

**Submission
No 433**

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

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Inquiry into Public Land Management in NSW
General Purpose Standing Committee No 5
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SUBMISSION TO INQUIRY INTO PUBLIC LAND MANAGEMENT IN NSW

The Clarence Valley Conservation Coalition (CVCC) is a Grafton-based community group which has been involved with a wide variety of conservation issues in the Clarence Valley and beyond since its formation in 1988. The CVCC has an ongoing interest in public lands and their management, particularly in our area of the state.

We make the following comments in relation to this inquiry.

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**

The process of conversion of **Native Hardwood State Forests in Northern NSW** was transparent and open, and included a number of opportunities for public input during the period between 1996 and 2003, including the release of an information package in 1997 which had maps and detailed reports on the environmental gains and the social/ economic impacts of the various options being recommended.

This process built on previous opportunities for public comment such as the exhibition of wilderness assessments and proposals for wilderness declarations undertaken during the period of the Fahey Government, as well as the exhibition of draft EISs for the various Forest Management Areas in Northern NSW.

When the Carr government came to power in 1995 the earliest conversions from state forest to national park in northern NSW resulted in the creation of Bongil Bongil National Park, Tooloom National Park and Toonumbar National Park. All three included significant

areas of rainforest, some of which was already protected under the *Forestry Act* as flora reserves, and some of those were world heritage listed.

The first conversions targeting hardwood forests occurred on 1 January 1997 through the Interim Forest Agreement and then on 1 January 1999 through the Regional Forest Agreement, with some follow-up adjustments in 2003.

These agreements were informed through a Comprehensive Regional Assessment of the natural, social and economic values of the public forests involved, and were driven by the requirements of the National Forest Policy Statement, signed by the Fahey Government. The assessments of natural values included a program of comprehensive flora and fauna surveys which built on previous survey programs such as the North East Forests Biodiversity Survey conducted by NPWS (1992-1993) and the Audit of the Upper North East conducted under the auspices of the Natural Resource Audit Council in 1994. The nationally-agreed JANIS criteria were used to determine conservation targets.

Potential operational impacts were identified by State Forests of NSW, and included consideration of access requirements to remaining areas of state forest and private lands, as well as occupation permits for apiary activities, grazing, orchards and telecommunication facilities. The occupation permits for apiary sites, orchards and telecommunication facilities were allowed to continue under NPWS management (although some apiary sites have been relocated to areas of park outside declared wilderness). Those for grazing were phased out after detailed consultation with the OP holder.

Any impacts on access were mitigated through the enabling legislation containing special provisions for roads that were required to access state forests and private properties, including (but not limited to) retaining such roads as Crown land rather than part of gazetted parks. The protection of private property access rights is very strong, as no road can be closed while it forms the only practical means of access to private property and must be maintained to the standard it was in at the time when the legislation came into force.

Potential social and economic impacts were identified by various departments and resulted in several programs, such as the one whereby the majority of the new field officer positions created in each NPWS region were only open to applications by displaced timber workers.

One way to minimise economic impacts on the mining industry was the designation of many of the new reserves as 'state conservation areas' – a category of protected area under the *National Parks and Wildlife Act* which specifically allows for mineral exploration and mining. One of the issues encountered were some 'oversights', such as the conversion ('protection') of Blicks River Flora Reserve (from which mining had been excluded by gazette notice under s.21 of the *Forestry Act*) as Mt Hyland State Conservation Area, thereby re-opening that area for mining activity. It is noted that this area is one of the initial 79 also opened up for recreational hunting – something that is also not permitted in flora reserves.

Impacts on neighbours from the creation of national parks in northern NSW included:

- increased security of access to private property (afforded by these enabling legislation) – something that was often lacking under the previous Crown or state forest tenure;
- opportunities to obtain financial assistance for the construction of boundary fencing – something that was also lacking under the previous Crown or state forest tenure due to those departments enforcing the letter of the *Dividing Fences Act*, which requires private property owners to pay the full cost of any fencing along the boundary of Crown land; and
- reduced incidence of pest and weed incursions onto their properties due to NPWS taking its responsibilities under the *Rural Lands Protection Act* (with respect to pest animals) and the *Noxious Weeds Act* very seriously – something that was lacking under the previous Crown or state forest tenure.

