

“Woody End”
78 Applebox Lane
The Angle, NSW
Via THARWA ACT 2620

Mr Sandy Hollway
Chair
The Study Into Non-Urban Bushfire Affected Areas
c/- the Bushfire Recovery Taskforce Secretariat
GPO Box 158
CANBERRA ACT 2601

Dear Mr Hollway

Future management of the fire-affected Ingledene Pine Plantation area

I am writing to you at the request of members of the Smith’s Road community to advise you and your Committee of our community’s concerns relating to

- that part of the ACT encompassed by the Ingledene Pine Forest in the Murrumbidgee River Corridor south of the village of Tharwa;
- that part of NSW immediately to the south of this area that is owned and managed by ACT Forestry as an extension of the Ingledene Pine Plantation.

For reasons that will become evident in our submission, our community members are significant stakeholders in any decision about the future of this area.

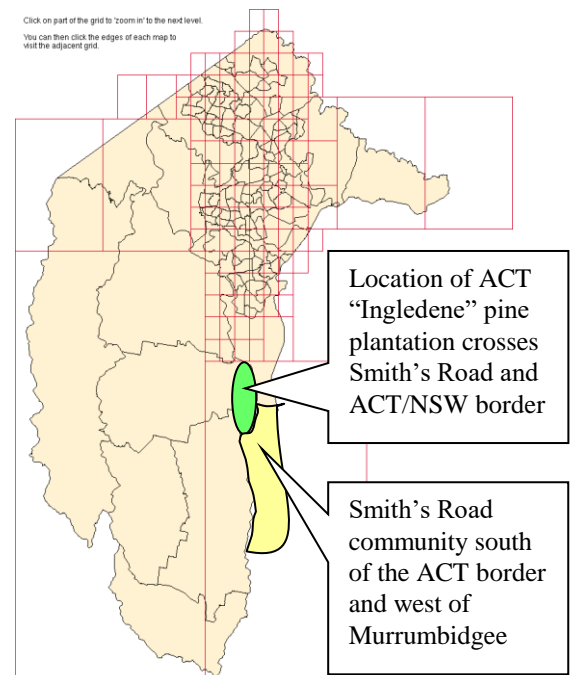
The Ingledene Pine Plantation and surrounding farming community

The Ingledene Pine Plantation area (714 ha in the ACT) was described in Map Attachment 31 of the Department of Urban Services as

“a commercial pine plantation with trees ranging from 10 to 30 years old. It is on ex-grazing land and contains areas of open pasture.”

The area immediately south of the Pine Plantation comprises a rural community of 44 permanent households conducting a mixture of commercial grazing and horticultural enterprises and commuter hobby farming.

- This community lies in NSW and has existed since the 1890s, pre-dating the creation of the ACT. It lies within the Yarrowlumla Shire areas of “The Angle” and “Clear Range” along Smith’s Road and its spur roads. The nearest settled localities are Tharwa in the ACT and Williamsdale and Michelago on the Monaro Highway.
- The only road access for the Smith’s Road community lies *through* the Ingledene Plantation, with river crossings either at the bridge over the Gudgenby River close to Tharwa, at the low-level McMahon’s Crossing on the Gudgenby (further south), or at Angle Crossing on the Murrumbidgee near Williamsdale. (Rising river levels close these low level crossing from time to time.)
- The closure of the Pine Plantation and its roads during bushfire danger periods has always been a risk to this community.



In the Fuel Management Strategy for the Ingledene Pine Plantation FMU 31.3 the following action for 2002-2004 were listed:

- Establish fire boundary roads around the plantation;
- Establish strategic fire breaks/trails within the plantation;
- Liaise with the Agistee to the west of the pines regarding possible prescribed burns.

Impact of 18 January 2003 fires on the Plantation and adjoining properties

The Ingledene Pine Plantation was destroyed in its entirety in the 18 January 2003 fires.

- The fire, given huge impetus by the explosion of the pine forest, also burnt rapidly across adjacent bare grazing paddocks, a horticultural enterprise, and through several rural residential blocks before crossing the Murrumbidgee.

