

INQUIRY INTO ACCESS RESTRICTIONS TO PUBLIC LANDS AND WATERWAYS

Organisation: Friends of Ku-ring-gai Environment (FOKE)
Date Received: 31 July 2025

[Select Committee on Access Restrictions to Public Lands and Waterways](#)
[Lodge a Submission](#)

31 July 2025

Friends of Ku-ring-gai Environment (FOKE) appreciates the opportunity to make a submission on this important Inquiry relating to the access to public lands and waterways across NSW.

FOKE is a community organisation dedicated to preserving the natural, built and cultural heritage of the Ku-ring-gai Local Government Area (LGA). As such, FOKE's submission focuses predominantly on 'access restrictions' as it relates to public lands and waterways within the Local Government Area (LGA) of Ku-ring-gai.

FOKE is committed to appropriate public access based on environmental science. As such, FOKE opposes the introduction of any inappropriate commercial overdevelopment or high intensity recreational and/or economic activity that damages the environmental values of existing and future national parks, public reserves, parks and open spaces. Access should not diminish the quiet and respectful enjoyment of Nature and public safety. Shooting, unauthorised track construction, mining, privatisation and the inappropriate commercial overdevelopment have no place in publicly owned parks.

FOKE calls on the NSW Government to fully protect and restore NSW's national park estate as well as support and sufficiently fund local government to manage, maintain, restore bushland reserves, parks and open spaces under their care.

Care of land has never been more important as we face escalating climate disasters – bushfires, floods, wild storms and extreme weather events. It is important to note that Australia has lost more mammal species than any other continent in the last 200 years, contributing to about one-third of mammal extinctions globally. NSW's number of threatened species listings has increased by 36 since 2020. In 2024, more than 600 plant species and 300 animal species in NSW are threatened and risk extinction, as outlined in the [NSW State of the Environment Report](#). This 2024 Report tabled to the NSW Parliament, on [26 June 2025](#), should be a foundational document for any recommendation relating to access of public lands and waterways.

Protected public places' primary goal must be to protect our natural environment and cultural heritage. These places are havens for habitat and biodiversity for NSW's plants and animals.

How NSW's public land and waterways is accessed will have a direct impact on the health of NSW's native species and ecosystems and in turn on human health and wellbeing.

It is also important to note that population growth, through urbanisation, mass tourism, commercial sporting and other high intensity recreational activities (eg mountain bike riding) are placing increasing pressure on our public reserves and waterways. Population growth continues to have a negative impact on the NSW's public lands and waterways through deforestation, urbanisation, habitat loss, pollution, feral pests, road kill, weeds and pathogens. FOKE supports ecologically

2016 NATIONAL TRUST HERITAGE AWARDS HIGHLY COMMENDED

2009 NATIONAL TRUST HERITAGE AWARDS HIGHLY COMMENDED

2008 NSW GOVERNMENT HERITAGE VOLUNTEERS AWARD

2000 FOKE, WINNER, NSW HERITAGE OFFICE CULTURAL HERITAGE CONSERVATION AWARD

"HERITAGE WATCH OVER OUR PLACE OF NATIONAL SIGNIFICANCE –KU-RING-GAI"

KEEP AUSTRALIA BEAUTIFUL COUNCIL (NSW) METRO PRIDE AWARDS.

sustainable development and calls for sustainable levels of immigration to stabilise population and the negative impacts it is having on the environment. Governments need to rethink population growth. By 2041, NSW's population is expected to grow to 10.1 million people and Greater Sydney's population is forecast to reach 6.3 million. This will have a devastating impact on NSW's natural environment.

One of the most important values of Nature is its quiet enjoyment. This is essential for physical, mental, and emotional wellbeing. A growing body of research underscores the critical role that nature plays in supporting mental health. Studies demonstrate that time spent in green spaces can reduce stress, anxiety, and depression, while improving mood, cognitive function, and overall psychological resilience.

Public land should be valued for the intrinsic value, not for commercial interests. As such, public land should not be privatised through sale or lease. Once land is 'privatised' it not only restricts access but degrades the environment. Private profit should not be prioritised before ecological wellbeing. There is an urgent need to strengthen environmental protection legislation and regulation.

