

**Submission
No 151**

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Organisation: Duffys Forest Residents Association Inc

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DUFFYS FOREST

RESIDENTS ASSOCIATION INC

P.O. Box 567 TERREY HILLS 2084

GENERAL PURPOSE STANDING COMMITTEE NO. 6
Attention: The Chair, Hon. Paul Green MLC

Enquiry into Sale of Crown Land

July 24th 2016

As a consequence of the proposed changes to Crown Land management and transfer to Councils, we are concerned that land will be reclassified to operational land, or alternately land commercialised or sold off.

Duffys Forest Residents Association (DFRA) was formed in 1965 to represent the views of local residents and to protect the local amenity. Between the established suburb and Ku-ring-gai National Park there was once a buffer of Crown Land considered high conservation value dotted with significant recreational trails.

Prior to successful Aboriginal land claims a number of these land parcels had been assessed by NPWS Rangers and recommended for inclusion into the National Park but for unknown reasons the transfer into the National Park Estate never eventuated.

This high conservation value land was claimed by the MLALC under the NSW Aboriginal Land Act and subsequently sold to developers and subdivided for housing.

Thus we have concerns about the existing and future processes and legislation, which would enable land identified as worthy of inclusion, to be transferred into the National Park estate.

The Associations activities have included strong opposition to the sale of environmentally sensitive bushland and opposition to leasing of Crown Land by organizations conducting activities impacting the environment.

Our community have experience the loss of numerous recreational access trails due to poor planning and insufficient public notification prior to sale or transfer to Aboriginal Land Councils.

Crown lands in urban areas can contain important remnant vegetation and can be critical to the survival of resident, itinerant and migratory birds and other animals. Development pressures and urban encroachment can result in Crown Land providing a last refuge for endangered ecological communities. The future sale and development of these land parcels and unmade roads would see further loss of habitat connectivity and biodiversity, all well evidenced in the suburb of Duffys Forest.

In non-urban land, unmade Crown road reserves contain environmental features, including bushland; are used for public recreation, notably walking and cycling; and provide public access.

Issues relating to unmade Crown road reserves include:

1. Removal of vegetation for APZ purposes
2. Unauthorised vehicle access
3. Sale of Crown land

The use of unmade Crown road reserves as part of an Asset Protection Zone (APZ) for new development on adjoining private land requires the ongoing removal of vegetation. This results in the loss of bushland and comprises the environmental and recreational values associated with the public land. Crown land, including unmade road reserves, should be excluded from asset protection zones associated with new development on adjoining private land.

In non-urban land, unmade Crown road reserves are well used for recreation and public access for walking and cycling. Unmade Crown road reserves contain natural features that contribute to scenic amenity and vehicular access is restricted to private and / or emergency vehicles only. Public vehicular access, apart from emergency vehicles, should be prohibited and a right of way maintained for private vehicular access, if required.

The sale of Crown land has resulted in the loss of 1) public land with significant environmental values and 2) public access via Crown road reserves.

The absence of up-to-date State-wide mapping of Crown land and recent changes to access information under the land title system has made it more difficult and costly to verify where Crown land is held.

Inadequate consultation about the use and disposal of Crown Land and lack of readily access information about the sale, leasing and granting of other interests of Crown land.

The Crown lands estate has diverse environmental, social and cultural values, including opportunities for low impact recreation, education and scientific research. Public lands should be held in trust for the people of NSW and Government management must recognize the diverse environmental and social values of public lands.

In considering the 'High Value' of Native Bushland in an urban context it is essential to preserve and conserve high quality ecosystems with extensive biodiversity within urban areas particularly with the residential densities dramatically increasing. Therefore it is essential to retain Crown Land in Public Ownership.

The government has indicated it will introduce legislation into parliament soon without making the legislation being available for public comment before its introduction. This is not acceptable.

We urge the committee to recommend to government that a Moratorium on the sell off or development of crown and public land be implemented immediately, until such time as the report is handed to Parliament with sufficient time to consider and review the committee's recommendations

Kind regards,

Jenny Harris
Vice President
Duffys Forest Residents Association