

SUBMISSION by the  
NATIONAL PARKS ASSOCIATION of NEW SOUTH WALES  
ON  
**The CROWN LANDS LEGISLATION WHITE PAPER and  
the CROWN LANDS MANAGEMENT REVIEW**

30 June 2014

## **The National Parks Association of NSW**

The National Parks Association of NSW Inc (NPA) welcomes the opportunity to comment on the Crown Lands Legislation White Paper.

NPA, formed in 1957, is a community based organisation with over 20,000 supporters from rural, remote and urban areas across the state. NPA promotes nature conservation and sound natural resource management. We have a particular interest in the protection of the State's biodiversity and its supporting ecological processes, both within and outside of the formal conservation reserve system. We promote connectivity conservation, for example, through our involvement in the Great Eastern Ranges Initiative. Our interests extend to protection and management of the heritage values of natural and cultural landscapes.

In addition to its interest in environmental and heritage conservation and management, NPA conducts numerous outdoor recreational activities and is one of the largest bushwalking organisations in NSW.

Crown lands are held on trust for the people of NSW. NPA's position is that:

1. Objects and management principles consistent with the principles of ecologically sustainable development must be incorporated in Crown Lands legislation.
2. Crown land should not be considered for conversion to freehold, transfer to other bodies, or new lease or licence arrangements unless its environmental, heritage and social values have been properly assessed. If it is assessed to be of high environmental conservation that land should remain Crown land and where appropriate be added to the NPWS' reserve system.
3. Management and administration of Crown land must be undertaken in a transparent and accountable manner.
4. There must be genuine and ongoing public participation in the management of Crown land, including its assessment and determination of its use, which accords with State NSW 2021 Plan - Goal 32: "Involve the community in decision making on government policy, services and projects".
5. Management of Crown land must accord with the State NSW 2021 Plan Goal 22: "Protect our natural environment, including to protect and conserve land, biodiversity and native vegetation".

NPA considers that the Crown Lands Management Review and Crown Lands Legislation White Paper fail to meet these requirements for reasons set out in its submission on the White Paper set out in the this Submission by the National Parks Association of NSW inc.

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## 1. EXECUTIVE SUMMARY of COMMENTS on the WHITE PAPER

NPA agrees that it is time that the administration of Crown Lands was made more efficient and that inconsistencies that have developed over many years should be removed. However, it is important that in doing this essential provisions that have served New South Wales well are not dropped in this process. Key points of concern are summarised below.

### **1.1 The White Paper and Crown Lands Review are Inadequate**

NPA considers that both the White Paper and the Crown Lands Management Review are inadequate.

- a. The Crown Lands Management Review failed to address one of its terms of reference to identify and recommend key public benefits (social, environmental and economic) derived from Crown land. This fundamental flaw is not acknowledged in the White Paper.
- b. The White Paper lacks sufficient detail for the public to have an informed opinion on its implications. This is partly because proposals within the White Paper such as transferring lands to Councils rely on other legislation that is also under review.

The Government must release an exposure draft of any proposed Crown Lands legislation for public comment after the public has had the opportunity to comment on White Papers, including draft legislation, relating to all other relevant legislation under review.

### **1.2 Flawed Proposals for Decision-making, Management and Assessment**

We consider that many proposals in the White Paper are flawed. These include:

- a. The failure to require decision-making to be undertaken in accordance with the principles of ecologically sustainable development.
- b. The removal of management principles currently in the *Crown Lands Act*.
- c. The removal of assessment criteria currently in the *Crown Lands Act*.

### **1.3 Inappropriate Crown Lands Administration and Management**

NPA strongly opposes Crown lands administration and management being undertaken by a Public Trading enterprise run on a business model. NPA considers that such a model will:

- a. lead to the environmental, heritage and social values of Crown land being given insufficient consideration and managed poorly, resulting in diminution of those values; and
- b. fail to acknowledge the diversity of purposes for which Crown land is reserved.

### **1.4 An Alternative Model for the Assessment, Management and Administration of Crown Lands**

NPA proposes the establishment of a statutory Crown Lands Management Commission to administer and manage Crown lands with broad Government representation and an

advisory body representing stakeholders. NPA proposes a separate statutory, independent, expert Crown Lands Assessment Body *inter alia* to assess the environmental and heritage significance of Crown land and to advise on its future uses and management regimes.

### **1.5 Public Participation**

We consider that there has been inadequate public participation in the process of developing the proposed new system for Crown lands management. There has been no Green Paper. The public has not been given the opportunity to comment on the Crown lands Management Review and draft legislation does not accompany the White Paper.

### **1.6 The Environmental Value and Significance of Crown Lands Must be Assessed**

The outstanding environmental value of Crown lands and their importance in the conservation of biodiversity including threatened species, populations and ecological communities have been neglected in the Crown Lands Management Review and the White Paper. This is inconsistent with the Government's NSW 2021 Plan Goal 22: "Protect our natural environment, including to protect and conserve land, biodiversity and native vegetation"

Land must be assessed for its environmental and heritage significance before it is sold, has lease conditions weakened or is transferred to another body. The assessment must be accountable and transparent and include public participation.

Connectivity conservation must be a fundamental consideration in determining both the future ownership and management of all environmentally significant Crown lands including the network of Travelling Stock Routes and Reserves (TSRs) in the Central Division as well as Western Lands.

Land identified as having High conservation value (HCV), high cultural significance or providing connectivity must be managed to protect these values and should remain Crown Land.

As the body primarily responsible for administering and managing HCV Crown lands in the State, the National Parks and Wildlife Service (NPWS) should manage some but not all HCV crown lands. NPA considers that the proposed Crown Lands Management Commission would be primarily responsible for managing and administering the remainder as it would have the expertise and resources to properly manage these lands which local bodies such as council or local land services do not have. Further, management by numerous local bodies is likely to give rise to a piecemeal management of environmental and cultural values.

Converting land to freehold or weakening lease conditions in the fragile Western Division is likely to lead increased clearing and poorer land management resulting in not only a decline in environmental values, including a loss of biodiversity but also increased dryland salinity, erosion and aridification.

## 2. INTRODUCTION

The natural environment within the Crown Land estate of NSW is important for many reasons. It has an inherent value. It is culturally significant and provides resources, ecological services, carbon sequestration, living space and space for recreation. Our State is fixed in size yet it is expected to support an increasing population and increasing living standards.

Through its leadership, policy development and administration of legislation relating to Crown Lands, the NSW Government must continue to play a key role in managing the threats to the natural environment and ecological processes while reconciling the needs of a growing population and the demands for increased economic wealth<sup>1</sup>.

The conservation values of Crown Lands have been highlighted in a number of reports prepared by NPA<sup>2 3 4</sup>. "The Significance of Crown Lands In Biodiversity Conservation" (2014), an analysis of the significance of Crown Lands in biodiversity conservation undertaken by the Nature Conservation Council of NSW and NPA, is set out in section 5 of this submission.

## 3. COMMENTS ON THE WHITE PAPER

### **3.1 Consolidation of legislation and simplification of administrative arrangements**

In principle, NPA does not oppose the consolidation of Crown Lands legislation into a legislative package nor the simplification of some administrative arrangements such as the option of abolishing Reserve Trusts provided that the legislation achieves the following goals:

- Maintenance and where appropriate extension of current environmental and heritage protections;
- Decision-making based on objective criteria and evidence based on the principles of ecologically sustainable development;
- Reduction in Ministerial discretion to minimise corruption;
- Inclusion of a more transparent scheme for the assessment and management of the value of Crown Lands and the uses they should be put to; and
- Enhanced public participation in the assessment and management of Crown Lands

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<sup>1</sup> NPA Submission to the Inquiry into the Management of Public Land in New South Wales (2012)

<sup>2</sup> Our Heritage Under the Hammer, The imminent fire sale of Crown leasehold lands in NSW, their outstanding conservation values, and how they can be saved (2005)

<sup>3</sup> The NSW travelling stock routes and reserves network: Heritage – Habitat – Livelihood (2011)

<sup>4</sup> The Unseen Conservation Estate: Tenure Security and Conservation Management of Crown Land in New South Wales (2005)

However, we have serious concerns about many proposals contained in the Crown Lands Legislation White Paper and the Crown Lands for the Future – Crown Lands Management Review Summary and Government Response because they do not meet these goals.

### **3.2 Proposed amendments to the Objects and the removal of the Principles in the *Crown Lands Act 1989***

Crown Lands are public assets and should be managed for the benefit of the whole community. Crown land currently is held for a diversity of purposes that include environmental protection, nature conservation, water conservation and recreation and is managed in accordance with a set of principles in s. 11 of the *Crown Lands Act 1989*. These are that:

- a. environmental protection principles be observed in relation to the management and administration of Crown land,
- b. the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,
- c. public use and enjoyment of appropriate Crown land be encouraged,
- d. where appropriate, multiple use of Crown land be encouraged,
- e. where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- f. Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.

