

POLITICIANS ACT AS AGENTS OF THE UNITED NATIONS TO ENFORCE AGENDA 21 UPON AUSTRALIANS

Politicians Show Preference for Covert Undemocratic AG21 Policy

Graham Williamson

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EXECUTIVE SUMMARY

This paper is about Agenda 21 and its implementation in Australia. Its primary purpose is to examine the implementation process and assess its democratic foundations and whether the public have truly been permitted to make an informed democratic choice. Its secondary purpose is to evaluate whether Agenda 21 is beneficial and necessary for Australians.

Using extensive documentary evidence from experts, combined with personal correspondence documented in the Appendices, the following fundamental facts have been established.

1. Agenda 21 is a fundamentally undemocratic, sovereignty threatening, UN designed and monitored program which is being banned overseas because of the threat it poses to fundamental human rights. Agenda 21 is found to pose a significant risk to freedom and human rights and is unnecessarily foreign in its origin and control.
2. All three levels of government have been undemocratically implementing this program throughout Australia, on behalf of the UN, for 10-20 years. There is no evidence whatsoever that governments have sought to offer the people a genuine democratic choice.
3. In 20 years, all major political parties have refused to openly declare their Agenda 21 policy during elections to enable citizens to make an informed democratic choice. All major parties have preferred to implement Agenda 21 as undeclared or covert policy. As a result, community ignorance about AG21 and its implications are widespread.
4. Although pervasively embedded into government (undeclared) policy at all levels, when directly questioned about AG21 our elected representatives go to extraordinary lengths to either avoid the subject or pretend it is not being implemented. **From all my enquiries, not one politician or bureaucrat eagerly responded by proudly detailing the many ways in which the tentacles of AG21 are being implemented through the various government departments. Implementation of Agenda 21 is based upon a failure to accurately and truthfully inform Australians. It is based upon deception and trashing of democracy.**

The past 20 years, and my correspondence detailed in the Appendix, show quite clearly that a change of government will not solve this issue. What is needed is a return to democracy, dramatically increased political accountability, strengthening of sovereignty, and a renewed political commitment of allegiance to the people rather than an allegiance to the UN.

Introduction

All 3 levels of government in Australia, and all major political parties, have chosen to implement a foreign United Nations designed and monitored 'sustainability' program called Agenda 21. Governments have been implementing this program around Australia for 10-20 years although all major parties have been unanimous in their decision not to give Australians a democratic choice on this issue at election time. Further, this foreign program has pervasively infiltrated local councils and the legal system so that property rights are being insidiously and progressively transferred from humans to plants and the environment. And our politicians, without the knowledge or permission of the overwhelming majority of Australians, have even seen fit to embed this foreign program into the school curriculum to ensure our children are indoctrinated with UN propaganda.

In view of these developments I contacted various political parties in an attempt to clarify their policy regarding Agenda 21. This paper documents more than 12 months research into Agenda 21 & the response of political parties & elected representatives to simple questions regarding the implementation of this foreign UN program. It documents the difficulties involved in obtaining clear truthful answers from our elected representatives, irrespective of the party they represent. And it documents the death of democracy in Australia as political parties present one policy to the people during elections, but when elected they proceed to implement undeclared or covert policies, or policies of which they are apparently so ashamed they refuse to openly discuss them.

This paper documents this disturbing abandonment of democracy. How is it possible to have a pervasive far reaching program such as Agenda 21 implemented by government departments and councils throughout Australia for 10-20 years and yet this program is omitted from official policy? And when our elected representatives are directly questioned about implementation of this UN program, why do they feel the need to go to extraordinary lengths to refuse to discuss it or even pretend it is not being implemented?

It is astonishing that my exhaustive attempts to obtain simple answers from our elected representatives have met with such a solid brick wall of deception or obfuscation.

In order to supply background information, and evidence from experts and from government departments, I have included the following detailed Appendices below. Most of the Appendices are self-explanatory. Appendix J documents some of the real life results of the government drive to support the ecocentric rewriting of the legal system and the erosion of property rights as proposed by Agenda 21. Appendix K documents the involvement of councils which are at the forefront of the implementation of UN AG21 restriction of land use and property rights while Appendix L documents my complaint to the NSW Ombudsman regarding council involvement.

Appendix A – Introduction & Background to Agenda 21.

Appendix B – Evidence of the Extent to Which Governments Having been Implementing AG21 Around Australia Without Giving Australians any Democratic Choice.

Appendix C – Rewriting the Legal System to Support Ecocentrism & Transfer Property Rights from Humans to Plants & the Environment.

Appendix D - Response to Correspondence from the [Victorian Minister for Local Government - Jeanette Powell](#).

Appendix E – Correspondence with the [NSW Premier Barry O’Farrell](#)

Appendix F – Correspondence with the [NSW Minister for the Environment Robyn Parker](#).

Appendix G - Correspondence with the [NSW Attorney General Greg Smith](#).

Appendix H - Correspondence with the [Minister for Local Government Don Page](#)

Appendix I - Correspondence with the [NSW Minister for Planning & Infrastructure Brad Hazzard](#)

Appendix J - Transferring Property Rights from Humans to Plants & the Environment: Submission to the NSW Government BioBanking review

Appendix K - Correspondence With Eurobodalla Shire Council

Appendix L – Complaint to NSW Ombudsman

Witness below the extraordinary determination of politicians not to openly discuss a policy they have been enforcing upon Australians for up to 20 years.

The Politicians Speak, or Refuse to Speak, About AG21

On 8th September 2012 I asked the following politicians or political parties to state their policy regarding Agenda 21. That correspondence, based upon the fact that the [WA Greens are the only party that openly state Agenda 21 policy](#), typically asked as follows:

Dear Sir,

I notice that the WA Greens openly endorse the Agenda 21 program in their policy platform as below.

Do you, and the NSW Liberal Party, agree with this policy and support Agenda 21 also? If so, why is it not included in your official policy? Since the NSW Liberal Party has been endorsing Agenda 21 or implementing it for nearly 20 years, will you be adding it to your official policies or do you prefer to continue to implement it without mentioning it in your policies? Why? If you have no intention of adding it to your official policies will you be proactively seeking to ban it as has been done in Alabama?

Regards

Graham Williamson

<http://wa.greens.org.au/policies/local-government-0>

The Greens (WA) want:

- *the Local Government Act amended to require the principles of ecological sustainable development in Agenda 21¹ be the basis of local government policy*

This correspondence was directed to the following.

[NSW Premier Barry O’Farrell](#)

[The NSW Liberal Party](#)

[The Queensland Liberal National Party](#)

[The Liberal Party of Victoria](#)
[Vic Minister for Local Government - Jeanette Powell](#)
[Leader of the National Party of Australia - Warren Truss](#)
[The National Party of Australia](#)
[The NSW National Party](#)
[Deputy Premier & Leader of NSW National Party Andrew Stoner](#)
[The Greens NSW](#)
[Liberal Party of Australia](#)
[Opposition Leader – Tony Abbott](#)
[Australian Greens – Senator Christine Milne](#)
[The Queensland Greens](#)
[The Australian Greens Victoria](#)

In addition, detailed questions regarding Agenda 21 were addressed to [NSW Premier Barry O’Farrell](#), [NSW Attorney General Greg Smith](#), [NSW Minister for the Environment Robyn Parker](#), [NSW Minister for Planning & Infrastructure Brad Hazzard](#), & [Minister for Local Government Don Page](#).

The responses & non-responses of our elected representatives to very simple questions are alarming in their consistent evasiveness & dismissiveness. These responses are documented below.

[NSW Premier Barry O’Farrell - See Appendix E](#)

In spite of repeated attempts to obtain answers from the Premier on 21st July 2012, 8th September, 23rd September, 24th September, 25th November, & 2nd December, no response has yet been received. Yet, in spite of this non-response, the issues raised with the Premier were very serious, including deceit and misinformation about AG21 and the abandonment of Ministerial responsibilities by the Attorney General.

[NSW Minister for the Environment Robyn Parker – See Appendix F](#)

Correspondence with the NSW Minister for the Environment is documented in Appendix E. Since I received no response to my correspondence of 4th October, I sent a further reminder to the Minister on the 25th November. No attempt has been made by the Minister to answer the issues I raised and I have yet to receive any response to this correspondence.

[NSW Attorney General & Minister for Justice Greg Smith – See Appendix G](#)

Correspondence with the NSW Attorney General is documented in Appendix F. When I wrote to the Minister asking about the use of laws based upon foreign programs like AG21 to penalise NSW citizens, and the conversion of the NSW judicial system from its traditional **anthropocentric** basis to an **ecocentric** basis, he responded that *“The matters raised do not fall under the portfolio responsibility of the NSW Attorney General and Minister for Justice.”* But when I responded by asking him: *“Please explain why you consider that overseeing the direction of the legal system of NSW is not your responsibility and please name the person who is responsible?”*; he opted to completely avoid all the issues I raised by issuing the following evasive dismissive response.

Dear Mr Williamson (final response from Minister – 30th Nov 2012)

If you have concerns about Australia's adoption of Agenda 21 you should contact the Federal Government.