Buildings destroyed as a direct result of the pine plantation fire were those in its immediate proximity:

- The “Ingledene” homestead owned by ACT Forestry;
- A derelict house (formerly a Youth Hostel) on the Morrisons’ property on Smith’s Road;
- An historic woolshed also on the Morrisons’ property; and
- A machinery shed and caravan on the Goodall property at “Rueon” on Applebox Lane.



The Goodall machinery shed engulfed by flames from the adjacent ACT pine plantation

The extent of this damage helps to underscore the risk that the pine plantation has posed to our community and to the general public.

- Although fires from the main fire front burned throughout our valley for nearly two weeks (including fires in dense bush surrounding homes) the hard work and preparedness of local fire brigades and land owners was able to prevent any other loss of buildings.
- It was only the uncontrollable intensity of the fires that burned in the Pine Plantation and the immediately adjacent paddocks that led to the loss of the four buildings described above.

On 18 January 2003 road access through the Ingledene Pine Plantation was at first restricted by police and then closed by the fire itself.

- Those who had not yet returned home were unable to pass through, and those already at home on Smith’s Road had no means of escape if they wished to evacuate.
- Because the fires approached the forest as part of an expected fire front (rather than originating within the forest) it was possible to evacuate two invalids - unexpected fires may not provide such warning.
- Had the fires occurred on a week day when many residents would have been in Canberra, the loss of property would have been far higher.



Smith’s Road is the community’s only access and escape route - but the road runs through the forest

Planning for and managing increasing peri-urban recreational use of the area

Competing land use

As Canberra has expanded southwards over the last 12 years the ACT community has become much more familiar with the Smith's Road locality including the recreational potential of the pine forest and Murrumbidgee riverbanks. A number of these recreational activities are uses for which these areas were not originally intended, and ACT Government management of these areas has not kept pace with the impact of these activities on soil erosion, road traffic, public safety and fire risk.

Some unmanaged activities are now impacting on the safety and amenity of other users.

- Many uses of the area are low-impact and have been undertaken in the area for decades, including fishing, swimming, bird watching, hiking, orienteering and picnicking.
- However, designated recreational activities for the region (such as the National Equestrian Trail and off-road cycling) are compromised by activities such as trail bike and enduro riding and shooting which are high-impact and/or constitute a significant public risk.

Increasing recreational use of the area in summer also increases the risk of bushfire for landowners. ACT guidelines for Total Fire Ban days are very different to those imposed immediately over the border in NSW, leading to friction between local land owners in NSW and picnickers lighting fires in adjoining ACT areas like Angle Crossing.

Degradation and public risk in the Pine Plantation area

The Pine Plantation and its access roads to Tharwa, Naas and Williamsdale have become a gathering point for dirt-bike riders and young car drivers, with up to 40 vehicles assembling on Saturdays and Sundays. (*The legal liability to the ACT of accident or death resulting from this kind of dirt-bike activity is so far untested.*)



- These motorcycles and cars are commonly unregistered and uninsured, and are often driven to the area on public roads from southern suburbs.
- While most activity occurs in the Pine Plantation and its internal trails, riders frequently drive onto the public through-roads including Smiths Road, Applebox Lane and Angle Crossing Road.

Registered and unregistered dirt bikes on public roads pose a risk to other road users

- The use of public roads for “burnouts” and other dangerous use of vehicles on the dirt road surfaces poses a risk to all other road users.
- Dirt bikes have had a very significant erosion impact in two areas in the Plantation, where a series of jumps have been constructed over washing machines and other debris.



What is the legal liability for the ACT Government of accident from bike activities in the forests?

Over the last 8-10 years the area has also become attractive as a place to trash and torch stolen vehicles, with local residents estimating that this can occur as often as once every two weeks.

- Trashed vehicles pose a particular hazard to other road users after they have been burned because they cease to reflect headlights, and because of broken glass/sharp metal.