It is proposed to replace the current objects of the Crown Lands Act with a series of new objects and remove the principles that guide the objects entirely. Although one of the proposed new objects is to integrate social, economic and environmental considerations in decision-making, there is no indication how this will occur.

We oppose the removal of the principles for the management of Crown Land in the current Crown Lands Act. Environmental conservation and protection and the protection and proper use of natural resources must underpin any new legislation for Crown Lands. The proper integration of environmental, social and economic use must accord with the principles of ecologically sustainable development.

### **3.3 Crown Lands as a Public Trading Enterprise**

The proposed establishment of Crown Lands as a Public Trading enterprise on a business model strongly implies that economic considerations will have primacy in decision-making at the expense of sound environmental management and proper consideration of social issues. This is reflected in the replacement of the requirement that lands in the Western Division must be managed in accordance with ecologically sustainable development with one that requires only consideration of land use capability. NPA opposes these proposals and regards them as seriously retrograde steps in the management of Crown Land.



### **3.4 An Alternative Model for Administration and Management of Crown Lands**

NPA recommends consideration of a new model with the administration and management of Crown Lands primarily carried out by a new statutory body, a Crown Lands Management Commission and that the Western Lands Commission should be a division within it.

The Commission would include Representative from relevant Government Departments and would have an Advisory Body comprising representatives of stakeholder groups including environmental groups and organisations involved in the conservation of Aboriginal and European Heritage.

The Commission would include a Business Unit that would be responsible for the collection of commercial rents and licence fees, sale of Crown lands and negotiation of commercial leases but would not be responsible for administration, assessment nor management of Crown Land nor for drawing up the terms non-commercial leases including leases in the Western Division.

The Crown Lands legislation would provide that the Commission can only enter into the sale, new lease or transfer of land if the significance of its environmental, heritage and social significance had been undertaken and it was found to be in the public interest to sell, lease or transfer the land.

NPA considers that such a Commission would provide a more open and transparent assessment of Crown land than under the current Crown Lands legislation or is proposed in the White Paper. It would:

- allow for a whole of Government approach to Crown Lands management;
- provide holistic management of Crown Lands which have multiple values such as Travelling Stock Routes and Reserves;
- reduce Ministerial discretion thereby reducing the potential for corruption;
- better consider stakeholder input; and
- increase public confidence in the management and administration of Crown Lands.

For Crown Lands to be administered and managed properly there must be adequate funding. Increased funding could be used *inter alia* for better fire management and weed and feral animal control.

### **3.5 An independent expert Assessment Body is needed to complement the proposed Commission.**

NPA commends the establishment of a separate independent expert Crown Lands Assessment Body along the lines of the Victorian Environment Assessment Council to:

1. address the term of reference - to identify and recommend key public benefits (social, environmental and economic) derived from Crown land -that has not been done in the Crown Lands Management Review;

2. assess in accordance with statutory criteria the environmental, heritage; social and values of Crown land including seeking public and stakeholder submissions on such values and potential use(s) of the land;
3. identify land of State or local significance;
4. determine the future use(s) of Crown land;
5. determine appropriate management regimes for Crown land according to its recommended use(s) and seek stakeholder and public comments on such regimes; and
6. provide advice on particular aspects of Crown land management.

This Crown Lands Assessment Body would include members with expertise in a number of disciplines including ecology and biodiversity conservation and the conservation of Aboriginal and European heritage.

The proposed Crown Lands Assessment Body would be a statutory body with its powers and responsibilities set out in legislation and would not be subject to Ministerial control relating to the preparation and contents of any advice or recommendation but in other respects would be subject to the control and direction of the relevant Minister.

NPA considers that the creation of an Independent expert Crown Lands Assessment Body would provide a more open and transparent assessment of Crown land than under the current Crown Lands legislation or is proposed in the White Paper. It would also:

- provide objective evidence-based advice;
- provide transparent and accountable recommendations about the assessment, management and uses of Crown Land
- lessen the risk of corruption; and
- increase public confidence in the assessment and management of Crown land.

### **3.6 Assessment of Crown Lands**

Of great concern is the abolition of land assessment requirements in the proposed legislation. Justifications given for this omission include that a parcel by parcel approach is time consuming and inefficient. However, currently assessment can be waived in certain circumstances. We consider that it is essential that new legislation includes a transparent scheme for assessment or re-assessment of the appropriate purposes of Crown land before decisions are taken about sale, transfer or other dealing with Crown Land.

NPA asserts that the assessment of the environmental significance of Crown land should be undertaken as discussed above in section 3.5.

The assessment process must provide for public consultation not just consultation with a few selected stakeholders or Government Departments. What is currently proposed is not transparent, is based on unknown criteria and could foster corruption. It undoubtedly will result in *ad hoc* inappropriate dealing with Crown land.

There are many areas of Crown land that have already been assessed under previous whole of government processes such as Regional Forest Agreements and the Western Regional Assessment (Brigalow-Nandewar bioregions). The recommendations of these assessments relating to lands of high environmental value should be implemented.

### **3.7 Identification of Crown land of State or Local significance**

NPA considers that the assessment and identification of parcels of land, which are of high environmental conservation value, that is of “State” rather than “local” significance should be undertaken as discussed in sections 3.5 and 3.6 above.

The proposal to define criteria to distinguish land of local significance must be transparent and properly take into consideration matters relating to the environmental, Aboriginal and European Heritage and social significance of land. The public not just selected stakeholders should have the opportunity to comment before such criteria are finalised and they should be clearly set out within the legislation.

Any criteria developed must be applied on a parcel by parcel basis otherwise the environmental, heritage or social significance of individual parcels of land will not be adequately considered. A parcel of land may have more than one designated use. Further, small parcels of land can have State or even national significance. For example, they may contain threatened species, populations or ecological communities.

### **3.8 Transfer of Crown Land to Local Bodies**

It is proposed that land of “local significance” be transferred to local bodies, including local councils. Crown lands transferred to Councils will become subject to Local Government legislation. However, since the Local Government Act and other relevant legislation are also under review, the legislative scheme under which transferred land may be managed is uncertain. It is imperative that lands which are assessed to have environmental, heritage or social significance have similar restrictions on sale and requirements for plans of management that currently apply to community land under the *Local Government Act 1993*.

It is NPA’s position that the Government should not proceed with Crown lands legislative reform until other relevant legislative reforms are completed so that the public can properly ascertain what the implications of any transfer of land to other bodies will be.

Transfer of land to local bodies is likely to result in loss of opportunities to manage Crown Lands in a holistic manner and could result in piecemeal inconsistent management between parcels. This is of concern because significance of conservation connectivity cannot be overestimated.

An example where opportunities for connectivity conservation could be lost through transfer of lands to local councils is the bushland catchment and surrounds of Narrabeen Lagoon. This land contains a mosaic of land designations, all notionally intended for environmental protection or open space. It includes Crown Reserves and vacant Crown land. Transferring this land to councils would mean that three separate bodies rather than

one could administer the land. A co-ordinated approach to fire management across jurisdictions has been developed and the opportunities for conservation management by a single body are obvious. NPA notes that much of this Crown land is subject to Aboriginal land claims.

Parcels of remnant urban bushland are becoming increasingly rare as the population of cities and towns grow. They are very important for passive recreation such as bushwalking, birdwatching and photography. Transferring parcels of land to local authorities is also likely to break up management of some significant walking tracks within metropolitan Sydney and elsewhere.

There are no proposals within the White Paper to increase funding to local bodies to manage land transferred to them. Transfer of Crown land to local bodies not accompanied by financial assistance will likely result in poor management and pressure to sell or develop land. A financial burden could also be placed on some local bodies if they were required to pay local government rates on transferred land.

### **3.9 Lack of Public Participation**

We consider that there has been inadequate public participation in the process of developing the proposed new system for Crown lands management. There has been no Green Paper. The public has not been given the opportunity to comment on the Crown lands Management Review and draft legislation does not accompany the White Paper. This is inconsistent with the Government's NSW 2021 Plan - Goal 32: Involve the community in decision making on government policy, services and projects.

We consider that an Exposure Draft Bill for a new scheme for Crown lands must be released for public comment prior to the introduction of any Bill to Parliament. This should not occur until Government review of all other relevant legislation including the Local Government Act, the Aboriginal Land Rights Act and the Threatened Species Conservation Act has been finalised and the public has had the opportunity to comment on exposure drafts for all relevant legislation. Failure to do this will deny the public the opportunity to have meaningful input into proposals to amend Crown lands legislation.

