

Draft NSW Travelling Stock Reserves Review

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Opening

Local Government NSW (LGNSW) is the peak body for local government in NSW, representing NSW general-purpose councils, associate members including special-purpose county councils and the NSW Aboriginal Land Council. LGNSW facilitates the development of an effective community based system of local government in the State.

LGNSW welcomes the opportunity to comment on the Draft NSW Travelling Stock Reserves Review prepared by the Department of Industry – Lands and Local Land Services.

Please note that in order to meet the consultation deadline, this submission is provided in draft form, in anticipation of LGNSW Board endorsement at their August 2017 meeting. LGNSW will advise of any amendments to the submission at that time.

Purpose

The Travelling Stock Reserves (TSRs) Review seeks input from stakeholders on:

- The use and community values surrounding TSRs in each region; and
- The criteria used to assess individual proposals to access TSRs for other uses.

Our submission will focus on the future management and use of TSRs and the criteria proposed to assess their values. LGNSW seeks local government inclusion in any decision making process in relation to change in use or ownership of a TSR.

Individual councils are best placed to provide input on the community value of their local TSRs.

Background

Travelling Stock Reserves need to be sustainably managed to meet economic, environmental and social outcomes valued by the community. They have an important role in meeting the needs of different stakeholders and in our view exist both as a resource, and an asset to be managed.

While local government manages a very small percentage of the LLS estate (estimated at 0.014% or 280ha), councils have a broader interest in TSRs and their value to the local community.

LGNSW recognises that while the TSR network was established with the primary purpose of droving stock, the network is now recognised for its environmental, cultural, economic and social importance. In many instances TSRs are no longer being used for their original purpose, but are highly valued by the community for their conservation value with significant ecological, recreational, heritage and Aboriginal cultural values. In heavily cleared landscapes they may in fact be one of the few remaining natural areas still relatively intact with significant ecological value.

Issues

Decisions in relation to the future management of TSRs should be made at the local and regional level and involve relevant stakeholders including local government. While councils generally have no management responsibility over these areas, they do have an interest in the contribution they make to their local community.

Local government also has an interest in the management of TSRs including those which have no active management or grazing, due to the weed threat they pose. In these instances weed spread may create an additional burden for councils who are actively managing these incursions along roadsides and on other land they manage.

Economic value

LGNSW is pleased that the review recognises that TSRs have significant direct economic value, in supporting a range of industries, including farming, grazing and apiary industries, as well as supporting environmental and cultural tourism. The role of TSRs in biosecurity, emergency management and drought proofing help protect these economic activities. It is important that the full economic value is considered when assessing the future of TSR.

In relation to land value and rates, the sale or lease of TSRs to private parties would only have marginal benefits to councils in terms of rate revenue, given the relatively small land area which they cover. If these areas are absorbed into an existing private freehold, the additional value would be diluted by the overall value of the parcel.

Aboriginal cultural heritage

LGNSW acknowledges that TSRs are subject to approximately 5,500 Aboriginal land claims under the *Aboriginal Land Rights Act 1983*, making up approximately 50 per cent of the TSR network. These interests will need to be considered, and any decision about the future use and management of these TSR will require negotiation with the relevant Local Aboriginal Land Councils.

LGNSW supports educational programs that raise awareness of the importance of TSR and help recognise and protect Aboriginal cultural heritage. We also support TSR management plans including actions that protect and conserve Aboriginal artefacts, provide for access arrangements for continued cultural activities and the negotiation of co-management arrangements. Consultation with Aboriginal communities should therefore be a high priority.

We support the engagement of all land managers with an interest in TSR and recognise the continuing need for strong engagement with Aboriginal communities in determining the on-going management of these areas.

Conservation value

The TSR network has high conservation value as one of the few remaining corridors of vegetation in landscapes degraded by agricultural practices and development. As remnants of previous ecosystems they are renowned for their high biodiversity value. This will be further assessed through the NSW Environmental Trust funded project to undertake a state wide review of the conservation value of TSRs. LGNSW supports this assessment and identification of the conservation values, which will assist to prioritise future management and use of TSRs.

Ecological benefits of TSRs include:

- Threatened species habitat
- Habitat for species including migratory birds
- Seed collection areas
- Wildlife corridors and ecological connectivity

Recreational value

TSRs are used for a range of recreational purposes, including bushwalking, fishing, bird watching and general access for picnics and other community uses. These sites can have considerable local importance and community access to this public land is appropriate and valued.

Recommendation 1: That the implementation of the proposed criteria identifies and protects the important environmental, social and cultural values of the TSR network.

Criteria for assessing impact on TSRs

Decisions taken on changes in the ownership or management of TSRs should be considered in the context of the value of the land to the local and regional community, and the value of the TSR in a broader landscape context. This approach ensures that broader ecological connectivity, and more local community and recreational values are all considered.

LGNSW is supportive of the proposed criteria for considering whether a proposal is likely to harm the TSR network. The list of criteria is extensive and appropriate, however the process of implementing this criteria is of interest. The following questions arise:

- Who will be making the final decision to change ownership or management of TSRs – LLS or the Minister?
- How will other stakeholders, including Aboriginal communities and local government be involved in the decision making processes?
- Will a proposal to change ownership or use of a TSR be advertised for broader public input prior to final decision?

Recommendation 2: LGNSW seeks a process for including input from local government, Aboriginal communities and other stakeholders in any decisions about changes to TSR ownership or management.

The document includes a list of additional criteria which can be applied when assessing the suitability of a change in land use, purpose or ownership of a TSR. These additional criteria include social, environmental and economic factors that may outweigh the proposed TSR assessment process and criteria. The original criteria in the TSR assessment process are focused on avoiding harm to the TSR network. The additional criteria include considerations such as economic growth and job creation, infrastructure development, public health and broader community well-being. While there may be instances to use the additional criteria, they must be applied in collaboration with the local community with final decisions being in the broader public interest. Transparency in decision making around applying the proposed additional criteria is needed.

Recommendation 3: LGNSW seeks clarification on the mechanism to determine decisions where the impact on the TSR is outweighed by other benefits to ensure transparency in decision making and to provide an opportunity for wider consultation and review.

Recommendation 4: LGNSW seeks clarification in relation to who makes the final decision on proposals to change land use or ownership of TSRs.

Conclusion

LGNSW supports the retention and long term protection of TSRs for future generations. TSRs should be regarded and managed as a contiguous estate with significant environmental, economic and cultural values and managed as such, rather than as separate parcels of land.

However, if changes to ownership and management of TSRs are required then these decisions should be made at a local level in collaboration with local government, Aboriginal communities and other land managers and users. A clear process for this to occur is supported and needs to provide adequate opportunity for stakeholder input, and decisions should be in the broader public interest.

LGNSW appreciates the opportunity to provide input to the Draft NSW Travelling Stock Reserves Review paper for public consultation and looks forward to working with Government and Local Land Services in the future management of our valued TSR asset.

We would be pleased to discuss the issues raised in this submission further. Please contact Kirsty McIntyre at LGNSW on 9242 4055 or kirsty.mcintyre@lgnsw.org.au.