

NSW WESTERN REGIONAL ASSESSMENTS

Nandewar

Crown Tenure Validation and Mapping Project

Final report
May 2004

PROJECT NO. NAND03



RESOURCE AND CONSERVATION ASSESSMENT COUNCIL

NSW WESTERN REGIONAL ASSESSMENTS

Nandewar

Crown Tenure Validation and Mapping Project

Department of Lands

Department of Environment &
Conservation

State Forests of NSW

Department of Infrastructure, Planning
and Natural Resources

Project Number NAND03



RESOURCE AND CONSERVATION ASSESSMENT COUNCIL

INFORMATION



This project has been funded and coordinated by the Resource and Conservation Division (RACD) of the NSW Department of Infrastructure, Planning and Natural Resources, for the Resource and Conservation Assessment Council (RACAC).

RACAC ceased operations in December 2003 with the formation of the Natural Resource Commission, part of the NSW Government's 'Natural Resource Management Reforms'.

For continuity, this report is produced under the name of RACAC. Project management and coordination has continued to be provided by RACD within the Office of Sustainable Development, Assessments and Approvals for DIPNR.

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ISBN 1 74029 203 0

Preferred way to cite this publication:

DIPNR, 2004, Crown Tenure Validation and Mapping Nandewar WRA: report for the Resource and Conservation Assessment Council (RACAC), NSW Western Regional Assessments, Project no. NAND03 / NSW Department of Infrastructure, Planning and Natural Resources, Sydney, 11 pp.

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Project Summary

Nandewar Crown Tenure Validation and Mapping

The Nandewar Western Regional Assessment (WRA) is the second WRA undertaken in western NSW by the Resource and Conservation Assessment Council (RACAC). The first WRA, Brigalow Belt South, was completed in September 2002.

One of the main objectives of the Nandewar WRA is to identify the conservation, economic, cultural and social values on publicly owned (Crown) land in the region. In doing so, management options for those lands may be considered following the completion of a range of information gathering projects. To provide certainty when making decisions on public land, it is necessary to first identify all public lands in the region and confirm its status (i.e. where it is, and what type of reserve, leasehold, or licences may apply). The next step is to ensure that the information about each block of public land is current and that the boundaries are accurate.

The project also sought to distinguish between ‘negotiable’ Crown land and ‘non-negotiable’ Crown land. ‘Negotiable’ Crown land is areas of land that may be considered for a change in tenure from its current status (e.g. Crown reserve) to another classification of Crown land (e.g. national park).

‘Non-negotiable’ Crown land is land that has some form of title or agreement that prevents a change of tenure (e.g. perpetual lease). In other regional assessments on the coast and in the Brigalow Belt South bioregion, the primary reason for a change in classification of Crown tenure has been to provide greater protection for conservation values present on the land. In some cases, a change in classification may assist Aboriginal communities to be more involved in day to day management of land.

After the information for each area of Crown land is validated it is captured in a spatial data layer for use in developing options for management of conservation, economic, cultural and social values in the region. There are three major components that are combined to make the Crown land spatial data layer:

- Crown land layer;
- National Parks estate layer; and
- State forest estate layer.

In this project, the three layers have been checked for discrepancies in common boundaries and combined to form a comprehensive Crown tenure layer for the Nandewar WRA.

Acronyms and abbreviations

CAR	Comprehensive, Adequate, Representative (Reserve System)
CLID	Crown Lands Information Database
CRA	Comprehensive Regional Assessment
DCDB	Digital Cadastral Data Base
DEC	Department of Environment and Conservation
DIPNR	Department of Infrastructure, Planning and Natural Resources
DLWC	Department of Land and Water Conservation (now part of DIPNR)
GIS	Geographic Information System
Lands	Department of Lands
NPWS	National Parks and Wildlife Service (now part of DEC)
RACAC	Resource and Conservation Assessment Council
RACD	Resource and Conservation Division of DIPNR
SFNSW	State Forests of NSW
WRA	Western Regional Assessment

i

Introduction

A series of environment, heritage, social and economic projects are undertaken during the Western Regional Assessments (WRA) funded by the Resource and Conservation Assessment Council (RACAC). One of the outcomes of the WRA is to identify areas of Crown land (including State forest) with high conservation value that might benefit from conservation management in a dedicated or informal reserve or managed by prescription. No areas of private land or land under long term or perpetual Crown leases are subject to a change of tenure under the WRA process. However, it is possible that some areas of State forest, vacant Crown land and some other ‘negotiable’ Crown land classifications may be selected for inclusion in a comprehensive, adequate, representative (CAR) reserve system. This may require a change of classification.

Presently the region is subdivided into a mixture of varying tenures. This includes Crown land, leasehold land and privately held lands. Before this project, there was no single, complete, up to date land tenure layer for the Nandewar Region. Tenure information resides with various agencies such as the Department of Lands (Crown land information), Department of Environment and Conservation (national park estate boundaries), and State Forests of NSW (State forest boundaries).