## **4. ISSUES RELATING TO SPECIFIC TYPES OF CROWN LAND**

### **4.1 Introduction**

NPA has identified issues and concerns relating to specific Crown lands that are relevant to the Crown Lands Management Review. They are:

- Travelling Stock Routes and Reserves
- Western Division Lands
- Crown lands which have already been identified as being of high conservation status by intergovernmental or whole of Government assessments
- Crown lands subject to Aboriginal land claims

- Crown Road reserves
- Unallocated Crown lands and Crown lands no longer required for their allocated purpose
- Subtidal lands.
- State Parks
- Crown Leases

Issues and concerns related to each type of Crown land are discussed below.

#### **4.2 Travelling Stock Routes and Reserves – Central Division and Eastern Divisions**

The TSR network in New South Wales is an extensive network of Crown land that was established for the droving of sheep and cattle during early European colonisation, often along traditional Aboriginal pathways through the landscape. The TSR network includes stock routes as well as fenced areas for camping and watering stock overnight. Although the main purpose of the TSR network was originally for droving stock, the network is now recognised for its environmental, economic, cultural and social importance. Tourism activities such as birdwatching and heritage trails are undertaken on TSRs.

TSRs are still important in times of fire, drought and flood. Given that models of climate change predict these events to occur more frequently, the value of TSRs for short term grazing should not be underestimated. An economic analysis of the value of TSRs has highlighted the economic benefits resulting from ecological services<sup>5</sup>.

The TSR network in the Central and Eastern Divisions comprise land under the *Crown Lands Act 1989*. The TSR network in these divisions comprises approximately 6,466 separate reserves totalling 740,000 hectares.

TSRs preserve a range of threatened ecological communities and species. Additionally, many TSRs, which generally have not been cleared, protect remnants of woodland vegetation in the otherwise highly-cleared wheat and sheep farming belt of New South Wales. Often, these remnants are the best examples of ecosystems and communities that are not well represented in National Parks and other NPWS' estate. Across the state, approximately 80% of TSRs contain vegetation communities of high or very high conservation status<sup>6</sup>. (See further discussion of the significant conservation values of TSRs in Section 5 below).

The TSR network provides a unique opportunity for large-scale, connectivity-based conservation, which may mitigate the effects of climate change on native species. Effective management and restoration of the TSR network would make a significant contribution towards state, federal and international biodiversity conservation targets<sup>7 8 9 10</sup>.

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<sup>5</sup> Estimating the Value of Ecosystem Services Provided by Travelling Stock Routes (2012)

<sup>6</sup> The NSW travelling stock routes and reserves network: Heritage – Habitat – Livelihood (2011)

<sup>7</sup> Australia's Strategy for the National Reserve System 2009-2030 (2009)

<sup>8</sup> NSW National Parks Establishment Plan 2008

<sup>9</sup> Building Nature's Safety Net (2011)

<sup>10</sup> The NSW travelling stock routes and reserves network: Heritage – Habitat – Livelihood, (2011).

The relatively light grazing regimes of many leasehold blocks, and the intermittent grazing of those TSRs still used for their traditional purposes, have both been conducive to a higher level of protection for native species and communities than on adjacent freehold land.

NPA advocates the retention of TSRs under a single land management agency, the proposed Public Lands Management Commission, with a management regime that provides for sustainable conservation of natural and cultural values, including conservation of natural habitat. TSRs should also be available for long distance travel on foot.

NPA considers that Local Land Services are not the right bodies to review the future use and management of TSRs because they are localised in their operations and they individually do not have a broad overview of the TSR system. They also do not have appropriate expertise in assessing the environmental significance of ecosystems or recommending appropriate management regimes for HCV land.

### **4.3 Western Lands Division**

Whilst the decision to retain the Western Division under leasehold tenure had been made under the *Crown Lands Act 1884*, it was the 1901 *Report of the Royal Commission to Inquire into the Condition of the Crown Tenants, Western Division of New South Wales* that laid the basis for the current system of land administration by the Western Lands Commission. The Royal Commission provided a damning account of what in today's terms would be described as an ecological collapse, arising from the absence of any appropriate controls over the use of the fragile rangelands.

Since that time, over a century of accumulated experience and scientific knowledge has only further confirmed the need to maintain these lands in Crown ownership under a regime of low modification. Predicted models of climate change suggest lands in the Western Division will be subject to longer periods of drought in the future. Such environmentally sensitive land can be rapidly degraded through freehold conversion of leases, licensing TSRs for long term grazing or timber removal, or weakening management requirements. Aridification, dryland salinity and erosion are all associated with land clearing in the Western Division.

It should be noted that in the western United States, where 60 million people reside and agricultural productivity is considerable, the Federal Bureau of Land Management retains public ownership of grazing lands across a vast area<sup>11</sup>. This grazing licensing system underpins the management of the US rangelands, including adjustment of practices according to sustainability needs.

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<sup>11</sup> Bureau of Land Management (2004), cited in *The Unseen Conservation Estate* (2005)

When adhered to, the conditions of grazing leases offer more comprehensive protection to environmental values than laws applying to freehold tenure<sup>12</sup>. Any perceived benefits of reducing red tape by having a single legislative regime applying to the land are outweighed by the positive conservation benefits of having more than one form of protection for land of HCV. Potential negative impacts permissible under one legislative regime may be prevented by other environmental protection requirements including lease conditions.

NPA considers that leasehold conditions have provided better protection of native vegetation of the environmentally sensitive lands in the Western Division than the *Native Vegetation Act 2003*. Therefore, NPA is deeply concerned by the proposal that this legislation should replace lease conditions in the Western Division especially as provisions in the *Native Vegetation Regulation 2013* have reduced protection of native vegetation.

A recently announced review of other environmental legislation including the Threatened Species Conservation Act could also lead to reduced protection of threatened species, communities and populations of flora and fauna again making lease provisions requiring environmental conservation more essential.

Rather than considering converting leasehold Crown land to freehold, consideration should be given to revising land management priorities and associated cost sharing. Consideration should be given to reducing the rent of properties where active conservation measures are pursued. Part of this revision of land management priorities should also where appropriate transfer HCV land to the NPWS' reserve system.

Converting HCV leases for a one-off, insubstantial return may be a short term measure. The Government may later end up later repurchasing the same land for conservation purposes. This has occurred on a number of occasions in the past including in the Pilliga where former leasehold land was subsequently bought back to add to Pilliga Nature Reserve at a higher price<sup>13</sup>.

Lands in the Western Division are very poorly represented in the NPWS' reserve system. Less than 4% of the whole of the Western Division is currently protected within secure reserves under the NPW Act. Various reports have stressed the need to significantly increase the area protected under secure protected areas in this region to conserve biodiversity and cultural heritage and build resilience to the impacts of climate change<sup>14 15</sup><sup>16</sup>. New and larger parks in this region can also have a real positive effect on regional economies through sustainable tourism and employment.

NPA asserts that increased funding should be made available for the purchase of HCV Western Division leases to enable to progressively build up the reserve system there. To promote conservation in the Western Division, conservation should be included as one of the purposes for which a lease can be held.

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<sup>12</sup> The Unseen Conservation Estate (2005)

<sup>13</sup> The Unseen Conservation Estate NPA (2005)

<sup>14</sup> The NSW National Parks Establishment Plan (2008)

<sup>15</sup> Australia's Strategy for the National Reserve System 2099-2030 (2009)

<sup>16</sup> Building Nature's Safety Net (2011)

As well as leasehold land for grazing or cropping in the Western Division there are TSRs held by private landholders as leaseholders under the *Crown Lands Act (1989)*. The requirement to provide access to travelling stock is a condition of the relevant leases. Such lease provisions should be retained.

#### **4.4 Crown Land Assessed under Intergovernmental or whole of Government Assessments**

As mentioned above, most Crown lands within coastal bioregions and within the Brigalow and Nandewar bioregions have been comprehensively assessed under previous intergovernmental or whole of Government processes. Land identified as being appropriate to manage under the NPWS Act should be transferred to the NPWS' reserve system. These include lands identified in:

- Upper and Lower North East RFAs
- Southern RFAs
- Brigalow – Nandewar Regional Assessment

Some of these would constitute new, stand-alone small reserves, but the vast majority of them are small areas of Crown land adjoining or embedded within existing NPWS' reserves and are clearly sensible and logical additions to those reserves enabling better and more effective and efficient management of those reserves as a whole.

#### **4.5 Land subject to Aboriginal Land Claims**

The White Paper is silent as to what will happen to Aboriginal land claims over Crown lands and who will administer these lands pending resolution of land claims. A review of the Aboriginal Land Rights (ALR) Act, which is also underway, may clarify this issue. Although it was announced that a draft Bill amending the ALR Act would be released for public comment in early 2014, this has not occurred. For the public to properly understand the implications of the Crown Lands Review for Crown lands subject to Aboriginal land claims, it is essential that the Bill amending the ALR Act be released for public comment, prior to further public consultation on the Crown Lands Review occurring.

