

**Submission  
No 264**

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

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Why are we living in a system that, unless challenged by a community group, allows for the abuse of public law and why is there no retribution for those public officers who negate their responsibility to the public law? Rather than changing the law to legitimise these people the current laws that defend Crown land and its principles need to be reinforced and policed!

- Whether it is our public parks, heritage sites, waterfront land, community halls, travelling stock routes and recreational and sporting grounds, public land is precious and makes up about 42% of the state. **The decision making process must be orientated to the public good and not commercial pragmatism.**
- Much of crown land is high in environmental and conservation values, serving as important animal habitat, wetlands, wilderness and old growth forests; **nothing in the decision making process as to the future of these lands should weaken the ecological value of these lands.**
- This land that is publically owned and should be used for public purpose, not sold off to private interest for private profit.
- Considerations relating to public lands should be guided by the principles of the public good and prioritise ownership and continued retention of all Crown Lands.
- For decades community groups have been campaigning to protect their local patch from privatisation.
- Too often local passion to protect public land is met by either indifference or plain hostility from State and local governments who see the privatisation of public land as a short term financial fix.
- **In the landmark case Friends of King Edward Park Inc. v Newcastle City Council the Land and Environment Court ruled that once Crown land is set aside for public purpose, then neither the Minister nor the local council can just hand over to private interests.**
- Whether it is King Edward Park in Newcastle, the Paddington Bowling Club, the Terrace Reserve Caravan Park at Brunswick Heads or one of countless public reserves across the state, public land continues to be eyed off by private interests for private profits.
- **Termination of Newcastle City Rail at Hamilton is a direct result of this ill conceived policy and must be stopped!**
- We are becoming increasingly concerned about the loss of public land, the privileged access to public land given to the development industry and corporate interests and the failure of successive governments to protect the public interest in public land.
- **With incontestable evidence of ongoing systematic and entrenched mismanagement of Crown Lands across the state there must be a moratorium on any Crown land being sold, leased or privately developed until this Parliamentary Inquiry publishes its report.**
- The Government has announced that they will be introducing legislation to amend the Crown Land Act before the end of the year.
- We believe that the NSW government must ensure that all Crown Land with important environmental, cultural or social values is maintained as public land.
- There is also a need for a clear public register of Crown Lands which should be freely available to all member of the public.

- The lack of such a register can only increase uncertainty about rights and obligations relating to Crown lands and alienate the community from an important part of the public estate.

Gael Davies, OAM.