Trashed vehicles degrade the recreational value of the Ingledene forest and create a public risk

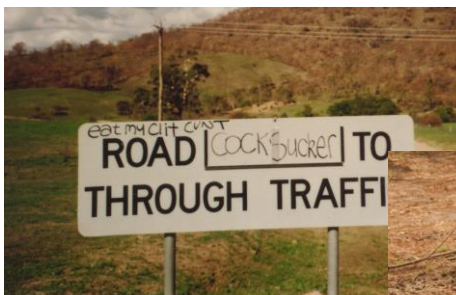


Burned vehicles don't reflect light at night and are a hazard for drivers

- Rusted, burned and trashed cars degrade the off-road areas and dams for other users.
- Arson activities associated with stolen vehicles also pose a bushfire risk to the Plantation and surrounding rural properties.

“Pig dogging”, spotlighting and kangaroo shooting are increasingly popular in these unpoliced pine forest tracks, with shooters using large hunting dogs and high powered rifles.

- The risk of shooting on public land is even greater in this case, where the plethora of other activities in the Pine Forest may result in accidental wounding or death – as occurred some years ago at the Cotter.
- The dogs released for hunting have occasionally found their way onto neighbouring grazing properties where graziers have found them attacking stock and have destroyed them.
 - On one occasion, the grazier involved was confronted by armed dog owners, necessitating police intervention.
- While feral pigs and kangaroos are the principal target, other species (such as wombats and swamp wallabies) become targets, as do road signs, parked vehicles and buildings.



Alcohol consumption and littering associated with all of the above activities also degrades the area for other users and poses risk.



Graffiti and littering degrading the value of the area for recreation

There is a high level of risk to current users of the pine forest area due to the unstable condition of the burned trees.

Police monitoring and management

The accumulation of trashed and burned vehicles sends a signal to young people in southern Canberra that this is an area that is not adequately monitored and where illegal activities can be undertaken with little risk. A pair of ACT Police officers we spoke with last month told us that there was “little point in even trying” to manage such illegal activities, “they’d only scatter if we tried to stop them” and “we’re never going to be able to control this activity.”

No signage indicates that the Plantation is now a high risk area due to the burnt trees and is closed, or that the use of unregistered vehicles or fire arms on public land is an offence. *The lack of such signage may increase the ACT’s legal liability in case of accident.*

Friction between local land owners and those using dirt bikes and other vehicles in the Pine Plantation is growing and needs resolution to avoid serious consequences.

Management of weeds and feral animals in the Pine Plantation

Areas of the Pine Plantation and the access corridors through it had become a serious weed problem prior to the fires, involving St John’s Wort, briars, brambles, Patterson’s Curse, saffron thistle and African love grass.

- The ACT Department of Urban Services has intermittently sprayed road-side weeds along Smiths Road and through the pine plantation, but neither Roads ACT nor ACT Forests are effectively controlling weed spread.
- Weeds have travelled south along the road corridor through the pines into the freehold grazing land to the south of the Plantation, and management of these weeds has imposed significant costs on land owners.
- It is expected that the weed problem will recur and increase unless it is more actively managed by the ACT. *This also poses a legal liability issue for the ACT government, if declared weeds are not adequately controlled and spread to other landholders in the area.*

Road maintenance in the Pine Plantation area

Smiths Road and its spur roads were originally built to service a small agricultural community and to provide access to forestry workers.

- It continues for 26 km until it reaches unoccupied NSW land west of the Murrumbidgee River in the Cooma Shire.
- Road maintenance of Smiths Road in NSW (largely gravel with stretches of bitumen) is funded and managed by Yarrawluma Shire in conjunction with local residents.

Even within the ACT the road is not maintained to a level that recognises the growing use of the road by Canberra residents.

- Smiths Rd has many unnecessary stock grids and dangerous narrow sections from the start of the road to the NSW/ACT border.
- The road to McMahon’s Crossing is narrow and winding with blind corners and crests for most of its length, and Canberra residents frequently get into difficulty on the crossing itself, where rising river levels can cause vehicles to stall which endangers passengers.
- The ACT Department of Urban Services grades Smiths Road’s most heavily travelled sections two or three times a year and its current condition is poor. (This issue has recently been taken up with Roads ACT and the Minister’s office and a plan of action agreed).