Terms of Reference

As it relates to the Ku-ring-gai Local Government Areas

Land Tenure	As it relates to the Ku-ring-gai LGA	FOKE Submission
Aboriginal land	There is extensive Aboriginal heritage in Ku-ring-gai. FOKE's Ku-ring-gai GeoRegion project notes that more than 1400 Aboriginal sites and tens of thousands of motifs exist within the GeoRegion's 40 square kilometres..	Aboriginal lands, cultural objects, and significant places are integral to the living cultural and environmental landscape and must be protected and conserved. To prevent potential harm, all actions should be guided by Aboriginal cultural knowledge and environmental considerations, in consultation with Traditional Owners and relevant Aboriginal communities
heritage sites	Ku-ring-gai LGA includes Local, State and National Heritage listed parks and open spaces: National Heritage Listing • Ku-ring-gai Chase National Park, Lion, Long and Spectacle Island Nature Reserves Local Heritage Significance • Seven Little Australians Park, Lindfield • Lindfield Soldiers Memorial Park • Swain Gardens, Killara • Pymble Soldiers Memorial Park (also listed on the NSW War Memorial Register)	Ku-ring-gai's heritage sites are being undermined and degraded by the NSW Planning Reforms.

	• Wahroonga Park • “Hillview”, Turramurra (listed on the NSW Planning Portal as a draft Heritage Conservation Area) State Heritage Significance • Lindfield Learning Village • Pymble Reservoir No. 1 and No. 2 • “Mahratta”, Curtilage Park, Wahroonga	
national parks	Ku-ring-gai LGA has three National Parks managed by the National Parks and Wildlife Service (NPWS). • Ku-ring-gai Chase • Lane Cove • Garigal Ku-ring-gai LGA also includes NPWS Reserves including Dalrymple-Hay Nature Reserve	Ku-ring-gai's national parks and bushland reserves are greatly valued by residents living in Ku-ring-gai residents and across Greater Sydney. It is one of the most environmentally sensitive areas in Sydney and contains Critically Endangered Blue Gum High Forest, Sydney Turpentine Ironbark Forest and Duffy’s Forest. Ku-ring-gai LGA also includes NPWS Reserves including Dalrymple-Hay Nature Reserve which FOKE, along with other groups campaigns for the successful public acquisition of privately owned land within the Forest in 2005. The NSW Government Planning Reforms ignore how Ku-ring-gai Council reserves are habitat corridors that connect sensitive native bird population centres in Lane Cove National Park, Ku-ring-gai National Park and Garigal National Park and how these could be severed by the Transport Oriented Development as it would isolate these birds to those parks, and prevent their occurrence in the suburbs, and potentially impacting upon population viability through reduced access to foraging resources and gene flow.

crown reserves	Ku-ring-gai Local Government Areas includes Crown land reserves that are managed by Ku-ring-gai Council under the Crown Lands Management Act 2016. Crown Land managed by Ku-ring-gai Council under the Generic Natural Areas Plan of Management – February 2024 – Community Land and Crown Reserves, Version 1 – 19 March 2024	
state forests	Ku-ring-gai does not have any state forests.	
crown land	This is managed by Ku-ring-gai Council under Generic Natural Areas Plan of Management – February 2024 – Community Land and Crown Reserves, Version 1 – 19 March 2024	
state conservation areas	Ku-ring-gai does not have any state conservation areas. FOKE however made submissions regarding the gazettal of the Gardens of Stone State Conservation Area.	
wilderness areas	Ku-ring-gai does not have any wilderness areas.	
conservation areas	Ku-ring-gai has numerous heritage conservation areas with FOKE having organised guided heritage walks through these conservation areas, including the Heritage in Peril walks (2024) for the Australian Heritage Festivals since 2014.	Ku-ring-gai's conservation areas are being undermined and degraded by the NSW Planning Reforms. See FOKE's submission to the NSW draft Heritage Strategy 2025 .
water catchment areas	Ku-ring-gai LGA has 171 km of natural or semi-natural state creeks within three catchments within private land, parkland, and bushland reserves. Ku-ring-gai has two important wetland endangered ecological communities: Estuarine Saltmarsh sitting above the high tide mark in coastal margins. Coastal Upland Swamp found higher in the catchment on poorly drained sandstone plateaus.	Ku-ring-gai's Alternative TOD Plan provides an additional 24,562 dwellings for Ku-ring-gai. This will have a devastating impact on the water catchment areas that feed into Garigal, Lane Cove and Ku-ring-gai Chase National Parks. Gordon Creek from Lindfield railway line flows directly into Middle Harbour waterways. It goes along Russell Avenue and Middle Harbour Road which is currently being inundate with State Significant Developments that will negatively impact on Middle

