

**Submission**

**No 013**

**CONSULTATION ON THE MODERN  
MANAGEMENT OF COMMONS**

**Name:** Philippa Gemmell-Smith

**Date received:** 16/02/2017

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Date: Thu, Feb 16, 2017 at 10:27 AM  
Subject: Submission re Threat to Commons

Attached please find my submission.

My name is Philippa Gemmell-Smith 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.

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.

I support the maintenance of all commons in New South Wales. Commons provide the opportunity for community building in a way that no other form of land tenure provides. Commons will be increasingly important as house ownership becomes increasingly less attainable, and more and more people live in accommodation without direct contact with the earth. The move of the New South Wales coalition government to take over the commons is extraordinarily cynical. Under the circumstances it is difficult not to see it as revenue raising at the expense of the amenity of the common people of the state, and the threat of privatisation of yet another public resource.