Submission No 174

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Organisation: Clarence Environment Centre Inc.

Date received: 25 July 2016

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Submission

to

Crown Lands Management Review
NSW Trade & Investment

Email:

on the

Crown Lands Management Review

Compiled by John Edwards
Scientific Licence No. SL 100126
For the Clarence Environment Centre
Date: 23rd July 2016

Submission on the Crown Lands Management Review.

Introduction

The Clarence Environment Centre (CEC) has maintained a shop-front in Grafton for over 26 years, and has a proud history of environmental advocacy. The conservation of the Australia's natural environment, both terrestrial and and marine, has always been a priority for our members, and we believe the maintenance of healthy ecosystems and biodiversity is of paramount importance.

Crown Land Groupings.

We see crown lands falling into three broad categories:

- National Parks, reserves, and other protected areas,
- state forests, with the balance made up of
- travelling stock routes and water and camping reserves; crown road reserves; and a variety of residual vacant crown land blocks dotted across the landscape.

National Parks and other protected areas

In respect to National Parks, Nature reserves, World Heritage areas, and other protected areas under the administration of the Office of Environment and Heritage, these are a vital asset which contributes, not only to Australia's economy through tourism, which is enormous, but also provides refuge for Australia's unique flora and fauna, and contributes to the physical and psychological well-being of our citizens.

Unfortunately, much of our national parks estate is in a state of neglect, and in many areas, ongoing restructuring has seen national parks managed by officers transferred from other government entities, such as the old Forests NSW, with no conservation training whatsoever. This estate is often the final refuge for rare and endangered flora and fauna that are endemic to Australia, and are far too valuable an asset to be allowed to decline into inevitable degradation.

Therefore, we ask that funding be increased across the board, and better qualified middle management employed to manage these critically important world-class attractions at a level befitting tourist destinations that deserve to be second to none, in order to enhance this fastest growing industry in Australia.

State Forests

Given that native forest logging has cost tax-payers hundreds of millions of dollars over the decade and a half since the Regional Forests Agreements were signed, and the desperate need to reduce carbon emissions that are leading to catastrophic climate change, we strongly believe that native forest logging should be phased out as a matter of urgency through a transition to plantation timbers.

The unsustainable nature of the industry, and the subsequent disasterous consequences for biodiversity is well documented and supported by the following comments from forest stakeholders across the spectrum.

1. **The Institute of Foresters of Australia – Letter to Rob Oakeshott, 2009**:

   *"In NSW the adopted forest strategy is to **unsustainably cut** the available public native forest through to 2023 at which point hardwood plantations are proposed to be available to make up the very significant shortfall in logs. Unfortunately, the species mix and rate of plantation development in NSW post 2000 makes this unachievable".*

2. **Dailan Pugh OAM, North East Forest Alliance and RFA negotiator, July 2011**.

   "Timber volumes were intentionally committed above the estimated sustainable yields in north-east NSW by both the FAs and RFA (Forest Agreements and Regional Forest Agreements).
   The fact that Forests NSW has drastically overestimated the available timber volumes, is simply compounding the problems now being faced.

3. **The Environmental Defenders Office – Executive Summary, of its report - *"COMPLIANCE FAILURES IN THE PUBLIC FORESTS OF NEW SOUTH WALES"*,** July 2011.

   "It is clear that native forests are not being managed in a way that complies with the principles of Ecologically Sustainable Forest Management (ESFM) and the conservation of biodiversity."

4. **The Victorian Department of Primary Industries - "Economic Policy Settings in the Forest and Timber Industry – An inter-jurisdictional comparison", May 2008.**

   "There is concern that Forests NSW will not be able to meet commitments in Wood Supply Agreements with the current forest areas allocated for commercial forest production. This is evidenced through the fact that Forests NSW is purchasing private native forest resources to meet current commitments."