		Harbour and Sydney Harbours waterways.
marine parks and aquatic reserves	Ku-ring-gai does not have any aquatic reserves, but is connected, via the waterways of Ku-ring-gai Chase National Park to the Barrenjoey Head Aquatic Reserve at the junction of the Hawkesbury River and the ocean.	The impact of the additional stormwater and pollutants from the Ku-ring-gai's Alternative TOD 24,562 dwellings Plan could have devastating impact on the Barrenjoey Head Aquatic Reserve
travelling stock routes	Ku-ring-gai does not have any travelling stock routes.	
Unallocated crown land	FOKE is unsure about unallocated crown land in Ku-ring-gai and assumes that this would come under Ku-ring-gai Council's management of Crown land.	
fire trails and management of roads	Fire trails exist primarily within Ku-ring-gai Chase National Park managed by the NPWS. Other fire trails exist in bushland reserves are managed by Ku-ring-gai Council. These trails are maintained to provide access for firefighters and for other recreational users eg bushwalkers.	These fire trails should not be used for four-wheel drive, mountain bike and other intensive sporting group activities.
foreshore areas	Foreshores are located along Middle Harbour, including Moores Creek Reserve (Garigal National Park), Lane Cove National Park and Ku-ring-gai Chase National Park.	These include boating but access needs to be managed to protect the aquatic environment.
riverbeds and riverbanks	Ku-ring-gai has riverbeds and riverbanks are primarily located within Garigal National Park, Lane Cove National Park and Ku-ring-gai Chase National Park. Ku-ring-gai's landscape is characterised by deeply incised gullies and creeks flowing into the Lane Cove River, Middle Harbour, and Cowan Creek catchments.	These include boating but access needs to be managed to protect the aquatic environment.
local government managed parks & reserves	Ku-ring-gai Council manages 158 bushland reserves covering 1,160 hectares. Ku-ring-gai Council manages these bushland reserves under Local and NSW plans and policies Ku-ring-gai Council's reserves include ecological communities - four endangered and two critically endangered ecological communities - Blue Gum High Forest , Sydney Turpentine Ironbark Forest , Duffys Forest Ecological Community , Coastal Upland Swamp , Swamp Oak Floodplain Forest and Estuarine saltmarsh. Ku-ring-gai's bushland reserves contribute to Ku-ring-gai's significant tree canopy.	Ku-ring-gai Council reserves are important wildlife corridors connecting Garigal, Lane Cove, and Ku-ring-gai Chase National Parks and need to be protected. The access to the national parks are good, as they can be walked from a North Shore Railway Station, making them accessible to visitors across Sydney. Access decisions need to be made on ecological sustainable principles to ensure these bushland reserves are not negatively impacted by

	Ku-ring-gai Council manages its bushland reserves under Local and NSW plans and policies .	overdevelopment commercial, tourist or sporting activities.
areas under rehabilitation or former mining leases,	Ku-ring-gai does not have any areas under former mining leases. However Ku-ring-gai Council has identified "Riparian Lands" as areas for rehabilitation along waterways.	Access needs to ensure the restoration and rehabilitation of Ku-ring-gai's Riparian Lands.
disused railway lines for rail trails	Ku-ring-gai does not have any disused railway lines for rail trails. Ku-ring-gai's North Shore Railway Line is a key railway station, that has eight railway stations in the Ku-ring-gai LGA. This railway corridor has been identified as 'environmentally sensitive land'. Many of the North Shore Stations have gardens.	Access to the bushland in the Ku-ring-gai railway corridor is not available due to safety. However, this rail corridor is one of the most scenic railway lines in Greater Sydney and has tourism potential, especially if it is coordinated with guided walks around the surrounding heritage conservation areas. However, this is all under risk by the NSW Government's Planning reforms. The 'environmentally sensitive' North Shore railway corridor also has potential to be a birdwatching site as it includes migratory bird species flying north to south. The native vegetation along this railway corridor provides rest, forage and shelter for migratory species including the Yellow-faced Honeyeater (<i>Caligavis chrysops</i>) and White-naped Honeyeater (<i>Melithreptus lunatus lunatus</i>), the biannual honeyeater migration, the Critically Endangered Regent Honeyeater (<i>Anthochaera phrygia</i>), Critically Endangered Swift Parrot (<i>Lathamus discolor</i>), Vulnerable Little Lorikeet (<i>Glossopsitta pusilla</i>) and the Grey-headed Flying-fox (<i>Pteropus poliocephalus</i>). The proposed Ku-ring-gai Council Alternative TOD program and State Significant Developments could result in permanent loss of this important

