition that woody debris on the forest floor should be in the order of 125tonnes/ha. Firstly, this volume of debris would severely hamper even foot traffic through the forest, and secondly, ensure that wildfire could be of catastrophic intensity.

The undersigned would consider a class action if a bush fire originated in the Yanga National Park and destroyed the adjoining properties as a result lack of proper recommended fire management.

River red gum's ability to endure both flood and drought ensures that dense regeneration takes the longest possible time for natural competitive thinning to occur. Dense stands of river red gum are virtual monocultures with negligible or non-existent shrubs, herbs or grasses, ie biodiversity is minimal.

Yanga National Park was purchased at a time when the owners were actively engaged in a silviculture operation and timber sourced was being milled at Glen Avon. The after operation debris was to be removed as part of the sale agreement however this was not carried out and the excess debris remained on the forest floor as habitat. The reported comment you can never have enough habitat has severe prejudicial consequences for the adjoining landholders.

The clear demonstration of a well managed silviculture operation is evident at Glen Avon and we recommend that the committee consider a tour of that property for reference purposes.

## Appendix 2 : NSW Forests

The RN Users is contained within the boundaries of the Lowbidgee Flood Control and Irrigation District (referred to as the district) and have significant freehold and leasehold portions within their holdings.

Holding Reference	Name	SWC Property No	Rated Area	Freehold & Rated	Western Lands Lease & Rated
46HR000041	KING M.E. & P.E.	4083	32.00	32.00	
46HR000042	BALRANALD COUNCIL	4084	272.00	272.00	
46HR000044	RIVERLEA PARTNERSHIP	4085	475.00	475.00	
46HR000045	CIMINO S.P. & G.	3886	592.70	592.70	
46HR000047	BALRANALD LOCAL ABORIGINAL LAND COUNCIL	4088	425.00	425.00	
46HR000048	CAMPBELL W	4089	3.28	3.28	
46HR000049	COATES BP & J	4090	171.90	171.90	
46HR000050	COATES BP & J	4091	161.00	161.00	
46HR000051	COATES BP & J	4092	182.10	182.10	
46HR000052	COATES BP & J	4097	215.40		215.40
46HR000053	COATES BP & J	4099	211.00		211.00
46HR000054	FARNSWORTH G. P/L	4100	151.00	151.00	
46HR000055	WILLIAMS R.	4101	65.70	65.70	
46HR000055A	WILLIAMS R.	4106	79.30	79.30	
46HR000056	WILLIAMS C.J.	4108	445.20	445.20	
46HR000057	WILLIAMS C.J.	4109	323.70	323.70	
46HR000057A	WILLIAMS C.J.	4111	275.20		275.20
46HR000058	ESTATE OF CONNELLAN, M.C.	3887	835.70	696.70	139.00
46HR000059	ESTATE OF CONNELLAN, M.C.	4115	764.90	764.90	
46HR000060	HOARE MR	4117	562.50	562.50	
46HR000061	HARRIS R. & S.	4119	429.00	429.00	
46HR000062	HARRIS R. & S.	4122	3,545.81	1,146.00	2,399.81
46HR000063	HARRIS R. & S.	4124	1,273.00	662.00	611.00
46HR000064	HARRIS R. & S.	4125	526.00		526.00
46HR000065	HARRIS R. & S.	4127	566.60		566.60
46HR000066	COATES W.J. & F.J.	4129	329.00		329.00
46HR000066A	COATES W.J.	4130	1,450.00	204.00	1,246.00
46HR000066B	COATES W.J..	4132	0.00		
46HR000067	HARRIS R. & S.	4132	1,356.00	59.59	1,296.41
46HR000068	TRT HOLDINGS	4134	1,075.00	1,075.00	
		Totals	<b>16,794.99</b>	<b>8,979.57</b>	<b>7,815.42</b>

Adelle 12 Consulting Pty Ltd ©

Table 1: Lowbidgee District Rated Areas: Redbank North: Freehold & Leasehold :

Signatories to Submission

There is more Redbank North rated area as freehold than leasehold and this anomaly should be addressed when the water supply is critical for tree growth and the royalties are a significant factor when it comes to a financial return.