If you have concerns about the adoption of a particular policy associated with Agenda 21 then you should contact the Minister, Council etc responsible for that decision.

Elections are regularly held at a local, state and federal level. This affords you the opportunity to vote for the candidate that you believe best reflects your policy preferences.

I have referred your matter to a number of Ministers and should you send further correspondence this will be placed on file without response.

Kind regards

Office of the Attorney General and Minister for Justice.

The Attorney General clearly seems to agree with other Ministers that Agenda 21 must continue to be implemented while pretending to the public that it is not happening and denying them any democratic choice.

[The NSW Minister for Local Government Don Page](#) – see Appendix H

In spite of repeated attempts to obtain answers from the Minister on 21st July 2012, 23rd July, 25th September & 25th November, no meaningful response has yet been received.

[The NSW Minister for Planning & Infrastructure Brad Hazzard](#) – see Appendix I

In spite of repeated attempts to obtain answers from the Minister on 29th June, 21st July 2012, 31st July, 9th August, 23rd September & 25th November, no meaningful response has yet been received.

[The NSW Liberal Party](#)

After writing to the leader of the NSW Liberal Party on 8th September, 23rd September, & the 25th November, I received the following response on the 26th November.

Dear Graham,

The Liberal Party is committed to environmental action and is why we are establishing a Green Army which will deliver real benefits to local communities.

It is suggested you contact your local member to find out more about this.

Kind Regards,

Liberal Campaign Headquarters

LIBERAL PARTY OF AUSTRALIA (NSW DIVISION)

T 02 8356 0300 | F 02 9331 4480 | E chq@nsw.liberal.org.au

[The Queensland Liberal National Party](#)

In spite of repeated attempts to obtain answers from the Queensland Liberal National Party on 8th September, 23rd September & 25th November, no response has yet been received.

[The Liberal Party of Victoria](#)

The Liberal Party of Victoria responded on 25th September stating they had nothing to do with policy & I should contact the Minister for Local Government, Jeanette Powell.

[Victorian Minister for Local Government - Jeanette Powell](#) – See Appendix D

On 23rd of November I received a response from the Minister's office, signed by Chief of Staff, James Lantry. Mr Lantry stated, on behalf of the Minister:

“Please note that the Victorian Government has not adopted the Agenda 21 policy platform as part of its policies, but continues to undertake actions in accordance with sound environmental policies for the benefit of all Victorians.”

Of course this is totally untrue which I point out in my response which is documented below in Appendix D, below. Government documents I cite clearly confirm that the government has in fact been implementing Agenda 21 programs in Victoria for more than 10 years. The Minister's denial of the facts raise serious questions, as I indicate in my response:

“Unless you can supply current documentation proving you have outlawed or banned UN Agenda 21 and other imported sustainability programs from Victoria, then to suggest your government is not part of the implementation of this program is at best extremely misleading, and at worst, a deliberate untruth designed to deliberately deceive the public. Which is it? Why is it apparently so important to you NOT to openly declare this program as policy? Or will you immediately ban it and all such imported programs?”

To date I have received no further response from the Minister.

[Leader of the National Party of Australia - Warren Truss](#)

In spite of repeated attempts to obtain answers from the leader of the National Party on 8th September, 23rd September & 25th November, no response has yet been received.

[The National Party of Australia](#)

In spite of repeated attempts to obtain answers from the National Party on 8th September, 23rd September & 25th November, no response has yet been received.

[The NSW National Party](#)

In spite of repeated attempts to obtain answers from the NSW National Party on 8th September, 23rd September & 25th November, no response has yet been received.

[Deputy Premier & Leader of NSW National Party Andrew Stoner](#)

After writing to the leader of the NSW National Party on 8th September & 23rd September, I received the following response on the 24th September.

Dear Mr Williamson

Thank you for your emails dated 8 September 2012 and 23 September 2012. Your request is currently receiving attention and a response is forthcoming.

Kind regards

Office of the NSW Deputy Premier.

Due to the fact that I received no further response from Mr Stoner, in spite of the promise made by his office, I sent a further reminder to him on the 25th November. No response has yet been received.

The Greens NSW

After writing to the NSW Greens on 8th September, 23rd September, & 25th November, I received the following response from NSW Greens MP, Mr David Shoebridge, on the 30th November.

Dear Graham,

Thank you for your email. Australian Greens constituent bodies (i.e. states and territories) create policies independently of each other, within the broader framework of the Australian Greens.

It would probably be incorrect to assume that simply because one state mentioned an item in their policy and another didn't that this means the states are at loggerheads over the issue. All Greens parties in Australia develop policies based on local circumstances through grassroots processes.

To my knowledge Agenda 21 has not been raised in NSW as part of our Local Government policy development process in the past. If you are interested, you can find the Greens NSW local government policy online here: <http://nsw.greens.org.au/policies/local-government>.

The Greens NSW will be working through a process of reviewing all of our policies ahead of the next state election through our grassroots democratic processes. If you are interested in policy development in the area of local government, and supportive of the four main principles of the Greens, I recommend you join the party (if you are not already) and get involved with the grassroots discussions with other members.

Thanks again for your email.

David

David Shoebridge

Greens MP in the NSW Legislative Council

P: (02) 9230 3030 | Media: 0433 753 376 | T: [@ShoebridgeMLC](https://twitter.com/ShoebridgeMLC)

SIGN UP TO STAY IN TOUCH at davidshoebridge.org.au/sign-up

Liberal Party of Australia

In spite of repeated attempts to obtain answers from the Liberal Party of Australia on 8th September, 23rd September & 25th November, no response has yet been received.

Opposition Leader – Tony Abbott

In spite of repeated attempts to obtain answers from Mr Abbott on 8th September, 23rd September & 25th November, no response has yet been received.

Australian Greens – Senator Christine Milne

After writing to the leader of the Australian Greens, Senator Christine Milne, on the 8th September, I received the following response from her office on the 23rd of September.

Dear Graham

Thank you for your e-mail.

Agenda 21 is an international blueprint that outlines actions that governments, international organisations, industries and the community can take to achieve sustainability. These actions recognise the impacts of human behaviours on the environment and on the sustainability of systems of production. The objective of Agenda 21 is the alleviation of poverty, hunger, sickness and illiteracy worldwide while halting the deterioration of ecosystems which sustain life.

As such it provides a framework and statement of principles that you will find incorporated into many Australian Greens policies – copies of which you can find at <http://greens.org.au/policies>.

The Australian Greens Party is a federation within which the WA Greens are entitled to establish their own policies relevant to their specific areas of interest and responsibility. They have chosen to apply one aspect of Agenda 21 – “the principles of ecological sustainable development” to underpin the operations of the Local Government Act in WA. This falls a long way short of “openly endorsing the Agenda 21 program in their policy platform” as you claim.

Regards

John Dodd

Office of Senator Christine Milne

Leader of the Australian Greens

Level 1 Murray St Pier Hobart 7000 | **Ph:** 03 6224 8899 | **Fax:** 03 6224 7599

www.christinemilne.org.au | <http://greens.org.au>

On 23rd September I sent the following response to Mr Dodd from Senator Milne’s office.

Dear John,

Thank you for your response.

You state that “the objective of Agenda 21 is the alleviation of poverty, hunger, sickness and illiteracy worldwide while halting the deterioration of ecosystems which sustain life,” but yet you claim that the Greens (WA & National?) do not fully endorse the Agenda 21 program.

Which objectives do you support and which do you find unacceptable? You failed to answer the following queries which I therefore repeat below.

- 1. Do you, or the Australian Greens, agree with this policy and support Agenda 21 also?*
- 2. If so, why is it not included in your official policy?*
- 3. Will you be adding it to your policies or do you disagree with the WA Greens?*
- 4. If you have no intention of adding it to your official policies will you be proactively seeking to ban it?*

Regards

Graham Williamson

Due to the fact that no further response was received from the office of Senator Milne, I sent a further reminder on the 25th November. No response has yet been received.

The Queensland Greens

After writing to the Queensland Greens on the 8th September & the 23rd September, I received the following response from the office of Senator Larissa Waters on the 9th of October.

Hi Graham,

Apologies for the delay in getting back to you on this!

Larissa had a quick through of your question and wanted to let you know that the concepts in Agenda 21 are imbued through all of the party's policy platform, whether explicitly outlined or not. I've copied in a recent report which came out of our office regarding commitments which were made in Rio 20 years ago and where we're up to now.

Hope that helps Graham,

Dominic

DOMINIC JARVIS

Office Manager
Office of Senator Larissa Waters
Australian Greens Senator for Queensland

<http://larissa-waters.greensmps.org.au/>

Amazingly, It seems there are 2 fundamental types of political policies, namely, openly declared policies, or, on the other hand, concealed or embedded policies. Since Agenda 21 is an embedded policy there is apparently no need for the democratic approval of the electorate.

The Australian Greens Victoria

In spite of repeated attempts to obtain answers from the Victorian Greens on 8th September, 23rd September & 25th November, no response has yet been received.

