

Submission

No 039

**CONSULTATION ON THE MODERN
MANAGEMENT OF COMMONS**

Name: Guy Cox

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Subject: Commons

My name is Guy Cox and I reside at [deleted], the oldest land grant in the Macdonald Valley.

I am a Commoner of the St Albans Common and I endorse the Submission of the Trustees of the St Albans Common Trust 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.

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.

It does seem strange to me that a mere two months after the NSW Parliament has made its views clear a rearguard action is being fought to reverse this decision. Surely the Administration should accept the decision of the Legislature?

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.

If a Common is no longer functioning for the purpose for which it was founded it makes sense to excise it from the provisions of the Commons Management Act, but this is not the case with St Albans Common.

Professor Guy Cox, MA,DPhil (Oxon)