5. **The NSW Auditor General - "2009 Performance Audit**":

   a) *To meet wood supply commitments, the native forest managed by Forests NSW on the north coast is being cut faster than it is growing back.*

   b) *The North Coast region has been unable to meet its species commitment since 2004 for blackbutt* (the North Coast's most logged species, at 24%).

   c) *current yield from native forests in the north coast is not sustainable in the long term.*

State forests could also play a major part in the Federal Government meeting its Paris climate change commitments by allowing the continuing storing carbon unimpeded by logging.

As a result, it is our strong belief that, for the sake of the planet's future, biodiversity and all threatened species dependent on state forests, these areas must be managed for biodiversity and carbon storage, possibly by addition to the national park estate and managed to encourage tourism, one of the largest contributors to Australia's positive balance of payments.

Values of other remnant Crown land

In our submission to the White Paper, we focused on the huge number of crown land portions scattered across the state, and the range of ecological values they support.

The following section is devoted to those residual Crown lands, particularly travelling stock routes (TSRs) which are a vital component of Australia's natural environment and provide important habitat links for our unique fauna. As such, those parcels of public land, which today seldom fulfil the purpose for which they were created, must be protected for an even more important purpose, providing continuity of habitat for migrating wildlife in the face of climate change.

Crown land comes in a wide variety of titles and tenures, from TSRs, camping and water reserves, crown road reserves, closed council tip sites, reserve trusts, old school sites and simple vacant crown land. The management of this 'potpourri' of land tenures is equally varied, being managed, or more frequently unmanaged or mismanaged, by councils, the Local Lands Service (in NSW), various trusts, and Department of Lands.

We are encouraged to learn that State Government is conducting an audit of these crown lands which will include: *"The environmental significance of Crown land will be recognised in a number of provisions, including provisions for plans of management",* and that: *"The State land stocktake is under way in consultation with Government agencies",* and that: *"The stocktake will test the draft criteria for State land proposed by the Crown Land Management Review".*

Fortunately much of our crown land, outside of state forests, has not been exploited to the same extent that other crown lands have suffered. As a result these often retain native vegetation of high conservation value.

However, management of these crown lands is abysmal or non existant. The Clarence Environment Centre, has been undertaking a weed and feral animal control progrm in the Clarennce Valley as part of the 4 year Federal Government funded Upper Coldstream Biodiversity Project, and has approached various agencies with a view to extending our operations to include some 10 crown land plots that fall within our project area. Incredably, it appears, not one of those agencies has any budget for weed and feral animal control (at least that is what they tell us). If this is true it is a disgrace, and something that needs to be rectified. We cannot continue to allow crown land to act as 'incubators' for invasives species to recolonise surrounding properties as they currently do.

As it happens, the Clarence Environment Centre, as part of our commitment to the Federal Government funded project, has undertaken assessments of all ten crown reserves in our project area, and identified high levels of biodiversity, and conservation values. We have attached three of those reports of our findings to support our belief that these areas should be retained in public hands, or at the very least placed under a conservation covenant to protect them in perpetuity.

Recommendations

1. The Clarence Environment Centre recommends that all residual crown land be assessed for their environmental and cultural values, and management plans developed to protect and enhance those values.

2. We strongly believe that all crown land be retained in public hands, or at the very least protected by an in perpetuity conservation covenant.

3. As is shown in the attached crown land assessments, specifically the Wooli Rd TSR, even degraded landscapes have the potential to be regenerated to support endangered ecological communities, or provide a crucial wildlife corridor link to protect threatened species.

We thank the Department for this opportunity to comment, and sincerely hope that our suggestions receive serious consideration.

Yours sincerely
John Edwards
Honorary Secretary.

Attachments

1. Fosters Hut Rd. TSR Flora Report. Clarence Environment Centre, 15.10.14
2. Newfoundland Crown Land. DP 1143056. Flora and weed report. Clarence Environment Centre. September 2015
3. Wooli Rd TSR. Flora and weed report Clarence Environment Centre. October 2015

ATTACHMENT ONE
Flora Report on
Fosters Hut Rd. TSR.

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Grevillea robusta *Stellaria angustifolia* *Kennedia rubicunda* *Callistemon salignus*

Flora survey report – Fosters Hut Road travelling stock route.
15th September 2014

Introduction.

