

**Submission
No 62**

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

Organisation: Australian Environment Foundation

Name: Mr Max Rheese

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The Rational Environmentalists

Australian Environment Foundation
Submission to the
Inquiry on Public Land Management
by the
NSW Legislative Council General Purpose Standing Committee No.5

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Australian Environment Foundation

PO Box 274 Deakin West ACT 2600

Phone: 03 5762 6883

Fax: 03 5762 3069

info@aefweb.info

www.aefweb.info

Terms of Reference

That General Purpose Standing Committee No. 5 inquire into and report on the management of public land in New South Wales, including State Forests and National Park estate, and in particular:

1. The conversion of Crown Land, State Forests and agricultural land into National Park estate or other types of conservation areas, including the:
 - a. Process of conversion and the assessment of potential operational, economic, social and environmental impacts
 - b. Operational, economic, social and environmental impacts after conversion, and in particular, impacts upon neighbours of public land and upon Local Government
 - c. That the following cases be considered in relation to Terms of Reference 1(a) and 1(b): River Red Gum State Forests in the Southern Riverina, Native Hardwood State Forests in Northern NSW, Yanga Station in the Balranald Shire, and Toorale Station in Bourke Shire.
2. The adherence to management practices on all public land that are mandated for private property holders, including fire, weed and pest management practices.
3. Examination of models for the management of public land, including models that provide for conservation outcomes which utilise the principles of “sustainable use”.
4. Any other related matters.

This submission on behalf of the Australian Environment Foundation board of directors will primarily address the issues contained within Terms of Reference 1 and 3.

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About the Australian Environment Foundation

The Australian Environment Foundation is a not-for-profit, membership-based environmental organisation having no political affiliations, dedicated to informing and educating Australians about environmental issues and solutions to environmental challenges.

The Australian Environment Foundation takes an evidence-based, solution focused approach to environmental issues.

AEF members value:

- **Evidence** - policies are set and decisions are made on the basis of facts, evidence and scientific analysis.
- **Choice** - issues are prioritised on the basis of accurate risk assessment and cost-benefit analysis.
- **Technology** - appropriate and innovative technological solutions are implemented.
- **Management** - active management is used when necessary, acknowledging that landscapes and ecosystems are dynamic.
- **Diversity** - biological diversity is maintained.
- **People** - people are an integral part of the environment.

Accordingly, the AEF embraces the IUCN (World Conservation Union) sustainable use principles stated below, as providing an ethical balanced framework for many environmental challenges.

1. Conservation of biological diversity is central to the mission of IUCN, and accordingly IUCN recommends that decisions of whether to use, or not to use, wild living resources should be consistent with this aim.

2. Both consumptive and non-consumptive use of biological diversity are fundamental to the economies, cultures, and well-being of all nations and peoples.

3. Use, if sustainable, can serve human needs on an ongoing basis while contributing to the conservation of biological diversity.

Many of the Australian Environment Foundation's members are practical environmentalists – people who actively use and also care for the environment – appreciating that environmental protection and sustainable resource use are generally compatible in providing balanced outcomes.

Key points of this submission

- The expansion of the national parks estate in recent decades requires a reappraisal of how objectives for reservation and management of public land might be best achieved while maintaining broad community support.
- Community attitudes to public land reservation and management continue to evolve as the number of reserves has expanded from a few dozen to more than 800. The parameters that dictate what the reserve system entails and how it is managed also need to evolve.
- The suite of land classification models used for reserving public land in New South Wales needs to be improved by the addition of classifications which adequately allow for sustainable use.
- The process of conversion of public land lacks integrity and is open to manipulation for political purposes.
- Future changes to public land tenure are more likely to have an adverse impact on rural communities than urban communities.
- Campaigns for expansion of the national parks estate are primarily driven by city-based groups with a minority constituency, rather than local communities concerned with environmental degradation in their region.
- There are legitimate concerns the reservation and management model for national parks is not providing the best environmental or social outcomes.
- There is no evidence that tourism growth in the Riverina red gum parks or Yanga National Park will provide any meaningful benefit to local communities or replace the benefits of previous multiple-use.
- The objectives of the 'one-size-fits-all' model of land classification are too narrow to be applied to the broad range of landscapes to which they are applied.
- The iconic status of the National Park 'brand' is being devalued by applying this land tenure to highly modified landscapes.
- The principles of the IUCN are embraced by the National Parks & Wildlife Service and environment groups, but only selectively supported when those principles endorse sustainable use.

1. Background

In response to widespread community concern in the Victorian and New South Wales Riverina region over proposals for national parks in the red gum forests on both sides of the Murray River, the Australian Environment Foundation sought community and stakeholder views on forming an alliance of organisations to address the proposals.

As a consequence the Rivers & Red Gum Environment Alliance was formed with the AEF providing the secretariat. The Alliance comprised 26 organisations representing a membership of 140,000 people, plus six councils from the region.

The primary concern was not that conservation protection would be imposed on the forests, as large parts of the forest were already protected under the internationally recognised Ramsar Convention on Wetlands, but the level of protection being sought through national parks was inappropriate for a balanced outcome between the environment and community needs.

The recurring theme for this submission is not opposition to previous or future change of public land tenure, but the *method* or *process* of change and the *model* of land tenure used.

The Australian Environment Foundation applauds the progress made by numerous New South Wales governments in protecting conservation values on public land, but calls for a comprehensive reappraisal of how this will be achieved in the future with the support of all sectors of the community.

2. An Overview of Public Land Classification and Reservation

2.1 History

Reservation of public land has a long history in NSW with the declaration of Sydney's Royal National Park as Australia's first national park and the second national park in the world in 1879.