Given that Aboriginal land claims extend over the majority of unreserved Crown land in central and eastern NSW, there is the potential for very large areas of land to eventually be transferred to Aboriginal bodies. NPA is concerned about the short and long term future of these large and significant areas of Crown land, many of which have extremely high natural and heritage values. If the previous slow rate of progress by the Government in assessing land claims continues these claims may not be resolved for decades. If this is the case, then this is of serious concern to NPA as the White Paper does not indicate how these lands will be managed and who will be responsible for their management pending resolution of land claims.



#### **4.6 Crown Road Reserves**

The existence of many road reserves, including even ‘paper’ roads running towards, alongside and through NPWS’ reserves (existing and proposed), raises several urgent issues.

On the one hand, some of these can provide access for activities that are inappropriate for the long term sustainable management of those reserves (in which case NPA supports their progressive revocation and inclusion within the adjoining parks).

On the other hand, road reserves may be vital to ensuring legal right of access is provided to the park for both park managers and the public. In this case NPA is concerned that hundreds of such road reserves are currently being closed and sold to adjoining landowners before NPWS can properly assess the impacts of the closures on their management needs for those parks or on the maintenance of legal access to those parks for management, visitation and recreational activities.

NPA understands that the process undertaken by the Government, whereby over \$30 million was allocated to the Lands Department to expedite these closures, with no funds given to other agencies, has meant that the NPWS and other agencies, have thousands of closure applications that they cannot assess properly (or at all in many cases) in the limited time imposed by the Lands Department. This approach runs counter to the White Paper’s asserted consultative whole of government approach and for the access to public land to be maintained or enhanced. Clearly, more resources, more realistic timeframes for assessment and greater inter-Department liaison are required in respect of these closure applications.

#### **4.7 Unallocated Crown Lands and Other Crown Lands no longer required for their allocated use.**

NPA considers that there is much other Crown land of HCV that is currently unallocated or allocated to various other long-term uses. The current Crown Lands Review raises the opportunity to identify lands which are no longer required for their current purpose or are unallocated and add them to the formal reserve system or change their management to give recognition to their environmental significance. These parcels of land can form important links in connectivity-based conservation, examples include disused rail corridors.

A parcel of land no longer required for its designated use should revert to being unallocated Crown land with its future use re-assessed for its environmental, heritage and social significance. Where it is assessed to be of high environmental value, appropriate management should be put in place.

#### **4.8 Subtidal lands**

For many coastal national parks and other conservations reserves, the boundary of the reserve only extends to mean high water mark. This means that shoreline habitats are under two different management regimes – one above mean high water mark, the other below it. Even more confusing for park users and land managers is where some lands

within a reserve extend to low water mark but others do not. These management regimes are not optimal for maximizing conservation and protection of coastal habitats. NPA considers that all land adjacent to formal conservation reserves should extend to at least mean low water mark.

We understand that OEH has undertaken a comprehensive assessment of all areas of intertidal areas adjoining all its coastal parks reserves and identified those that would more appropriately be managed as part of the adjoining coastal NPWS' reserve.

#### **4.9 State Parks**

NPA considers that any new Crown lands legislation should make specific provision for the dedication, management and administration of State Parks to recognize their social and environmental significance and to give accountability and transparency in their management and administration. Such provisions should include requirements for plans of management and restrictions on revocation of their state park status.

#### **4.10 Crown Leases**

The NPA has had long-standing interest in the management of perpetual leases, including Crown Leases in the central and eastern Divisions. Similar to leases in the Western division, the leasehold conditions and controls over their management meant that many of them maintained their natural qualities, often when the surrounding freehold lands were being progressively clear-felled. Consequently, NPA has long advocated that those perpetual leases with high natural and cultural heritage conservation value should not be converted to freehold, but maintained in public ownership.

The Government in 1990 placed a moratorium on the conversion of perpetual leases pending an assessment of their environmental conservation values. This assessment process identified that around 10,000 leases had HCV. The Government then placed on a moratorium on conversion of these lease to freehold.

In 2006, the Government lifted the moratorium. After public concern, including from NPA, a second round of assessments found that around 6,500 Moratorium leases maintained their HCV status with a further assessment showing that around 2000 of these met criteria for inclusion within the reserve system under the NPW Act.

Nevertheless, the Government, subsequently, resolved that all leases, which had been subject to the moratorium, be allowed to be converted to freehold if a conservation covenant was placed over those identified as having HCV. Funds were also provided for the purchase of these leases for inclusion in the NPWS' Reserve system. This funding was sufficient to acquire only 16 of the 400 Moratorium Leases identified for purchase.

Former lessees of these leases have the choice of a covenant being imposed on the land converted under the *Crown Lands Act 1989* or *National Parks and Wildlife (NPW) Act 1974*. NPA understands that the majority of covenants have been placed on these lands under the *Crown Lands Act 1989* that provides weaker protection of HCV values than the NPW Act.

Accordingly, NPA believes that:

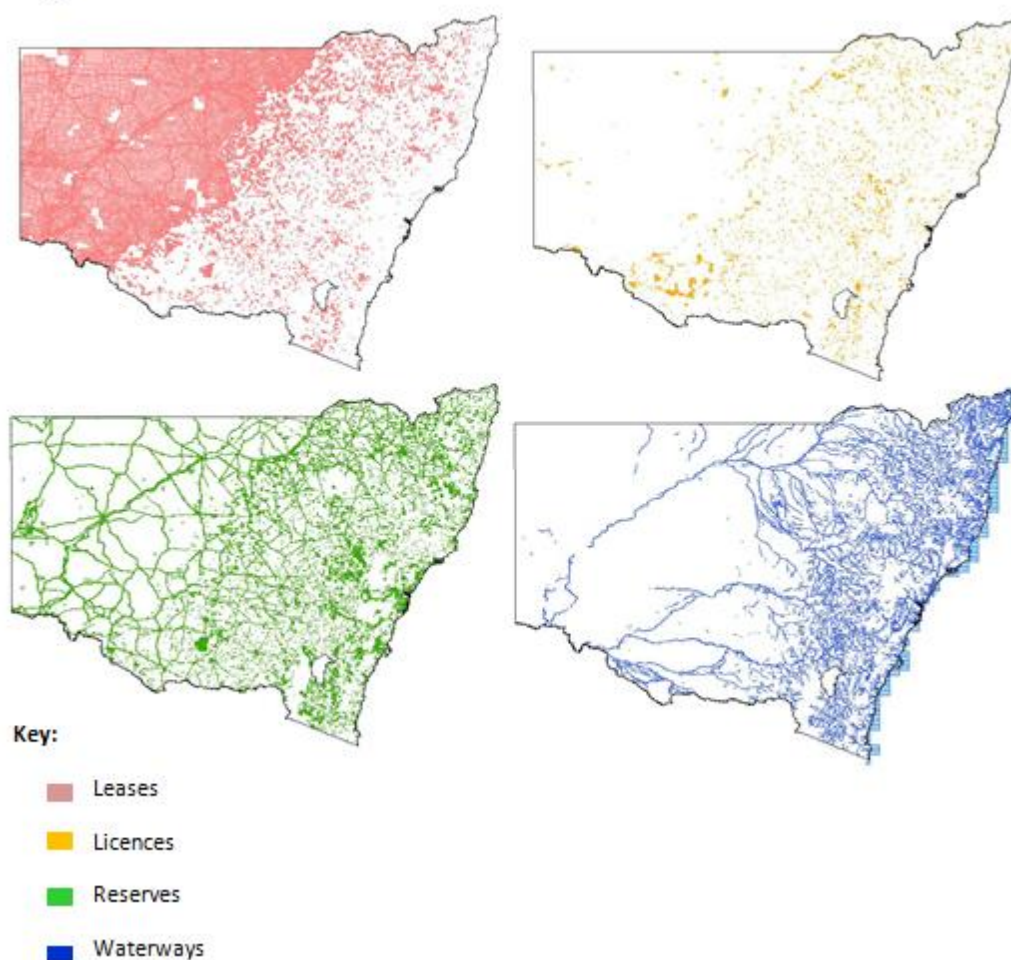
- The moratorium on the conversion of any remaining HCV Crown Leases should be reinstated.
- A further allocation of funding be made for acquisition of HCV leases for inclusion in reserves administered by NPWS
- Covenants placed on leased Crown lands with HCV, which are converted, to freehold should have covenants applied which reflect requirements under the NPW Act.

## 5 THE SIGNIFICANCE OF CROWN LANDS IN BIODIVERSITY CONSERVATION

### 1. CONSERVATION VALUES OF CROWN LAND

The Crown Lands estate covers millions of hectares, including significant areas of high conservation value. **Diagram 1** shows the extent of the Crown Lands Estate in NSW.