The imposition of district rates levied by State Water Corporation (SWC) are the differentiating factor in these discussions. At present fixed SWC charges is currently \$4.10/ha per annum irrespective of receipt of supply and about to be reviewed.

SWC have advised that it is the process of developing a long term asset management and operations strategy which in reality could result in an escalation to sums in the order of \$8.0/ha. For the purposes of the cost benefit exercise we will base these discussions on the current rate of \$4.10/ha.

It is not an exaggeration to foresee that in the short term future the Redbank North side (RNS) users could be the only area that is subject to management by SWC. Redbank South (Yanga National Park) are effectively on their own and the Nimmie Caira group are negotiating with the Federal Government for a water buy out with unknown impacts.

Whilst the Nimmie Caira and Redbank South outcome is conjecture and costs unknown the reality is that Redbank North operation requires two staff, plant and vehicles all with associated costs. The cost impact for Redbank North from SWC on its own is yet to be fully realised.

Recently ( 15-16 May 2012) the landholders have had detailed briefings from the NSW Office of Water (NOW) and the intention is to establish water licences for the users as part of the amendments to the Murrumbidgee Water Sharing Plan.

This group licence creation has been promoted by the NSW government as a requirement before the Murray Darling Basin Authority (MDBA) basin plan is introduced later this year. The creation of the licence as a supplementary licence will introduce more costs to the users. Whilst no absolute prices have been established NOW have advised that IPART charges will apply from the date of licence issue and are currently set at a total of \$4.47/ML used.

The entitlement to RNS is established at 211,000 ML. If use is 100,000 ML then this equates to an additional \$447,000 variable costs. This new water charge for licensing: spread over the current rated area of 16,795.00 rated hectares equates to \$26.61/ ha.

The costs are no longer in the order of \$4.10 /ha but upwards of \$30/ ha and the economics of the royalty payment structure are non viable if the current arrangement continues.

This situation will worsen as SWC are intending to raise their charges and this rate per hectare will increase further. It will not be too unrealistic to see these charges escalate to \$8.00/ ha.

The proposals developed and submitted to Forests NSW ( FNSW) was that all timber extracted on the Western Lands Leases is treated as if it were timber extracted from freehold as users pay for the water to be applied to the lands.

The other issue to be resolved is the action to amend these property sections from leasehold to freehold. ( Item 3) We understand that this may take sometime but an immediate action should be is to apply the freehold royalties' arrangement and the RN users bring to the attention of the GPSC No5 of this initiative currently in front of NSW Forests.

Any suggestions that a conversion to these arrangements would diminish the forest outcomes is totally false as the management would be consistent with the requirements of the Native Vegetation Act 2003.

We understand that harvesting of timber for the purposes of PNF requires approval through a private native forestry property vegetation plan (PNF PVP) that ensures environmental outcomes are improved or maintained.

We as a group have PNF PVP and comply with the Private Native Forestry Code of Practice. We can demonstrate clearly our expertise in this area and can show demonstration examples at Jindeena and Glen Avon specifically as freehold lots adjacent lease holdings.

We the undersigned have petitioned for a fair deal associated with an asset which we maintain and pay for but on current arrangements are financially disadvantaged.

We have advised FNSW that we are prepared to act as if the forests were on freehold lots and we would engage a professional and reputable Forestry Officer (Mr V Eddy) to conduct all silviculture operations. In addition we would make our staff available to develop expertise to assist with the proper management of the properties.

This matter of royalties and the disparity is an issue as we have the same obligations to maintain the forest lots to ensure that they do not present a fire hazard to adjoining properties and require reasonable treatment with respect the financial aspects.

