

**Submission**

**No 075**

# **CONSULTATION ON THE MODERN MANAGEMENT OF COMMONS**

**Name:** Womboota Common

**Date received:** 20/02/2017

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## **Womboota Common**

Date: Mon, Feb 20, 2017 at 8:21 PM

Subject: Submission: Commons

Dear Mr. Clarke,

Thank you for the opportunity to comment on the NSW Government's updated proposal for commons (January 2017). Below, please find our comments and responses to the 4 questions in your letter of the 24<sup>th</sup> January 2017 (*DOC17/004308*).

Freya Masee

Secretary,  
Womboota Common Trust Board

### **Womboota Common Trust Board**

#### **Submission re:**

*Comprehensive Review of NSW Crown Land Management: Recognising and protecting the values of commons*

#### **Comments re:**

*NSW Government's updated proposal for commons, with reference to Questions 1-4 (DOC17/004308)*

#### **1. Does the proposal sufficiently recognise the significance of commons?**

The proposal seems to be an improvement on the previous White Paper proposals insofar as it retains the historical name of Commons, and provides for usage as a Common to be retained as one of the 3 possible purposes of the land ('as a common, community use, and protection of cultural and environmental values' (*Recognising and protecting the values of commons*, NSW Dept. Industry-Lands January 2017, p.3)).

#### **2. Does the proposal sufficiently retain an ongoing role for commons trusts?**

The retention of existing commons trusts for a transitional period does recognise the value of the trusts' expertise and local knowledge and their long history of work and commitment to Common management. In the case of commons where the traditional use (i.e. grazing) is continuing, we (the Womboota Common trust board) would like to see a process or mechanism that ensures that representatives of traditional users can continue to have a role within the new Crown Lands Manager entity, on an ongoing basis, even where the entity's composition may also reflect the interests of other newer stakeholders/users.

#### **3. Does the proposal sufficiently protect the environmental, social, cultural & economic values of Commons?**

Please see our comments below (No. 4).

#### **4. Does the proposal benefit the ability for the people of NSW to experience the environmental, social, cultural and economic values of commons?**

In the factsheet *Recognising and protecting the values of commons* (NSW Dept. Industry-Lands January 2017, p.1), it is proposed that while previously retained for 'the sole benefit of a particular group of people', many commons 'could facilitate community uses' for the broader public. It is also proposed that the traditional use as a common should remain one of the three proposed purposes of the land (p.3). The document cites the historical use of commons as a resource for minority or relatively disempowered groups in the community (such as smallholders and ex-convicts (*Recognising and protecting the values of commons* p.1)), so to some extent the apparently exclusive nature of commons is actually an important part of their social heritage.

In principle, the proposal to open commons usage to the broader public, with the specified goal of maintaining three purposes ('a common, community use, and protection of cultural and environmental values' (*Recognising and protecting the values of commons* (NSW Dept. Industry-Lands January 2017, p.3))) could result in more equitable, efficient and sustainable use of some commons. But because there could be a wide range of potential stakeholders in the Crown Land Manager entities, we believe there should be strong safeguards in the new legislation to ensure that, in practice, the option for using the land as a common remains available to those who wish to continue traditional uses such as grazing. Such safeguards would further acknowledge and protect the social heritage of commons.

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The current Womboota Common Trust Board would like to retain an active role in the entity which will manage the Womboota Common in the future. We feel that our existing Management Plan, which already addresses many of the

multiple values of commons (as outlined in the factsheet *Recognising and protecting the values of commons*), provides a good basis for adapting to future management of the Womboota Common in accordance with these principles.

**Freya Masee**  
**Secretary,**  
**Womboota Common Trust Board**