Canberra residents who are not familiar with the road or its increasingly heavy traffic often fail to keep sufficiently to the left, to react appropriately to animals on the road or to drive at speeds suiting gravel roads, and may lose control on corners.

- One serious head-on collision has occurred within the last two years – resulting in injury;
- Numerous collisions with kangaroos, wombats and other animals occur; and
- Inexperienced drivers frequently leave the road and require towing: roll-overs are very common.

THE FUTURE

Community capacity to manage this environment

The Smith's Road community lies in the environmentally significant Murrumbidgee Valley. Local residents (44 permanent residents as well as weekend farmers) are mindful of the balance between economic activity and the fragile environment.

- An active Landcare Group has undertaken a number of grant-funded activities to plant trees, manage erosion and restore wildlife corridors and other important habitat.
- Most residents are trained volunteer members of the local Williamsdale and Southern District Bushfire Brigades.
- Following the January fires the community is renewing its efforts to seek funds for a fire shed to be located on Smith's Road, and for the replacement of our local fire truck whose cab was crushed by a falling tree during the fires, without which the community has limited capacity to respond to future fires.



The community's fire truck was lost when the Namadgi fires crossed into NSW – but the driver was freed with only minor injuries

The majority of adult members of the community commute for employment to Canberra or to outlying ACT employment areas such as Birrigai Outdoor Education Centre, Tharwa Primary School, ACT Parks and Tidbinbilla. Employment within the Smiths Road community includes horticulture, craft work, home-based internet employment, fencing contractors, horse-riding, and grazing. However, almost all residents are involved to some extent in commercially-oriented grazing, cropping or plant propagation.

Growing from three permanently resident families in 1975, the community has now almost reached its peak size under current Yarrowlumla Shire zoning rules, with some limited scope for further subdivision of very large properties. Growing interest in this area has resulted in rapid growth in land prices over the last three years.

Four Options for the Future of the Ingledene Forest

Option 1 Replanting of the Pine Plantation

This is the community's least preferred option, as it:

- Returns the area to the level of fire risk that was present before the 18 January 2003 fires; and
- Does not address the public safety, degradation and management issues outlined in the preceding paragraphs.

We also consider that for the ACT this is not a good economic proposition because:

- The performance of the pines on this location reportedly had been marginal due to poor soils and low rainfall; and
- Increasing illegal activities in the area may involve the ACT Government in litigation and will lead to increased demands for police resourcing.

Option 2 Low impact recreation/education use

The Ingledene property is only 15-20 minutes drive from Canberra's southern suburbs. It has significant potential to be utilised by Canberra residents as a resource for low-impact recreational and educational activities.

- Bushwalking, cycling, fishing, limited-permit camping, orienteering and horse trekking are all pursuits to which the northern area of the Plantation in particular is suited (once cleared).

Replanting with areas of Eucalypt woodland (particularly in erosion-prone areas intermixed with grassland) would provide a varied natural habitat and recreational experience for Canberrans.

- Some of these activities cannot be undertaken in the more fragile environment of Namadgi National Park.
- Landcare, school groups and other community organisations could be involved in the environmental rehabilitation work that needs to be undertaken.
- Outward Bound, based at Tharwa, and the Birrigai Outdoor Education Centre either have an historical association or have expressed an interest in use of the area.
- Since the decision by the ACT Department of Education to re-direct the Dairy Flat Farm operations, there is no large animal husbandry facility for ACT students in agriculture. It is possible that the Department would be interested in taking on a portion of the Ingledene property as a school farm focussing on activities no longer available at Dairy Flat.

The proximity to Namadgi National Park would facilitate supervision of the area, and the "cover" provided by mature pine forest for hazardous or illegal activities would be removed.