Due to the above, it can be claimed that the impacts on neighbours have generally been positive.

Impacts on local government councils included:

- reduced costs of road repairs due to the reduced number of timber haulage trucks causing wear and tear on local roads;
- increased focus on tourism as a growth industry in the local government area; and
- reduced complaints of ineffectual weed control leading to invasion of noxious weeds onto private property;
- improved catchment protection of water supplies, with reduced incidences of siltation of creeks and waterways due to reduction of ground disturbance formerly associated with logging operations, particularly on steep lands.

An example of the last of these is the improved water quality of the Clarence Valley's water supply from the Nymboida River, taken a short distance downstream of Nymboi-Binderay National Park (created as part of the IFA in 1997). The tap water in Grafton is no longer the colour of mud following rain storms on the Dorrigo Plateau.

2. The adherence to management practices on all public land that are mandated for private property holders, including fire, weed and pest management practices.

Management practices on public land vary considerably according to tenure. The existence of management plans is patchy, but the best coverage occurs for national parks rather than the other public land tenures. The draft management plan for Grafton's Susan Island Recreation Reserve has still never been exhibited, even though it was prepared more than 5 years ago, only a short 130 years after the reserve's initial dedication.

Crown Lands

It is generally accepted that many areas of Crown land that are not subject to leases are not managed at all (leading to the term 'vacant crown land' often being applied to these tracts of land). The Crown and Catchment Division of the Department of Primary Industries (previously the Land and Property Management Authority or the Department of Lands) has no funds available to manage the lands they hold.

Even small accessible areas of Crown land administered by Trusts (e.g. Susan Island and Elizabeth Island in the Clarence River at Grafton, entrusted to the Susan and Elizabeth Islands Recreation Reserve Trust) have received little or no management due to a chronic lack of funds. Any weed or pest management conducted on the islands has occurred in partnership with other volunteer groups (such as the Clarence Environment Centre) or with the National Parks and Wildlife Service (which has not only assisted in the works but also in applying for funding to allow contractors to be hired to carry out works).

The Department of Lands is not a fire authority, and only has only one fire-trained personnel on the whole of the North Coast whose role is liaison and planning. The Department of Lands therefore relies on RFS volunteers or metropolitan brigades to carry out fire prevention measures and to respond to wildfires.

State Forests

Forests NSW implement a significant degree of fire management on state forest, including the hiring of contractors to spot fires from towers dotted across the countryside, and special teams of fire fighters hired during summer months to respond to wildfires.

In contrast, Forests NSW implements almost no weed or pest control measures across its estate. Even highly invasive noxious weeds such as Groundsel Bush (*Baccharis halimifolia*) are left untreated. A CVCC member regularly attends the North Coast Weeds Advisory Committee meetings and has not been impressed by the various Forests NSW representatives that attend committee meetings, and their very cursory reports on almost non-existent weed control measures. This is a significant issue affecting the productivity of regrowth forest and the timber they are meant to be growing, particularly when weeds such as lantana are uncontrolled.

Neighbours of state forest who are members of the CVCC cannot recall (over a period of 20 years) any pest control being carried out on neighbouring state forest despite a large and growing population of wild dogs. Many of these dogs have been introduced to the area by pig hunters, undoubtedly not who do not con

National Parks

With the increase in operational budget associated with the Resource Package initiated by the Fahey Government and continued by the Carr Government, each NPWS district has had its own professional pest and fire officer since the mid 1990s. As a result, NPWS has a well-deserved reputation for carrying out significant programs aimed at the control of fire, pests and weeds.

All NPWS estate are covered by fire management strategies which inform the targeted use of prescribed fire (either to create strategic fire advantage zones of reduced fuel level, or to ensure that fire frequency is within the recommended thresholds for each biome). NPWS is a fire-fighting authority and has the capacity to implement prescribed fire programs on its estate to a greater degree than any other public land manager and to respond to small wildfires within a timely manner. NPWS staff often form part of the multi-agency teams established to manage fire emergencies declared under s.44 of the *Rural Fires Act*.

All NPWS regions have prepared pest management strategies which identify the priorities for pest and weed control in each region's parks and reserves – a new batch of these was exhibited in late 2011, following consultation forums in each region. There is no similar document prepared for any of the other public land tenures, either at a local, regional or state-wide scale. The CVCC member who attends the North Coast Weeds Advisory Committee meetings has praised the comprehensiveness of NPWS reporting at committee meetings, and the scope and scale of the programs described in these reports.

