

**Submission
No 303**

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Name: Ms Claire Bettington

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Submission

Parliamentary Inquiry into Crown Land Management

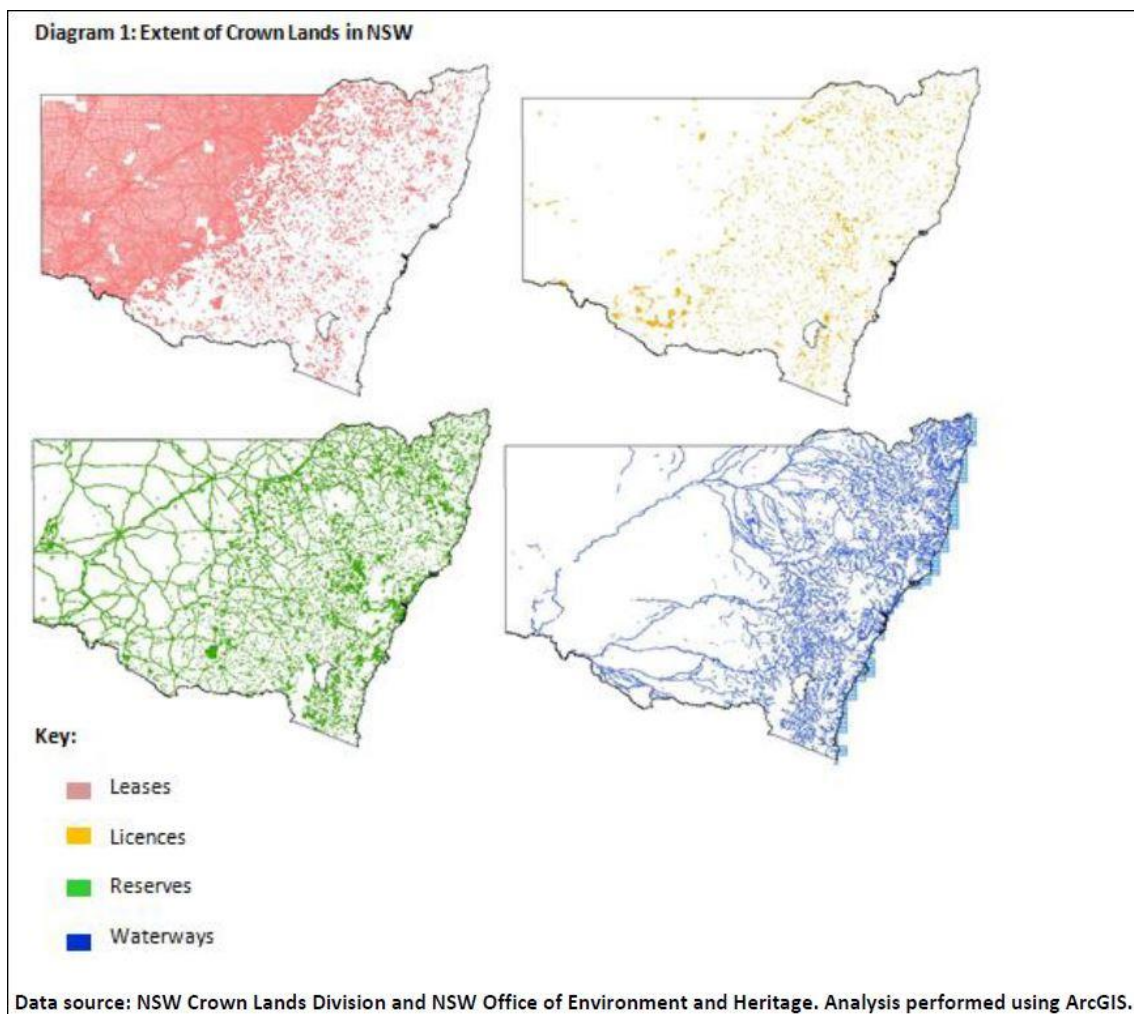
By Claire Bettington
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Thank you for the opportunity to make a submission to the Parliamentary Inquiry into Crown Land Management.

My opinion is this: Crown Lands are NOT a “cash cow” for the NSW government to sell off to raise revenue; nor should leasehold lands to be converted into freehold lands; nor should they to be used exclusively for commercial purposes for private profit. Crown Lands must instead be managed properly and protected for the common good, for the protection of our unique flora and fauna, and for common use by the people of NSW.

Introduction: the Crown Lands of NSW.

Firstly, a map of the various types of Crown Land in NSW ¹:



¹ Clarke, P., 2014, “Submission on the Crown Lands Legislation White Paper”, NCC, Newtown, NSW. p5.