		resource for migratory birds and future tourism (birdwatching) opportunity.. The railway corridor makes Ku-ring-gai's national parks accessible.
all forms of access to waterways,	Ku-ring-gai Chase National Park offers numerous access points to waterways, including Berowra Creek, Cowan Creek, Pittwater, Bobbin Head, Akuna Bay, and The Basin.	Access is made available according to the national park's Plan of Management.

Bushwalking	YES	Bushwalking is allowed in Ku-ring-gai Chase National Park, Garigal NP, Lane Cove NP. Ku-ring-gai Council's 158 bushland reserves, provide continuous opportunities to bushwalking into adjoining Garigal National Park to the east, Lane Cove National Park to the west and Ku-ring-gai Chase National Park to the north. Bushwalking tracks can also be found on Ku-ring-gai Council online map
Hiking	YES	There exists the Great North Walk in Ku-ring-gai Chase National Park.
Camping	YES	Camping is allowed in Ku-ring-gai Chase National Park and Garigal NP, Lane Cove NP. Camping is not allowed at St Ives Showground
Mountain biking	YES	Mountain biking is allowed on Cascades trail in Garigal National Park.
Horse riding	YES	Horse riding is allowed in St Ives Showground. The Ashen Arena is a dirt horse ring that is close to horse yards and wash bays and public amenities. It is suitable for use as a practice space, horse exercise or as a warmup arena for horse shows. There are a number of horse trails in Ku-ring-gai Chase and Garigal National Parks (Cascades trail)
Fossicking and prospecting	NO	NSW Environment and Heritage has a Fossicking policy that outlines how fossicking and prospecting involves disturbing soil, rocks and vegetation to find and remove minerals, gemstones and historical objects. It is generally not permitted in parks.
Four-wheel-driving	NO	NSW Environment and Heritage has a Vehicle access policy to manage vehicle access to parks to keep staff and visitors safe and limit impacts on the park environment. Off road Four-wheel driving is not permitted in Garigal National Park, Lane Cove National Park and Ku-ring-gai Chase National park as the parks 'focus is on protecting its natural habitat and Aboriginal heritage, and vehicle access is limited to designated areas. Lane Cove and Ku-ring-gai Chase have car touring.

Drone and remote observation activities	NO	In general, drone and remote observation activities are not permitted in national parks without prior approval.
Recreational and subsistence fishing	YES	Recreational and subsistence fishing may be allowed in national parks, but it depends on the specific location and regulations. Some national parks permit fishing, while others have restrictions or prohibitions. It's crucial to check the specific rules and regulations of the park you intend to fish in before you go.
Spearfishing	NO	Spear fishing is generally not allowed in Australian national parks, particularly in marine national parks
Natural and traditional medicine and remedy gathering	YES/ NO	Generally, gathering natural or traditional medicines in Australian national parks is restricted and often requires a permit. While Aboriginal communities may have certain customary rights, non-Indigenous people are usually prohibited from collecting plants or other natural resources without authorization.
Food gathering including mushrooming	NO	Generally, food gathering, including mushrooms, is restricted or prohibited in national parks, but the specific rules vary by location and type of park.
bee keeping	YES/ NO	The creation of new apiary sites in NPWS parks and reserves is not permitted under the National Parks and Wildlife Act 1974 unless it can clearly and demonstrably benefit the conservation of nature in the park.
scientific research	YES	Scientific research is generally allowed in national parks, but it usually requires a permit or approval. N
educational or cultural activities	YES	Yes, educational and cultural activities are generally allowed and even encouraged in national parks, often with specific programs and resources available. Many parks offer guided tours, educational programs, and resources specifically designed for schools and community groups to learn about the natural environment, Aboriginal culture, and the history of the area. Since 2018 FOKE has been supporting access of NPWS and local government bushland reserves as part of its Ku-ring-gai GeoRegion project (http://www.kuringgaigeoregion.au). The Ku-ring-gai GeoRegion is an expansive area highlighting areas of geological, natural and cultural significance of northern Sydney. The Ku-ring-gai GeoRegion website assists access by informing visitors about self-guided trails that provide information about ancient rock formation, stunning vistas and coastal, forest and woodland walks. The website offers education about Ku-ring-gaiGeoRegion's geology and landscapes, biodiversity, and Aboriginal cultural history. Much of the natural bushland of the Ku-ring-gai GeoRegion has been conserved within six protected areas - Ku-ring-gai Chase National Park, Muogamarra Nature Reserve, and parts of Berowra Valley National Park, Lane Cove National Park, Garigal National Park and Long Reef Aquatic Reserve. The Ku-ring-gai GeoRegion website serves as a comprehensive resource enabling visitors to explore detailed information on the