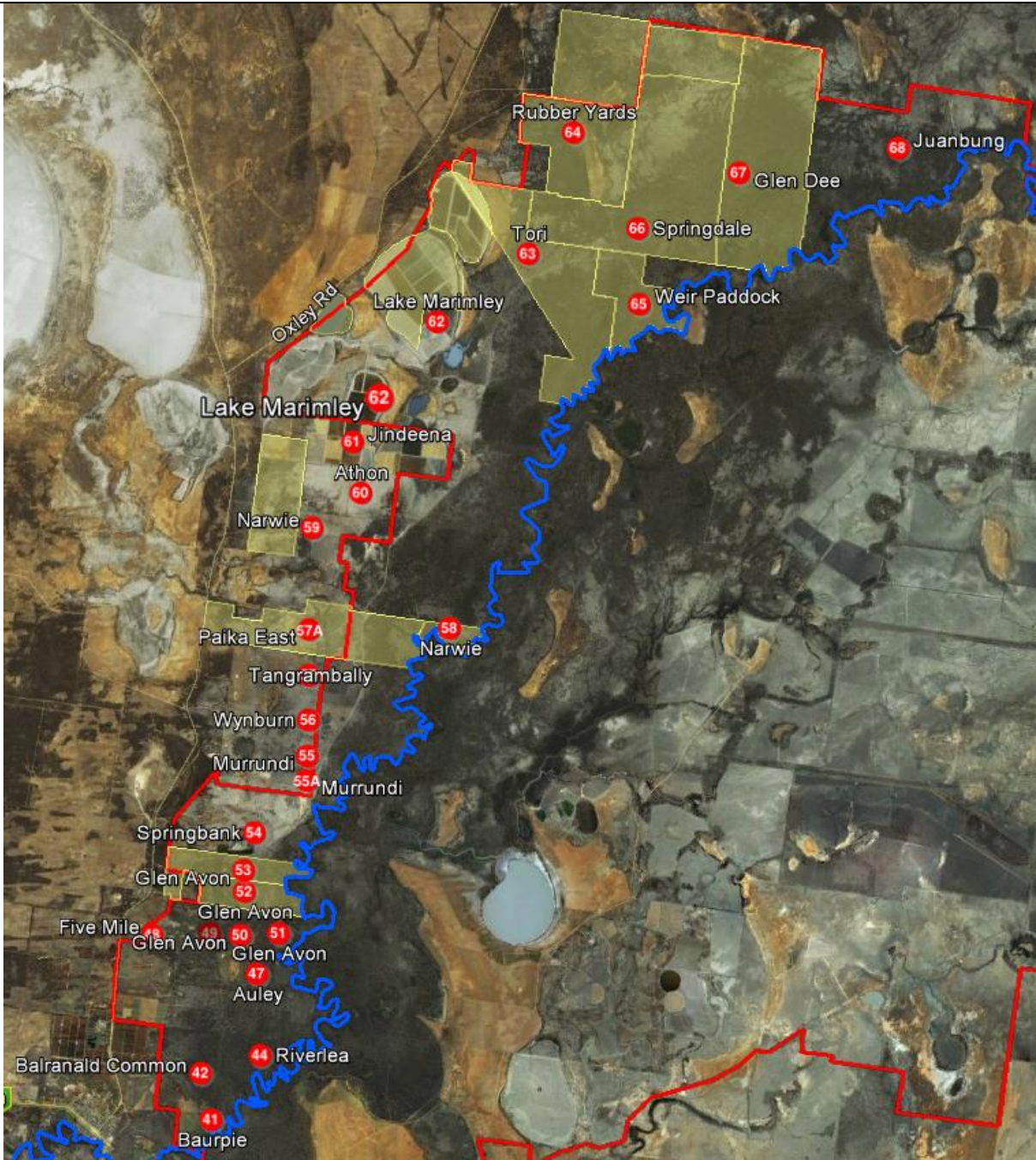
The group received from FNSW on the 26 July 2012 ( Copy attached) correspondence addressing some of the issues raised and this correspondence provides and displays a commitment to work together on this issue. Our reply to FNSW is also attached .



**Appendix 3 : Western Lands**

The inconsistency of the tenure of lands within the area in that all the subject portions requesting conversion to freehold should be recognised and enacted.