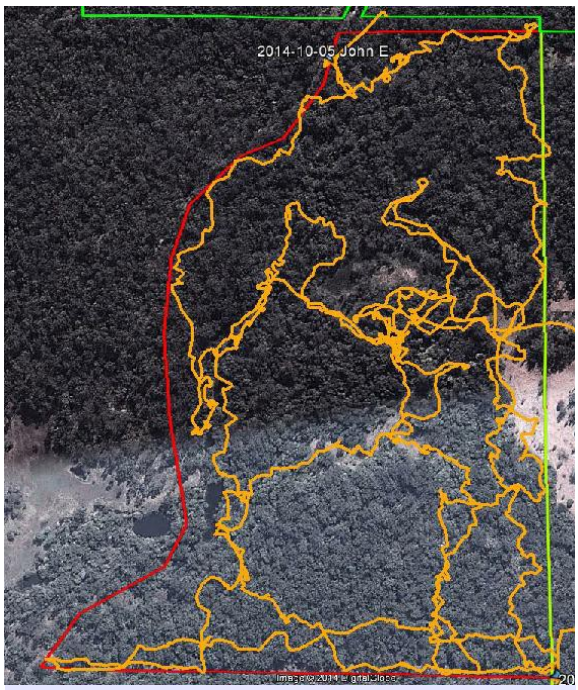
The Fosters Hut Road Travelling Stock Route (TSR) is managed by the NSW Local Land Services, an agency that was represented by the then Livestock Health and Pest Authority at an introductory meeting organised by the Nature Conservation Council of NSW towards the end of 2013. That induction explained the purpose of the Upper Coldstream Biodiversity Project, and extended an invitation for other agencies, natural resource managers, and land managers to be involved.

At the time the proposal received enthusiastic support from all quarters, but I'm unaware of any follow-up in that regard, or even if the several TSRs that were originally identified as falling within the Project's boundary are to receive any bush regeneration or weed eradication works.

Nevertheless, because of the significant habitat that occurs on the property, I decided to undertake a weed and flora survey of the Fosters Hut Rd property.

This report has been compiled from data collected during 6 hours of survey on 15th September 2014, a further 2 hours on the 21st October, and a final 6 hours on 22nd October, as part of the Federally funded Upper Coldstream Biodiversity Project.

Those surveys were carried out entirely by random meander, and the information has been gathered primarily to assist in compiling a comprehensive data base of vegetation types and species contained within the Project boundaries.



Flora meander surveys of the Fosters Hut Rd. TSR.22.10.14

Property description

The 39ha property extends generally south west from the end of Fosters Hut Road (off Bostock Road), is all forested, and consists mostly of low-lying flood plain, dissected by Bostock Gully, a tributary of Chaffin Creek. Bostock Gully feeds into the extensive wetlands at the centre of the TSR, including one of the Bostock Waterholes, before flowing into Chaffin Swamp, part of the major floodplain wetlandss of the Coldstream River near Tucabia, which are recognised as nationally significant and listed in the Directory of Important Wetlands of Australia.

Weather conditions

At the time of the survey, the district was suffering from prolonged drought which, despite heavy rain in early August, has seen the plant communities suffering stress, with a lower than average occurrence of herb species. There was no flow in Bostock Gully, but still a significant amount of water remained in the wetland areas, yet low enough to allow easy, on foot, access for survey work.

Vegetation types and condition

Almost half the property consists, in my opinion, of Endangered Subtropical Coastal Floodplain Forest Community, with approximately 2 hectares containing vegetation consistent with the Endangered Freshwater Wetland on Coastal Floodplains Community. The survey found 57 of the 100 indicative species listed in the NSW Scientific Committee's Determination of Subtropical Coastal Floodplain Forest as an endangered Ecological Community, and 22 of the 60 indicative species for Freshwater Wetlands on Coastal Floodplains.

Bostock Waterholes, an important all weather water supply, and part of an endangered Coastal Freshwater Wetland.