This project identified and combined existing digital tenure data from each source agency and derived a ‘negotiable’ Crown tenure layer, which can be used as a base layer for integrating Nandewar WRA project outcomes, and developing land management options for the region.

1

Project Objective and Scope

1.1 OBJECTIVE

The objective of the project was to derive a validated spatial data layer of areas of ‘negotiable’ Crown land. The primary use of the spatial data layer will be for identification of Crown land for possible management or tenure change following the Nandewar Western Regional Assessment. The Crown land spatial data layer will be integrated with National Parks and State Forest estate layers (provided by DEC and SFNSW).

1.2 SCOPE

The project :

- provides a validated ‘negotiable’ Crown tenure layer covering the whole Nandewar WRA Region
- incorporates the current NPWS and SFNSW estate layers
- provides a State forest compartment layer (within State forest boundaries)
- identifies leases, easements and occupational permits over areas of State forests.

2

Methods

2.1 IDENTIFY ‘NEGOTIABLE’ CROWN LAND TYPES

‘Negotiable’ Crown land types are drawn generally from the Crown estate (see Table 1), and State forests. Lands reserved or dedicated under the National Parks and Wildlife Act 1974 are also included in the final spatial data layer to enable calculations of conservation areas in the CAR reserve system (i.e. those areas under formal and informal reserves, and areas managed by prescription) using one complete layer. These national park estate lands are not subject to tenure change in the WRA (although it may be possible for changes within the estate to occur - e.g. from national park to nature reserve).

‘Negotiable’ Crown land in the State forest estate is identified separately by SFNSW and the layers combined after validation.

Table 1 is a list of Crown land classified into ‘negotiable’ / ‘non-negotiable’ types.

General Note: where a feature categorised as ‘negotiable’ above overlaps with another feature classified as ‘non-negotiable’ in the extracted spatial layers, the non-negotiable feature takes priority.

The Crown Land Information Database (CLID) was used to identify parcels of Crown land which met the ‘negotiable’ criteria (see scope and Table 1 above). A provisional layer was derived that contains each parcel of Crown land within the regional boundary.

2.2 VALIDATION OF CROWN LAND PROVISIONALLY IDENTIFIED AS ‘NEGOTIABLE’

Each of these parcels identified in 2.1 were validated by the Department of Lands regional offices to ensure that:

- the Crown land type for each parcel actually matched the type that CLID identified it as. This was done by regional offices checking up-to-date Lands records for each provisionally ‘negotiable’ parcel.
- the size and shape of each parcel of ‘negotiable’ Crown land identified by CLID matched the records held in regional offices.
- there were no restrictions on each provisionally identified parcel of ‘negotiable’ Crown land that prevented it from being ‘negotiable’ (e.g. where a ‘non-negotiable’ reserve coexists with a permissive occupancy, or where an Aboriginal land claim is pending).

Prioritisation of the validation of ‘negotiable’ parcels was given to forest / woodland areas, and largest parcels were done first. These areas were identified by DEC and a spatial data layer of the areas provided to Lands.

TABLE 1

*Classification of Crown Land Categories for the Nandewar
WRA*

Code	Code Description	Classification	Comments
120	Other Crown Land – Status Crown	Negotiable	
130	Other Crown Land – Status Unknown	Negotiable	
410	Public Recreation Reserve	Negotiable	With the consent of the Trust body or Local Government Council (care, control, and management devolves on Councils if there is no Trust Board appointed – many of these reserves exist which have been developed by Councils for passive and active recreation purposes)
420	Reserved from Sale/Future Public Requirements	Negotiable	Unless a non-negotiable lease co-exists
431	Travelling Stock Reserve – DLWC control	Non-negotiable	
432	Travelling Stock Reserve – RLPB control	Non-negotiable	
440	Commons	Negotiable	With the consent of the Trust body
450	Reserve from Lease/Licence	Negotiable	Unless a non-negotiable lease co-exists
460	Proclamation	Non-negotiable	
470	Reserved under a Special Act	Non-negotiable	Would require the repeal of the special Act
480	Other Reservation	Negotiable	Unless a non-negotiable lease co-exists, and may also require consent of the Trust Board or Local Government Council. (Many various reserves exist – Cricket & Athletic Grounds, Rifle Ranges, Racecourses, and Plantations etc).
481	Other Reservation – School of the Arts	Non-negotiable	
482	Other Reservation – Cemetery Reserve	Non-negotiable	
483	Other Reservation – Dedication	Non-negotiable	Would require an Act of Parliament to revoke
490	Non-notified Reserve	Negotiable	Dependent on reserve purpose
610	Enclosure Permit	Non-negotiable	Would require closure of underlying road.
620	Licence/Permissive Occupancy	Negotiable	Unless a non-negotiable reserve co-exists
CONV	Convertible Lease	Non-negotiable	Perpetual Leases
NON	Non-convertible Lease	Non-negotiable	Perpetual Leases
TERM	Term Lease	Negotiable	At the time of lease expiry
OTHER	Incomplete Purchases, other unclassified lease features	Non-negotiable	While initially captured as leases, features falling into the 'OTHER' lease category are leases which have been subsequently converted to Incomplete Purchases. These features are effectively freehold.