Diagram 1: Extent of Crown Lands in NSW



Data source: NSW Crown Lands Division and NSW Office of Environment and Heritage. Analysis performed using ArcGIS.

Crown land, especially in central and western NSW, represents a significant proportion of the remaining vegetation within some catchments. Crown lands in urban areas can contain

important remnant vegetation and can be critical to the survival of native flora and resident, itinerant and migratory animals.

In response to the Government's current review, the National Parks Association of NSW and Nature Conservation Council of NSW conducted an assessment of the conservation values of NSW Crown land. The following Crown land types were analysed:

1. Crown reserves – all Crown reserves including TSRs
2. Crown leases – all forms of leases, distinguishing Western Division leases from other leases
3. Crown waterways – all waterways across NSW

Road reserves and enclosure permits were not analysed. Further details about the assessment methodology and results are found in **Attachment 1**.

For each land parcel of each Crown land type the following values were assessed:

1. Statutory/Conservation status:
  - a. Number of threatened fauna
  - b. Number of threatened flora
  - c. SEPP14 Coastal wetland presence
  - d. SEPP26 Littoral rainforest presence
2. Landscape Conservation Values:
  - a. Landscape % Cleared based on Mitchell landscapes
  - b. Connectivity Presence based on statewide extant native vegetation
3. Condition:
  - a. Associated Vegetation Patch Size
  - b. Disturbance Level – low disturbance located more than 1km from infrastructure

For each Crown land type, tabulated data indicating conservation values for each CMA were produced. See **Attachment 2**. For each value assessed (except connectivity), a set of detailed maps was produced refer to **Attachment 3**. The assessment was limited to readily available statewide spatial datasets and the values of the Crown lands analysed. Further information about the limitation of the analyses is in **Attachment 1**.

The assessment reveals that the Crown lands assessed have the following highly significant conservation values.

- **All Crown land types** offer a range of important conservation values. These values include providing remnant vegetation and habitat for threatened species in highly cleared landscapes, habitat connectivity and irreplaceable coastal values.

- **Crown leases** and **Crown reserves** overwhelmingly offer high habitat connectivity, especially the Crown leases of the Western Division.
- **Crown leases in the Central and Eastern divisions** and **Crown waterways** contain extremely important vegetation remnants in heavily cleared landscapes, with many Crown leases forming part of remnants larger than 1,000ha.
- Significant records of threatened species have been found across **all Crown land types**, with **Crown reserves** showing the highest abundance of threatened species recorded.
- Most **Crown lands of Central Division** contain endangered ecological communities.
- **Crown leases in Western Division** within Western CMA contain extremely high numbers of threatened species records while for **most Crown land types**, Northern Rivers, Hunter-Central Rivers and Southern Rivers CMAs tend to have the highest occurrence of threatened species records.
- **Crown reserves** and, to a lesser extent, **Crown waterways** are important sites for coastal wetlands and littoral rainforests recognised in SEPP designations. Over 2,000 of these Crown parcels contain these values.

Further summaries of values for each Crown land type are found in **Attachment 1** under the 'Summary of conservation assessment' results heading. Table 1 below summarises the results of the assessment by Crown land type.

**Table 1. Conservation values by Crown land type**

Conservation Value	Leases – Central and Eastern Division	Leases - Western Division	Waterways	Reserves
<b>Number of land parcels</b>	<b>20,102</b>	<b>17,453</b>	<b>21,223</b>	<b>122,711</b>
<b>Proportion cleared - landscape rarity</b>				
0-30% cleared	13%	78%	14%	55%
30-50% cleared	18%	12%	14%	9%
50-70% cleared	24%	9%	25%	14%
>70% cleared	45%	1%	46%	23%
<b>Proportion part of small-large patch size</b>				
Small (<250 ha)	22%	4%	23%	11%
Medium (250-1,000 ha)	10%	6%	7%	4%
Large (>1,000 ha)	38%	82%	22%	9%
<b>Proportion with habitat connectivity</b>	<b>79%</b>	<b>96%</b>	<b>29%</b>	<b>69%</b>
<b>Proportion with low disturbance</b>	<b>61%</b>	<b>58%</b>	<b>33%</b>	<b>16%</b>
<b>Contains threatened flora</b>	<b>93</b>	<b>203</b>	<b>154</b>	<b>974</b>
1-2 species	73	152	112	712
3-6 species	17	45	30	196
7-10 species	2	2	9	35
>10 species	1	4	3	31
<b>Contains threatened fauna</b>	<b>643</b>	<b>1,526</b>	<b>647</b>	<b>3,386</b>
1-2 species	394	902	349	2,272
3-6 species	162	389	137	686
7-10 species	43	117	50	164
>10 species	44	118	111	264
<b>Contains SEPP 14 - coastal wetlands</b>	<b>48</b>	<b>n/a</b>	<b>610</b>	<b>1,415</b>
<b>Contains SEPP26 - littoral rainforest</b>	<b>5</b>	<b>n/a</b>	<b>14</b>	<b>107</b>

The conservation values of Crown lands should be of high priority, particularly taking into account the fact that NSW is facing unprecedented environmental challenges including the loss and fragmentation of native vegetation and wildlife habitat.

The 2012 *State of the Environment* Report confirms that:

*“The overall diversity and richness of native species in New South Wales remain under threat of further decline”.*

Our extensive public land estate contains significant remnants of relatively undisturbed natural landscapes in rural, coastal and urban areas that when properly managed contribute enormously to the conservation of native vegetation, wildlife habitat and connectivity, biodiversity and coastal environments, wetlands, rivers and estuaries in NSW.

Often these public lands support threatened species and the last vestiges of endangered ecological communities lost from surrounding private lands due to development pressures. A number of high conservation value Crown lands are identified in Local Environment Plans

for transfer to the National Parks Estate, and would be lost to the public should such Crown lands be sold.

The Crown land estate provides many valuable ecosystem services which have been identified in Catchment Action Plans. The retention and appropriate management of these services will provide a long-term public benefit in the form of landscape resilience and river health.

## **ATTACHMENT 1: Assessment of conservation values of NSW Crown lands**

### **Introduction**

Between June 2013 and June 2014 National Parks Association of NSW and Nature Conservation Council of NSW conducted an assessment of the conservation values of NSW Crown land. The following Crown land types were analysed.

1. Crown reserves – all Crown reserves including TSRs
2. Crown leases – all forms of leases, distinguishing Western Division leases from other leases
3. Crown waterways – all waterways across NSW

Road reserves and enclosure permits were not analysed.

The assessment was carried out by pro-bono GIS consultants with further analysis conducted by pro-bono technical consultant Andrew Cox.

### **Conservation values assessed**

The assessment was carried out by using available spatial data of conservation values and intersecting this with each Crown land type. The following values were identified for each land parcel of each Crown land type:

#### **1. Statutory/Conservation status:**

- a. **Number of threatened fauna** – Total number of different threatened fauna recorded on the parcel from the Atlas of NSW Wildlife. Threatened status was based on the Threatened Species Conservation Act.
- b. **Number of threatened flora** – Total number of different threatened flora recorded on the parcel from the Atlas of NSW Wildlife. Threatened status was based on the Threatened Species Conservation Act.
- c. **SEPP14 Presence** – value of SEPP14 denotes presence
- d. **SEPP26 Presence** - value of SEPP26 denotes presence

#### **2. Landscape Conservation Values:**

- a. **Landscape % Cleared** – rarity of the landscape unit on which the reserve parcel sits based on Mitchell landscapes. The following ranges were recorded:
  - i. 0-30% largely uncleared
  - ii. 30-50%
  - iii. 50-70%

- iv. > 70% over-cleared landscapes & therefore high rarity
- b. **Connectivity Presence** – presence of connected habitat associated with the reserve parcel based on statewide extant native vegetation

### 3. Condition:

- a. **Associated Vegetation Patch Size** – size of overall vegetation patch that the reserve parcel is associated with (extending beyond the boundaries of the reserve parcel). This reflects the ability of the size of the patch to support fauna generally from small (low or local) to large (regional significance)
  - i. Small: 1 – 250 ha
  - ii. 250 – 1000 ha
  - iii. Large: > 1000 ha
- b. **Disturbance Level** – low disturbance = reserve parcels associated with areas located > 1,000m from infrastructure

### Maps of conservation values

For each value assessed, a set of maps was produced. The maps also show the CMA regions. For each Crown land type there are two sets of maps. One set covers the coastal CMAs while the other covers the inland CMAs. CMAs were used since the Local Land Services boundaries were not available when the assessment was undertaken in mid 2013. No map showing connectivity was produced.