The Royal National Park was established principally as a recreational reserve, to be used for purposes such as ornamental gardens, cricket, racecourses and artillery ranges¹. Deer were introduced and extractive activities were also permitted within the park. All of these activities had some impact on the natural values of the park, but no doubt reflected society's contemporary values as did the activities of Acclimatisation Societies who operated at the time with the imprimatur of government.

¹ NSW Parliamentary Library Research Service July 2010

Over the next few decades a number of reserves were created and then the non-government National Parks and Primitive Areas Council was formed which sparked further interest in the reserve system and the concept of reservation primarily for nature conservation, reflecting a change in attitudes of society and government.

By 1967 and the creation of the *National Parks and Wildlife Act*, 3000 square miles of land, or approximately 0.9% of the State's land area, were contained within the reserve system.

“The Act provided for the permanent protection, as national parks or state parks, of spacious areas with unique or outstanding scenery or natural features.”

Following the introduction of the *National Parks and Wildlife Act 1974* through to the early 1980's the national park estate increased by about 100 per cent, followed by an additional 16 new national parks through to the early 1990's.

Following the election of the Carr government in 1995 with a mandate of nature conservation, through to the present time, almost 500 new parks and reserves have been created taking the total number to 827.

In 2005 one of the most significant changes in land reservation classifications was implemented with the introduction of Community Conservation Areas that allow for conservation of nature and sustainable use of natural resources with the participation of local communities in management.

Community attitudes over the 130 year history of land reservation in NSW have driven a continuing evolution in NSW national parks from land reserved primarily for recreation, to wilderness preservation, to conservation and sustainable use in the same reserve with the creation of Community Conservation Areas.

3. Summary of AEF's concerns with current public land classification and reservation

3.1 Recognition by government that the process of declaring the Riverina Red Gum National Parks in particular had little integrity.

Premier Nathan Rees apparently did not consult cabinet fully on his decision to declare national parks in the Riverina and did so before he even received the final report from the Natural Resources Commission², which he commissioned to inform him of the issues involved in reserving the forests as national parks. The NRC were given three months to report on the issues involved, whereas in Victoria the assessment and reporting process on converting similar areas of public land to red gum national parks extended over several years. Subsequent to this unnecessarily rushed process, the NRC had to admit to underestimating the timber yield by 40 - 60 per cent in its report.

² <http://www.rrega.org/articles/191/pdf/Hansard%20-%20Tourism%20failures.pdf>

Erroneous key data on the critical issue of sustainable timber yield in a report used by the government to make its decision was never addressed.

There was no cost-benefit analysis³ of a decision that would cost NSW taxpayers \$97 million⁴.

The rushed nature of the process to permanently reclassify large areas of public land to national parks that would have long-term ramifications for local communities and selectively disregarded competing evidence, gave the appearance of a largely political process⁵ that was opposed even within the cabinet⁶.

One of the main benefits put forward to the people of local communities was tourism for the region to be realised from declaring national parks. On January 13th 2010 in a meeting with then Environment Minister Frank Sartor, Deputy Director-General of National Parks and Wildlife Service, Sally Barnes and NRC Commissioner Dr John Williams it was clear they had no hard data on tourism that would support these oft-repeated statements.

Following discussion it was clear to us the Minister and Deputy Director-General had no understanding of the profile of existing visitors to the red gum forests or that their proposals were likely to lead to a decrease in tourist numbers, as many of these visitors came to the area precisely because these forests were not national parks as indicated in visitor surveys⁷.

The consensus at a recent Murray Shire Council meeting is that this is exactly what has happened.

The release of a study commissioned by Minister Sartor from the Centre for Agricultural Research and Economics confirmed community concerns that there would be a minimal tourism benefit to the local region from more national parks.

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<http://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LA20100519056?open&refNavID=undefined>

4

<http://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LA20100519053?open&refNavID=undefined>

⁵ <http://www.smh.com.au/environment/conservation/sartor-denies-deal-on-red-gum-park-20100921-15ldy.html> and <http://www.dailytelegraph.com.au/news/breaking-news/labor-preference-trouble-over-red-gums/story-e6freuyi-1225833471479>

⁶ <http://www.theage.com.au/nsw/a-portrait-of-power-without-glory-20110930-111ha.html>

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<http://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LA20100519056?open&refNavID=undefined>

The study⁸ estimates the total visitor value from national parks for all of the Riverina bioregion would be \$4.4 million per year, of which \$1.8 million is already being received, as opposed to the estimated value of sustainable timber harvesting to the same bioregion of \$48 million per year. The minister had this study and yet continued to insist the economic value of tourism would be of substantial benefit to the region.

At this same meeting Minister Sartor was asked what additional biodiversity benefits were expected from a change of land tenure to national parks for areas already managed under the widely respected Ramsar Convention that encompass the sustainable use principles of the IUCN. Minister Sartor could not answer the question, nor could the Deputy Director-General of National Parks.

If the people driving the process cannot provide an answer to an alleged fundamental benefit from the change of land tenure, it calls into question the integrity of the process and its objectives.

The growing community disenchantment with the means or process of land classification and reservation is typified by, but not exclusive to the process undertaken with the red gum forests whereby genuine community concerns about the ability of tourism benefits to replace or off-set loss of access to multiple-use forests are not addressed.

Concerns were raised on multiple occasions, but swept aside without producing any data or evidential basis for the claims⁹ of a tourist bonanza. These same tourist bonanza claims were made by then Premier Bob Carr for national parks created at Coolah and Yanga, where it was claimed 50,000 tourists per year would visit, but in the seven years since purchase of the former grazing property visitors to the national park are yet to reach 10,000 per year¹⁰.