Vulnerable *Maundia triglochinoides*

The southern half of the property supports high quality dry sclerophyll forest, containing a good mix of hardwood tree species, with large numbers of old-growth trees, suggesting that any logging that may have occurred in the past was selective and with minimal impact.

Of the 200 native species identified during the survey, only one is listed as threatened, the *Maundia triglochinoides,* while a further 22 species are protected under the National Parks and Wildlife Act.

However, weeds are a problem, some clearly introduced through the use of the area as a stock route camping ground in the past. A full list of native flora, and introduced weeds that were detected during the surveys, is attached, along with a few fauna species that were sighted opportunistically.

The Vulnerable Rufous Bettong

It should be noted that a motion detection surveillance camera we had set up on private property, less than 100m east of the TSR, on the same water course, captured images of two threatened species, Rufous Bettong and Black Bittern, so both species would undoubtedly utilise the habitat on the subject site.

Weeds

Weed problems consist mainly of Lantana, which has infested areas along the high water mark of the regular flooding that occurs. Other weeds that appear to be in the early stages of infestation are Corky Passionfruit, *Passiflora suberosa;* Moth Vine, *Araugia sericifolia; Hydrocotyle bonariensis,* and *Senna species.*

Recommendations.

I'm not privy to Project plans in relation to TSRs, so I will not make specific recommendations beyond pointing out that weed control in the Fosters Hut Road TSR is highly desirable given the importance of the endangered communities.

Local Land Services must have a weed control budget, and I believe should be approached and shamed into funding weed control in the threatened ecosystems under its care. As the project has personnel on the ground in the immediate vicinity, already experienced in the local conditions, who better to address the problem?

Dockrillia linguiformis

Clematis glycinoides

Compiled by John Edwards for the Upper Coldstream Project, October 2014

ATTACHMENT 2

Flora report on Newfoundland Crown Land DP 1143056..

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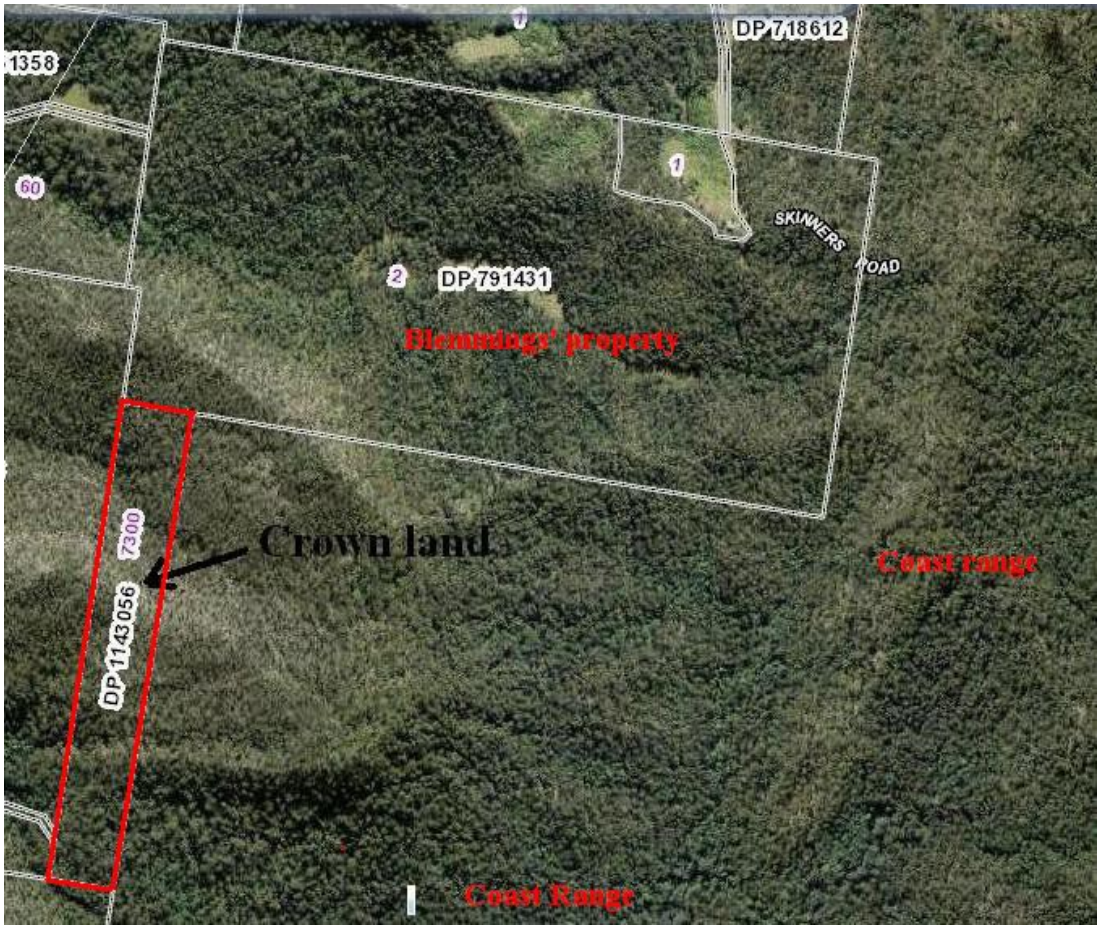
Flora and weed report for Crown Land - DP 1143056, adjoining Blemmings' property and Newfoundland State Forest