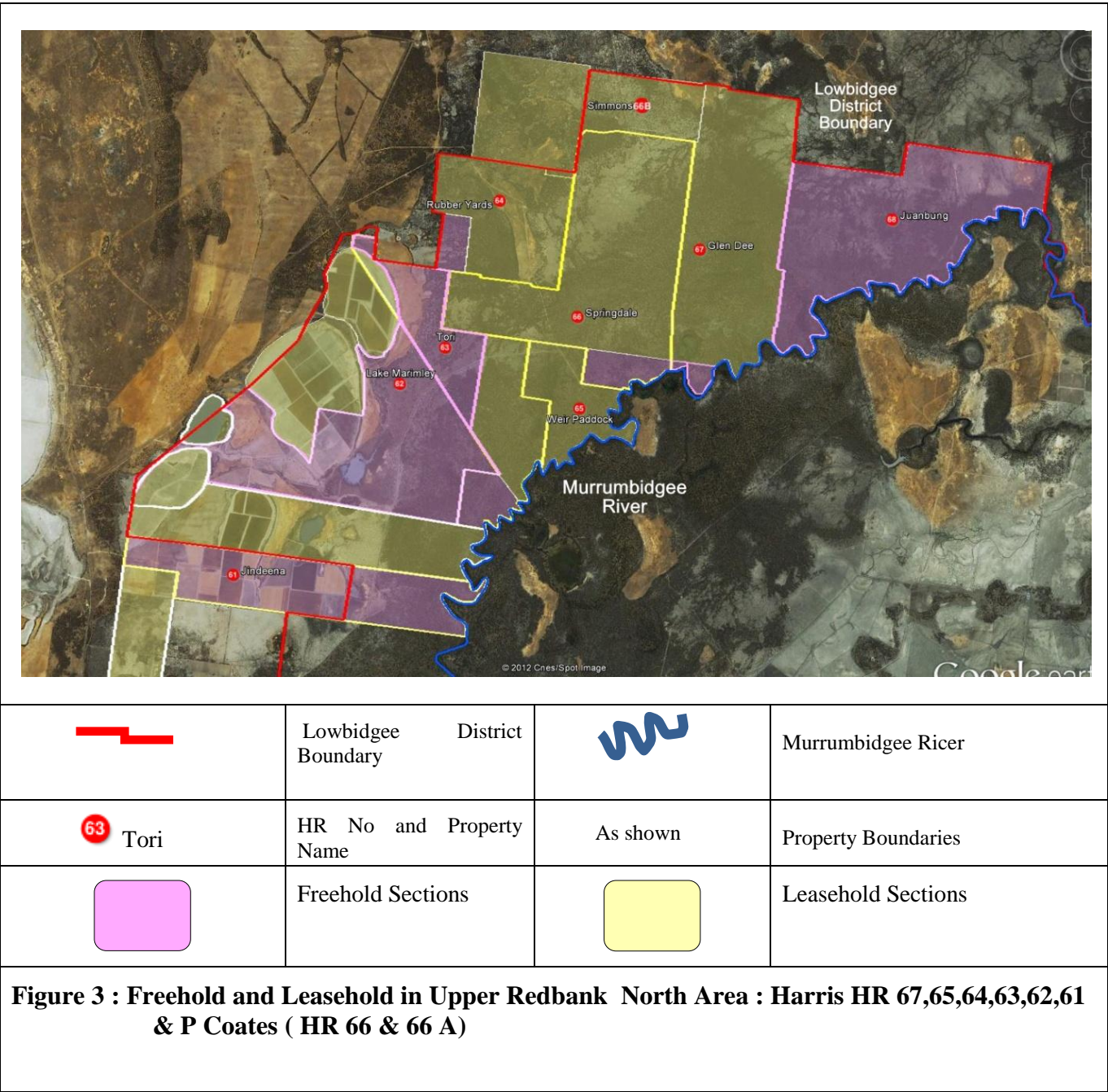
The group of properties shown (Figure 2: yellow wash ) depict the Western Lands Lease areas on the Redbank North side . The RN users have raised this issue with Mr John Williams NSW Member of Parliament. Whilst this issue maybe outside the terms of reference of the GPSC No 5 it puts some perspective to the location of the properties, the Yanga National Park and the freehold and leasehold sections.