NPWS has shown state-wide leadership in the preparation of multi-tenure threat abatement plans for pests such as the European Red Fox and Bitou Bush, and in responding to cane toad populations beyond the containment line in North East NSW. OEH staff have also provided guidance and direction to weed and pest control measures on the World Heritage listed Lord Howe Island.

3. Examination of models for the management of public land, including models that provide for conservation outcomes which utilise the principles of “sustainable use”.

Any consideration of ‘sustainable use’ should be based on the internationally-agreed principles of ecologically sustainable development (the balance of economic, ecological and social needs so that the options available to future generations are not foreclosed by our actions). A key indicator is natural resource condition.

Conserving biodiversity is one means of keeping future options alive. This is a key objective of a comprehensive, adequate and representative reserve system, which was created in Northern NSW in the late 1990s as a result of the Regional Forest Agreement. These reserves protect species and their habitat and reduce impacts from threatening processes – in fact protection of landscapes in the reserve system is widely recognised to be the most effective means of conserving biodiversity. Australia is a signatory to the International Convention on Biodiversity, and so is committed to conserve its biodiversity. The NSW Government is a signatory to the Intergovernmental Agreement on the Environment whereby the Australian Government and all State Governments agreed to the establishment of a comprehensive, adequate and representative system of protected areas, and while the NSW government has made significant progress to date in this regard particularly in Northern NSW and South East Forests, many biogeographic subregions remain under-represented.

Our national park areas are also important for their economic and social values. They provide immense economic value due to critical ecosystem services such as fresh water catchment protection and carbon sequestration (see above anecdote regarding the improved water quality of the Clarence Valley’s reticulated water). They also provide a range of recreational opportunities, from developed visitor information centres with exhibition spaces and retail outlets (e.g. Dorrigo National Park) to large tracts of unroaded wilderness with small-scale picnic areas, camping areas and lookouts on the park’s edge (e.g. Washpool National Park).

Their landscapes, places and objects are significant for their Aboriginal and non-Aboriginal cultural values. The opportunity for employment and having control of the management of traditional lands (e.g. through Indigenous Protected Areas or parks leased back under Part 4A of the *National Parks and Wildlife Act*) provides for economic and social development of indigenous communities.

These values are being well protected and enhanced by the current model of national park management. Their effective management for conservation is however being hampered by budget pressure and demands to manage and provide infrastructure for an increasing number of incompatible recreational activities such as hunting and horse riding. If we want a world class system of protected areas, they need to be adequately funded and resourced.

4. Any other related matters

The CVCC is concerned at the inherent bias in the Terms of Reference of this Inquiry. These are framed in such a way as to suggest that the impacts of conversion to national parks are all, or overwhelmingly, negative. To frame these terms in such a way gives the impression that the Committee has a pre-determined agenda that is hostile to the creation or continuation of national parks for biodiversity conservation. The CVCC hopes that this is not so.

National Parks on the North Coast, (as elsewhere in the state) are of great economic value to their communities as tourism destinations. In addition they provide valuable opportunities for local people to refresh themselves away from the stresses of modern life in more natural

surroundings. As well these natural areas provide important environmental services such as protecting water quality, enhancing air quality and storing carbon.

We have already mentioned problems with national parks being opened up for activities that are incompatible with their core function - biodiversity conservation. Recent years have seen an increase in pressure from a range of interest groups for access to national parks for their activities. In response bureaucrats and governments have often acceded to these demands without giving careful thought to the long-term impacts of their decisions. At a time when environmental degradation and species loss is alarming an increasing number of scientists and community members, governments and those entrusted with managing our remaining natural areas should be taking a much more precautionary approach than they have been.

Conclusion

The Clarence Valley Conservation Coalition urges the Inquiry to

- recognise the value of the national parks estate and the contribution it makes to the community in general
- recognise the importance of the national parks estate in the protection of biodiversity in a range of ecosystems.
- recommend to Government that the national parks estate's core function of biodiversity protection not be endangered by opening up these special areas to activities incompatible with that core function.
- recommend to Government an increase in funding for management of the national parks estate.

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