Introduction.

The 20.9ha Crown reserve (DP 1143056) consists of an approximately 200m wide strip extending southwards for about 1km, of the south-western corner of the Blemmings' Skinners Road property, and is sandwiched between private property to the west and Newfoundland State Forest on the east (see map below). It also lies at the southern limit of the Upper Coldstream Biodiversity Project boundary, and is included in the overall flora assessments undertaken by the Clarence Environment Centre,



An introductory meeting of all potential stakeholders in the Upper Coldstream Biodiversity Project (UCBP) was organised by the Nature Conservation Council of NSW towards the end of 2013. That induction explained the purpose of the project, and extended an invitation for other agencies, natural resource managers, and land managers to be involved.

Despite the proposal receiving enthusiastic support from all quarters, no formal agreements have yet been made in relation to possible bush regeneration or weed eradication work to be carried out on any of the numerous crown reserves, crown land, council reserves and travelling stock routes that fall within the Project boundary. However, at the time of compiling this report, the Clarence Environment Centre is awaiting a response to a request to meet with Department of Lands to discuss this matter further.

Description of property

The strip of crown land is at a remote and rugged location on the Coast Range, consisting of a series of elevated sandstone ridges above the 100m contour, cut by three major gullies, and some minor ones, that feed into Pillar Valley Creek to the west.

The entire property is natural bushland with no access roads or other man-made structures, although there are signs of past logging along the western fringes.

Survey particulars

In the absence of any formal plans or objectives in relation to vegetation mapping and reporting, only random meander surveys have been undertaken with all species identified and recorded where possible. Unidentified specimens are referred to the Sydney Botanic Gardens for identification.

A total of 20 hours of meander surveys were undertaken during mid winter by myself, another local botanist and the previous Regional Ecologist. The season has been slightly wetter than average with fewer than the normal number of frosts, but an intense bushfire 12 months earlier has inhibited flowering to some extent.

A later 4 hour survey by 2 CEC volunteers (8 hours altogether), targeting possible Brush-tailed Rock-wallaby occurrence, added further to the flora species list. However, no sign of Rock-wallabies was recorded, and precious few other fauna were identified on the day.

Flora values

The vegetation on the crown land is mostly typical of Kangaroo Creek sandstone, sparsely dominated along the ridges by Bailey's Stringybark *(Eucalyptus baileyana)* and Needlebark *(Eucalyptus planchoniana)* in the northern parts, blending into Coastal Blackbutt *(Eucalyptus pilularis)* and Bloodwoods *(Corymbia gummifera)* to the south, with occasional Broad-leaved Sandstone Apple *(Angophora robur)* and Turpentine *(Syncarpia glomulifera)*. Rocky gully lines, that contain semi-permanent pools, but no permanent flows, support a broad range of fern species, with scattered reed beds.