Conclusion

It is clear that AG21 has been pervasively and undemocratically embedded into government (undeclared) policy at all levels. It is also clear that when directly questioned about AG21 our elected representatives go to extraordinary lengths to either avoid the subject or pretend it is not being implemented. **From all my enquiries, not one politician or bureaucrat eagerly responded by proudly detailing the many ways in which the tentacles of AG21 are being implemented through the various government departments. Implementation of Agenda 21 is based upon a failure to accurately and truthfully inform Australians. It is based upon deception and trashing of democracy.**

The past 20 years, and my correspondence detailed in the Appendix, show quite clearly that a change of government will not solve this issue. What is needed is a return to democracy, dramatically increased political accountability, strengthening of sovereignty, and a renewed political commitment of allegiance to the people rather than an allegiance to the UN.

It is up to you. Do you care enough?

APPENDIX

APPENDIX A

[Introduction & Background to Agenda 21](#)

- **AG21 is a foreign United Nations (UN) program aimed at controlling all aspects of people's lives.** It reduces or eliminates individual human rights such as private property rights ([1](#), [2](#), [3](#), [4](#)). AG21 is a UN program adopted by the Keating government in 1992, later ratified by the Howard government, & implemented by successive federal, state & local governments of all political persuasions ever since. In 20 years of implementation, neither of the two major political parties has declared AG 21 as official policy, nor given voters a democratic choice.
- **AG21 is an attempt to undemocratically enforce upon Australians a 'foreign solution' for what are termed "sustainability" issues.** It is vitally important to understand that AG21 is undemocratic. It is an imported agenda that has been designed by, & its implementation monitored by, a foreign agency (the UN). Control must be increasingly surrendered to the UN & its foreign agencies with absolutely no limits being placed upon this process.
- **AG21 is very much a blank cheque with no clearly defined goals & no clearly defined limits** regarding costs, legislative changes, loss of sovereignty, as well as loss of individual rights & democracy.
- **Implementation of Agenda 21 around the world is monitored by the United Nations [Commission on Sustainable Development](#) (CSD).** Participating countries are **required** to report back to the UN on a regular basis ([5](#), [6](#), [7](#), [8](#)). The CSD, which includes despotic dictators from other countries, will judge Australia's compliance!
- **The guiding principle behind AG21 is a belief in [Gaia](#) or ecocentrism ([22](#), [23](#), [24](#)), or the supremacy of the rights of plants & the environment ([25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [32](#), [33](#), [34](#), [35](#)) & an abandonment of traditional anthropocentrism ([36](#)).** In other words, rights are progressively transferred from humans to plants & the environment with the result that **private property rights** are being surrendered, piece by piece ([37](#), [38](#), [39](#), [40](#), [41](#), [42](#), [43](#)).
- **Two fundamental concepts upon which AG21 is based are intragenerational equity & intergenerational equity.**
 - a) Intragenerational equity** states that common goods such as nature, environment, the ecosystem & therefore private property, **must** be shared amongst all. No one has exclusive rights of ownership ([44](#), [45](#), [46](#), [47](#)). According to the principle of intragenerational equity, the rights of those who have less may be used to take from those who have more, simply because of this disparity & **not** because of the existence of any legal debt.
 - b) Intergenerational equity** grants equal rights to those who may exist in the future but who are not yet born ([44](#), [45](#), [46](#), [47](#)). With this bold new sense of '**justice**' an assumption is made that the actions of one or more persons currently in existence will somehow reduce the quality of life of one or more persons who do not yet exist! Of course we should all be mindful

of our responsibility to care for the environment, **but to legally convict a perpetrator when the victim cannot be named, does not exist, & his/her degree of suffering cannot be determined, is an astonishing corruption of traditional legal & moral principles.** Yet, this has now become reality.

- Under [Chapter 28 of Agenda 21](#) the UN established **Local Agenda 21** or **LA 21** for implementation by local councils around the world ([48](#), [49](#), [50](#), [51,52](#), [53](#), [54](#), [55,56](#), [57](#), [58](#), [59](#)). Though Chapter 28 of Agenda 21 suggests that “*each local authority should enter into a dialogue with its citizens, local organizations & private enterprises & adopt a local Agenda 21*”, in practice **the public has largely been kept ignorant of AG 21 & has been denied a democratic choice by councils & governments around Australia.** These concepts are currently being used by councils & state governments in Australia to tie up land use with regulations, LEP’s, zonings & green tape so that private landholders are progressively losing control of their land, with resultant loss in land value.
- **Implementation of LA21 is also promoted by [ICLEI, the International Council for Local Environmental Initiatives](#), the name now being changed to [Local Governments for Sustainability](#).** In fact, [Section 7.21 of Agenda 21](#), specifically recommends involvement with ICLEI. According to Maurice Strong in the [Local Agenda 21 Planning Guide](#), “*The task of mobilizing & technically supporting Local Agenda 21 planning in these communities has been led by the International Council for Local Environmental Initiatives (ICLEI) & national associations of local government.*” [ICLEI supports the “Cities for Climate Protection Campaign & the Local Agenda 21 Initiative.”](#)
- [The UN Tentacles of ICLEI in Local Councils](#)
ICLEI “*will continue connecting cities and local governments to the United Nations and other international bodies*” and ICLEI will “*serve as a global entry point for cities and local governments to engage with the United Nations and international and national policy processes*” and will “*pursue more radical solutions.*” ICLEI will “*Advocate direct access to climate finance and other funds by local governments and an inversion of climate finance mechanisms to enable the implementation of needs-driven local development.*”
[ICLEI will](#) promote “*Management of global environmental goods*” such as “*Climate, Biodiversity, Water, Food.*” In other words, ICLEI intends to convert them to controllable tradeable commodities.
[ICLEI will](#) promote “*Municipal planning and management*” or, in other words, they will help councils control land use.
[ICLEI will](#) promote Local Agenda 21, that is, ICLEI will continue to assist councils to undemocratically implement foreign UN monitored sustainability programs.
[ICLEI will](#) “*Maintain and enhance [ecosystems services](#)*” and “*Promote the global implementation of “[The Economics of Ecosystems and Biodiversity \(TEEB\) chapter for Local and Regional Decision Makers](#)” developed under UNEP.*”

[Economic services are defined:](#)

“Ecosystem services are the transformation of a set of natural assets (soil, plants and animals, air and water) into things that we value. For example, when fungi, worms and bacteria transform the raw “ingredients” of sunlight, carbon and nitrogen into fertile soil this transformation is an ecosystem service.”

[ICLEI will](#) also “*Continue Local Government climate advocacy through the Local Government Climate Roadmap. Continue supporting and acting as Secretariat of the World Mayors Council on Climate Change.*” **No need for scientific evidence—no exit strategy if cooling continues.**

[ICLEI will](#) “Develop EcoMobility program modules” to help councils get rid of cars.
[ICLEI will](#) “Support local governments in introducing a local “happiness index” drawing on the Kingdom of Bhutan’s experiences with replacing the GDP through “Gross National Happiness”.

- **Many authorities prefer to mislead the public by avoiding the term “Agenda 21”,** using instead terms such as ([60](#), [61](#), [62](#), [63](#), [64](#), [65](#)) “sustainability”, “smart growth”, “growth management”, “local environmental plans” or **Sustainable Development 21 or SD21** ([66](#), [67](#), [68](#), [69](#)). Some local authorities have also changed the name of Local Agenda 21 to ‘**Local Climate Strategy**’ ([66](#)). The United Nations **Sustainable Cities** program is yet another spin off of Local Agenda 21 & the UN Habitat agenda ([70](#), [71](#), [72](#), [73](#), [74](#)). Deliberate deception or **failure to fully inform the public** is fundamental to the success of the program ([75](#), [76](#)).
- **Some local authorities overseas are now moving to ban Agenda 21** because of its fundamentally undemocratic regressive nature & the **threat** it poses to basic human rights, not least, our property rights ([9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#)).

According to Agenda 21 ([77](#), [78](#), [79](#)), Australians can only have “improved living standards”, a “more prosperous future” & “managed ecosystems”, if we form a “global partnership”, a partnership of course which will ultimately be under the control of one global authority. By ourselves we are doomed to failure according to Agenda 21 ([77](#), [78](#), [79](#)). Chapter 8.31 of Agenda 21 states that countries are required to ([80](#)) “incorporate environmental costs in the decisions of producers & consumers, to reverse the tendency to treat the environment as a ‘free good’ & to pass these costs on to other parts of society, other countries, or to future generations.” This is described in Agenda 21 as a ([80](#)) “fundamental objective.”

Ratepayers & ordinary Australians will be increasingly required to fund local UN Agenda 21 schemes & ‘green’ programs with growing rates & taxes such as the CO2 tax. However, these funds will be diverted AWAY from local infrastructure projects to further the global ambitions of the UN, not least their stated goals of central World Governance.

Agenda 21 & LA 21, inspired by [Mikhail Gorbachev](#) & [Maurice Strong](#) who formed the original [Earth Charter](#), amounts to a global power grab & land grab to control & outlaw private land ownership ([81](#), [82](#), [83](#), [84](#), [85](#)).

Agenda 21 & Local Agenda 21 aims to change our lives, that of our children & future descendants, forever. And yet the political promoters of this program have continually refused to expose this program to the light of truth during an election campaign.