The Environment Minister insisted on many occasions that national park status would ensure the forests received the water they required to 'save' them, but the introduction and debate on his own legislation creating the national parks in the parliament revealed that the Minister was only providing 22 per cent of the water recommended by the NRC in their report¹¹.

⁸ Regional Economic Impacts of National Parks in the Riverina Bioregion, November 2009
http://www.rrgea.org/articles/181/pdf/Regional%20Economic%20Impacts%20in%20Riverina%20of%20NP_Pa rt1.pdf and
http://www.rrgea.org/articles/181/pdf/Regional%20Economic%20Impacts%20in%20Riverina%20of%20NP_Pa rt2.pdf

⁹
<http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansardr%2F2010-02-03%2F0170%22>

¹⁰ <http://www.abc.net.au/local/stories/2011/06/28/3255869.htm>

¹¹
<http://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LA20100519056?open&refNavID=undefined>

The NRC commissioner Dr John Williams is on the public record as saying the government needed to accept the “suite of recommendations” being put forward by the NRC as they would not, could not, work if not implemented as a package.

The suite of recommendations provided by the NRC were undermined on the day the legislation was introduced into the NSW parliament because it did not provide the quantity of water previously identified by the government’s own experts as necessary to ‘save’ the forests.

Summarising the issues relating to the process used to determine national parks, not just in this instance but on many occasions before, that drain the confidence of communities:

- On many occasions the imperative for more parks is political, dressed up as an environmental need.
- The process often does not observe the principles of least cost being imposed on communities as contained in the Nationally Agreed Criteria for the Establishment of a Comprehensive, Adequate and Representative Reserve System for Forests in Australia. Indeed without a cost-benefit analysis this is very difficult to observe.
- Genuine concerns of communities, in this case, the inability of tourism to provide economic stability to the area or the true level of sustainable yield for timber were not addressed with data or empirical evidence, but by unsubstantiated claims by the government later proven wrong by the government’s own studies.
- Correspondence and requests from stakeholders not responded to when serious issues arise. The process grinds on with a seemingly pre-determined outcome in mind.
- These processes for reserving large areas of land held in trust for the public that involve large sums of taxpayer funds to compensate stakeholders and bring about management change needs to be formalised. These processes need to be embedded with requirements so that outcomes delivered are arrived at on the basis of facts and evidence.

3.2 Recognition by government that community expectations of public land reservation and management objectives continue to evolve.

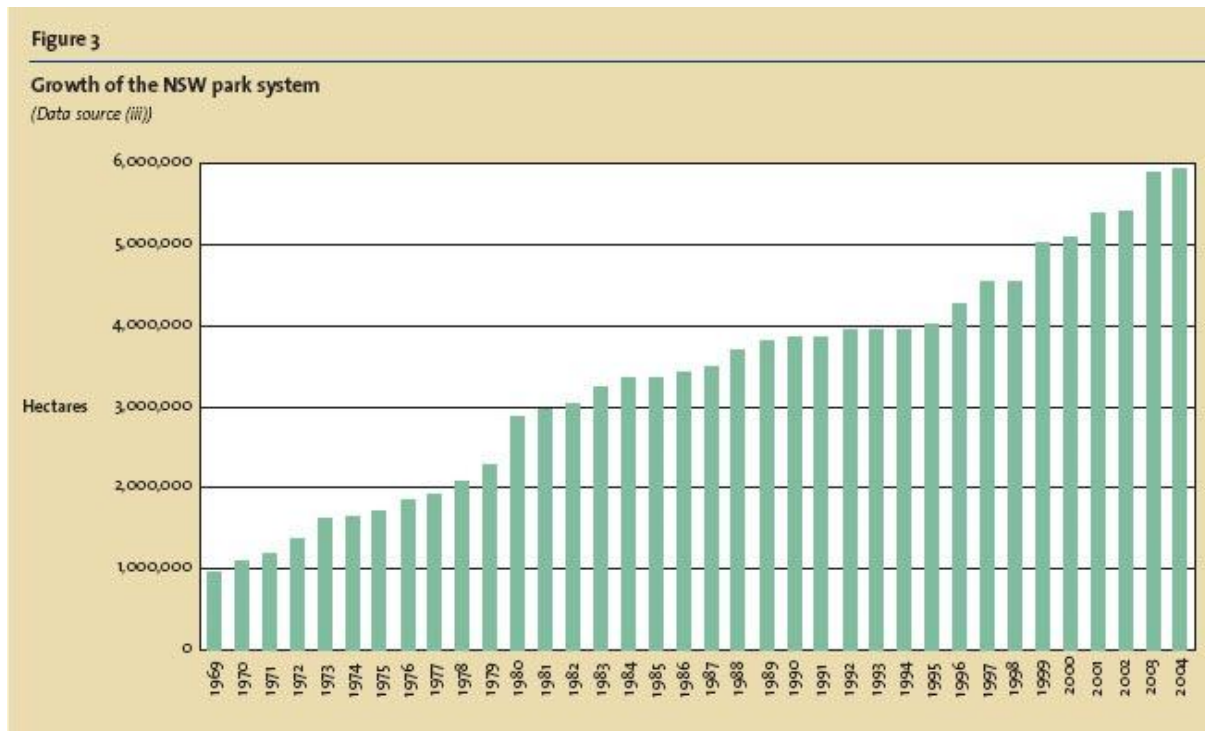
The majority of land classifications under the *National Parks Act 1974* are predicated on the old regime of public land management, which in many cases has a narrow view of public land use.

