

**Submission
No 334**

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Name: Mr Peter Donley

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I hereby make this submission in relation to the Government's Inquiry into Crown Land.

First and foremost, I am very concerned about what is apparently the Government's intention of holding a fire sale of Crown leasehold lands across NSW.

The Crown Lands Legislation White Paper outlines substantial changes that could potentially result in large parcels of public land being handed over to other agencies or to private management and ownership.

The White Paper proposes the transfer of management of some Crown Land to local councils, under the Local Government Act. It is not clear how this proposal links in with current review of the Local Government Act or what procedures will be put in place to ensure both a transparent process for the transfer of land and the future management of that land, by local councils.

I submit that Crown Lands generally have high conservation values and need to be preserved for their value in providing remnant vegetation and habitat for threatened species. In highly cleared landscapes they provide very important habitat connectivity.

The proposed changes will undermine the key principles of Crown Land management, set out in section 11 of the Crown Lands Act 1989, including environment protection and the conservation of natural resources. This is not in the public interest.

Crown Lands are dominated by ecosystems that have always been a very high priority for conservation. Given these significant environmental values, the Minister for the Environment should play a key role in ensuring that our Crown Land estate is effectively managed in accordance with the principles of ecologically sustainable development.

There also needs to be a clear, legislative avenue for Aboriginal Land Claims over Crown Land and opportunities to increase Aboriginal involvement in the management of Crown Land to conserve its cultural and heritage values as well as environmental value.

It is unclear what implications the proposed changes to Crown Land management will have on pending or future Aboriginal land claim rights. In particular consideration must be given as to what effect proposals to transfer or sell land to agencies or private persons will have on future claims.

It is essential that Crown Land is properly managed to protect its important environmental, social and cultural values pending the resolution of any outstanding land claims.

I very concerned about the adequacy of community input and consultation into any proposed commercial use and disposal of Crown Land.

I submit that the current management and administration of Crown Land is not transparent and there is little public accountability. There is no readily available information to the public about how money raised from the sale, leasing and granting of other interests of Crown Land is spent.

It should be mandatory to prepare a plan of management for a Crown reserve under the Crown Lands Act 1989 to accurately set out what activities and development are permissible or what leases or licences are authorised.

I am most concerned about the program to speed up closure of undeveloped Crown roads and facilitate their sale. It is unclear what consideration has been given to the broader values of “paper” roads, particularly regarding their recreational access and environmental values.

I know of communities that are concerned with the current mismanagement of Crown Land reserved for open space or public recreation, particularly in circumstances where Crown Land is leased for commercial purposes thereby reducing public access and impacting on environmental, cultural and social values.

I also submit that there has been inadequate consultation and community input on proposed changes to the future management, use and disposal of Crown lands.

The Crown Lands Legislation White Paper gave the public the opportunity to comment on the Government’s proposals. But it provided insufficient detail for the outcomes of the Review to be fully understood and it did not contain a copy of draft legislation.

RECOMMENDATIONS

The NSW government should heed to broad community concerns about its proposed legislation and in particular:

- Undertake a robust and complete assessment of the environmental, cultural or social values of its Crown land assets.
- Undertake further, broad community consultation on the important issues of Crown Land management in NSW.
- Ensure that the existing objectives of managing Crown Land for environment protection and conservation of natural resources are retained and that Crown Land is managed in accordance with the principles of ecologically sustainable development.
- Ensure that all Crown Land with important environmental, cultural or social values be maintained as public land.
- Ensure a clear, legislative avenue for Aboriginal Land Claims over Crown Land and opportunities to increase Aboriginal involvement in the management of Crown Land to conserve its cultural and heritage values as well as environmental value