It is urgent that we restore democracy to our local area & insist that the voting public are permitted to make an informed democratic choice.

APPENDIX B

Evidence of the Extent to Which Governments Having been Implementing AG21 Around Australia Without Giving Australians any Democratic Choice

- **Agenda 21: The political program that has been implemented around Australia by all 3 levels of government for 20 years without giving voters a democratic choice.**

- **Agenda 21: The program that all major political parties have decided, for the past 20 years, is best to implement without including in official party policy.**
- **Agenda 21: The bipartisan supported program which both political parties have consistently decided to exclude from electoral campaigns.**
- **Agenda 21: For 20 years the most universally politically popular and democratically and electorally unpopular program which has been completely ignored by the mainstream media.**

The undemocratic invasion of Australia by the United Nations Agenda 21

Agenda 21 is an undemocratic United Nations designed and monitored program ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#)) which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#)). It is absolutely disgraceful that such anti-democratic sovereignty undermining foreign designed and monitored programs such as Agenda 21 have been implemented by all three levels of government throughout Australia for 20 years. Further, during this 20 year implementation, both major political parties have consistently decided it best to exclude Agenda 21 from their official policies to prevent voters from having a democratic choice.

The Australian government has paved the way for the undemocratic infiltration of Agenda 21 in Australia by the support of the United Nations Earth Summit by the Howard government followed by ratification by the Keating government and implementation by successive governments ([5](#), [20](#), [21](#), [22](#), [23](#), [24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [32](#), [33](#), [34](#), [35](#), [36](#), [37](#), [38](#), [51](#)). No doubt because of the undemocratic regressive nature of Agenda 21, various experts and government officials often prefer to mislead the public by avoiding the term "Agenda 21" and using instead terms such as ([40](#), [41](#), [42](#), [43](#), [44](#), [45](#)) "sustainability", "smart growth", "growth management" or "local environmental plans". Deliberate deception of the public it seems, is fundamental to the success of the program ([45](#)):

"Agenda 21 is being implemented in the U.S. under various names to deceive the unsuspecting public as to the source and real purpose of the program. However identifying the programs is relatively easy. All you have to do is look for the keywords.....Everything associated with this program is deceptive. The language they use, the names they give the projects, the means by which they lure local governments into the trap and then slam the door - absolutely everything is deceptive from beginning to end."

And the deceit about the full implications and origin of AG21 is endemic throughout Australia ([46](#)):

"Throughout Australia it seems that there has been widespread uncertainty about the meaning, scope and value of the term 'Local Agenda 21'.....Some councils have chosen, for a variety of reasons, not to call their initiatives 'LA21' "....."However, this is not to say that LA21 is not happening within Australia. On the contrary there is Local Agenda 21 activity in every state and territory and many councils are working on projects that have at their core the processes of LA21, although they may not necessarily be using that terminology."

Since many aspects of AG21 need to be enforced at the local level, the federal government was compelled to enlist the co-operation of state and local governments in order to satisfy the implementation requirements of the United Nations. As a result, all Australian states, including NSW ([47](#), [48](#), [49](#), [50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#), [58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#), [65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#), [78](#), [79](#), [80](#), [81](#), [82](#), [83](#), [84](#), [85](#), [86](#), [87](#), [88](#), [89](#), [90](#), [91](#), [92](#), [93](#), [94](#), [95](#), [96](#), [97](#), [98](#), [99](#), [100](#), [100](#), [101](#), [102](#), [103](#)), Queensland ([104](#), [105](#), [106](#), [107](#), [108](#), [109](#), [110](#), [111](#), [112](#), [113](#), [114](#)) Victoria ([115](#), [116](#), [117](#), [118](#), [119](#), [120](#), [121](#), [123](#), [124](#), [125](#), [126](#)), SA ([127](#), [128](#), [129](#), [130](#), [140](#), [141](#), [142](#), [143](#),

144), and WA ([145](#), [146](#), [147](#), [148](#), [149](#), [150](#), [151](#)), proceeded to implement Agenda by changes to state legislation and by enforcing local changes at the local council level. In fact, so important were local councils in the global plans of the UN that the UN specifically incorporated a section promoting so called 'Local Agenda 21' or 'LA 21' into [Chapter 28](#) of the [Agenda 21 document](#).

Local Agenda 21 has been adopted by Councils around Australia under the guidance of their respective state governments ([46](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#), [65](#), [69](#), [70](#), [71](#), [73](#), [74](#), [75](#), [76](#), [81](#), [82](#), [83](#), [84](#), [85](#), [104](#), [110](#), [111](#), [112](#), [123](#), [124](#), [125](#), [126](#), [127](#), [128](#), [129](#), [130](#), [140](#), [141](#), [142](#), [143](#), [144](#), [152](#), [153](#), [154](#), [155](#), [156](#), [157](#), [158](#), [159](#)). In Victoria, the [Municipal Association of Victoria \(MAV\)](#) "has established a statewide partnership of councils involved in ecological sustainable development (ESD) /Triple Bottom Line/Local Agenda 21(LA21) initiatives. A successful first meeting of 17 member councils from around the State was held on 15th August 2001 to establish the MAV Victorian Local Sustainability Partnership." And "By 2001, at least 20 local councils in Victoria were working towards implementing Local Agenda 21 action plans to help their communities become involved in sustainable development. "

[Eric Smith draws attention](#) to some of the regressive effects of AG 21 in Melbourne:

"Has anyone noticed that the streets around Melbourne aren't as bright as they used to be?..... That's because various local councils have been [rolling out](#) "energy-efficient" street lights, which cost the tax-payer a fortune, while making our streets significantly darker and hence less safe.....It's all being done under a United Nations treaty, [signed and ratified](#) by Australia in the early 1990s, known as [Agenda 21](#), which is a manifesto for sending humanity back to the pre-industrial era, a time when you had to wash your clothes in the local river and the average [life expectancy was little more than 30](#)."

[Smith cites](#) The [Municipal Association of Victoria](#):

"Local government has a key role to play in [promoting environmental sustainability](#) and taking action that sees the concept incorporated into everyday life. Steps toward this are part of the Local Agenda 21 model and the MAV is helping to push the sustainability agenda further through various council networks, showcase forums and other initiatives."

To further disguise the true goals of Agenda 21 the name has been changed to **Sustainable Development 21 or SD21** ([160](#), [161](#), [162](#), [163](#)), while some local authorities have changed the name of Local Agenda 21 to '**Local Climate Strategy**' ([160](#)). The United Nations **Sustainable Cities** program is yet another spin off of Agenda 21 and the UN Habitat agenda ([173](#), [174](#), [175](#), [176](#), [177](#)).

The United Nations has found from 20 years' experience that implementation of their global agenda by local authorities has been their most effective strategy ([160](#), [161](#), [162](#)), especially given the impediments of national sovereignty. Not surprisingly, according to the [United Nations Sustainable Development in the 21st Century Summary for Policymakers](#), the future of their global agenda depends largely upon giving more power and recognition to local councils ([161](#)):

"Empowering lower levels with means to act on their own

Progress towards more sustainable outcomes does not need to wait for a hypothetical consensus on what the future of the world should be, or how global affairs should be managed. Actions at lower levels can and should be taken as soon as possible.....

Empower lower levels of governments to act as agents of change on their own and try new approaches to sustainability....

Local governments also have a critical role to play as agents of change, as their closeness to their constituents enable them to embark on bold experiments of different paths to sustainability.....

Providing appropriate mandates and resources to all levels of governments Ultimately, the success or failure of sustainable development will largely depend on decisions and actions that are taken at the local level. This was well recognized by Agenda 21."

But the UN went further in their [Review of Implementation of Agenda 21 and the Rio Principles \(Draft – Jan 2012\)](#), even suggesting that local governments should be empowered by state and federal governments to communicate directly with the United Nations ([160](#)):

"All governance levels from local through global need to be vertically interconnected for bottom-up energy to meet top-down support. In order to bridge the gaps between different levels of governance well as between agenda and action, local governments need to be given a more prominent role in global UN processes. The intergovernmental level should recognize that local authorities have similar legitimacy compared to national governments, and with many local authorities governing bigger populations than the 150 smallest UN member states, it would be reasonable if they could get voting rights in the UN. New institutional arrangements for sustainability should be based on a multi-level concept of governance and include elected representatives from local, sub-national, national, regional and ultimately global levels. In the other direction, it is imperative that decentralization policies are accompanied with all the needed political, legal and financial support that local authorities need for implementing their localized strategies for sustainability."

Since the United Nations have issued their directives for governments around the world, it is hardly surprising that the current Labor government plans to conduct a referendum at the next election to constitutionally recognise and give more rights to local councils ([163](#), [164](#), [165](#), [166](#), [167](#), [168](#)). The commitment to hold a referendum was part of an agreement signed by the Greens Party and the ALP in order to form government ([166](#), [168](#), [169](#)). Astonishingly, even though ecologically sustainable development in Australia is enforced by state law ([86](#), [87](#), [88](#), [89](#), [90](#), [91](#), [92](#), [93](#), [94](#), [95](#), [96](#), [170](#), [171](#), [172](#)), the public have yet to be made aware of either its UN Agenda 21 origins or the totality of its global goals.