Not only has the NSW park system grown considerably since 1879, but there has also been a shift in the reasons for which land is reserved. Many of the original parks within the park system were created to provide recreational opportunities, including, for example, the introduction of deer for hunting in Royal National Park. In some cases the natural values of parks were substantially modified to accommodate such aims and this reflected community attitudes to public land management at the time.

Community thinking then evolved, placing more importance on ‘preserving’ nature in a pristine state driven by heightened environmental awareness in the community, which in turn led to a rapid expansion of the national park estate from the 1970’s through to the current 827 parks and reserves covering more than 6 million hectares.

This rapid expansion of the national parks estate particularly over the last two decades started to produce a conflict in the community as further land reservation had more impact on use of and access to public land. These impacts were generally more keenly felt in rural communities.

Since the creation of Royal National Park, community values and attitudes towards conservation and recreation within the park system have changed and then changed again, but the model of reservation and management has changed very little with the exception of the introduction of the *Brigalow and Nandewar Community Conservation Area Act 2005*.



Data source: Office of Environment & Heritage

It took 90 years to reach the milestone of 1 million hectares reserved under the National Parks Act and a further 34 years to reach a total of 6 million hectares.

This Act was a substantial departure from previous thinking on public land reservation and management and provided for areas declared to be managed under different zones, which allowed for biodiversity protection as the primary objective through to sustainable use of resources. Most importantly it allowed for active management involvement of the community through Community Conservation Area agreements.

Public land reservation and management has for more than 80 years been largely predicated on 'preserving nature' over many other potential uses of that land and this concept has been achieved up to recent times with minimal 'opportunity cost' to the community.

Continued application of this principle however will come at a greater cost to the community as further land reservation imposes more social and economic cost on the community. This is particularly evident in the reservation of the multiple-use red gum forests of the Riverina where the vast majority of public land in the region is subject to this narrow view of public land use.

Previous reservation of land in the national park estate over the last century or so has produced many benefits for the state and its people and has been supported by most in the community.

To maximise that support, reduce conflict and perceived disenfranchisement by some in the community means we must acknowledge the reality of the present circumstances whereby we are the custodians of over 800 reserves and participants in the evolutionary change in community attitudes to public land use.

This reality of the present circumstances and the knowledge that further public lands will be reserved in the future dictates we re-evaluate the models of land classification at our disposal to meet the expectations of all of the community.

3.3 The ‘one-size-fits-all’ model of land classification should no longer be the only model to use. National Park status should not be the default model of land reservation

Land reservation for national parks in recent decades could be perceived as being a shift away from a relatively sophisticated multiple-use approach to land management towards a simplistic ‘one-size-fits-all’ approach that is primarily focused on environmental preservation, as opposed to conservation.

The concept of conserving a comprehensive, adequate and representative portion of different ecosystems is commendable – trying to implement that with one model of land management is naïve at best, particularly if the needs of communities are to be considered when reserving new parks.

This ‘one-size-fits-all’ model is applied to wilderness areas, to parks close to large urban centres, to remote rangelands and now to red gum forests in the most highly modified riverine landscape in Australia surrounded by agricultural land. The range of landscapes to be protected is broad; however the *model* of protection is too narrow to afford the optimum results for communities and the environment.

This model that is used to protect ‘near pristine’ areas of Kosciuszko and the Blue Mountains and the deer populated Royal National Park is applied to what are largely man-made forests of the Riverina that need active management through forest thinning, according to NRC commissioner John Williams in his report.

This ‘one-size-fits-all’ model seems to be applied as the default model of land reservation whether it is applicable to the landscape or ecosystem in question or not.

Riverina red gum forests are located in one of the most highly modified landscapes in rural Australia and it will remain so despite now being ‘protected’ by national park status. This is largely because natural flooding regimes have been completely overturned by river regulation.

The survival of these forests in their current form will rely on active human intervention to create artificial flood events, in conjunction with forest thinning and targeted grazing to reduce moisture stress and alleviate fire risk. But placing these forests in national parks will challenge a management philosophy and model that is largely intolerant of active human intervention.

In the case of the Riverina red gum forests and their need for active management, it was suggested that protection could be offered in the form of creating a 'Ramsar national park' within the *National Parks Act* to manage under the sustainable use principles of the IUCN, or the model of the Community Conservation Areas with their different management zones that was created in 2005. However, we believe this proposal was never seriously considered.

The dramatic increase in the national parks estate over the last few decades is representative of a distinct change in what this public land category now represents. Whereas once national parks conferred the highest level of protection onto emblematic landscapes or unique conservation values, they are now increasingly comprised of highly disturbed landscapes with few special values.

This is not to question whether these highly disturbed landscapes need or are worthy of protection, but the *model* used to achieve that and the impact of that management model on adjoining communities.

This change in conferring national park status reinforces the perception of the evolution of the national park concept into a political tool primarily used to curry favour with urban voters.

The current system of recommending national parks is based on neither good science nor sound evidence and therefore continues to produce 'winners and losers' in the community with acrimonious division between city and rural residents.

4. Public land reservation and management

4.1 Imperatives driving changes in land reservation

In many cases the imperative for change of land tenure comes not from local communities, but city-based environment groups campaigning for perpetual increases in reserves, which are almost without exception campaigns for national parks only.

While it is legitimate for such groups to mount campaigns in pursuit of their objectives it is remarkable that, at best, there is only token support from a small minority of residents in local affected communities, if at all. What is also a consistent feature of such campaigns is that any changes to land tenure will have no direct effect on the lifestyle of campaigners or their constituency, as opposed to the local community. Any adverse social or economic impacts will be borne almost entirely by the local community.