		GeoRegion's natural and cultural heritage, as well as access educational resources and engage with future initiatives. The Ku-ring-gai GeoRegion is also partnering with local eco-tourism operators under the <i>National Parks and Wildlife Act 1974</i> to develop certified geological programs in Ku-ring-gai's national parks. FOKE is deeply concerned about the enormous pressure on the national parks that surround it and its bushland reserves will be immense due to the proximity of Transport Oriented Development (TOD).
and cultural or conservation hunting,	NO	Hunting in national parks is generally not allowed for recreational purposes. However, there are specific exceptions for cultural hunting by Aboriginal people on certain jointly managed lands, and for supplementary pest control programs managed by the Office of Environment and Heritage.

TERMS OF REFERENCE

(a) the current and projected extent and rationale of access restrictions across public lands, including the balance between environmental protection, cultural heritage preservation and public access the social, economic and recreational impacts of access restrictions on local communities,

FOKE puts the case that the NSW State of Environment 2024 report should be a key resource to advise on the appropriateness of accessing or restriction access on public lands and waterways across NSW.

The NSW State of the Environment and the updated Ku-ring-gai State of the Environment Report, following the [2017-2021 Report](#) should be the foundation document for decisions about access and accesss restrictions on public lands and waterways in the Ku-ring-gai LGA.

Ku-ring-gai, known as the 'Green Heart' of Sydney, contains a diverse natural habitat regarded as the last remaining areas of biodiversity significance in the Sydney metropolitan area. Ku-ring-gai LGA includes:

- 119 bushland reserves covering 1,150 hectares.
- Nationally significant ecological communities including remnant Blue Gum High Forest and Sydney Turpentine Ironbark Forest. Four of Ku-ring-gai's ecological communities are endangered and two are critically endangered.
- Over 800 recorded native plant species (including 18 threatened species) and over 690 species of native animals (including more than 10 threatened species).
- Two bio-banking sites totalling over 100 hectares of parks and reserves.

Cultural Heritage Preservation:

Ku-ring-gai has outstanding Aboriginal heritage sites, including rock art and ceremonial grounds. The National Parks and Wildlife Act 1974 and the Aboriginal Land Rights Act 1983 mandate protections for these sites, often requiring restricted access to prevent damage. Advice on access and restrictions to access to Aboriginal sites need to be made in consultation with Aboriginal communities.

Ku-ring-gai's outstanding Federation and Interwar Architectural History is gazetted with Heritage Conservation Areas and Heritage Items but all these are now under risk to demolition by the NSW

Planning Reforms.

Public access the social, economic and recreational impacts of access restrictions on local communities

Access restrictions can divide local communities, particularly relating to access to sporting grounds. The NSW Planning reforms will result in significant population increases (60,000+) and this will intensify competition between diverse recreational groups, local neighbourhoods and environment groups over the limited number of sporting grounds. This population pressure has created further tension over the usage of artificial turf Vs natural turf solutions for playing fields. Artificial turf removes access from local neighbourhoods to their local oval. In addition, they create environmental harm from the dangers of chemical pollution.