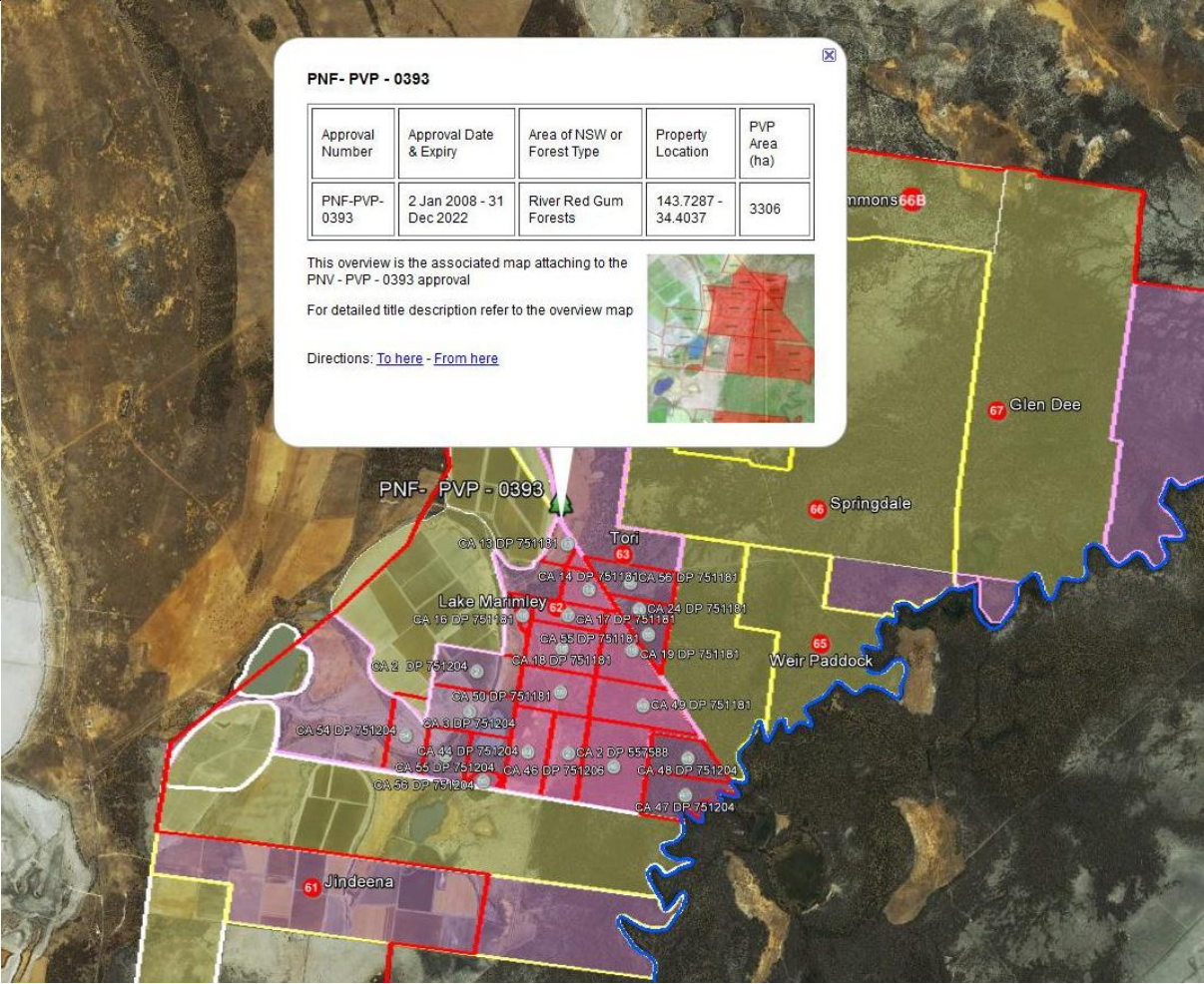
**Figure 2 : General locality : Western Lands Leases within Lowbidgee District holdings .**

The group of properties shown ( HR 68- HR61) depict the mix of Western Lands Lease and freehold areas on the Redbank North side.