At the conclusion of a successful campaign, city-based groups disappear leaving the consequences to be managed by the local community and the National Parks and Wildlife Service [NPWS]. Numerous examples of poor park management with resulting adverse impacts from fire, weeds or feral animals are not the subject of local campaigns by environment groups, which would give plausibility to their expressed concerns for the environment.

Campaigns for more national parks are designed to influence the minority constituencies of environment groups and the major constituencies of urban voters, who have little idea of the issues at a local level or the consequences of ill-considered proposals, for example, of conferring the highest level of protection via national park status to the long established grazing property, Yanga Station in western NSW.

It seems bizarre in the extreme that the only model of land management status considered for a grazing property, which had also been sustainably harvested for red gum timber for generations, was the same model of land management used for wilderness areas.

A more appropriate model of protection would have been via a 'Ramsar national park' or a Community Conservation Area allowing for sustainable use and local community input into management.

Sydney Morning Herald journalist Michael Duffy wrote¹² in July 2005:

"In his book *Thoughtlines*, [Bob] Carr wrote: 'The challenge for people who feel the desperate case to save the natural world, to stop the retreat of nature, is to persuade our fellow Australians that we need to make sacrifices to do it.' The record suggests Carr and his environmentalist supporters made no sacrifices. Rather, these were imposed on others."

"His environmental policies have had different, but equally disturbing, effects on the country. Carr's last major achievement as Premier was spending an estimated \$30 million earlier this month to buy the 80,000-hectare Yanga Station near Hay and turn it into a national park. Yanga is reputedly the largest freehold farm in the state. In May, Carr announced the permanent conservation of 348,000 hectares of woodlands in the Nandewar and Brigalow belt in the state's west, at a cost of about \$80 million. This and the Yanga decision will destroy hundreds of jobs. There have been announcements of transition programs and hoped-for income from eco-tourism, but this needs to be compared with what has been destroyed - real jobs and real communities, in some cases going back five generations."

Of course we now know, seven years later, that the change of land tenure at Yanga has been a disaster for the local community.

Bob Carr wrote in the *Sydney Morning Herald* in July 2009 about the need for Riverina red gum national parks:

"We have had 30 years of these arguments. Each has ended with decisive conservation victories, and the outcomes have been endorsed at state elections. In my experience - and I was environment minister in the Wran government between 1984 and 1988 - the case made by conservationists starts by looking over-reaching. But it always ends up being vindicated."

¹² <http://www.smh.com.au/news/opinion/green-legacy-a-black-mark/2005/07/29/1122144018993.html>

In hindsight, neither Yanga National Park, nor the Riverina red gum parks are a vindication for the cost to taxpayers, adverse impact on local communities or benefits to the environment from the application of inappropriate land tenure.

4.2 Protection of conservation values

The ever increasing expansion of the national parks estate across the country continues to provide fertile ground for conflict between users of public land, rural communities, environment groups and governments.

The broad-brush conventional wisdom is that the concept of national parks and their purpose is beneficial to the environment and the community at large, and there is much to support this argument, particularly coming from a low base of protected areas in the early 1970's.

Very few would argue with the need to protect emblematic landscape values represented in national parks such as Kosciuszko, the Blue Mountains and many others that have unique visual landscape values, as national parks can preserve visual values. Conversely, do vast areas of mallee scrubland, or red gum forest, or temperate woodland that constitute national parks and that are bordered by reserved state forest with the same landscape values, which are indistinguishable from one another except for a line on a map, have the same need to be protected for that particular value?

Many would say those areas need protection, not for absent unique visual appeal, but for biodiversity values. Again the same question arises, are biodiversity values in these areas better protected by a line on a map, whereas bushland on one side of a road is in national park and on the other side in state forest? Do the trees and animals benefit from different land tenure proclaimed by the national park sign on the edge of the road? The difference of course is the management not the land tenure.

The management provided, rather than the management promised, is the critical issue in the value of recent and future additions to the national park estate and this issue is the foundation to much of the opposition to more national parks.

The protection of unique landscape conservation values has been well accommodated since the first national parks in the 19th century and the quantum leap in creation of new parks from around the early 70s to the present day. In New South Wales, hundreds of new parks and reserves were created since 1995 to now total 827.

Most in the community would agree with the principle of conserving biodiversity by having a comprehensive, representative and adequate reserve system to help achieve this and also for simply enjoying nature. Most would agree with the statement from the NSW Taskforce on Tourism and National Parks that "the fundamental principle for New South Wales parks and reserves, upon which all other land management decisions are based, is their ongoing conservation and sustainable management."

The fundamental difference between land being declared a national park, Community Conservation Area or a 'Ramsar national park' is not the level of biodiversity conservation afforded; but the level of community use and participation in the area protected.

Visitor use of parks and conservation reserves is in most cases restricted to minor portions of their area. For example, the Kosciuszko National Park has more than 1 million visitors a year, but they are concentrated primarily in just the 1 per cent portion of the park area that houses its alpine resorts. It is understandable that dealing with visitor pressures is the most immediate priority for park management, but this often comes at the expense of broad scale land management requirements, such as biodiversity conservation.

By international standards, the operating budgets and staffing levels for Australia's conservation reserve network is amongst the lowest per hectare in the developed world. In 1999, Australia was spending only about one-sixth of the average expenditure per hectare compared to countries such as the USA and Canada.