Typical Kangaroo Creek Sandstone flora community

Kangaroo Creek Sandstone communities were mapped for the Mid North Coast Regional Strategy as areas of endemism, because of the large number of unique flora species that occur in those communities, many of which occur nowhere else in the world. As a result, those areas of Jurassic sandstone that have not already been protected at nature reserves or national parks, are recommended for priority conservation.

Coral Fern - *Gleichenia dicarpa*

King Fern - *Todea barbara*

Umbrella Fern - *Sticherus flabellatus*

In all 170 flora species were recorded, including 2 endangered, Quasia *(Quassia* sp 'Moonie Creek') and the Hairy Melichrus *(Melichrus hirsutus);* one vulnerable species, Broad-leaved Sandstone Apple *(Angophora robur);* three rare or otherwise significant species, a Devil's Twine *(Cassytha pubescens),* Sandstone Mahogany *(Eucalyptus psammitica);* the Hairy Cheese Tree *(Glochidion ferdinandi* var *pubens);* and 22 National Parks and Wildlife Act protected species.

Endangered Hairy Melichrus - *Melichrus hirsutus*

Endangered *Quassia sp* 'Moonie Creek'

The southernmost gully, which cuts across the corner of the crown land is deeper, and much steeper than the others (see above), and as a result contains rainforest elements beneath a wet sclerophyll canopy, containing Grey Gum *(Eucalyptus propinqua,* and Tallowwood *(Eucalyptus microcoreys).*

One species of significance on the block is the Woody Pear *(Xylomelum pyriforme)*, growing at or near its northern limit. That species is uncommon in northern NSW.

Weeds

Given the lack of disturbance, and low fertility soils across the tract, weeds are not a serious problem, with only light infestations of Lantana in the deep gully in the south-west corner of the property which, given the remoteness, and lack of known access, would be best tackled by hand pulling.

Recommendations

1. The Newfoundland State Forest adjoining the crown land to the east is similar sandstone terrain, and similarly contains little in the way of timber resources. Therefore I would recommend that the relevant agencies, Departments of Lands, and Primary Industries get together to assess the extent of the sandstone community on the adjoining State Forest, and amalgamate the two as a State Forest's Flora Reserve.

2. Currently there is no fence around the crown land, and as cattle, presumably from the western neighbour, are ranging onto the upper slopes of the crown land, I recommend that appropriate measures be taken to exclude livestock from the crown land portion and adjoining sandstone areas.

Compiled by John Edwards
Clarence Environment Centre.

ATTACHMENT 3

Flora and weed report on Wooli Rd TSR.

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Date: 6th July, 2015

Flora and weed report for Wooli Rd TSR (128799) DP 20041206

Introduction.

The 14.3ha Wooli Road Travelling Stock Route (TSR) is managed by the NSW Local Land Services, an agency that was represented by the then Livestock Health and Pest Authority at an introductory meeting organised by the Nature Conservation Council of NSW towards the end of 2013. That induction explained the purpose of the Upper Coldstream Biodiversity Project (UCBP), and extended an invitation for other agencies, natural resource managers, and land managers to be involved.

At the time the proposal received enthusiastic support from all quarters, but I'm unaware of any follow-up in that regard, or even if the several TSRs that were originally identified as falling within the Project's boundary are to receive any bush regeneration or weed eradication works. Nevertheless, as part of the Clarence Environment Centre's in-kind contribution to the UCBP, the following is my assessment of its floristic values.

Property location

Situated at White's Bridge on Wooli Rd some 6km directly south of Tucabia, the TSR consists of an approximately 135m wide strip extending eastwards for about a kilometre. The block is disected at its western end by Amos Creek, clearly visible in the above image, at a point close to where it disgorges into Crowsnest Swamp, part of the vast network that makes up the Coldstream wetland complex.

Flora values

The western part, amounting to about 20% of the property, lying south of Amos Creek, is largely cleared land, currently leased for grazing, and highly degraded. However, it is coastal floodplain that would originally have supported what is now recognised as the endangered Subtropical Coastal Floodplain Forest.

