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Response to Draft Crown Lands Community Engagement Strategy

Thank you for the opportunity to comment on the above draft Strategy.

The Mosman Parks & Bushland Association was formed in 1964 to protest against the destruction of bushland at Bradleys Head. The Association's main objective continues to be the protection of bushland, parks and open space in Mosman for the benefit of current and future generations.

MPBA makes the following comments about the draft strategy.

General comments

Any proposal where there is any level of engagement should be well advertised with sufficient time for response. School holidays and the December January period should be avoided for any engagement.

Three levels of engagement.

This is supported and the clarity about what each level of engagement means is helpful and clear. It is recommended that at each engagement process the level of engagement is made clear in all communication and the activities associated are also made clear.

Community use and enjoyment trigger for engagement

While this is a necessary characteristic to trigger engagement, it is not sufficient. **Current** use and enjoyment is the trigger for engagement. Consideration must be given to the possibilities future use, especially in an era of rapid population growth. There are likely to be crown lands sites which might not be used or enjoyed by the community but are significant in themselves. The community is entitled to know and understand what is proposed and why, and to comment on these. Crown lands are owned by the citizenry and the citizens deserve to know what is happening to them and to comment. **The premise that no access=no impact is not supported as it leaves many sites unprotected.**

Waiver relating to Ministerial direction is not supported

Page 32 of the draft strategy outlines 6 different situations where the Minister can waive the requirements for community engagement. The only circumstance that is in any way reasonable or valid is the one relating to emergency circumstances. The so called exceptional circumstance in the first point and the other 5 points are presented with no justification and they put at risk all Crown land. Each is discussed briefly below:

- a. Exceptional circumstances- what might these be. What are the criteria for these?
- b. To enable undertaking of approved NSW government priorities that require Crown land. This puts all Crown land at risk from a whole

range of urban development if the Government decides that development should go ahead. The sale and loss of land owned by the citizens would occur in this scenario without any consideration of community concern or attitude.

- c. So far as the public interest is concerned this is hard to define without asking questions. If there is no engagement the clear understanding of what is in the public interest is not possible.
- d. Cost of engagement. It is not possible to know how the cost of engagement relates to the benefits of engagement in advance of the process. This point suggests that community engagement is not valued and serves to devalue this strategy and what it purports to stand for. It is an excuse to do nothing.
- e. Where the minister is satisfied that other legislation etc. This could only be supported, if in these cases, there is a clear statement made to the community as to the path of consultation to be followed and the reasons for this. It must not become an opportunity to pass the engagement buck to other organisations and their processes. If this is not made clear it is confusing for the community and could hinder robust engagement processes and opportunities.
- f. Where the Minister is satisfied that a CLM does not have the capacity to undertake the engagement. This is not an excuse for not undertaking engagement. Rather if that is the case engagement practitioners from either other Government agencies or from the private sector should lead the engagement. ***The test must be does the proposal require engagement not whether the CLM can deliver an engagement process.***

No prior engagement for domestic waterfront licences issued by the department - of great concern

The argument that only notification of completed licences is necessary because of high volumes is not supported. The cumulative impact of these licences has the potential to significantly and adversely impact waterfront area. This is important in Mosman which is bounded by the Harbour and Middle Harbour with only 3km land boundary and in other localities with waterfrontages. To know and understand what is happening with these waterfront licences and to comment on them before issue allows the community and the department to consider whether it is reasonable to continue with such a licence. The alienation of these areas to private landowners is a concern in a rapidly growing city where access to natural resources is increasingly required.



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