An audit of both the time spent and expenditure on biodiversity conservation measures in national parks, as opposed to resources expended on tourism and visitor facilities could be useful as a management tool to achieve the stated primary objectives of national parks.

Inadequate resourcing of land managers to achieve their primary objectives only further alienates community attitudes to the continued expansion of the national park estate.

The misconception that biodiversity can only be protected by national parks needs to be subjected to scrutiny based on achieved outcomes.

4.3 Fire management

Like most Australian forests, river red gum forests have been shaped by fire over tens of thousands of years. This has included fires naturally ignited by lightning, as well as what has been termed 'firestick farming' where Aboriginals deliberately fired the land to keep it 'clean' and encourage favourable conditions for hunting.

The prevalence of fire was first noted by early explorers passing through the [Riverina] region in the 1820s and 30s. Subsequently, during the 1840's, Edward Curr, probably the first settler in the region, noted that indigenous people set fire to the land approximately every five years, although it is not known if he was referring specifically to the riverine red gum forests. He noted correctly that their regular use of the 'firestick' must have had a major influence on the condition of soils, flora and fauna.

European settlement and the corresponding decline of Aboriginal influence progressively changed the frequency of fire in the region's forests¹³.

¹³ Rivers & Red Gum Environmental Alliance Community Plan for the Multiple Use Management of Public Lands <http://www.rrgea.org/?file=home&smid=2#>

In a paper¹⁴ describing Eucalypt forest predisposition to chronic decline, forester Vic Jurskis writes:

Most eucalypt ecosystems depend on frequent low intensity fire to maintain natural nutrient cycles and the balance between established trees and their competitors and arbivores. Absence of frequent fire alters these processes and sometimes allows mass establishment of fire sensitive seedlings. Mature trees can be affected directly by the soil changes and indirectly by enhanced competition and arbivory. This can result in chronic decline of eucalypts and gross changes in the structure and composition of ecosystems.

The decline of Aboriginal burning and its proxy, grazing and low intensity burning by graziers, has had a profound impact on the vegetation composition of public land in NSW and Victoria which is forensically examined by Bill Gammage in this book *The Biggest Estate on Earth*. Gammage repeatedly details adverse changes to vegetation from a decline in low intensity burning on public land.

It is now widely acknowledged that the removal of traditional forest uses that has occurred in the process of expanding the national park and reserve estate has had a substantial impact on the capability to manage fire both in the new parks and on other public lands.

This was in fact a finding of the well-regarded Victorian parliamentary inquiry by the Environment and Natural Resources Committee in June 2008.

Finding 5.1: That the decline in local knowledge, skill, resources and infrastructure associated with the restriction of traditional land uses has had a negative impact on the ability of relevant agencies to manage fire on public land¹⁵.

It has long been recognised the only real influence man can have on the 'fire triangle' of temperature, oxygen and fuel is the level and condition of bushfire fuel, which determines the extent of threat faced at any particular site.

Prescribed burning aims to redress this threat by deliberately re-introducing fire under mild weather conditions at cooler times of the year, when it can be more easily controlled. This mimics the natural process of burning required to maintain (or restore) environmental integrity. It also reduces the potential intensity of unplanned summer bushfires by lessening the quantity of fuel available to be burnt, thereby improving the protection of human life and property in adjacent farming lands and settlements.

¹⁴ <http://www.bushfirecrc.com/resources/research-report/eucalypt-ecosystems-predisposed-chronic-decline-estimated-distribution-coa>

¹⁵ http://www.parliament.vic.gov.au/images/stories/committees/enrc/bushfire_inquiry/Submissions/Inquiry_into_the_impact_of_public_land_management_practices_on_bushfires_in_Victoria.pdf page 168

There is general agreement amongst fire researchers that light fuel loads created by recent prescribed burning are highly influential in limiting bushfire behaviour and improving controllability under 'low' to 'very high' fire danger conditions.¹⁶ Dr Kevin Tolhurst of the University of Melbourne estimates that for around 95 per cent of the time, Victorian bushfires burn under these conditions meaning that low fuel loads can greatly assist the vast majority of bushfires to be quickly and safely controlled.¹⁷

Fire and fire fuel management is a critical concern to all rural residents who are exhorted by fire authorities to manage fire fuel on their properties and in their local communities. It is no surprise therefore that communities become irritated when viewing a build-up of bushfire fuels on public land. People had been agitating extensively prior to the disastrous fires of 2003 for a more active program of prescribed burning on public land.

Many in the environment movement who have participated in campaigns for more national parks have discouraged an active program of bushfire fuel reduction on public land of a scale required to reduce the risk of uncontrollable conflagrations.

This may be linked to the disturbance-avoidance ideology of the environment movement and certainly manifests itself in the lack of enthusiasm for fuel reduction burning amongst many park managers, relative to foresters managing multiple use state forests, who have always regarded fire management as paramount to good land management.

The value of the prescribed fire to unplanned wildfire ratio as an indicator of the success of bushfire management is further emphasised by NSW experience documented over the 10-year period from 1993-94 to 2002-03 (see Table 1).