Economic Impacts on the Ku-ring-gai Community

FOKE supports sustainable geotourism inclusive of eco-tourism and outdoor recreation including hiking, birdwatching, and cultural tours and recognises that these 'tread lightly' activities contribute to the local economy. FOKE does not support activities including commercial overdevelopments (cafes, accommodation, carparks) that may negatively impact on an environmentally sensitive place.

FOKE supports access restrictions that protect Ku-ring-gai's unique environmental and cultural assets. By prioritising science-based decision making, the NSW Government and Ku-ring-gai Council can ensure public lands and waterways remain accessible and sustainable for future generations.

Public access should be guided by environmentally sustainable visitation policies that allow a vast range of low-impact activities, including walking, picnicking, camping, cycling, sightseeing, swimming, diving, sailing, kayaking and boating.

The idea that conservation lands are not publicly accessible is not true.

TERMS OF REFERENCE

(b) recreational users and industries such as tourism, forestry and agriculture

FOKE support recreational users involved in a range of low-impact activities, including walking, picnicking, camping, birdwatching, sightseeing, swimming, sailing, and kayaking.

FOKE has concerns about expanding and unsustainable commercial tourism projects in national parks and bushland reserves such as at the St Ives Showground.

Forestry and agriculture no longer have any place in Ku-ring-gai.

TERMS OF REFERENCE

(c) the adequacy of government investment in maintaining and improving public access and infrastructure on public lands

Current Federal, NSW and local governments need to invest more in nature-based infrastructure to support the restoration, maintenance and improvement of the environmental values of public land and waterways.

TERMS OF REFERENCE

(d) the legislative and regulatory frameworks governing access restrictions, including any inconsistencies, gaps, or areas for improvement

FOKE understands the current legislative and regulatory framework include:

- [National Parks and Wildlife Act 1974](#) (NPW Act).
- [Biodiversity Conservation Act 2016](#) (BC Act),
- [Environmental Planning and Assessment Act 1979](#) (EP&A Act)
- [Heritage Act 1977](#)
- [Crown Land Management Act 2016](#)
- [Local Government Act 1993](#)
- [Transport Oriented Development](#) (TOD) State Environmental Planning Policy (SEPP)
- [Low and Mid-Rise Housing Policy](#)
- [State Significant Development](#)
- [Ku-ring-gai Council Preferred TOD Alternative Plan](#)
- [Generic Natural Areas Plan of Management – February 2024 – Community Land and Crown Reserves, Version 1 – 19 March 2024](#)
- [Environment Protection and Biodiversity Conservation Act 1999](#) (EPBC Act)

Local Government Act 1993 and *Crown Land Management Act 2016* delegate access management to local councils. In Ku-ring-gai, the management of Crown Land is guided by its Generic Plans of Management for [Parks](#), [Sportsfields](#), [General Community Use](#) and [Natural Areas](#).

Ku-ring-gai Council has Plans of Management for:

- [Bicentennial Park \(PDF, 2MB\)](#)
- [Canoon Road Recreation Area Plan of Management\(PDF, 10MB\)](#)
- [Echo Point Park- Part 1\(PDF, 1MB\)](#); [Echo Point Park- Part 2\(PDF, 534KB\)](#); [Echo Point Park- Part 3\(PDF, 113KB\)](#) under review
- [The Firs Estate Cottage\(PDF, 432KB\)](#)
- [St Ives Showground and Precinct Lands\(PDF, 26MB\)](#)
- [St Ives Village Green\(PDF, 2MB\)](#)
- [Swain Gardens - Part 1\(PDF, 1MB\)](#); [Swain Gardens - Part 2\(PDF, 1MB\)](#); [Swain Gardens - Part 3\(PDF, 1MB\)](#); [Swain Gardens - Part 4\(PDF, 239KB\)](#)
- [Ku-ring-gai Flying Fox Reserve\(PDF, 8MB\)](#)

The most significant gap in the regulatory frameworks is the failure to address cumulative negative impacts arising from inappropriate public access on Ku-ring-gai's environmental health. The absence of mandatory cumulative impact assessments for developments near public lands needs rectifying.

Nor does the [Local Government Act 1993](#) adequately regulate indirect impacts on public lands that arise from urbanisation, such as the more intense high rise of the Transport Oriented Development (TOD) program. Runoff from this high-density development will have negative stormwater and pollution impact on Ku-ring-gai's waterways, and Sydney's beaches.