That part of the property is now unmanaged, poor quality grazing land, supporting more exotics than natives, with little floristic value other than remnant Swamp Oak forest, itself an EEC, which was found to support a significant number of Pencil, or Rat's Tail Orchids *(Dockrillia teretifolia)*.

The remaining 80% of the TSR is far less degraded and therefore more interesting, with no recent sign that grazing or other human activity other than the fencing of the northern boundary, and the cutting down of a few trees for fence posts.

Pencil, or Rat's Tail Orchids
(Dockrillia teretifolia)

The land slopes gently upwards from swampy river flats to the highest point on the eastern boundary. Once on higher ground, the forest is healthy, with numerous old-growth trees and good regeneration evident. It is dominated by Scribbly Gum *(Eucalyptus signata)* forming a community that was recently nominated by the Clarence Environment Centre as an **Endangered Ecological Community**, and which is currently being assessed by the NSW Scientific Committee.

Description of nominated Lowland Scribbly Gum *(Eucalyptu signata)* forest of the NSW North Coast.

In an attempt to simplify the nomination, we have determined to describe the Scribbly Gum community as including all lowland forests where that species, *Eucalyptus signata*, is either a dominant or co-dominant canopy species.

The nominated community generally occurs on, but not restricted to, poorly drained sites with sandy clay soils derived from sedimentary substrates or unconsolidated sediments in the near coastal area, below 100m above sea level.

The nominated community commonly occurs in association with other tree species, Red or Pink Bloodwood *(Corymbia gummifera* and/or *Corymbia intermedia),* and various Apple Gums *(Angophora species).* However, in swampy depressions, co-dominants can include Swamp and Red Mahogany *(Eucalyptus robusta* and *Eucalyptus resinifera),* and Broad-leaved Paperbark *(Melaleuca quinquenervia).* Where *E. signata* extends to upper slopes, co-dominants can also include Coastal Blackbutt *(Eucalyptus pilularis).* The community generally supports a heathy understorey dominated by *Banksia,* and/or *Melaleuca, Leptospermum* and *Acacia species,* while ground cover commonly includes *Pimelia linifolia; Dampiera stricta; Gompholobium pinnatum; Ptilothrix deusta; Hibbertia vestita; Pteridium esculentum; Patersonia sericea; Lobelia gracilis,* and *Tricoryne anceps, w*ith assorted native grasses, mainly *Imperata cylindrica, Themeda australis,* and various *Entolasia* species.

Community species composition

The list of indicative species for Lowland Scribbly Gum Forest Community of the NSW North Coast, has been compiled through analysis of 50 plot surveys across the region, with the most commonly occurring species identified, verifying that the community is characterised by the following assemblage of species, bearing in mind that many other species may, and do, occur (see Attachment C. for full species list identified at each plot, and including those identified from random meander surveys).

Extract from the Clarence Environment Centre's nomination of Scribbly Gum forest as an EEC

The CEC nomination identifies multiple threats to Scribbly Gum forests along the northern NSW coastal strip, and is in serious decline as a result. The nomination also identifies the fact that the community is significantly under-represented in the state's reserve system.

The limited seven hour survey, undertaken in mid winter, identified more than 120 native plant species, including the vulnerable Broad-leaved Sandstone Apple *(Angophora robur)* and the regionally uncommon Painted Fingers Orchid *(Petalochilus pictus)*.

Painted Fingers Orchid

Another species of interest is the Twin-leaved Bedstraw *(Asperula gemella)*. Flora of NSW does not record this species for the North Coast, but I have previously had a flowering specimen from Shannon Creek identified by the Coffs Harbour Herbarium, so it does occur in the area, albeit rarely.