This graphic ( Figure 3) details the inconsistency of tenure classification particularly in the upper reaches and the anomaly in the lower reaches at Paika East HR57A and at Glen Avon HR 52-53.( figure 5)

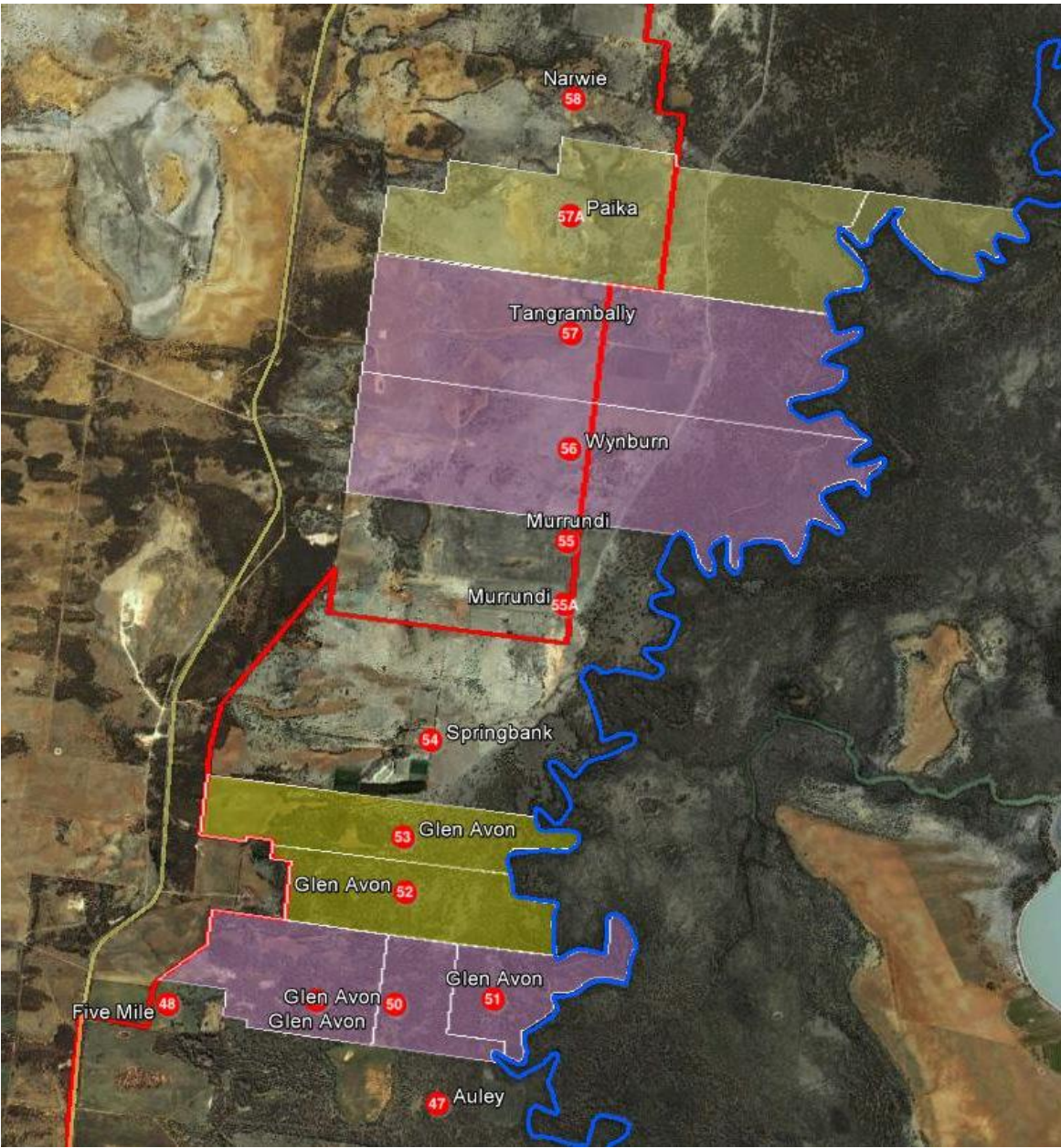











	Lowbidgee District Boundary		Murrumbidgee Ricer
 63	Tori	HR No and Property Name	PNF –PVP 0393 details

**Figure 4 : PNF - PVP 0393 Lake Marimley ( HR 62)– Tori Freehold ( HR 63) : details : Harris**



	Lowbidgee District Boundary		Murrumbidgee River
	Freehold Sections		Leasehold Sections
 Glen Avon	HR No and Property Name	As shown	Property Boundaries

**Figure 5 : Freehold and Leasehold in Mid Redbank North Area : C Williams( HR 57A, 57 &56) & B Coates ( HR 49,50,51,52 & 53)**