The following is a list of a few examples of Crown Lands in NSW:

- Approximately 94,000ha are wetlands, including two Ramsar-listed wetlands, essential habitat for migratory birds, including protected and endangered species. Some of these wetland areas are famous – the Macquarie Marshes, the Gwydir Wetlands, the Lowbidgee Floodplains.²
- Reserves that serve as vital habitat for at least 71 threatened plant species; 111 threatened fauna species;³
- Travelling Stock Routes and Reserves (TSRs) form hundreds of thousands of ha of Crown Land;
- Beaches, parks, headlands, nature reserves, including the famous Bondi Beach.
- Some urban spaces such as Hyde Park, Observatory Hill and Martin Place in Sydney.
- Western NSW leasehold lands – approximately 30 of the 33 million ha of Crown Lands.⁴

My reasons for my opinions, referring to the Terms of Reference:

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

No-one seems to know the extent of Crown Lands in NSW with accuracy. Comprehensive and accurate mapping has not been done. Rough estimates are that there are about 33 million hectares or 42% of the State held by the Crown. This is almost *HALF* the land in NSW! As such, the fate and management of Crown Land deserves a great deal of attention, from *all* the people of NSW.

At the very least, we should be able to know the current extent, the current condition, the current usage, and the environmental and cultural values of these lands. No such information exists, or if it does, it is not readily accessible. How then can anyone assess the benefits or the value of this land, except in terms of potential revenue to be raised from its sale, or in terms of costs incurred by the government in managing such extensive lands?

I recently attended a day conference organized by AABR (Australian Association of Bush Regenerators) where **Ian Davidson**⁵ spoke on the exceptional ecological values of the **TSRs** (Travelling Stock Routes & Reserves) of the Riverina region, of which he has extensive, intimate practical knowledge. Here is what he said about the TSRs of the Riverina:

- TSRs are NSW's huge and hidden asset, around 600,000ha in the Riverina alone;
- Riverina TSRs are on prime agricultural land; often along roadsides; they contain original vegetation which hasn't been cropped, cleared or had superphosphate added, as have the surrounding areas;
- The TSRs are the best example of the vegetation that existed prior to white settlement and constitute a huge and critically important habitat for threatened species;
- Indeed, the Superb Parrot relies on TSRs for its very survival;

² NCC, 2015, "Crown Lands briefing notes", www.nature.org.au/media/2200/briefing-note-revised-may-2015.pdf

³ Ibid.

⁴ BPN, 2015, "Crown Land Management: Public Lands Under Threat", www.betterplanningnetwork.org.au

⁵ Ian Davidson, ex-TSR ranger, of Regeneration Solutions P/L, <http://www.regenerationsolutions.com.au/>

- TSRs are a vital network of connectivity for the flora and fauna, enabling travel/transfer between areas, which will be vital for survival of many species in the future with the effects of climate change.
- His 6-year study of the condition and management of 108 of the 600 or so Riverina TSRs revealed that local knowledge and historical records were absolutely invaluable, along with woody weed control and Noisy Miner control in many places; during those 6 years there was great regeneration of native flora providing essential habitat for native fauna; this was very important in areas of EECs (Endangered Ecological Communities) both flora and fauna.
- Management options he assessed: fencing in some areas, not in others; management grazing by stock to eat the weeds; expert rapid assessment of an area's ecological values/condition to minimize the costs of data collection; using the TSR Rangers' practical knowledge and experience; constant liaising with the land managers, leaseholders, users of TSRs.
- Local Land Services have found TSR management too difficult, so they have leased out some TSRs for permanent grazing, which is completely at odds with the intended purpose – when stock travels it eats the vegetation, but afterwards it has time to recover; constant grazing destroys the bio-diversity.
- Wetland restoration would be a fantastic way to capture carbon, as wetlands absorb *three times* as much carbon as forests do; if Riverina farmers could be paid to capture carbon by restoring wetlands, they would have no need to graze animals so extensively, and the TSRs would be less impacted.

Hopefully Ian Davidson has made a submission to this Inquiry as well. If he hasn't, I suggest you get in touch with him as he has a lifetime's experience and knowledge of TSRs.

So: Just this one aspect of Crown Lands, TSRs, is a vast subject. One could say that it is absolutely vital habitat for EECs, which we will lose if it is not managed properly in the future; or if it is sold off; or if it is neglected; or if it is starved of funds; or if it is leased for the wrong purposes.

I contend that ALL Crown Lands need such scrutiny – on a case by case basis if necessary - the condition, the use, the management, the history, of our Crown Lands should be thoroughly recorded and mapped.

Crown Lands are very diverse, and should not be lumped together as some sort of liability, treated as if it they are a "cash cow" from which to raise revenue in a series of one-off sales, or regarded simply as a drain on public resources.

(b) The adequacy of community input and consultation regarding the commercial use and disposal of Crown Land.

Until last week, I had no idea that there was an Upper House inquiry into Crown Lands; neither had anyone else I know. Indeed, I have only just discovered, through reading about the Inquiry, that two years ago there was a Crown Lands White Paper put up for public discussion.

You could conclude that there has been really very little willingness on the part of the NSW government to communicate to the public that they are proposing to sell off or rent out for private profit over 40% of the land in NSW! I am absolutely certain that people would be interested if they only knew this fact. After all, there is a lot of fuss in the media every time a vast remote cattle or sheep station is going to be sold to overseas buyers, eg Kidman Station.

I was rather unsure what Crown Lands were until a few days ago. I found out that they can be leasehold farms in the arid West of the state; they can be TSRs, as above, they can be the local urban beach, or the suburban park, or even the **Quarantine Station at Manly in Sydney** – national heritage buildings now in use as an up-market hotel.