Twin-leaved Bedstraw

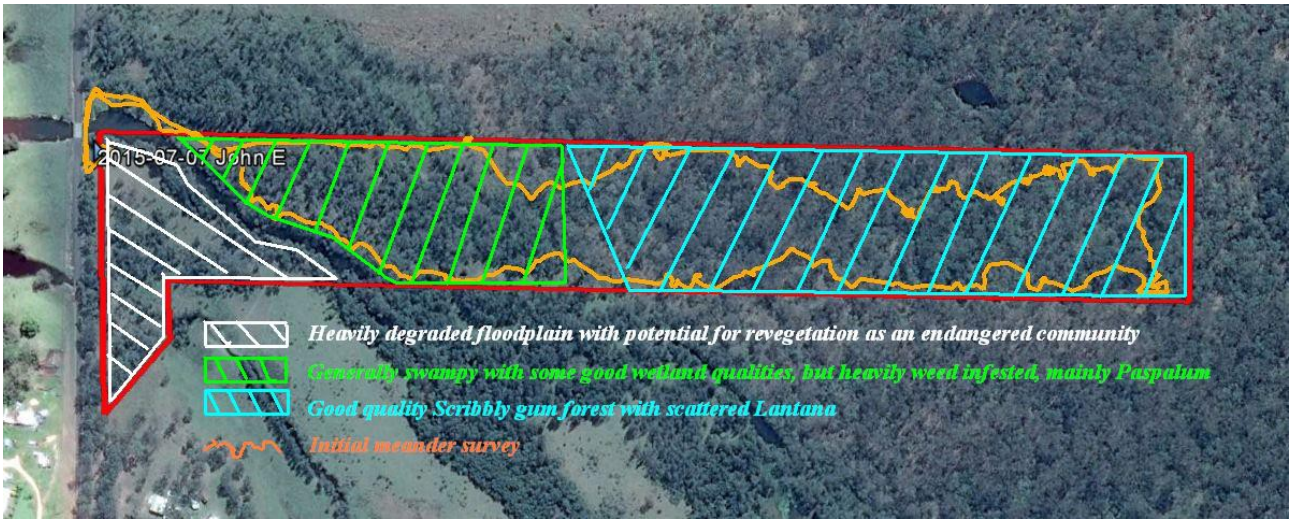
Scribbly Gum - *Eucalyptus signata*

Nine species that are protected under the National Parks and Wildlife Act were also identified, including a number of orchids, some of which could not be identified at this time and are not included on the list.

Weeds

As stated above, the river flats on both sides of Amos Creek are mostly cleared, and highly degraded with multiple introduced species, some of which, particularly the Broad-leaved Paspalum on the northern bank, are invasive.

However, once off the floodplain, the forest condition improves considerably, with weeds limited to scattered Lantana occurring regularly but mostly scattered across the property (see map below).



Other features

Despite the degradation of the floodplain areas, there appeared to be a relatively large number of small bird species including Clamorous Reed-warbler, Red-backed Fairy-wren, Red-browed finches, and Eastern Spinebill, along with larger birds such as Wedge-tailed Eagles and Tawny Frogmouth, and water birds like Black Swans.

A single coastal Emu was sighted in open country just across the Wooli Road from the TSR on the day of the survey. Eastern Grey Kangaroos and Water Dragons are also abundant.


European heritage

Recommendations

1. If the project area's TSRs are to be considered for weed eradication, I recommend that the Local Land Services (LLS) be approached with the expectation that they fund the removal of Lantana from the Scribbly Gum forest area. That task could be performed in no more than 2 to 3 days. However, access should only be attempted by vehicle during prolonged dry periods.

2. It occurred to me that, as this is crown land, and that the 25% of it that is currently degraded river flat and floodplain which would originally have supported what are now endangered ecological communities, including Swamp Oak Floodplain Forest, this would be an ideal site for regeneration, perhaps by a land-care group, or by other means. The soon to be constructed Pacific Highway will be built close by, so perhaps the land could be considered as part of the offset package.

3. In light of the identified ecological values of the property, and the fact that the current State Government is contemplating the sell off of crown land, I believe an approach to LLS should be made, to try and work out a way to ensure the conservation values that exist are not further eroded. This could be achieved by placing an in-perpetuity voluntary conservation agreement over the land which would be binding even in the event of the land being sold.

Compiled by John Edwards
Clarence Environment Centre