The following maps were produced for each Crown land type:

- Threatened flora
- Threatened fauna
- Coastal wetland and littoral rainforest presence (coastal CMAs only)
- Low disturbance
- Patch size
- Landscape clearance

The maps are displayed in **Attachment 3**.

### Summary of conservation assessment results

The assessment reveals that the Crown lands assessed have significant conservation values.

#### Standout values across all Crown land types

- **All Crown lease types** offer a range of important conservation values. These values range from providing remnant vegetation and habitat for threatened species in highly cleared landscapes, habitat connectivity and irreplaceable coastal values.
- **Crown leases** and **Crown reserves** overwhelmingly offer high habitat connectivity, especially the Crown leases of the Western Division.



- **Crown leases in the Central and Eastern divisions** and **Crown waterways** contain extremely important vegetation remnants in heavily cleared landscapes, with many Crown leases forming part of remnants larger than 1,000ha.
- Significant records of threatened species have been found across **all Crown land types**, with **Crown reserves** showing the highest abundance of threatened species recorded.
- Most **Crown lands of Central Division** contain endangered ecological communities.
- **Crown leases in Western Division** within Western CMA contain extremely high numbers of threatened species records while for **most Crown land types**, Northern Rivers, Hunter-Central Rivers and Southern Rivers CMAs tend to have the highest occurrence of threatened species records.
- **Crown reserves** and, to a lesser extent, **Crown waterways** are important sites for coastal wetlands and littoral rainforests recognised in SEPP designations. Over 2,000 of these Crown parcels contain these values.

#### Central and Eastern Division Crown leases

- **Crown leases within Eastern Division** mostly protect landscapes that are generally uncleared (less than 50% cleared)
- **Crown leases** within Northern Rivers, Hawkesbury-Nepean and Southern Rivers CMAs mostly form part of large patches of vegetation (>1,000 ha).
- All **Crown leases in Central and Eastern divisions** are well connected, with an average of 79% of leases having high habitat connectivity. Crown leases in Sydney Metro, Lachlan and Murrumbidgee CMAs are the least connected (between 57% and 66% of leases connected).
- More than half of **Crown leases in the Central Division** are important for protecting heavily cleared landscapes. Lachlan, Central West, Namoi and Murray CMAs have between 58 and 72% of Crown leases within these heavily cleared landscapes.
- Almost all **Crown leases of Central Division** are likely to contain endangered ecological communities (see related point regarding limitations of this assessment)

#### Western Division Crown leases

- **Western Division** leases are extremely well connected and are part of large remnants in largely intact uncleared landscapes. Over 95% of Western lease parcels are well connected, over 80% are part of remnants greater than 1,000 ha and close to 80% are found in intact landscapes with less than 30% cleared.
- Within the **Western Division**, the **Crown leases** within the Murray, Murrumbidgee and Central West CMAs are particularly important since they are found in more cleared landscapes, and in the case of the Murray and Murrumbidgee CMAs, are likely to protect smaller remnants that are less well connected.
- **Western Division leases** generally have lower disturbance, most being found more than 1km from infrastructure.
- **Western Division leases** have high records of threatened fauna, with the Western CMA part of Western Division containing extremely high numbers of land parcels with threatened fauna records (858 parcels, 54 of these with more than 10 different threatened fauna species).

## Crown waterways

- **Crown waterways** are extremely important in protecting vegetation in heavily cleared landscapes in central NSW. In Central West, Lachlan and Murrumbidgee CMAs, between 65% and 79% of Crown waterways are found within heavily cleared landscapes.
- Most **Crown waterways** are part of small vegetation patches (less than 250ha), however in western NSW they overwhelmingly form part of large patches of vegetation.
- **Crown waterways** are highly connected, with an average of 71% of land parcels being connected, ranging from 45% in Murrumbidgee CMA to over 96% for Lower Murray-Darling and Western CMAs.
- Most **Crown waterways** are disturbed, being located close to infrastructure, however an average of one third of all waterways are undisturbed, with Western and Lower Murray-Darling CMA's being the least disturbed with over half of waterway parcels being distant from infrastructure.
- **Crown waterways** are important sites for coastal wetlands and littoral rainforests recognised in SEPP designations. Over 624 of these Crown parcels contain these habitats.

## Crown reserves

- **Crown reserves** are highly connected, with an average of 69% of land parcels being connected, ranging from half in Sydney Metro and Murrumbidgee to over 90% for Western and Murray CMAs.
- **Crown reserves** are especially important as remnants in cleared landscapes, with between 36% and 41% of Crown leases in Central West, Lachlan and Namoi CMAs safeguarding these remnants.
- **Crown reserves** are usually protecting lands forming parts of small patches, with less than 9% of Crown reserves forming parts of patches larger than 1,000 ha.
- **Crown reserves** are extremely important sites for coastal wetlands and littoral rainforests recognised in SEPP designations. Over 1,500 of these Crown parcels contain these values.
- **Crown reserves** have extremely high abundance of threatened species recorded in more than 3,300 Crown reserve parcels. These Crown reserves have about half of the 20,300 records in all Crown land types.

Detailed information about the occurrence of each conservation values for each Crown land type and each CMA is provided as tabulated data in **Attachment 2**. This information is summarised in Tables 1 and 2 below. A set of maps for each Crown land type in **Attachment 3** provides information about the location of each of these values (see 'Maps of conservation values' section above).

**Table 2. Conservation values by CMA region**

Threatened species recorded	Crown land parcels with	Crown
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	on Crown lands		statutory conservation significant SEPPs		land parcels >1km from infrastructure
<b>CMA's</b>	<b>Number of threatened fauna species</b>	<b>Number of threatened flora species</b>	<b>SEPP14 coastal wetland</b>	<b>SEPP26 littoral rainforests</b>	<b>Parcels with low disturbance</b>
Border Rivers-Gwydir	864	135	0	0	1,573
Central West	1,099	62	0	0	2,403
Hawkesbury-Nepean	519	891	0	0	888
Hunter-Central Rivers	2,573	408	553	43	2,061
Lachlan	602	48	0	0	1,925
Lower Murray-Darling	431	56	0	0	1,046
Murray	176	93	0	0	648
Murrumbidgee	1,343	54	0	0	1,820
Namoi	605	81	0	0	904
Northern Rivers	3,247	327	595	60	2,486
Southern Rivers	1,315	283	267	4	1,455
Sydney Metro	598	216	0	0	302
Western	693	52	0	0	2,691
<b>Grand</b>	<b>14,114</b>	<b>2,707</b>	<b>1,415</b>	<b>107</b>	<b>20,288</b>

#### Limitations of the assessment:

1. The assessment was reliant on readily available statewide GIS datasets. The lack of reliable statewide datasets indicating vegetation type and condition and information on biodiversity values limits the ability to comprehensively determine the conservation values of Crown lands.
2. For example there is no dataset indicating endangered ecological communities. Almost all Crown land parcels in the Central Division with trees or native grasses are likely to fall under a defined endangered ecological community.
3. Flora and fauna records were based on records of actual sightings/trappings/collection. Due to difficulties with public access to many lands and the limited survey effort, most Crown land has not been surveyed. This information is a major underestimate of the occurrence of threatened species. It would be far more useful to use flora and fauna modelled habitat to indicate presence or absence of threatened species.
4. The assessment did not compare the values of the Crown land types with the values of other lands in the same locality.
5. A definitive Crown land dataset cannot be obtained due to poor digital record-keeping by Crown Lands Division
6. The result of the assessment of connectivity presence was not mapped.

**ATTACHMENT 2 Tabulated analysis by Crown land reserve type**

**ATTACHMENT 2A. Crown leases – Central and Eastern Division**

### 1. Proportion cleared

CMA	0-30% cleared	30-50% cleared	50-70% cleared	>70% cleared	Total
Border Rivers-Gwydir	0%	23%	30%	46%	100%
Central West	4%	7%	25%	65%	100%
Hawkesbury-Nepean	32%	14%	40%	14%	100%
Hunter-Central Rivers	30%	21%	22%	26%	100%
Lachlan	4%	6%	18%	72%	100%
Murray	0%	5%	37%	58%	100%
Murrumbidgee	11%	6%	36%	48%	100%
Namoi	6%	22%	15%	58%	100%
Northern Rivers	39%	29%	12%	20%	100%
Southern Rivers	38%	16%	27%	18%	100%
Sydney Metro	35%	20%	20%	25%	100%
Western	29%	71%	0%	0%	100%
<b>Total</b>	<b>13%</b>	<b>18%</b>	<b>24%</b>	<b>45%</b>	<b>100%</b>

