

Submission
No 272

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Organisation: Lane Cove Council

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The Director
General Purpose Standing Committee No.6
Legislative Council
Parliament House, Macquarie Street
SYDNEY NSW 2000

Dear Sir/Madam,

SUBMISSION TO INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Thank you for the opportunity to comment on the above Inquiry into Crown Land. Lane Cove Council currently has care, control and management of approximately 27 hectares of Crown Land within its local government area (LGA). Council has an interest in government policy regarding the protection, preservation, enhancement, commercial use and disposal of crown land in NSW.

Extent and Benefits:

Crown land within Lane Cove LGA represents approximately 20% of its combined public and private open space. It is found in creek estuaries, strips along the Sydney Harbour and Lane Cove River foreshores, and several large recreation parks. Waterside uses include recreation facilities such as boat clubs, sea scouts, public baths (Greenwich Baths) and ferry wharfs (Northwood & Longueville). Public infrastructure includes boating facilities and river access points (fishing spots, sandy beaches, rock pools). The more isolated reserves, such as near Lane Cove West and Holloway Park, Greenwich are preserved as bushland, with walking tracks for passive recreation. Large parks support tennis clubs and other active recreation.

Crown lands are effectively maintained and managed through numerous lease and licence agreements primarily with community organisations, which helps to ensure continued accessibility to these recreational pursuits. These agreements are primarily between council and various community groups who provide the community with access to valuable recreational pursuits (which if commercialised, would disincentivise public access and participation in these ventures). In several cases these community groups were responsible for the original construction of the facilities on the Crown Land. There are only 1-2 commercial agreements (Greenwich Baths and Shell) and the Baths is currently reported as operating at a loss, and only remains open through Council grants. This year, Council is spending in excess of \$600,000 to upgrade this aging facility to enable its continued use. The transfer of management of Crown land to Councils needs to be accompanied by certainty of adequate funding.

Council strongly supports the continuance of these public assets being available to the general community, and recommends that they remain in the public realm for their environmental, social and educational benefits.

Community input and consultation regarding commercial use & disposal:

Some reserves contain uses by public and private entities. Through trusts, Council administers leases over these Crown land uses, under the provisions of the *Crown Lands Act 1989*. Council's Bushland Management Advisory Committee also advises on use of bushland in the LGA. Council's draft Open Space Survey (summary attached) has found that there is strong public support for current and future use of open space that includes Crown land,

including limited and controlled commercial use. As a result, there is no support for any disposal of these limited and well-used reserves.

Crown land is generally classified as community land. Council is required under the *Local Government Act* to advertise its intention to enter into lease and licence agreements in relation to this land. This requirement is duplicated under the *Crown Lands Act*, which is unnecessarily costly. Consideration should be given to removing the requirement to advertise new lease and licenses where this has already been undertaken in accordance with the *Local Government Act*.

Appropriate and effective preservation and enhancement:

All community land in the Lane Cove LGA is managed under the *Plan of Management for Bushland (2007)* and the *Draft Open Space Plan (2016-2026)*. It is Council's view that any construction on Government land should not be restricted to use by any one group or club. Furthermore, income from leases and licences should be available to Councils to offset maintenance costs and fund facilities that support further public use of the reserves. That is, there is a need for a strong nexus between private and public use, and retaining Council's right to lease / licence this land is crucial, as is the case for Crown lands administered by Council.

Council continues to care for, control and maintain Crown lands, and repair or replace aging buildings and infrastructure. Council actively supports sporting bodies, special interest groups and the general public to access these public lands generally at no cost to users.

In addition to absorbing all lease and license preparation and administration costs, Council also regularly contributes to the maintenance of facilities built on this land incl. building insurance in the majority of cases. As such, the purpose of these agreements is to provide facilities to the community as opposed to generating income/commercial profit.

While Council acknowledges the range of infrastructure and sporting grants offered by the State, because of the ongoing high costs of repairs and replacements, these grants are generally spent on urgent repairs, rather than on maintenance, upgrades and enhancement. Grants should be linked to the costs of maintaining these valuable community resources, including buildings and infrastructure on Crown land. It is therefore recommended that:

- Crown land remain accessible to the general public for active and passive recreation;
- Councils retain care, control and maintenance of Crown lands;
- Council's right to lease and/or licence this land be retained;
- Grants be linked to the real costs of maintaining the valuable community resources, including buildings and infrastructure on Crown land; and
- the requirement to advertise new lease and licenses under the *Crown Lands Act* be waived where this has already been undertaken in accordance with the *Local Government Act*.

Should you require any further information on this matter please contact Strategic Planner on

~~Yours sincerely,~~

~~Craig Wrightson~~
General Manager
Lane Cove Council