2.3 COMPILE VALIDATED GIS LAYER OF 'NEGOTIABLE' CROWN LAND

Once each parcel of 'negotiable' Crown land was validated through checking of regional records, a spatial data layer was compiled showing each parcel of 'negotiable' Crown land. The database includes information on type, size and any lease/licence details for each parcel. It is possible for there to be more than one Crown tenure type over the same block of land (e.g. a licence to undertake a certain activity may be held over a reserve). Where a 'non-negotiable' Crown tenure co-exists with a 'negotiable' Crown tenure type, the 'non-negotiable' classification prevails for the purpose of the Western Regional Assessments.

The areas of each Crown land type (not including State forest or National park estate) are contained in Table 2 below.

TABLE 2

Areas of different Crown land types - Nandewar WRA Region. The table does not include State forest or National park estate.

Crown Land Type	Area (ha)
Negotiable Crown Land	
Reserve	16 620
Licence / Reserve	9 789
Other Crown Land	1 928
Licence / Other Crown Land	1 855
Licence	593
Reserve / Other Crown Land	31
Reserve / Licence / Other Crown Land	<1
Total Negotiable Crown Land	30 816
Non-negotiable Crown Land	
Lease	149 365
Reserve / Lease	69 333
Reserve	33 161
Licence / Reserve	2 243
Reserve / Other Crown Land	155
No Category	2
Lease / Other Crown Land	<1
Licence / Lease	<1

Licence / Lease / Other Crown Land	<1
Licence / Lease / Reserve	<1
Reserve / Lease / Other Crown Land	<1
Reserve / Licence / Other Crown Land	<1
Total Non - negotiable Crown Land	254 258

2.4 CONFIRM NPWS AND SFNSW ESTATES AND RESOLVE NPWS / SFNSW BOUNDARY ANOMALIES

Running parallel to validation and compilation (2.1-2.3) DEC and SFNSW confirmed the boundaries of their own estates.

National Parks Estate

Much of the national parks estate GIS data, including a large proportion of the existing reserve system in the Nandewar Bioregion, was captured prior to the introduction of rigorous validation protocols. The validation process described below was applied to all national parks estate in the Bioregion, including both reserved and acquired-not-reserved lands. That data was provided to RACD at the end of July 2003 and was correct to 28th July 2003. Since that date, two additional properties have either been acquired or reserved (Severn River NR 28/8/03; Inverary NR 10/11/03) and included in the spatial data layer.

The validation process included:

1. Confirmation / correction of the tenure of all national parks estate in the Nandewar Bioregion. A trial plot of the relevant GIS data was prepared and the tenure of each reserved parcel checked against descriptions from the Government Gazette maintained by Decks Conservation Management Unit for each park.
2. Acquired-not-reserved tenure was also checked against the Acquired Lands Database maintained by Conservation Management Unit
3. Where required, new boundaries were created based on the Digital Cadastral DataBase (DCDB).
4. Checking of final plots by the Conservation Management Unit.

State Forest Estate

SFNSW collated and digitised lands purchased for extension of State forest estate, but not yet dedicated. SFNSW also collated and digitised leases, occupation permits, special purpose permits, grazing permits, easements and rights of way over State forests and supplied updated DCDB-coincident tenure and compartment layer. Where there were differences between common boundaries between the national parks estate and State forests estate, DEC and SFNSW developed a rule set to decide which boundary to use.

2.5 COMBINE DEC AND SFNSW LAYERS WITH ‘NEGOTIABLE’ CROWN LAND LAYER

Upon receiving the national parks estate layer and the ‘Negotiable’ Crown land layer, SFNSW combined them with the State forest estate layer. Any anomalies appearing between the boundaries of ‘negotiable’ Crown land and the national parks / State forest estate layers, were rectified using a rule set developed by Lands, DEC and SFNSW for resolving these differences.

The final combined layer was developed and provided to the WRASC for review and approval for use in deliberations at the end of the Nandewar WRA process.

3

Outputs

3.1 OUTPUTS

Outcomes/Outputs

The project provided a definitive and validated ‘negotiable’ crown land layer (recognising that areas under the management of DEC are not negotiable but are to be included in the layer for contextual purposes) for the Nandewar WRA region including:

- complete spatial data layer of ‘Negotiable Crown’ land in ArcGIS format.
- spatial data layer of derived planning units (compartments) over State forests in ArcGIS format.
- Metadata for each derived coverage in accordance with the ANZLIC metadata guidelines plus the agreed WRA fields.