APPENDIX C

Rewriting the Legal System to Support Ecocentrism & Transfer Property Rights from Humans to Plants & the Environment

Agenda 21 is firmly rooted in the [Gaia philosophy](#) of the [Earth Charter](#) and Agenda 21 architects such as [Maurice Strong](#). The Gaians or earth worshippers support a [biocentric world view](#) or [ecocentric world view](#) where humans become of secondary importance to the environment and ecosystem. In other words, plants come first humans come last. This biocentric or ecocentric Gaian world view is pervasively infiltrating our legal and political systems and scientific facts no longer matter. As has been noted by Henry Lamb in [The Rise of Global Green Religion](#):

"The paradigm shift from anthropocentrism to biocentrism is increasingly evident in public policy and in the documents which emanate from the United Nations and from the federal government. Public policies are being formulated in response to biocentric enlightenment, rather than in response to scientific evidence."

According to Bosselmann and Taylor in their essay about the [Significance of the Earth Charter in International Law](#), The Earth Charter "challenges the anthropocentric idea of justice". The Earth

Charter was initiated by [Maurice Strong](#) and [Mikhail Gorbachev](#) , and was [adopted by the Australian government in 2005](#).

Anthropocentrism, the traditional basis of NSW laws (32), has now been overturned and replaced by a Gaia driven (39, 40) UN Agenda 21 ecocentric world view where the environment, and animals, reign supreme and man's place in the world is secondary (33, 34, 35, 36, 37, 38). This philosophy now forms the basis of new environmental laws and the flourishing NSW environmental legal system (25, 26). As has been noted by Pain (25, 26):

“environmental legislation has moved away from being ‘anthropocentric-and-development orientated’ towards legislation that is ‘more environment-centred’.”

In regard to an ecocentric view of property rights, Peter Burdon notes in his thesis, [Earth jurisprudence: private property and earth community](#):

“The central argument of this thesis is that the institution of private property reflects an anthropocentric worldview and is contributing to the current environmental crisis.It advocates a paradigm shift in law from anthropocentrism to the concept of Earth community. The thesis first provides an example laws anthropocentrism by exploring the legal philosophical concept of private property.It concludes that the dominant rights-based theory of private property is anthropocentric and facilitates environmental harm. The second component of the thesis explores contemporary scientific evidence supporting the ecocentric concept of Earth community. This concept argues that human beings are deeply connected and dependent on nature. It also describes the Earth as a community of subjects and not a collection of objects. Assuming that the social sphere is an important source for law, this thesis considers how a paradigm shift from anthropocentrism to ecocentrism can influence the development of legal concepts. To catalyse this shift, it considers the ‘new story’ proposed by cultural historian and theologian Thomas Berry. This story describes contemporary scientific insights such as interconnectedness in a narrative form Third, the thesis uses the alternative paradigm of Earth community to articulate an emerging legal philosophy called Earth Jurisprudence. It describes Earth Jurisprudence as a theory of natural law and advocates for the recognition of two kinds of law, organised in a hierarchical relationship. At the apex is the Great Law, which represents the principle of Earth community. Beneath the Great Law is Human Law, which represents rules articulated by human authorities, which are consistent with the Great Law and enacted for the common good of the comprehensive Earth Community. In regard to the interrelationship between these two legal categories, two points are crucial. Human Law derives its legal quality from the Great Law and any law in contravention of this standard is considered a corruption of law and not morally binding on a population. Finally, the thesis constructs an alternative concept of private property based on the philosophy of Earth Jurisprudence. It describes private property as a relationship between members of the Earth community, through tangible or intangible items. To be consistent with the philosophy of Earth Jurisprudence, the concept of private property must recognise human social relationships, include nonreciprocal duties and obligations; and respond to the ‘thing’ which is the subject matter of a property relationship. A theory of private property that overlooks any of these considerations is defective and deserves to be labelled such.”

Supporters of this world view, who believe property rights should be transferred from humans to plants and the environment, are insidiously rewriting our laws to support their bizarre world view. According to [Justice Preston, Chief Judge of the NSW Land & Environment Court](#), Earth should be run like a spaceship:

“An increasing recognition of the first law of ecology – that everything is connected to everything else²⁷ - and that the Earth’s ecosystem is, in a sense, a spaceship,²⁸ may necessitate more sweeping positive obligations on landowners. Sax argues that ‘property owners must bear affirmative obligations to use their property in the service of habitable planet’. Sax recommends that:

'We increasingly will have to employ land and other natural resources to maintain and restore the natural functioning of natural systems. More forest land will have to be left as forest, both to play a role in climate and as habitat. More water will have to be left instream to maintain marine ecosystems. More coastal wetland will have to be left as zones of biological productivity. We already recognise that there is no right to use air and water as waste sinks, and no right to contaminate the underground with toxic residue. In short there will be – there is being – imposed a servitude on our resources, a first call on them to play a role in maintaining a habitable and congenial planet ... We shall have to move that way, for only when the demands of the abovementioned public servitude of habitability has been met will resources be available for private benefits. To fulfil the demands of that servitude, each owner will have to bear an affirmative responsibility, to act as a trustee insofar as the fate of the earth is entrusted to him. Each inhabitant will effectively have a right in all such property sufficient to ensure servitude is enforced. Every opportunity for private gain will have to yield to the exigencies of a life-sustaining planet.'

Sax's call for private gain to yield to the existences of a life-sustaining planet is encapsulated in the concept of ecologically sustainable development."

[Justice Preston summarises ecocentrism thus:](#)

"Ecocentrism involves taking a nature-centred rather than a human-centred approach, where the earth is valued not as a commodity belonging to us but a community to which we belong. Development of an earth jurisprudence requires the internalisation of ecocentrism in environmental law. It involves listening to the earth and adapting law to ecology. It values and gives voice to the environment. This paper surveys some ways in which environmental law can embrace ecocentrism"

The NSW government has integrated Agenda 21 and Agenda 21 related biocentric/ecocentric programs into its environmental/sustainability policies, its planning policies, its local government policies, and its education policies ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#)). The decision of the NSW government not to utilise a democratic locally designed sustainability program, but rather to import an ecocentric sustainability policy which has been designed by a foreign agency (UN), and is monitored and supervised by a foreign agency (UN), poses a fundamental and ongoing threat to the sovereignty and democracy of NSW and all of its residents. Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent the ecocentric principles of this imported undemocratic sustainability program are frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [43](#), [44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)). Otherwise law abiding citizens are being dragged into court as politicians and lawyers seek to enforce their ecocentric philosophy upon ordinary people. How is this possible? How can any democratic NSW government permit an undemocratic foreign agency such as the UN to attack the human rights, particularly property rights, of NSW residents by legislating to enforce the ecocentric dictates of the UN?

This new environment centred ecocentric philosophy or environmental ethics ([41](#), [42](#)) has led to an explosion in both the complexity and number of new environmental laws ([25](#)) and these laws are increasingly being undemocratically used by State and local government to override and erode property rights of NSW landholders ([50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#), [79](#), [80](#), [81](#), [82](#), [83](#), [84](#), [85](#)).

According to David Farrier and Paul Stein in the [Environmental Law Handbook: Planning and Land Use in NSW](#):

“The perspective presented by the law has been quite clearly human-centred, or anthropocentric. Instead of looking at the natural environment as having value in its own right, we have looked at it from the point of view of humans. Before a 1997 amendment to the Environmental Planning and Assessment Act, ‘environment’ was defined in it as including ‘all aspects of the surroundings of man whether affecting him as an individual or in his social groupings’ (s.4(1)). The problem with the human-centred approach to the natural environment is that it leads to an irresistible temptation to view it simply as a resource to be used for our benefit. Decisions are made on the basis of what is good for people rather than what is good for the natural environment. The natural environment becomes a means to an end rather than an end in itself. Perhaps this is inevitable, given that it is human beings who make the law and the decisions. No matter how motivated the human decision-maker is to give some kind of equal status to the integrity of the natural environment, we cannot avoid the fact that a human interpretation of the needs of the natural world will prevail. Recently, there have been attempts to modify the anthropocentric focus of environmental law. There is a changing consciousness about the interconnectedness of all living species and systems, encapsulated in a concern for the conservation of biological diversity. This has given rise to a new definition of ‘environment’ in the Protection of the Environment Administration Act (see page 4), and the enactment of legislation such as the Threatened Species Conservation Act 1995, which seeks to protect ecological communities and the critical habitat of threatened species (see chapter 11). This change in emphasis, however, can also be justified in terms of the future interests of humanity. For example, restrictions on certain developments can be justified because of the need to preserve plants whose pharmacological properties have not yet been identified. And there are ecological processes, many of them still poorly understood, that provide ecosystem services such as water purification and soil fertilisation. Humans ultimately depend on, and benefit from, these processes.”