Table 1: Comparative success of bushfire management in NSW State Forests and National Parks during the 10-year period from 1993-94 to 2002-03¹⁸

	NSW public lands	
	National Parks	State Forests
Average % of total area prescribed burnt per year	0.4%	3%
Average area prescribed burnt per year	20,500 ha/yr	73,000 ha/yr
Average area burnt by wildfire per year	250,000 ha/yr	70,000 ha/yr
Prescribed burn : unplanned wildfire ratio	< 10:90	~ 50:50

¹⁶ *The effectiveness of fire-fighting first attack operations, DNRE (Victoria), 1991-92 to 1994/95*, by G.J. McCarthy and K.G. Tolhurst, Fire Management Branch Research Report No. 45, Department of Natural Resources and Environment, Victoria

¹⁷ Dr Kevin Tolhurst, School of Forest and Ecosystem Science, University of Melbourne – Submission to the Inquiry into the Impact of Public Land Management Practices on Bushfires in Victoria, conducted by the Victorian Parliamentary Environment and Natural Resources Committee (May 25th 2007), p.11

¹⁸ *Fire management in Australia: the lessons of 200 years*, by V. Jurskis, B. Bridges, P. de Mar. In: Proceedings of the Joint Australia and New Zealand Institute of Forestry Conference, 27 April–1 May 2003, Ministry of Agriculture and Forestry, Wellington/ Queenstown, New Zealand, pp. 353–368.

This stark difference in the success of bushfire management between NSW state forests and national parks aligns with respective land management philosophies. In NSW national parks, prescribed burning during that period was primarily focused on community protection and restricted to boundary areas in close proximity or adjacent to urban and rural communities.

Conversely, in state forests, prescribed burning was undertaken for a broader range of values and was both more extensive and more widely spread across the landscape.¹⁹

It could be argued that a far lower than optimal amount of prescribed burning was being undertaken in the NSW state forests during this period. Nevertheless, more than half of the fire which occurred in the state forests each year was applied with a degree of planning and control. Conversely, less than 10 per cent of the annual fire in national parks was controlled, meaning that over 90 per cent was unplanned wildfire burning out of control, often in hot summer conditions, when threats to both neighbouring communities and in-park infrastructure and environmental values was maximised.

The fact that far better bushfire outcomes were achieved in the NSW state forests compared to adjacent national parks under the same weather conditions and over the same period is another powerful indicator that a land management philosophy, which minimises the area and extent of fuel reduction burning, is incapable of effectively managing bushfire threat.

Until the concept of primacy of fire management is embraced by land management planners, adequate resources are unlikely to be allocated for the key areas of fire preparation [fuel reduction, access tracks etc.] and fire prevention.

If adequate resources are unavailable for fire preparation then it is unlikely that trained, experienced personnel with sufficient resources will be available at short notice to deal with large or numerous outbreaks of fire. This situation can only lead to a repeat of the devastating loss of biodiversity experienced in the 2003 fires.

4.4 Social and economic costs and benefits

The social and economic impacts of public land reservation in NSW over the last two or three decades are large, poorly quantified and ignored while having a profound effect on predominately rural communities who bear the majority burden of changes imposed, mostly against their wishes.

It seems incredible in these times of economic rationalisation that governments would commit to actions, as cited earlier in the case of the Riverina red gum parks where \$97 million of taxpayer funds and the purchase of Yanga Station at \$30 million, would be contemplated without a cost-benefit analysis or at the very least a social impacts study.

¹⁹ *Fire management in Australia: the lessons of 200 years*, by V. Jurskis, B. Bridges, P. de Mar. In: Proceedings of the Joint Australia and New Zealand Institute of Forestry Conference, 27 April–1 May 2003, Ministry of Agriculture and Forestry, Wellington/ Queenstown, New Zealand, pp. 353–368.

That these tools of *process* are rarely, if ever, utilised while contemplating large, expensive and permanent changes to public land tenure speaks to the political imperative driving many decisions on public land reservation.

The Australian Environment Foundation submits that if social and economic considerations were given equal weighting to environmental considerations in many past decisions then the *model* of land tenure used in many cases would have reflected the sustainable use principles of the IUCN:

Both consumptive and non-consumptive use of biological diversity are fundamental to the economies, cultures, and well-being of all nations and peoples

IUCN principles are endorsed by the AEF, the National Parks Association of NSW, the National Parks & Wildlife Service²⁰ and the New South Wales Taskforce on Tourism and National Parks²¹ and many others.

If such a model of land tenure had been used where appropriate, it would have allowed for biodiversity conservation and sustainable use, thereby lessening the impacts of land tenure change on communities.

5. Establishing a new paradigm for public land reservation

What is needed in NSW in the 21st century is recognition that more than one model of land reservation should be utilised when new reserves are being considered given the varying needs of the community and the nature and condition of different landscapes.

While legislators have available to them a suite of land classifications such as: national, state and regional parks, nature conservation reserves and community conservation areas, the vast majority of land is reserved as national park. The classification Community Conservation Area, which does allow for sustainable use only accounts for 6 per cent²² of total land reserved.

The IUCN has recognised: *Use, if sustainable, can serve human needs on an ongoing basis while contributing to the conservation of biological diversity.*

Sustainable use of public land is often complementary to biodiversity conservation in many environments and encouraging this will win the support of those most capable of assisting in the management of public land – local communities.

This is an important missing link in most public land management today.

²⁰ <http://www.environment.nsw.gov.au/resources/parks/09330KumbatinePOM.pdf>

²¹ <http://www.environment.nsw.gov.au/resources/commercial/20080617Text.pdf>

²² <http://www.environment.nsw.gov.au/parktypes/CommunityConservationAreas.htm>

For clarity the overused and sometimes abused term of sustainable should be revisited, as defined by the U.N. Brundtland Commission:

“meet[ing] the needs of the present without compromising the ability of future generations to meet their own needs”.

It occurs to the Foundation that legislators in considering new reserves often overlook the already embraced notion of sustainability, which is frequently ‘turned on its head’ by denying present generations the ability to meet their needs in the name of future generations.

