

**Submission
No 97**

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

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CROWN LAND MANAGEMENT REVIEW – Parliamentary Inquiry

The Parliamentary Inquiry into the management of Crown Land provides an opportunity to restate the primary role of such lands in our urban areas. Currently it seems that the government is tending towards commercialisation of these precious community assets; an attitude which values these lands more for financial return than as healthy lungs for the communities - passive recreation and social values.

We have in Newcastle a classic example of this dichotomy; King Edward Headland Reserve where council approved development of a privately operated function centre. The development has been vigorously opposed by the community of Newcastle, as the scheme alienates a section of the Reserve from the general public. The Land and Environment Court upheld the community group's (Friends of King Edward Park – FOKEP) argument that the proposal was contrary to the law governing crown land. This was based upon the Rutledge Principle "that crown land can only be said to be used for public recreation if it is open to the public as a right and not as a source of private profit."

The commercialisation of our green spaces and crown land reserves is "perhaps the simplest, but also the laziest, among many other revenue raising options".

NSW crown land should be managed for the benefit of the people and environment of NSW, in perpetuity; management integrated with environmental protection, social benefit and planning laws. Although the community will always have a role of vigilance over the crown lands and open spaces (through personal interest and advisory trusts), it behoves the government, through the Dept. of Lands (DPI _ Lands), to provide legislation and resources to protect and enhance these areas.

Reverting to King Edward Park, there is a recent publication by Robert Evans "King Edward Park, Newcastle NSW", in which the reserve is seen as a work of art, an expression of aesthetic and cultural development, running parallel with the evolution of Newcastle. It illustrates the historical value of these crown lands in the development of the State of NSW.

Crown lands and reserves deserve to be maintained as living assets, mindful of the past and sympathetically looking to the future as important green spaces vital to growing cities.

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21 July 2016