The environmental legislative framework needs to be strengthened to address pressures like climate change, urban encroachment and biodiversity extinction.

FOKE has concerns regarding the [Crown Land Management Act 2016](#) that permits Council's to reclassify community land to operational land and thus make it available for sale. Proposals to

rezone public parks and reserves in Ku-ring-gai have repeatedly demonstrated a disregard for community opposition to this, as in the case to sell Turramurra Pocket Park and the Secret Garden at Pymble. Such reclassification effectively privatises public land, permanently removing community access to these vital spaces. FOKE strongly opposes the reclassification of public land, as it undermines community access to parks and reserves, erodes environmental protections, and prioritises private interests over the public good. We urge the Inquiry to strengthen the protection of public land from being lost to development.

FOKE is concerned that Federal and State grants to sporting groups can prioritise commercial sporting and recreational groups and put them in conflict with environmental priorities.

TERMS OF REFERENCE

(e) suitable alternatives or models for managing public land access that balance conservation objectives with public access, including examples from other jurisdictions

The existing Plans of Management (PoMs) developed by the National Parks and Wildlife Service (NPWS) and Ku-ring-gai Council provide a robust framework for balancing conservation objectives with public access to public land. These plans effectively integrate environmental protection with community needs, as demonstrated by their management of ecologically sensitive areas. However more needs to be done to protect the critically endangered Blue Gum High Forest and Sydney Turpentine Ironbark Forest in Ku-ring-gai.

It is important that the NSW Government provides sufficient funding, for maintenance, restoration, and public access enhancements.

To strengthen these PoMs, FOKE recommends increased state and local government funding to support the regular upkeep of walking tracks, signage, and facilities to ensure safe and equitable public access while minimizing environmental impact; active restoration of endangered ecological communities, such as Blue Gum High Forest, through weed control, native replanting, and habitat protection; and expanded educational programs and volunteer opportunities to foster public stewardship of natural areas.

TERMS OF REFERENCE

(f) the impact of restrictions on diverse user groups, including people with disabilities, Aboriginal communities and rural populations

NPWS and Ku-ring-gai Council works to provide equitable access for its public parks - Roseville Park, Curtilage Park. Ku-ring-gai Wildflower Gardens has wheelchair-accessible paths, ramps, or tactile signage, to support access for people with mobility or sensory impairments.

NPWS and Ku-ring-gai Council recognise the importance of Aboriginal communities' cultural connection to Ku-ring-gai's bushland, forests and waterways. They are significant for the Guringai people, the traditional custodians of the area.

FOKE notes that while Ku-ring-gai is primarily urban, its public lands and waterways serve rural and isolated populations in adjacent regions, such as those in the Hawkesbury area.

TERMS OF REFERENCE

(g) consultation processes and the level of community engagement undertaken when implementing or reviewing access restrictions

FOKE believes current consultation processes and the level of community engagement undertaken when implementing or reviewing access restrictions are poor.

For instance, in Sheldon Forest, Turrumurra a critically important reserve hosting endangered ecological communities like Blue Gum High Forest, access decisions have disproportionately supported recreational and scouting activities, often at the expense of environmental protection. Similarly, at Norman Griffiths Oval and North Turrumurra Recreation Area, sporting groups are granted preferential access.

This prioritisation of social and economic interests over environmental concerns means that access is restricted to local residents who are unable to access their local parks and ovals because they are increasingly dominated by commercial or organized sporting groups.

The installation of artificial turf for sporting fields at Bicentennial Park, effectively restricts public access to these fields. Similarly, at Norman Griffiths Oval and North Turrumurra Recreation Area, sporting groups have been favoured, reducing opportunities for residents to enjoy these spaces for low-impact activities.

FOKE also opposes the privatisation of public land, whether it be by sale or lease. Privatisation of public land denies community access. It is important for stricter controls to reclassify 'community land' to 'operational land'.

TERMS OF REFERENCE

(h) the role of state and local government authorities and any other relevant entities, in managing and enforcing access restrictions on public lands,

The NSW National Parks and Wildlife Service (NPWS) under the *National Parks and Wildlife Act 1974*, the NSW Department of Planning, Housing and Infrastructure (DPHI) and local government play a significant role in managing access and enforcing access restrictions on public lands.