### 2. Proportion part of patch size

CMA	Small	Medium	Large
Border Rivers-Gwydir	26%	13%	36%
Central West	29%	16%	30%
Hawkesbury-Nepean	12%	7%	62%
Hunter-Central Rivers	15%	6%	39%
Lachlan	28%	10%	19%
Murray	44%	4%	18%
Murrumbidgee	17%	5%	32%
Namoi	19%	15%	40%
Northern Rivers	13%	3%	61%
Southern Rivers	15%	12%	51%
Sydney Metro	29%	5%	2%
Western	8%	7%	67%
<b>Total</b>	<b>22%</b>	<b>10%</b>	<b>38%</b>

small: part of patch 1-250 ha medium: part of patch 251- 1,000 ha large: part of patch >1,000 ha

### 3. Proportion with habitat connectivity

CMA	Habitat Connectivity
Border Rivers-Gwydir	83%
Central West	85%
Hawkesbury-Nepean	91%
Hunter-Central Rivers	81%
Lachlan	66%
Murray	78%
Murrumbidgee	62%
Namoi	83%
Northern Rivers	88%
Southern Rivers	90%
Sydney Metro	57%
Western	88%

<b>Total</b>	<b>79%</b>
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#### 4. Proportion with low disturbance

CMA	Low Disturbance
Border Rivers-Gwydir	65%
Central West	71%
Hawkesbury-Nepean	46%
Hunter-Central Rivers	48%
Lachlan	62%
Murray	51%
Murrumbidgee	56%
Namoi	68%
Northern Rivers	64%
Southern Rivers	46%
Sydney Metro	7%
Western	55%
<b>Total</b>	<b>61%</b>

#### 5. Number of threatened flora

CMA	1-2	3-6	7-10	>10	Total
Border Rivers-Gwydir	12	5		1	18
Central West	5	1			6
Hawkesbury-Nepean	5	2			7
Hunter-Central Rivers	5				5
Lachlan	5				5
Murray	8				8
Murrumbidgee	6	2			8
Namoi	3	3	1		7
Northern Rivers	12	1			13
Southern Rivers	5	2	1		8
Sydney Metro	3				3
Western	4	1			5
<b>Total</b>	<b>73</b>	<b>17</b>	<b>2</b>	<b>1</b>	<b>93</b>

#### 6. Number of threatened fauna

CMA	1-2	3-6	7-10	>10	Total
Border Rivers-Gwydir	27	19	7	5	58
Central West	75	34	10	6	125
Hawkesbury-Nepean	13	2			15
Hunter-Central Rivers	34	6	3	3	46
Lachlan	24	9	5	3	41
Murray	6	2		2	10
Murrumbidgee	39	12	3	10	64
Namoi	39	13	2	4	58
Northern Rivers	60	24	6	6	96
Southern Rivers	26	9	1		36
Sydney Metro	5	2			7

Western	46	30	6	5	87
<b>Total</b>	<b>394</b>	<b>162</b>	<b>43</b>	<b>44</b>	<b>643</b>

#### 7. Contains SEPP14 - coastal wetland

CMA	Total
Hunter-Central Rivers	16
Northern Rivers	24
Southern Rivers	8
<b>Total</b>	<b>48</b>

#### 8. Contains SEPP26 - littoral rainforest

CMA	Total
Hunter-Central Rivers	3
Northern Rivers	2
<b>Total</b>	<b>5</b>

#### 9. Total Central and Eastern Division Crown lease parcels

CMA	Total
Border Rivers-Gwydir	2,736
Central West	4,243
Hawkesbury-Nepean	384
Hunter-Central Rivers	1,292
Lachlan	1,896
Murray	832
Murrumbidgee	2,809
Namoi	1,590
Northern Rivers	1,898
Southern Rivers	904
Sydney Metro	184
Western	1,334
<b>Total</b>	<b>20,102</b>

### ATTACHMENT 2B. Crown lands – Western Division

#### 1. Proportion cleared

CMA	0-30% cleared	30-50% cleared	50-70% cleared	>70% cleared	Total
Central West	31%	27%	38%	3%	100%
Lachlan	38%	47%	10%	5%	100%
Lower Murray-Darling	85%	4%	11%	0%	100%
Murray	51%	0%	47%	2%	100%
Murrumbidgee	40%	5%	44%	10%	100%
Western	87%	8%	5%	0%	100%
<b>Total</b>	<b>78%</b>	<b>12%</b>	<b>9%</b>	<b>1%</b>	<b>100%</b>

#### 2. Proportion part of patch size

CMA	Small	Medium	Large
Central West	2%	15%	81%

Lachlan	8%	6%	78%
Lower Murray-Darling	4%	9%	77%
Murray	15%	2%	9%
Murrumbidgee	7%	1%	32%
Western	3%	3%	89%
Total	4%	6%	82%

small: part of patch 1-250 ha medium: part of patch 251- 1,000 ha large: part of patch >1,000 ha

### 3. Proportion with habitat connectivity

CMA	Habitat Connectivity
Central West	99%
Lachlan	96%
Lower Murray-Darling	95%
Murray	46%
Murrumbidgee	63%
Western	98%
Total	96%

### 4. Proportion with low disturbance

CMA	Low Disturbance
Central West	75%
Lachlan	61%
Lower Murray-Darling	45%
Murray	31%
Murrumbidgee	31%
Western	68%
Total	58%

### 5. Number of threatened flora

CMA	1-2	3-6	7-10	>10	Total
Central West	1				1
Lachlan	13	6		1	20
Lower Murray-Darling	72	20	2	2	96
Murrumbidgee	1				1
Western	65	19		1	85
Total	152	45	2	4	203

### 6. Number of threatened fauna

CMA	1-2	3-6	7-10	>10	Total
Central West	9	4	3	1	17
Lachlan	82	47	12	13	154
Lower Murray-Darling	268	126	43	49	486
Murray	1		2	1	4
Murrumbidgee	6	1			7
Western	536	211	57	54	858
Total	902	389	117	118	1,526

#### **7. Total Western Division Crown lease parcels**

<b>CMAs</b>	<b>Total</b>
<b>Central West</b>	182
<b>Lachlan</b>	2347
<b>Lower Murray-Darling</b>	6108
<b>Murray</b>	130
<b>Murrumbidgee</b>	211
<b>Western</b>	8475
<b>Total</b>	<b>17,453</b>



## ATTACHMENT 2C. Crown waterways

### 1. Proportion cleared

CMA	0-30% cleared	30-50% cleared	50-70% cleared	>70% cleared	Total
Border Rivers-Gwydir	0%	26%	43%	30%	100%
Central West	1%	3%	25%	71%	100%
Hawkesbury-Nepean	26%	14%	20%	40%	100%
Hunter-Central Rivers	17%	16%	27%	40%	100%
Lachlan	5%	4%	13%	79%	100%
Lower Murray-Darling	61%	8%	31%	0%	100%
Murray	4%	7%	50%	39%	100%
Murrumbidgee	8%	11%	17%	65%	100%
Namoi	6%	8%	30%	55%	100%
Northern Rivers	16%	20%	24%	40%	100%
Southern Rivers	33%	19%	26%	22%	100%
Sydney Metro	50%	4%	10%	36%	100%
Western	72%	25%	3%	0%	100%
Total	14%	14%	25%	46%	100%

### 2. Proportion part of patch size

CMA	Small	Medium	Large
Border Rivers-Gwydir	27%	10%	22%
Central West	34%	6%	10%
Hawkesbury-Nepean	27%	9%	31%
Hunter-Central Rivers	21%	5%	20%
Lachlan	33%	4%	8%
Lower Murray-Darling	3%	8%	81%
Murray	32%	9%	19%
Murrumbidgee	14%	4%	15%
Namoi	25%	10%	23%
Northern Rivers	16%	5%	27%
Southern Rivers	21%	9%	35%
Sydney Metro	26%	9%	7%
Western	5%	4%	88%
Total	23%	7%	22%

small: part of patch 1-250 ha medium: part of patch 251- 1,000 ha large: part of patch >1,000 ha

### 3. Proportion with habitat connectivity

CMA	Connectivity
Border Rivers-Gwydir	75%
Central West	71%
Hawkesbury-Nepean	85%
Hunter-Central Rivers	68%
Lachlan	61%
Lower Murray-Darling	96%
Murray	76%
Murrumbidgee	45%

Namoi	74%
Northern Rivers	71%
Southern Rivers	84%
Sydney Metro	61%
Western	98%
Total	<b>71%</b>

#### 4. Proportion with low disturbance

CMA	Low Disturbance
Border Rivers-Gwydir	42%
Central West	37%
Hawkesbury-Nepean	27%
Hunter-Central Rivers	27%
Lachlan	39%
Lower Murray-Darling	56%
Murray	41%
Murrumbidgee	34%
Namoi	32%
Northern Rivers	31%
Southern Rivers	28%
Sydney Metro	12%
Western	65%
Total	<b>33%</b>

