

**Submission  
No 141**

## **INQUIRY INTO CROWN LAND IN NEW SOUTH WALES**

**Organisation:** New England Greens Armidale Tamworth

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## Submission to the Upper House Inquiry into Crown Land

New England Greens Armidale Tamworth

The New England Greens Armidale Tamworth (NEGAT) thanks you for the opportunity to make a submission to this inquiry.

NEGAT believes that the proposals being considered by the NSW Government do not provide adequate protection for the social, environmental and cultural values of Crown Land. This land, which is used for a wide range of purposes including agriculture, environmental conservation, cemeteries and sporting and recreational facilities, is a public resource. The public interest is best served by these resources remaining in public hands.

NEGAT is concerned that the proposed legislation gives preference to short-sighted economic considerations over long-standing, wider concerns which better serve the public interest. Principles of ecologically sustainable development underpin the Western Lands Act 1901 and the set of management principles which underlie the Crown Lands Act 1989 include environmental protection, encouragement of public use and enjoyment of the land and a requirement that the natural resources be conserved wherever possible. These principles, where appropriate, also require that the land and its natural resources be sustained for future generations.

NEGAT is concerned that genuine and meaningful community consultation did not take place during the review of NSW Crown Lands by the Government which began in June 2012 and the Government failed to publically release the 600 submissions made. There has been a lack of community involvement in the Land Stocktake and Local Land Pilot Projects which followed the Crown Lands Legislation White Paper and the community has had no say in the criteria which will determine whether Crown land will be State or Local. There is no clear mechanism for the transfer of land to Councils and the funding of transferred land is not addressed. The Government's position on issues such as forestry on Crown lands and identification of Crown land as wilderness is not addressed.

It is of concern that, until this year, there has been no method of registering Crown Land. In the interests of transparency and public accountability there is a need for a clear register of Crown Lands which should be freely available to all members of the public.

The cohesiveness of local communities is enhanced by community care of public spaces. Legislation should include mechanisms to foster community involvement in the care of Crown Lands.

Legislation must ensure the active and proper management of Crown Lands to ensure the conservation of ecosystems, landscape resilience and river health for the long-term benefit of the entire State; the current proposals fail to do this.

NEGAT believes that the Government's proposal to transform the Crown Lands Division into a Public Trading Enterprise promotes economic considerations over social, cultural, local and environmental concerns and that the sale or commercialisation by the government and/or transfer to local councils for them to effect such sale or commercialisation is reprehensible. The loss of public land and the privileged access to public land being given to developers and corporate interests by successive Governments fails to protect the heritage of Crown Lands for future generations.

Currently the Government can dispose of Crown Land too easily or transfer it to private ownership without adequate community involvement and oversight. There is no readily available information about how money raised from the sale or leasing of Crown Land is spent. An objective examination of all aspects of the public interest (including social and environmental considerations) before sale or transfer of Crown Land must be included in legislation to ensure the Government is held accountable to the community for any sale or transfer of ownership.

Traditional landrights, already severely challenged, face further erosion at each loss of public lands and it is unclear what implications the proposed changes will have on pending or future Aboriginal land claim rights. Legislation should increase opportunities to support Aboriginal involvement in the management of Crown Lands to conserve its environmental, cultural and heritage values.

NEGAT is convinced that there must be a moratorium on any Crown Land being sold, leased or privately developed until the Parliamentary Inquiry publishes its report.

Elizabeth O'Hara

NEGAT Convenor