

**Submission
No 338**

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

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I wish to make a submission to the NSW Upper House Inquiry into Crown land because I am deeply concerned that the NSW Government threatens to sell these important public assets that belong to the people of NSW. WHOLESALÉ “SALE” OF CROWN LAND MUST BE REJECTED.

NSW’s Crown Lands must not be cashed in for profit by anyone such as developers, farmers or private companies. Any changes that allow the sale of NSW’s Crown lands would return NSW to corruption that was exposed with the ICAC Inquiry into Mr Eddie Obeid and others. The NSW Government must not endorse cashing in NSW Crown lands. If the NSW Government does – it risks returning to a situation that Mr David Ipp, ICAC Commissioner, QC described - “There were some people who regarded New South Wales as an enormous refrigerator, and whenever they felt hungry they could go into the refrigerator and take out a choice pie to eat”. NSW’s Crown must not become the NSW’s ‘refrigerator’ for some to squander for their own selfish needs and risk irreversible and negative outcomes for the people and environment of NSW.

I support the Nature Conservation Council of NSW and the National Parks Association of NSW’s submissions for this Inquiry.

Thus I ask that the following issues be considered:

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

- Crown land is critical for the protection of NSW’s biodiversity as it includes marine, freshwater and coastal ecosystems to the arid ecosystems of western NSW. When NSW has such a high record of extinctions – Crown land is vital for biodiversity protection.

- It is difficult to know exactly where all the Crown land is. This makes it very difficult to know which land needs protection and does not.
- Crown land is vital for the health of citizens of NSW as it provides opportunities for a wide range of active and passive recreational activities including going to the beach, jogging, bushwalking, fishing, kayaking and bird watching. Crown land must be managed actively to ensure that public enjoyment of and access to these activities is maintained.
- One of the most serious environmental issues facing NSW is fragmentation of habitat and Crown land plays a critical role in protecting wildlife habitat and corridors, biodiversity and coastal environments, wetlands, rivers and estuaries in NSW. One of the issues that concerns me greatly is protecting wetlands and coastal environments for migratory birds. Without these protected areas it will threaten vital habitat for birdlife and other species.
- The protection of Crown land is vital for ecosystem services such as clean air, water and soil. Crown lands are vital for the health of NSW's citizens.
- Commercial activities such as grazing, logging, agriculture and tourism must not damage Crown land of high conservation value. Resources are needed to ensure effective control of weeds and pest animals.
- The Crown Land of the Western Division includes some of NSW's most fragile and marginal land and must not be sold off. The early 20th Century drought in the Western Division had some of the most shocking impacts caused by overgrazing, drought and rabbits. It is vital that we learn these lessons and ensure that management is consistent with principles of ecologically sustainable development.
- Integrated into this Inquiry must be the withdrawal of the Biodiversity Conservation Bill and Local Land Services Amendment Bill that will enable a return to broadscale land clearing. Crown land management must be strengthened to support the protection of native vegetation laws.
- Travelling Stock Routes (TSRs) are some of the most valuable biodiversity corridors of NSW and must be protected as most agricultural land has now been degraded. The Travelling Stock Routes contain vital remaining seed stock for regeneration of many endangered ecological communities and threatened species in the Central Division. TSRs need appropriate grazing regimes and management to maintain their importance as wildlife corridors.

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

The community is feeling constant betrayal by the NSW Government's privatisation agenda and is fearful that it will be selling and leasing off the public's Crown Land. I am also concerned about the lack of transparency and lack of 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 is not mandatory to prepare a plan of management for a Crown reserve under the Crown Lands Act 1989 that sets out what activities and development are permissible or what leases or licences are authorised.
- There is significant community concern regarding 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. There has also been a lack of transparency and accountability in determining which roads should be closed, and sales have continued to occur despite strong objection from the community.
- Many community groups have significant concerns 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, reducing public access and impacting on environmental, cultural and social values. There is also considerable concern about the carrying out of commercial activities on Crown land which are unrelated to the particular purpose for which they were originally reserved.

There has been inadequate consultation and community input on proposed changes to the future management, use and disposal of Crown lands. In particular:

- There has been no proper assessment of the environmental, social and cultural values, and public benefits, of Crown land.
- The Crown Lands Legislation White Paper gave the public the opportunity to comment on the Government's proposals. However, it provided insufficient detail for the outcomes of the Review to be fully understood and it did not contain a copy of draft legislation. The proposal that Crown land should be administered as a Public Trading Enterprise raised concerns that there will be widespread sale and commercialisation of Crown land.
- Public submissions on the Crown Lands Legislation White Paper were summarised but not made publicly available. Therefore, the public did not see the full range of issues raised in submissions.

- Although the public did have the opportunity to comment on the draft NSW Travelling Stock Reserves State Planning Framework 2016-19, it is concerning that five year grazing permits were being advertised even before this draft document was placed on public exhibition or finalised.

- There has been a lack of community involvement and secrecy surrounding both the Land Stocktake and Local Land Pilot Projects undertaken following the Crown Lands Legislation White Paper. It is unclear how “Local” land is to be transferred to Councils, including whether Councils will be provided with funding for transferred land. It is outrageous that the community has had no say in the criteria which will determine Crown land as either State or Local land.

- It is proposed to repeal the land management principles currently in the Crown Lands Act 1989. These require consideration of a number of factors including environmental matters before land can be sold or leased. It is essential that there is appropriate consideration of the social, cultural and environmental values of Crown land before land they are leased or licensed and sold to ensure that the public benefit of Crown land is preserved for future generations.

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

- Crown land is a valuable public resource and MUST stay in public ownership, held on Trust by the State on behalf of the people of NSW.

- It is crucial that the social, cultural or environmental values of Crown land are properly evaluated before further decisions are made about the future of Crown land, including TSRs.

- Crown land must be administered in an open, transparent and accountable manner that increases public participation in their management.

- Management of Crown land throughout the State must be based on the principles of ecologically sustainable development.

- Crown land management must recognise the importance of and protect ecosystems and the services they provide such as clean water and air, carbon sequestration and biodiversity.

- Agencies responsible for the administration of Crown land, including TSRs, must work co-operatively with other land managers including State Forests, NPWS and councils to promote conservation of biodiversity and protection of ecosystem services.

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

- Increased Aboriginal involvement in the management of Crown land to conserve its cultural and heritage values as well as environmental values is strongly supported.

Yours sincerely

Janine Kitson