A new paradigm of land reservation and management that not only has the support of the community, but also produces an enhanced level of biodiversity protection is needed to secure the future of our natural environment.

It is widely recognised that government does not have the resources available to unilaterally shoulder the burden of biodiversity conservation; that private landholders, non-government conservation trusts and local communities can and should assist in protecting conservation values.

Alienating communities and ‘shutting them out’ of participation in active management of land they have been closely involved with for generations does not contribute to overall conservation objectives or enhance community involvement.

Many would accept it is generally desirable that more of our public land and biodiversity is protected, but the low-hanging fruit of national parks reservation by previous governments has already been harvested. The easy stand-out landscapes have been protected – Royal National Park, the Blue Mountains, Kosciuszko and others. More likely than not, further expansion will be through a change of land tenure from multiple-use public land at a social and economic cost to rural communities. This is the current experience for Riverina communities.

The other fundamental is affordability for the state in the transfer of income producing state forests via royalties or licence fees to taxpayer funded management of the parks estate that does not produce income. Some may well say these costs are the price a modern progressive society has to pay to protect our natural heritage and our future. While this argument has merit, it is the ever rising cost of public land management and the failure to properly fund it which undermines the credibility of national parks as the successful protector of biodiversity in particular.

If unique and emblematic landscape values have largely been catered for with the existing model of ‘high protection’ parks and biodiversity protection is more about management than land tenure: can we afford more national parks based on this most often used model?

These are the recurring issues of national park declaration using the existing model, often far from capital cities, that impact on rural and regional economies and far too often turn communities into economic backwaters. This is further exacerbated by the oft touted myth that tourism will replace losses in local economies.

While this does occur in some high profile emblematic parks, more often than not it does not occur²³ to any useful degree and there is no data to support claims of a tourist bonanza in parks that are distant from major population centres.

If the decision was only about protecting conservation and biodiversity values then the solutions would be far less complex. However, the decisions critically embrace the future of communities and the people that live within them and far too often these people have been secondary considerations in the decisions on creating new parks. People and the environment are not mutually exclusive, although the model of park management most often used tends to reinforce that view.

Biodiversity protection requires good management, not reliance on land tenure classification noted on the sign at the entrance gate. The NSW government needs to establish a new paradigm of park management embracing the “wise use” principles of the internationally accepted Ramsar Convention. Comprehensively involve local communities in the management and use of the park estate, in appropriate reserves, instead of locking them out.

This is not to imply that national park management is all bad or that parks have not been of tremendous value to NSW, but that we need to revisit the model we are using to best accommodate the needs and concerns of all the community, not just the politically active.

The model currently used and funding allocated to management are the weakest links that diminish the latent potential of a national park system that might otherwise have broader community support.

If we are to continue to be able to afford more national parks, both socially and economically, we need to do it with a few more strings to our bow than the ‘one-size-fits all’ model that has failed in numerous parks.

The challenge for the government and the NPWS is to assess the changed circumstances of the present, where we now have over 800 parks and reserves, and the contemporary set of values held by society, against the model of reservation and management that has been unchanged for forty years.

The current system of recommending national parks is based neither on good science nor sound evidence and therefore continues to produce ‘winners and losers’ in the community with acrimonious divisions between city and country people.

The real tragedy of continuing with a failed land management model is biodiversity depletion, regardless of the amount of land permanently reserved for that purpose.

²³ <http://www.rregea.org/articles/23/pdf/Tourist%20decline.pdf>

Professor Tim Flannery²⁴ writing in *The Quarterly Essay* noted:

Typically, the goal is to "save", in the form of a national park or reserve, 10 per cent of each type of environment. This is fine as far as it goes, but as a strategy to conserve biodiversity it has been markedly less successful, and the reasons for this failure of practical conservation go back to the original sin of *terra nullius*.

If we look around our national parks today, what we see in the great majority of cases are marsupial ghost-towns, which preserve only a tiny fraction of the fauna that was there in abundance two centuries ago. A classic example is Royal National park south of Sydney. It's the nation's oldest national park, yet over the last few decades it has lost its kangaroos, its koalas, its platypus and greater gliders. Clearly, it is a fallacy to believe that proclaiming more such reserves will do very much to preserve Australian wildlife.

The current most used model of 'high protection' national parks attempts the *preservation* of biodiversity as it was imagined to be at European settlement. This assumes a state of *terra nullius*, a pristine environment unmanaged by man, a notion now thoroughly discredited. The majority of the landscape had in fact been intensely managed for tens of thousands of years by indigenous peoples.

Land management models should instead be focusing on *conservation* in an already modified and dynamic landscape that is NSW in the 21st century.

²⁴ Extracts from an essay by Tim Flannery, *Beautiful Lies - Population and Environment*, *Quarterly Essay*, issue No. 9, 2003.

6. Recommendations

1. That a new classification of public land reservation is established, such as a 'Ramsar national park' or expansion of the Community Conservation Area concept, both of which would allow for sustainable use where appropriate.
2. Part of the existing red gum national parks of the Riverina should be reclassified such a reserve.
3. Recognition that adoption of a comprehensive fire management regime is paramount to good public land management.
4. That the IUCN sustainable use principles be a required consideration in the reservation of public land.
5. Where a change of land tenure is being considered that may have significant social and economic impacts on a community, a cost-benefit analysis is undertaken as part of the investigative process for proposed change.
6. That the process of conversion of public land is strengthened with a series of benchmarks to be addressed in that process.
7. That an audit is undertaken to determine the time spent and expenditure by the National Parks & Wildlife Service on biodiversity conservation and the outcomes achieved.