Option 3 Rural Residential

The Ingledene forest could be subdivided into rural-residential blocks, the number of blocks being determined by the environmental sensitivity of this section of the Murrumbidgee River corridor. For example, this could be on a similar scale to that used the Yarrowlumla Shire's zoning of the areas in the "The Angle" and "Clear Range" localities just over the

border (200 acres per block), or smaller blocks if considered ecologically sustainable or environmentally suitable.

- This option could be combined with the activities outlined in Option 2.
- A lease-holder living on site would provide improved security and environmental management (that would otherwise be a cost to the ACT government) and their presence would be a deterrent to vandalism.
- Sale of leases and payment of rates would contribute revenue.

For the investment involved in purchase and development of blocks, leaseholders would need to be assured of reasonable tenure.

- In the transition to self-government a few years ago, management of leasehold blocks by two separate authorities was a source of grievance to many leaseholders, and responsibility and “ground rules” would need to be clarified at the outset.
- In return for tenure, the ACT Government may wish to stipulate that the blocks are to be rural/residential with the leaseholder living on site.

As noted earlier, the potential for sub-division and sale of further NSW freehold blocks in the Smiths Road area has almost reached saturation under current Shire zoning rules, and the ACT Government could expect to realise good prices for the sale of leases in this area with its proximity to southern Canberra.

- An 18 hectare block 10 km south of the ACT border on Smiths Road recently sold for \$220,000, and other 8 hectare blocks have sold for prices between \$85,000 and \$115,000.

However, small blocks on this scale (such as have been recently sold in the Royalla development) would impose significant costs in the development of infrastructure and would raise environment management issues.

- The impact of numerous small blocks on water quality in the Murrumbidgee River corridor would also need to be considered.

With a reasonable minimum size for blocks, this option is likely to have significant commercial appeal, as a range of enterprise opportunities would be possible (equestrian, Eucalypt oils, vines, olives, farm tourism, etc).

If adopted, this approach should also be applied to the small area of NSW south of the Pine Plantation that was purchased by the ACT government to extend the ACT area of pine plantings. Heavy use of this tract of land by dirt bike riders, and its immediate proximity to farming enterprises, would make this a management priority.

Option 4 Reversion to a single grazing lease

Prior to its conversion to a pine plantation, Ingledene was a marginal sheep grazing property. While returning the land to this status would be the simplest option for the ACT Government, it is unlikely that this would have strong commercial appeal.

- Following the removal of burned pines (which must be done as the dead trees pose significant public risk), the land would require significant rehabilitation.
- As such it would be unlikely to appeal as a commercial proposition for private investment.
- Nevertheless, if the lessee was on site there would be the hope of improved surveillance and reduced degradation.

Conclusion

At the recent AGM of the Smith's Road Landcare and Community Association, this submission was considered and approval was given to provide it to the Bushfire Recovery Steering Committee. A **combination of Options 2 and 3** is the preferred option for the majority of community members.

Consistency with the Chief Minister's Department White Paper

It should be noted that the recent *Report for the Chief Minister's Department: ACT Economic Development White Paper – Opportunity Costs of Land Use for Softwood Production, 5 November 2002* did not consider the future of the Ingledene Pine Plantation.

- However, it did recommend the conversion of the Stromlo Forest to urban development and the Kowen Forest to rural residential, with both retaining some community recreational aspects - as suggested in our proposal for the Ingledene area.
- The arguments put forward in the White Paper for the removal of pines for these areas are also valid for the Ingledene Plantation.

Irrespective of the option(s) selected for the future of the Ingledene Pine Plantation area, the increased usage of the Smiths Road area (particularly the axis of Smiths Road, Angle Cross and McMahon's Crossing) need urgent improvement from a public safety perspective.

- This would necessitate increased attention by ACT Police and Urban Services personnel, together with signage and possibly fencing.
- The risk of legal liability in the case of accident, and the potential for an incident to occur between local land owners and recreational users who are degrading the area, makes this urgent. It is not a matter that can wait for the longer process of planning and decision making that is facing the ACT Government.

We look forward to the opportunity to discuss our submission with you and your committee.

Yours sincerely

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on behalf of the Smith's Road Landcare and Community Association

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16 May 2003