

**Submission
No 326**

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

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General Purpose Standing Committee No.6

NSW Parliament House

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Submission to the Inquiry into Crown Land

I welcome this Inquiry and hope that it is able to usefully guide considerations into how best to administer and manage Crown Lands for the benefit of present and future generations.

The following comments are submitted from myself as a private individual, informed by my experience over many years as a person actively and passionately concerned about the need to care for and manage our natural heritage as both a crucial life support system and for the long term wellbeing of our community. Documenting and safeguarding this heritage through mandated and well resourced management in an equitable and transparent manner is important. My comments are set out under the four headings of the Inquiry.

a) The extent of Crown Land and the benefits of active use and management of the land to New South Wales

The remaining percentage of Crown Lands in NSW includes many areas across NSW that still support relatively natural ecological communities representative of pre-settlement Australia and also deliver ecological services, including water catchment values, to the present day population.

The full extent of all the remaining parcels of Crown Lands has been difficult for the general public to ascertain in the absence of readily accessible data.

Specific studies have documented some important natural and aboriginal heritage values retained in other regions otherwise now heavily cleared and developed (Cemeteries, TSRs, Roadsides and Paper Roads, *Enduring Landscapes). In some instances these substantiate that such areas provide important biodiversity corridor and remnant vegetation elements.

In some instances such areas are crucial for the ongoing survival of both species and ecological communities essential to maintain the diverse, complex natural landscape and character of NSW.

Crown Land offers an extensive range of recreational opportunities along with enjoyment, health and enhanced understanding of the essential nature of Australia, as well as respite from increasingly populated centres of settlement. Often cited examples at the low impact end of the recreational opportunities spectrum would be walking, photography, bird-watching with higher impact activities such as camping, cycling, horse-riding, orienteering and rogaining in suitably robust terrain and under appropriate management constraints.

b) The adequacy of community input and consultation regarding the commercial use and disposal of Crown land

The difficulty of accessing information about the location, let alone status, of Crown Lands across the State has been a deterrent to people within the community. I recall a personal incident (admittedly some 10 years ago) when asking about a parcel of land in the Kyogle area of being informed that if I wanted to know the details I would have to go to the relevant local Lands Dept office in the area: at that stage there was no centralised inventory of Crown Lands, let alone one available to the public.

The Committee may find it useful to learn what NOT to do from the current program regarding the future of undeveloped (paper) roads. There is a current problem with often only very local advertising of proposals for closure and possible sale, and in the seeming absence of evaluation of natural and biodiversity corridor values except possibly where within national park estate lands.

Local Government transfers: There is a well documented suite of instances where Crown Land entrusted to local government as community land has ended up being irrevocably compromised if not totally alienated. I anticipate the Inquiry will be provided with a concerns from individuals and groups with well documented case history illustrated concerns which I urge the Committee to heed as a basis for improved processes and security of protection into the future.

Travelling Stock Routes: These include many sections of high conservation value in otherwise substantially modified regions as well as well as important and traditional access routes and biodiversity corridors. Where TSRs occur within now reserved for conservation it is important to ensure their natural and cultural heritage values are not lost or compromised by inappropriate use, sale or commercialised activities. This is particularly relevant where still existing TSRs traverse lands now within the protected area national park estate. I am personally aware of several instances that have been of concern where farmers have wished to move stock between adjacent holdings or a commercial tourism enterprise has sought to develop recreational "stock driving rides" on long dormant TSR.

c) The most appropriate and effective measures for protecting Crown land so that it is preserved and enhanced for future generations

Until and unless the natural and heritage values of the remaining crown lands has been adequately evaluated and a mandatory system for ensuring these values are maintained is in place and resourced in an open and transparent manner, there should be a moratorium on any sale.

I note that the current principles under the Crown Lands Act provide an invaluable overarching approach to administering the provisions of the Act and trust these will be maintained.

Leasing provisions, as for example pastoral leases in the Western Division which now constitute a significant proportion of the remaining Crown Lands estate, provide a longstanding means of providing a broad series of conditions, if compliance is properly resourced and enforced.

In the "Enduring Landscapes" report produced by John Macris for the National Parks Association a proposal was put forward for a new planning overlay to address specific high conservation value area protection through a somewhat similar approach being included in Local Environment Plan zoning similar to Environmental Zones. Consideration of such an approach is commended to the Inquiry, in contrast to present situation where the only overlays that seem to be effective are those that facilitate development and transient extractive industries resulting in loss of natural and cultural values.

d) The extent of Aboriginal Land Claims over Crown land and opportunities to increase Aboriginal involvement in the management of Crown land.

I trust the Committee will be able to hear from Aboriginal peoples on this issue. For example ABC Radio National (am 21/7/16) featured an interview with a Wirradjurri Ph D student from Charles Sturt University who has recently produced a short film in his own language about their culture, suggesting that there are valuable lessons applicable to our contemporary world. There are important opportunities here for the State to further the rightful interests of Aboriginal peoples to better access their lands. As I see it, a relatively recent in-comer in 1961, one of the great iniquities Aboriginal people have suffered is not only the blanket appropriation of their lands by the Crown, but also their exclusion until quite recently from opportunities to share in the wealth gained over generations of in-comers granted use rights to the lands the Aboriginal peoples occupied for countless generations.

To conclude:

I am making this personal submission because I think it useful for the Select Committee will realise that there are individuals who care greatly about the long term environmental future of NSW and recognise that a healthy environment is an essential basis for a healthy and flourishing population.

I support the thrust of the contributions to the Crown Lands Reform process made by the Nature Conservation Council and the National Parks Association.

I also commend the Parliamentary Library for the useful NSW Parliamentary Research Service paper “Crown Lands Management”, dated November 2014.

*Reference: Enduring Landscapes -Towards Co-existence with Nature through a Regional Protected Area Plan - Greater Sydney, report by John Macris for the National Parks Association of NSW, 2006.