The decline of anthropocentrism and the rise of modern environmentalism is creating a future where basic human rights, including the right to private property, will be challenged on environmental grounds. Not only the rights of plants and ecosystems, but also the rights of future generations will be utilised to justify removal of the human rights of the present generation. We can therefore look forward to a future where fundamental human rights will be considered secondary to the rights of the “environment” and persons who do not exist. According to [Justice McClellan](#):
“It cannot be assumed that environmental law and the role of the Land and Environment Court will be free of controversy in the future. Some of the issues which the Court must deal with raise questions of fundamental human rights. All of them affect the lives of some or a group of people in our community. Many will involve very substantial money profits or losses to individuals or corporations. The court must contribute to the task of balancing the immediate needs of the present generation with the trust we hold for those who will come after us.”

Increasingly, the rights of private land owners are being eroded under the guise of environmental concerns, the UN biodiversity programme and Agenda 21, and the principles of distributive justice and intergenerational justice. According to Gerry Bates at the [Conference on Rural Land Use Change](#):

“Government has progressively moved to wrest management of natural resources away from private control and unlimited public access. It is common now for water, fish and biodiversity to be vested in and controlled by the Crown*. Legislation then creates government authorities charged with the task of managing these resources, and implementing and enforcing the statutory scheme. Environmental restrictions imposed by legislation, of course, cut across common law rights; but centuries of legal and cultural tradition that support the pre-eminence of the rights of private landowners cannot be easily overcome; and such rights still have a considerable influence on the development of environmental policy and therefore of environmental law. The governmental approach to environmental management and protection has had to be applied in the context of a

social system, supported by the common law, that hitherto placed few restrictions on the exploitation of natural resources by private landowners."

*Emphasis added

Agenda 21, which all levels of government continue to enthusiastically embrace, is an undemocratic biocentric/ecocentric United Nations designed and monitored program ([58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#)), which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#)).

It is absolutely astonishing and completely unacceptable that foreign designed and monitored biocentric/ecocentric programs such as Agenda 21 have been actively and pervasively embedded into NSW planning and legislation while residents have NEVER been given a democratic choice.

APPENDIX D

Response to Correspondence from the [Victorian Minister for Local Government - Jeanette Powell](#)

(Please note: My response to the Minister also included the following 3 back up documents not included here: ***The Australian Government Agenda for the 21st Century – The Invasion of Australia by the United Nations; Local Environmental Plans & the Covert UN Agenda 21 Takeover: Councils, Property Rights & Democracy, What you Should Know***)

Vivien Leizer | Reception
Office of the Hon Jeanette Powell MP
Minister for Local Government | Aboriginal Affairs
17/8 Nicholson Street, East Melbourne VIC 3002
Phone (03) 9637 8938 | Fax (03) 9637 8920
Email vivien.e.leizer@dse.vic.gov.au

Ref	CMIN043092
File	10/004440

Dear Vivien,

Thank you for your forwarding the response on behalf of the Minister.

I refer the following extremely serious matters to the Minister's urgent attention.

I refer to the following part of the Minister's response.

Please note that the Victorian Government has not adopted the Agenda 21 policy platform as part of its policies, but continues to undertake actions in accordance with sound environmental policies for the benefit of Victorians.

In spite of this claim, according to the voluminous evidence below and enclosed, your government has clearly been implementing, and permitting to be implemented, the Agenda 21 program for near 20 years, yet you have never declared it as policy. Why? Are you saying you have now banned Agenda 21 from Victoria and you now utilise a local sustainability program with no UN connections? Will you be officially declaring it as policy at the next election or do you prefer to continue implementing it without declaring it as policy? Why? Please refer me to relevant documentation. And do you now reject the Commonwealth Governments Local Agenda 21 guide? And have you now

prevented Victorian Councils from importing foreign UN sustainability programs such as Agenda 21? Could you please supply documentation? Will you be taking legal action against the Municipal Association and Victorian councils (below) for implementing Agenda 21 when you have not approved it? Or will you be deregistering them?

Let's cut to the chase here. Unless you can supply current documentation proving you have outlawed or banned UN Agenda 21 and other imported sustainability programs from Victoria, then to suggest your government is not part of the implementation of this program is at best extremely misleading, and at worst, a deliberate untruth designed to deliberately deceive the public. Which is it? Why is it apparently so important to you NOT to openly declare this program as policy? Or will you immediately ban it and all such imported programs?

Regards

Graham Williamson

<http://www.regional.org.au/au/soc/2002/4/lyon.htm>

The Municipal Association of Victoria (MAV) has established a statewide partnership of councils involved in ecological sustainable development (ESD) /Triple Bottom Line/Local Agenda 21(LA21) initiatives. A successful first meeting of 17 member councils from around the State was held on 15th August 2001 to establish the MAV Victorian Local Sustainability Partnership.....In Victoria over the past ten years, about 15–20 local governments have embarked on local processes to engage with their communities and develop a strategic plan to address sustainability. Much of the work of leading councils in this area has developed on the back of the Local Conservation Strategy (LCS) program of the Cain and Kirner Labour governments of the early 90s. During the 6 years of the Kennett government there was no explicit support or acknowledgment of Local Agenda 21 or environment planning initiatives at the local government level. Despite this lack of State support, leading Victorian local governments have developed innovative approaches to sustainability.

However, more recently at a State level there has been an explicit focus on 'sustainability' with a number of approaches. The Brack's Labour government elected almost three years ago had an election platform to create a 'Commissioner for ESD' and the government has undertaken extensive consultation on the proposed Commissioner. A final government response to these consultations is still being developed. Additionally the Brack's government has highlighted the importance of triple bottom line (TBL) approaches and sustainability in the 'Growing Victoria Together'² policy statement. The still to be released Metro Strategy is to be a major statement by Government on the future of Melbourne, particularly focusing on the growth corridors of outer Melbourne, the urban–rural interface issues and the issues of integrated planning and transport across greater Melbourne. While these major initiatives have still to be launched, many of the programs now being developed by different Victorian government agencies to address sustainability still do not explicitly acknowledge and provide support of local government approaches to ESD such as Local Agenda 21. In fact, a number of recent initiatives could be argued to duplicate or cut across municipal approaches, and in a sense 're-invent' much of the successful local sustainability work already underway through local government.

The Liveable Neighbourhood approach attempts to develop a community driven local approach to environmental management, providing a planning tool that is more responsive to community and to arguments for greater local autonomy and control of planning and environment issues.³

Like Local Agenda 21, the NEIP model seeks to tackle sustainability at the local level by creating a form of local community involvement. However, as with the Victorian residential planning system where a Minister or VCAT (administrative tribunal) can override a local planning decision, the EPA is the final approver and arbiter of NEIPs. While the work in developing an NEIP is undertaken by a local council (or other 'protection agency') and through a community process, the plan is still at the end of the day sanctioned or 'approved' by the State through the EPA.

http://www98.griffith.edu.au/dspace/bitstream/handle/10072/40787/73366_1.pdf?sequence=1

Examples of governments' reluctance to devolve power and control can be found in attempts to implement the Agenda 21 at the local level. For instance, as part of the sustainability discourse, local governments were ascribed the role of promoting better public dialogue to deal with complex environmental issues (Khakee, 2001). At the centre of that rhetoric was the establishment of the Agenda 21 at the local level (Bulkeley, 2000). Khakee (2001) states that the public dialogue advocated with Agenda 21 was a community-wide learning process which could assist in the definition of objectives as well as install institutional capital that would enable the achievement of sustainability. However, a study about the implementation of the Agenda 21 in the Victorian context (Mercer & Jotkowits, 2000) suggests that the fact that local governments' role changed from being one which governs to a more administrative entity did not result in the devolution of power and control; instead, it contributed to impede the implementation of programmes with a more structural changing character such as the one proposed by the Agenda 21. Governments, particularly at the local scale, appear to prefer to embrace less contentious initiatives such as the ICLEI's Cities for Climate Protection Campaign (CCPC) (Bulkeley, 2000). While this campaign has established as one of its objectives the strengthening of local communities, its key outcomes are heavily associated with tangible results. These include targets and timetables and related economic benefits rather than more comprehensive measures which would demand better public engagement (Lindseth, 2004). Thus when faced with the challenge of implementing major structural changes and policies similar to the ones advocated by the Agenda 21, local authorities tend to buy time by implementing easier policies (Whittaker, 1997). Additionally, they also tend to do business-as-usual and repack existing programmes under new banners as observed in the case of adoption of the CCPC by American cities (Betsill, 2000).

<https://www.geelongaustralia.com.au/common/public/documents/8cbc79e88419896-EnvironmentManagementStrategy2006-2011.pdf>

Council recognised the importance of sound environmental management in the late 1990's when it adopted its first Environmental Management Strategy- Local Agenda 21 in February 1999.....