NPWS manages three national parks surrounding Ku-ring-gai - Ku-ring-gai Chase National Park, enforcing access restrictions for conservation, safety (e.g., bushfire risks), and infrastructure maintenance. NPWS manages this through Plans of Management following a public exhibition.

The Department of Planning, Housing and Infrastructure (DPHI) plays a significant role in land-use planning, including policies like the Transport Oriented Development (TOD) program, Low to Mid-Rise Housing initiatives, and State Significant Developments. These policies, with their increased population targets, place enormous pressure on Ku-ring-gai reserves and could indirectly restrict and overwhelm existing access to public lands through construction barriers (including cars parking on streets, traffic congestion) and runoff, and habitat disruption. Already there has been enormous pressure between sporting groups and local residents advocating for low-impact, passive recreational use of their parks, as has happened over the North Turrumurra Recreation Area.

2. Local Government Authorities

Ku-ring-gai Council manages local reserves and some Crown lands under the *Local Government Act 1993* and *Crown Land Management Act 2016*, maintaining trails, access points, and waterway facilities.

The Bushland areas within the Ku-ring-gai LGA are highly valued by the community for their natural values and these contain several TECs and threatened species listed under the NSW Biodiversity Conservation Act and/or the Commonwealth Environmental Protection and

Biodiversity Conservation Act.

Bush walking, mountain biking, rock climbing, abseiling and bouldering, and orienteering and regaining are the key recreational activities supported by Ku-ring-gai Council.

Ku-ring-gai Council maintains bushland reserves, such as those containing the Blue Gum High Forest and Sydney Turpentine Ironbark Forest and Duffy's Forest and where necessary should be able to enforce access restrictions for environmental protection or public safety.

Ku-ring-gai Council faces funding shortages for maintaining access infrastructure, such as trails and signage.

Ku-ring-gai Council has insufficient funds to purchase sufficient open space to cater for the additional population that will be housed with the NSW Planning reforms. This increased population will degraded to Ku-ring-gai's existing parks and natural areas. Environmental wildlife corridors will be decimated by the rezoning controls that will transform the 'green heart' of Ku-ring-gai into a 'concrete heart' and have serious and irreversible biodiversity loss and environmental degradation on Ku-ring-gai's reserves and waterways.

TERMS OF REFERENCE

(i) any other related matter

The NSW Government's planning reforms will place enormous population and environmental pressures on Ku-ring-gai's National Parks and reserves and public land. This population pressure will in turn create pressures that will shape access or restrict access.

High visitation numbers, insufficient existing number of parks and reserves to cater for the additional population that will arise from the 24,562 dwellings (= 60,000 + population) as proposed by Ku-ring-gai Council's Alternative TOD Plan and other NSW Planning reforms (Low to Mid-Rise Housing Plan or State Significant Development) will intensify competition between recreational users. Then there will be the additional stormwater runoff, weeds, feral species and pollutants and loss of ecological communities, habitat and fragmentation of wildlife corridors, carparking/traffic congestion and cost of new infrastructure - energy, water sewerage, schools. At a time of climate change with Ku-ring-gai being one of the most fire prone LGS in Greater Sydney, this population increase adds a dangerous level of risk to lives who may not be able to access evacuation routes to survive.

CONCLUSION

The geodiversity and biodiversity of Ku-ring-gai's national parks and bushland reserves are greatly valued by residents across Greater Sydney. Access and access restrictions to these public places should be guided by environmentally sustainable policies that allow a range of low-impact activities, including walking, picnicking, camping, birdwatching, sightseeing, swimming, sailing, and kayaking. National Parks, Marine Parks and other conservation reserves are also places where natural systems can be safeguarded and restored. The 2024 [NSW State of the Environment Report](#) should be a foundational document for any recommendation relating to access and access restriction of public lands and waterways.

FOKE opposes the introduction of any commercial or high intensity recreational and/or economic activity that damages the environmental values of parks and reserves. As such, shooting, unauthorised track construction, mining, privatisation and the inappropriate commercial development have no place in publicly owned parks and reserves.

Yours faithfully,

Kathy Cowley

PRESIDENT

cc Mayor and councillors Ku-ring-gai Council

cc General Manager Ku-ring-gai Council

cc Matt Cross MP Member for Davidson

cc The Hon Scott Farlow MLC Shadow Minister for Planning

cc Nicolette Boele MP Member for Bradfield