

Submission

No 043

**CONSULTATION ON THE MODERN
MANAGEMENT OF COMMONS**

Name: Nikki Wysman

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Date: Sun, Feb 19, 2017 at 9:56 AM

Subject: Submission for St Albans Common re: Proposed repeal of Commons Management Act to Crown Lands Act 2016

My name is Nikki Wysman and I reside at [deleted]

I am not a Commoner of the St Albans Common but I unreservedly support its continued existence under the Commons Management Act as detailed in the Submission of the Trustees to the Department of Industry – Lands in relation to the NSW Government’s updated proposal for Commons. I am aware that I will be identified in the summary of submissions list.

I have been a member of the MacDonald Valley for 10 years and the Common is an integral part of this community, to remove the Commons management Act and place this under Crown Land severely diminishes the Commons standing in fact it removes it completely. If there is No Commons Management Act, there is no Common. If there is no Common there is no trust and no commoners to give it in name only is to remove the 200 years of history placed in this land.

I am particularly disappointed that the Fact Sheet failed to clearly disclose that it is the Government’s intention to abolish the role of Commoners along with the election of Trustees. This aspect of proposal is fundamental to the Governments package and its absence in the key consultation document significantly diminishes the credibility of the Government’s process and more broadly its proposals.

In short the current proposal is to seize all the land in NSW that is held as commons and deliver ownership of the land to the State of NSW as Crown land. The Commoner Trustees are to be abolished in this process. The Government has said it intends to appoint former Commoner Trustees as Land Managers. This kind of process is generally referred to as a land grab.

Land the subject of Commons has never been Crown Land and it is not relevant to categorise or regulate it as such in the manner proposed. To do so will be to forever extinguish 200 years of Commons Trust culture, community and heritage from the history of NSW for no substantive reason or benefit.

As a Non-Commoner I appreciate and benefit from the community, cultural, heritage and environmental values embodied in the continued existence of the St Albans Common Trust with a Roll of Commoners and an elected Board of Trustees.

Specifically, I reiterate my opposition to any proposal that would result in the repeal of the Commons Management Act and the designation of the St Albans Common as Crown Land under the Crown Land Management Act. To do so would eradicate the Common Roll and the function of the Commoner and, over time, the right to elect those Trustees who manage the St Albans Common Trust. I understand that this function will be transferred to Land Managers under Ministerial appointment which is unacceptable to me. The legislative proposals are in direct conflict with the excision of Commons from the Crown Lands Management Act, which only occurred in November 2016 to much acclaim from all parliamentary parties.

I emphasise my support for the suggestion of the Trustees of the St Albans Common Trust that the Commons Management Act be retained, with a limited application to “eligible” Commons as listed in a new Schedule. An “eligible Common” would be a functioning Common in good standing under the Commons Management Act whose management and operations are carried on in a manner consistent with purposes as specified. Relevant purposes would embrace those suggested by the Department of Industry- Lands i.e. a common, community use and protection of cultural, heritage and environmental values.

Kind regards
Nikki Wysman