In 1992 a meeting of the World Commission on Environment and Development met in Rio de Janeiro at the Earth Summit. A strategy called Agenda 21 was adopted by over 100 countries to encourage more sustainable development. A Local Agenda 21 is a strategy prepared by government and all sections of the community to establish a vision and to integrate programs for change. The City's new Environment Management Strategy is Council's Local Agenda 21 and represents a commitment to addressing global issues at the local level.

http://www.nre.vic.gov.au/melbourne2030online/content/policies_initiatives/07h_policy78.html

Melbourne 2030 - Local sustainability initiatives in Victoria

Local Agenda 21

This is based on the 1992 United Nations Conference on Environment and Development in Rio de Janeiro, which aimed to establish a global agenda for social, economic and environmental sustainability. Australia joined with 177 other member nations to adopt Agenda 21 and the Rio Declaration on Environment and Development, and subsequently local authorities were encouraged to prepare a 'Local Agenda 21' with their communities. Since then, some 100 local governments throughout Australia have made a commitment to Local Agenda 21 or ecologically sustainable development through municipal plans and strategies. By 2001, at least 20 local councils in Victoria were working towards implementing Local Agenda 21 action plans to help their communities become involved in sustainable development.

http://www.gswreportcard.org/_opes/publications/IntegratingRegionalSustainabilityProgram.pdf

Local governments across Australia have recognised an integrative role in community sustainability and thus traditionally address local sustainability through the Local Agenda 21 model. Local Agenda 21 encourages all local authorities to enter into dialogue with their communities on developing an action plan for sustainability that seeks to integrate social, ecological and economic sustainability. This approach was reendorsed in 2002 by local government representatives at the Johannesburg World Summit. The next step for those attempting to implement such action plans is to be able to demonstrate that such plans and strategies are making a difference.

<http://www.markbirrell.com/Vital.htm>

(Speech on the Agenda 21 infrastructure initiatives for our Capital City - outlining progress in implementing the Liberal/National policy on Melbourne first announced by Mark Birrell on 16th August, 1991)

In this address I wish to outline the aims and objectives of the Coalition Government's agenda for our capital city. It is important for me first of all to put on record my thanks to the Institute for the work that it has done to assist us in progressing elements of the "Agenda 21" program.

<http://www.la.org.au/opinion/011010/back-dark-ages-melbourne%E2%80%99s-streets>

Has anyone noticed that the streets around Melbourne aren't as bright as they used to be?.....

That's because various local councils have been [rolling out](#) "energy-efficient" street lights, which cost the tax-payer a fortune, while making our streets significantly darker and hence less safe.....It's all being done under a United Nations treaty, [signed and ratified](#) by Australia in the early 1990s, known as [Agenda 21](#), which is a manifesto for sending humanity back to the pre-industrial era, a time when you had to wash your clothes in the local river and the average [life expectancy was little more than 30](#). The Municipal Association of Victoria states on its website:

"Local government has a key role to play in [promoting environmental sustainability](#) and taking action that sees the concept incorporated into everyday life. Steps toward this are part of the Local Agenda

21 model and the MAV is helping to push the sustainability agenda further through various council networks, showcase forums and other initiatives.”

<http://www.ccmaknowledgebase.vic.gov.au/resources/COGG.pdf>

A Local Agenda 21 is an environment strategy prepared by government and all sections of the community to establish a vision and to integrate programs for change. This EMS is therefore Council's Local Agenda 21 and represents a commitment to addressing global issues at the local level....

The importance of ESD was highlighted in 1992 at the Earth Summit in Rio de Janeiro, where agreements aimed at providing a broad framework for global sustainable development such as Agenda 21, to which Australia is a signatory, were signed.

The emphasis of Agenda 21 is the achievement of the objectives of ESD at the global scale through action at the local level, which is encapsulated in the statement 'think globally, act locally'. A copy of Chapter 28 from the Agenda 21 Charter is attached as Appendix One.

In the Australian context, the concept of sustainable development has been incorporated into National policy documents, such as the 1992 Intergovernmental Agreement on the Environment and the 1995 Commonwealth-Local Government

Accord on the Environment. The Australian Local Government Association (ALGA) is a party to these, which place

responsibilities on all local Councils to prepare strategies and policies that will foster sound environmental management and

sustainable development. ALGA is also a signatory to 'The Newcastle Declaration', which was endorsed at the International

Conference - Pathways to Sustainability in June 1997. A copy of this is attached as Appendix Two...

This EMS is the City of Greater Geelong's response to acting locally and will be Geelong's Local Agenda 21 Action Plan. It is

an action-oriented document outlining a range of actions that can be undertaken within the municipality to achieve ecologically sustainable development.

Background – the undemocratic invasion of Australia by the United Nations Agenda 21

Graham Williamson

Agenda 21 is an undemocratic United Nations designed and monitored program ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#)) which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#)). It is absolutely disgraceful that such anti-democratic sovereignty undermining foreign designed and monitored programs such as Agenda 21 have been implemented by all three levels of government throughout Australia for 20 years. Further, during this 20 year implementation, both major political parties have consistently decided it best to exclude Agenda 21 from their official policies to prevent voters from having a democratic choice.

The Australian government has paved the way for the undemocratic infiltration of Agenda 21 in Australia by the support of the United Nations Earth Summit by the Howard government followed by ratification by the Keating government and implementation by successive governments ([5](#), [20](#), [21](#),

[22](#), [23](#), [24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [32](#), [33](#), [34](#), [35](#), [36](#), [37](#), [38](#), [51](#)). No doubt because of the undemocratic regressive nature of Agenda 21, various experts and government officials often prefer to mislead the public by avoiding the term “Agenda 21” and using instead terms such as ([40](#), [41](#), [42](#), [43](#), [44](#), [45](#)) “sustainability”, “smart growth”, “growth management” or “local environmental plans”. Deliberate deception of the public it seems, is fundamental to the success of the program ([45](#)):

“Agenda 21 is being implemented in the U.S. under various names to deceive the unsuspecting public as to the source and real purpose of the program. However identifying the programs is relatively easy. All you have to do is look for the keywords.....Everything associated with this program is deceptive. The language they use, the names they give the projects, the means by which they lure local governments into the trap and then slam the door - absolutely everything is deceptive from beginning to end.”

And the deceit about the full implications and origin of AG21 is endemic throughout Australia ([46](#)):

“Throughout Australia it seems that there has been widespread uncertainty about the meaning, scope and value of the term 'Local Agenda 21'.....Some councils have chosen, for a variety of reasons, not to call their initiatives 'LA21' “.....”However, this is not to say that LA21 is not happening within Australia. On the contrary there is Local Agenda 21 activity in every state and territory and many councils are working on projects that have at their core the processes of LA21, although they may not necessarily be using that terminology.”

Since many aspects of AG21 need to be enforced at the local level, the federal government was compelled to enlist the co-operation of state and local governments in order to satisfy the implementation requirements of the United Nations. As a result, all Australian states, including NSW ([47](#), [48](#), [49](#), [50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#), [58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#), [65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#), [78](#), [79](#), [80](#), [81](#), [82](#), [83](#), [84](#), [85](#), [86](#), [87](#), [88](#), [89](#), [90](#), [91](#), [92](#), [93](#), [94](#), [95](#), [96](#), [97](#), [98](#), [99](#), [100](#), [100](#), [101](#), [102](#), [103](#)), Queensland ([104](#), [105](#), [106](#), [107](#), [108](#), [109](#), [110](#), [111](#), [112](#), [113](#), [114](#)) Victoria ([115](#), [116](#), [117](#), [118](#), [119](#), [120](#), [121](#), [123](#), [124](#), [125](#), [126](#)), SA ([127](#), [128](#), [129](#), [130](#), [140](#), [141](#), [142](#), [143](#), [144](#)), and WA ([145](#), [146](#), [147](#), [148](#), [149](#), [150](#), [151](#)), proceeded to implement Agenda by changes to state legislation and by enforcing local changes at the local council level. In fact, so important were local councils in the global plans of the UN that the UN specifically incorporated a section promoting so called ‘Local Agenda 21’ or ‘LA 21’ into [Chapter 28](#) of the [Agenda 21 document](#).

Local Agenda 21 has been adopted by Councils around Australia under the guidance of their respective state governments ([46](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#), [65](#), [69](#), [70](#), [71](#), [73](#), [74](#), [75](#), [76](#), [81](#), [82](#), [83](#), [84](#), [85](#), [104](#), [110](#), [111](#), [112](#), [123](#), [124](#), [125](#), [126](#), [127](#), [128](#), [129](#), [130](#), [140](#), [141](#), [142](#), [143](#), [144](#), [152](#), [153](#), [154](#), [155](#), [156](#), [157](#), [158](#), [159](#)). To further disguise the true goals of Agenda 21 the name has been changed to **Sustainable Development 21 or SD21** ([160](#), [161](#), [162](#), [163](#)), while some local authorities have changed the name of Local Agenda 21 to ‘**Local Climate Strategy**’ ([160](#)). The United Nations **Sustainable Cities** program is yet another spin off of Agenda 21 and the UN Habitat agenda ([173](#), [174](#), [175](#), [176](#), [177](#)).

The United Nations has found from 20 years experience that implementation of their global agenda by local authorities has been their most effective strategy ([160](#), [161](#), [162](#)), especially given the impediments of national sovereignty. Not surprisingly, according to the [United Nations Sustainable Development in the 21st Century Summary for Policymakers](#), the future of their global agenda depends largely upon giving more power and recognition to local councils ([161](#)):

“Empowering lower levels with means to act on their own

Progress towards more sustainable outcomes does not need to wait for a hypothetical consensus on what the future of the world should be, or how global affairs should be managed. Actions at lower levels can and should be taken as soon as possible.....

