

**Submission**

**No 054**

**CONSULTATION ON THE MODERN  
MANAGEMENT OF COMMONS**

**Name:** Shane Gregory

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

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Date: Mon, Feb 20, 2017 at 5:16 AM

Subject: Submission for Lands Dept. repeal of the commons Management Act to Crown Lands

My name is Shane Gregory 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.

My family have lived in the valley for 8 generations and I am a proud Jurd from which the original dead in trust were given in perpetuity to John Jurd and the fellow Trustees of the former Wallambine Common, now known as the St Albans Common.

The common is a living heritage to the MacDonald Valley and with 200 years of history within my family and for the common it should remain as such and under the Commons Management Act. The repeal of this Act as suggested in the fact sheet supplied by the Land Department clearly undermines the values and hard work placed by the commoners in the St Albans common.

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 Government's package and its absence in the key consultation document significantly diminishes the credibility of the Government's process and more broadly its proposals.

The proposed legislative framework effectively abolishes the concept of a Common and with it 200 years of NSW history. There is no justification for this!!

As a Living 8<sup>th</sup> generation Jurd and member of the MacDonald valley 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.

There is no basis in either public policy or administrative efficiency which justifies unilaterally confiscating legal ownership of the St Albans Common and transferring it to the Government as Crown land.

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.

Regards

Shane Gregory

8<sup>th</sup> Generation Jurd