#### 5. Number of threatened flora

CMA	1-2	3-6	7-10	>10	Total
Border Rivers-Gwydir	2				2
Hawkesbury-Nepean	16	3			19
Hunter-Central Rivers	15	2	2	1	20
Lower Murray-Darling	2	1			3
Murray	2				2
Murrumbidgee	2				2
Northern Rivers	40	18	5	2	65
Southern Rivers	22	3			25
Sydney Metro	11	2	2		15
Western		1			1
Total	<b>112</b>	<b>30</b>	<b>9</b>	<b>3</b>	<b>154</b>

#### 6. Number of threatened fauna

CMA	1-2	3-6	7-10	>10	Total
Border Rivers-Gwydir	14	8	2	1	25
Central West	23	7	1	2	33
Hawkesbury-Nepean	16	7	2	5	30
Hunter-Central Rivers	58	16	10	21	105
Lachlan	8	4	1	2	15
Lower Murray-Darling	6	2	1	4	13
Murray	9	1	2	1	13

Murrumbidgee	16	3		2	21
Namoi	10	4	1	1	16
Northern Rivers	130	55	17	49	251
Southern Rivers	37	23	10	20	90
Sydney Metro	16	7	2	2	27
Western	6		1	1	8
Total	<b>349</b>	<b>137</b>	<b>50</b>	<b>111</b>	<b>647</b>

#### 7. Contains SEPP14 - coastal wetland

CMA	Total
Hunter-Central Rivers	199
Northern Rivers	252
Southern Rivers	159
Total	<b>610</b>

#### 8. Contains SEPP26 - littoral rainforest

CMA	Total
Hunter-Central Rivers	4
Northern Rivers	10
Total	<b>14</b>

#### 9. Total Crown waterways parcels

CMA	Total
Border Rivers-Gwydir	1,750
Central West	2,399
Hawkesbury-Nepean	1,265
Hunter-Central Rivers	2,886
Lachlan	1,752
Lower Murray-Darling	102
Murray	762
Murrumbidgee	1,536
Namoi	1,223
Northern Rivers	4,748
Southern Rivers	1,914
Sydney Metro	734
Western	152
Total	<b>21,223</b>

## ATTACHMENT 2D. Crown reserves

### 1. Proportion cleared

CMAs	0-30% cleared	30-50% cleared	50-70% cleared	>70% cleared	Total
Border Rivers-Gwydir	30%	17%	24%	29%	100%
Central West	33%	2%	24%	41%	100%
Hawkesbury-Nepean	58%	9%	21%	12%	100%
Hunter-Central Rivers	44%	19%	18%	19%	100%
Lachlan	58%	1%	5%	36%	100%
Lower Murray-Darling	100%	0%	0%	0%	100%
Murray	76%	4%	6%	14%	100%
Murrumbidgee	53%	4%	15%	27%	100%
Namoi	41%	6%	16%	37%	100%
Northern Rivers	45%	20%	13%	23%	100%
Southern Rivers	60%	14%	19%	7%	100%
Sydney Metro	56%	9%	11%	23%	100%
Western	96%	4%	0%	0%	100%
<b>Total</b>	<b>55%</b>	<b>9%</b>	<b>14%</b>	<b>23%</b>	<b>100%</b>

### 2. Proportion of patch size

CMAs	Small	Medium	Large
Border Rivers-Gwydir	19%	5%	9%
Central West	16%	4%	7%
Hawkesbury-Nepean	12%	6%	25%
Hunter-Central Rivers	11%	6%	12%
Lachlan	12%	2%	2%
Lower Murray-Darling	0%	0%	0%
Murray	6%	1%	2%
Murrumbidgee	7%	3%	5%
Namoi	12%	5%	10%
Northern Rivers	12%	3%	14%
Southern Rivers	14%	6%	17%
Sydney Metro	10%	4%	2%
Western	1%	1%	10%
<b>Total</b>	<b>11%</b>	<b>4%</b>	<b>9%</b>

small: part of patch 1-250 ha medium: part of patch 251- 1,000 ha large: part of patch >1,000 ha

### 3. Proportion with habitat connectivity

CMAs	Habitat Connectivity
Border Rivers-Gwydir	70%
Central West	64%
Hawkesbury-Nepean	88%
Hunter-Central Rivers	73%
Lachlan	60%
Lower Murray-Darling	93%
Murray	66%
Murrumbidgee	49%
Namoi	64%

Northern Rivers	69%
Southern Rivers	81%
Sydney Metro	47%
Western	94%
<b>Total</b>	<b>69%</b>

#### 4. Proportion with low disturbance

CMA	Low Disturbance
Border Rivers-Gwydir	15%
Central West	18%
Hawkesbury-Nepean	14%
Hunter-Central Rivers	20%
Lachlan	14%
Lower Murray-Darling	18%
Murray	11%
Murrumbidgee	14%
Namoi	14%
Northern Rivers	19%
Southern Rivers	18%
Sydney Metro	6%
Western	26%
<b>Total</b>	<b>16%</b>

#### 5. Threatened flora

CMA	1-2	3-6	7-10	>10	Total
Border Rivers-Gwydir	56	12		1	69
Central West	21	7		1	29
Hawkesbury-Nepean	162	61	7	12	242
Hunter-Central Rivers	108	40	8	2	158
Lachlan	29	3			32
Lower Murray-Darling	16	6	1		23
Murray	23	3	3	1	30
Murrumbidgee	36	3			39
Namoi	16	3	2	2	23
Northern Rivers	116	24	6	3	149
Southern Rivers	72	14	5	5	96
Sydney Metro	38	16	2	4	60
Western	19	4	1		24
<b>Total</b>	<b>712</b>	<b>196</b>	<b>35</b>	<b>31</b>	<b>974</b>

#### 6. Threatened fauna

CMA	1-2	3-6	7-10	>10	Total
Border Rivers-Gwydir	154	42	8	17	221
Central West	157	41	11	15	224
Hawkesbury-Nepean	157	36	12	6	211
Hunter-Central Rivers	296	91	21	59	467
Lachlan	134	44	8	7	193

<b>Lower Murray-Darling</b>	76	34	7	8	125
<b>Murray</b>	60	15	5	1	81
<b>Murrumbidgee</b>	182	50	8	30	270
<b>Namoi</b>	78	32	6	14	130
<b>Northern Rivers</b>	392	149	41	70	652
<b>Southern Rivers</b>	258	80	25	19	382
<b>Sydney Metro</b>	100	32	2	10	144
<b>Western</b>	228	40	10	8	286
<b>Total</b>	2,272	686	164	264	3,386

#### 7. Contains SEPP14 - coastal wetland

CMA	Total
<b>Hunter-Central Rivers</b>	553
<b>Northern Rivers</b>	595
<b>Southern Rivers</b>	267
<b>Total</b>	1,415

#### 8. Contains SEPP26 - littoral rainforest

CMA	Total
<b>Hunter-Central Rivers</b>	43
<b>Northern Rivers</b>	60
<b>Southern Rivers</b>	4
<b>Total</b>	107

#### 9. Total reserve parcels

CMA	Total
<b>Border Rivers-Gwydir</b>	10,568
<b>Central West</b>	13,657
<b>Hawkesbury-Nepean</b>	6,355
<b>Hunter-Central Rivers</b>	10,500
<b>Lachlan</b>	13,499
<b>Lower Murray-Darling</b>	5,693
<b>Murray</b>	5,893
<b>Murrumbidgee</b>	13,331
<b>Namoi</b>	6,696
<b>Northern Rivers</b>	12,960
<b>Southern Rivers</b>	8,163
<b>Sydney Metro</b>	4,854
<b>Western</b>	10,542
<b>Total</b>	122,711

### ATTACHMENT 3 - Maps of Conservation Values

The following maps can be downloaded from the link below (and are available in hardcopy on request):

ATTACHMENT 3A – Percentage cleared / rarity

ATTACHMENT 3B – Low Disturbance

ATTACHMENT 3C – Part of patch size

ATTACHMENT 3D – Threatened flora records

ATTACHMENT 3E – Threatened fauna records

ATTACHMENT 3F – SEPP coastal wetland and littoral rainforest

Available for download at:

[https://drive.google.com/folderview?id=0BxLsiuTM\\_UrnS0dTeDJPSFZGbVE&usp=sharing](https://drive.google.com/folderview?id=0BxLsiuTM_UrnS0dTeDJPSFZGbVE&usp=sharing)

Maps prepared by the Nature Conservation Council of NSW and National Parks Association of NSW in 2014. Data source: NSW Crown Lands Division and NSW Office of Environment and Heritage. Analysis performed using ArcGIS. If you wish to use these maps, please credit “The Significance of Crown Lands In Biodiversity Conservation\_Nature Conservation Council of NSW and National Parks Association of NSW, 2014.”

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