In fact, the **Quarantine Station at Manly** is a good example of why Crown Lands *must not be let out for commercial use*:

- People were against the commercial use of this heritage complex for many years, but lost the battle when a very controversial decision was made by the government to allow the adaptive re-use of the buildings as a hotel, overruling strong public opinion;
- Now Mawland (Accor Hotels) has exclusive use of the area, which is closed to the public;
- Right next to the complex, there is the last remaining mainland Little Penguin nesting colony, and its survival is in doubt due to trouble with fox and dog attacks;
- Mawland know this, yet instead of taking an active interest in the Little Penguins, they have applied for variations to their planning controls so they can play outdoor music on a decking near the Penguin nesting area; they want to accommodate 600 visitors at a time, up from 450, and they want to do environmental audits every 8 yrs instead of every 5, as it is "a drain on their resources".⁶
- It is a good example of where commercial interests and environmental conservation do not mix, as the imperative of the economics and the need for profit drive all other considerations away.
- It could be argued that it is impossible to expect a for-profit commercial concern to be an environmental manager – that is not their job, their purpose, or their interest.

Conclusion: the government should be very careful as to what they allow to happen on public land where there are threatened ecological communities. In fact, I would say don't allow it at all.

(c) the most appropriate and effective measures for protecting Crown Land so that it is preserved and enhanced for future generations

It is obvious to me that the only way to protect and manage Crown Land is by a dedicated and well-resourced government department, which must be exempt from the imperative of cost recovery.

The central pillar of such a department should of course be Ecologically Sustainable Development.

The Department would work in conjunction with ecologists, scientists, locals, land managers, farmers, etc, to determine what is best for the land and the flora/fauna/EECs present, rather than see how much profit can be extracted from it.

It is time to start to cherish and protect our natural heritage, especially the flora and fauna EECs, of which we have so little left. We should start to take national pride in our unique, irreplaceable native animals and plants. We are a rich country, we could do this if the political will were there. Meanwhile, species are heading towards extinction at a soaring rate. This is just plain wrong, and must be reversed.

Nevertheless, I think that good and proper management of Crown Lands could be a huge source of "jobs and growth", from expert ecologists through to local employment of guides, fencers, rangers, etc, perhaps in some areas there would be a huge boost in eco-tourism if it were managed properly and marketed with the environment as the main priority.

Programs of land restoration and ongoing protection could attract volunteers from all over Australia and the world if promoted properly: this could be managed by commercial operators, without giving them exclusive use of the land or freehold ownership. They could still make a profit, like the tourist trip operators do near Cairns, Qld – day trips in 4WDs with knowledgeable guides.

⁶ Melanie Kembrey, 14-3-2016, "Concerns for safety of Little Penguins at North Head in Manly", SMH.

A culture of custodianship rather than literal legal ownership should be encouraged; that way everyone who participates in Crown Land programs would feel "ownership" in the sense of being involved, being connected to the land, being passionate about the land.

It would be educational opportunity too: how many kids today know the names of our native animals beyond "kangaroo and koala", yet they all know lots about pandas, bears, lions, tigers, buffalo, dogs, cats, etc, all missing from a natural Australia, but plentiful in TV and films.

There are many possibilities other than giving away, selling or renting out Crown Lands to the highest bidder, all of which should be prohibited.

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

The intention of the government to convert Western arid lands from Leasehold to Freehold seems to me to be continuation of the "granting" of land that began in 1788. As far as I know, once land becomes Freehold, the right to Native Title claims by Aboriginal people is extinguished forever. Perhaps that is the government's cynical aim?

I think the Leasehold system should remain in place, with the leaseholder under an obligation to look after the land, or be kicked off. Converting Leasehold to Freehold would probably trigger a land-rush by rich foreigners to acquire great chunks of NSW, which would be extremely unpopular in the wider community, I can guarantee it.

Perhaps the government should be making more effort to let the general public know what they are proposing in this case, and give the majority of people the chance to have an opinion; a plebiscite perhaps? After all, when the government intends to give away or sell almost half of the land it holds in the name of the people, surely there should be a bit of widespread consultation, beyond putting a notice or two on a website.

I think Aboriginal People should have more claims, more say, more opportunities, of course they should. They have been dispossessed of their culture, land and beliefs long enough. Yet they were the custodians of the land for millennia, for countless generations, the longest continuous civilization on the face of the earth. How dare we take their land? It is time to reverse some of the damage, if possible.

Conclusion: there must be no conversion of Leasehold to Freehold Land; there must be no more selling off of Crown Land; there must be limited use of Crown Land by corporations or companies whose sole motivation is profit; the government must make an effort to properly assess, properly manage and properly protect our precious Crown Lands, especially where there are EECs present. Various innovative programs could enthuse people to "own" the land as custodians, as our First People did, and a great deal of work could be done by willing volunteers. Crown Land is OUR land, not the government's land to be sold off to raise short-term revenue.

Thank you for the opportunity to comment,
Yours sincerely

Claire Bettington
Sydney NSW