Empower lower levels of governments to act as agents of change on their own and try new approaches to sustainability....

Local governments also have a critical role to play as agents of change, as their closeness to their constituents enable them to embark on bold experiments of different paths to sustainability.....

Providing appropriate mandates and resources to all levels of governments Ultimately, the success or failure of sustainable development will largely depend on decisions and actions that are taken at the local level. This was well recognized by Agenda 21."

But the UN went further in their [Review of Implementation of Agenda 21 and the Rio Principles \(Draft – Jan 2012\)](#), even suggesting that local governments should be empowered by state and federal governments to communicate directly with the United Nations ([160](#)):

"All governance levels from local through global need to be vertically interconnected for bottom-up energy to meet top-down support. In order to bridge the gaps between different levels of governance well as between agenda and action, local governments need to be given a more prominent role in global UN processes. The intergovernmental level should recognize that local authorities have similar legitimacy compared to national governments, and with many local authorities governing bigger populations than the 150 smallest UN member states, it would be reasonable if they could get voting rights in the UN. New institutional arrangements for sustainability should be based on a multi-level concept of governance and include elected representatives from local, sub-national, national, regional and ultimately global levels. In the other direction, it is imperative that decentralization policies are accompanied with all the needed political, legal and financial support that local authorities need for implementing their localized strategies for sustainability."

Since the United Nations have issued their directives for governments around the world, it is hardly surprising that the current Labor government plans to conduct a referendum at the next election to constitutionally recognise and give more rights to local councils ([163](#), [164](#), [165](#), [166](#), [167](#), [168](#)). The commitment to hold a referendum was part of an agreement signed by the Greens Party and the ALP in order to form government ([166](#), [168](#), [169](#)). Astonishingly, even though ecologically sustainable development in Australia is enforced by state law ([86](#), [87](#), [88](#), [89](#), [90](#), [91](#), [92](#), [93](#), [94](#), [95](#), [96](#), [170](#), [171](#), [172](#)), the public have yet to be made aware of either its UN Agenda 21 origins or the totality of its global goals.

In further support of the global implementation of LA21 is [ICLEI , the International Council for Local Environmental Initiatives](#), the name now being changed to [Local Governments for Sustainability](#). In fact, [Section 7.21 of Agenda 21](#), specifically recommends involvement with ICLEI. According to Maurice Strong in the [Local Agenda 21 Planning Guide \(173\)](#), *"The task of mobilizing and technically supporting Local Agenda 21 planning in these communities has been led by the International Council for Local Environmental Initiatives (ICLEI) and national associations of local government."* And further, [according to ICLEI](#), the UN requested that ICLEI present a draft of Chapter 28 of Agenda 21 including a mandate for all local authorities to prepare a 'local Agenda 21'." In fact, [ICLEI stated](#) they had two fundamental programs, the ***"Cities for Climate Protection Campaign and the Local Agenda 21 Initiative."*** According to ICLEI ([174](#)):

"In 1991, at the invitation of Secretariat for the UN Conference on Environment and Development, ICLEI presented a draft of Chapter 28 of Agenda 21 including the mandate for all local authorities to prepare a "local Agenda 21." The final version of Chapter 28 approved at the Earth Summit stipulates that "by 1996 , most local authorities in each country should have undertaken a consultative process

with their population and achieved a consensus on a local Agenda 21 for the(ir) communities." Following the adoption of the LA21 at the Earth Summit, ICLEI began organizing to ensure that this mandate would be used to advance sustainable development. In particular, ICLEI was concerned that LA21 processes be truly participatory and that they result in new commitments by municipalities and their communities to improve and extend urban services in a sustainable way. To address these concerns, ICLEI established a Local Agenda 21 Initiative with three elements.

*The **Local Agenda 21 Model Communities Programme** was a research and development project which supported a select group of municipalities to design, test, and evaluate planning frameworks for sustainable development. These local frameworks were guided by a general ICLEI framework called "Strategic Services Planning" which addresses many of the organizational and institutional problems related to governance and public sector service delivery in the sustainable development context.*

*With the creation of its Local Agenda 21 Campaign, ICLEI has positioned itself in the growing LA 21 "movement"-which presently counts more than 2,000 communities involved-as a developer and promoter of standards for LA 21 planning. The LA 21 Model Communities Programme established the guiding principles for LA 21 planning and tested a variety of participatory planning tools. The experiences of the MCP participants resulted in the publication, in English, Spanish, and now Turkish, of the **ICLEI Local Agenda 21 Planning Guide: An Introduction to Sustainable Development Planning**(1996). This guide is being increasingly used in university and local government institute training courses around the world.*

*ICLEI also developed with participating municipalities, the **Local Agenda 21 Declaration**. This declaration consists of a set of milestones and principles which are formally adopted by local councils as their standard for LA 21 planning. In 1998, ICLEI directly assisted more than 180 municipalities in the establishment of LA 21 planning and projects that are consistent with the declaration's standards.*

According to the United Nations, Agenda 21 requires that local authorities, as part of their new global role, also enter into partnerships with [\(175\)](#) "relevant organs and organizations such as UNDP, the United Nations Centre for Human Settlements (Habitat) and UNEP, the World Bank, regional banks, the International Union of Local Authorities, the World Association of the Major Metropolises, Summit of Great Cities of the World, the United Towns Organization." This has given rise to bottom up movements where local government and local councils are given progressively more power as compared to national governments.

The implementation of Agenda 21 is of course, monitored by the UN, participating countries being required to report back to the UN on a regular basis ([176](#), [177](#), [178](#), [179](#)). The UN describes the monitoring and reporting provisions for Agenda 21 in [chapter 38.11](#). The Commonwealth of course, provides these reports to the UN from implementation progress at state and local government levels. In fact, the United Nations [Commission on Sustainable Development](#) was established to oversee the implementation of Agenda 21 around the world ([176](#), [177](#), [179](#)). According to the Commonwealth Government in this regard ([179](#)):

"The Commission on Sustainable Development (CSD) was established by the United Nations General Assembly (UNGA) with a mandate to review implementation of the outcomes of the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro in 1992, in particular progress in the implementation of the program of action known as Agenda 21. The CSD held its first substantive session in June 1993 and has met annually since. The 10-year review of the implementation of Agenda 21 culminated in the World Summit on Sustainable Development (WSSD) which was held in Johannesburg, South Africa (September, 2002). While the CSD successfully built a profile and improved understanding of sustainable development during its first 10 years, it was recognised at the WSSD that some reforms were required to ensure the continued relevance of its

work. The WSSD Plan of Implementation (POI) called for reform of the CSD within its existing mandate (as adopted un UNGA resolution 47/191). In particular, the POI recommended :

- Limiting negotiating sessions to every two years;
- Re-considering the scheduling and duration of intersessional meetings; and
- Limiting the number of themes addressed in each session.

An enhanced role for the CSD in monitoring and reporting on progress in the implementation of Agenda 21 and in facilitation of partnerships was also recommended.”

Strangely, membership of the CSD which oversees Australia's compliance with the requirements of Agenda 21, includes various extremist and despotic regimes who deny basic human rights to their own citizens. So at a time when ([180](#)) **“many of the world's worst violators of human rights and democratic standards have joined in loose coalitions at the United Nations to deflect attention from their records of repression”**, the United Nations and the Australian government want such countries to judge Australia's sustainability progress.

But as if all this isn't bad enough, representatives of Iran, Cuba, North Korea, and Libya in the United Nations Human Rights Council, recently criticised human rights violations in the USA ([181,182](#)):

“Recommendations to improve the U.S. human rights record included Cuba's advice to end “violations against migrants and mentally ill persons” and “ensure the right to food and health.”

Iran – currently poised to stone an Iranian woman for adultery – told the U.S. “effectively to combat violence against women.”

North Korea – which systematically starves a captive population – told the U.S. “to address inequalities in housing, employment and education” and “prohibit brutality...by law enforcement officials.”

Libya complained about U.S. “racism, racial discrimination and intolerance.”

Interestingly, *“North Korea is not only on the Human Rights Council. It was appointed to the UN Commission on Sustainable Development (UN CSD) even though many of its people routinely suffer from starvation because of the regime's totalitarian nature”*([181, 183](#)).

APPENDIX E

**Mr Barry O'Farrell, MP
Level 40 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000**

Dear Sir,

As you can see below, the NSW Attorney General was unwilling to answer simple questions regarding the use of the ecocentric principles of the Agenda 21 program to rewrite and reshape the NSW legal system (as backed up by voluminous evidence of implementation across numerous government departments). I asked the Attorney the following specific questions.

Please explain why you consider that overseeing the direction of the legal system of NSW is not your responsibility and please name the person who is responsible?

Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent the principles of this imported undemocratic sustainability program are frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [43](#), [44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)).

I then asked:

How is this possible? How can any democratic NSW government permit an undemocratic foreign agency such as the UN to attack the human rights, particularly property rights, of NSW residents by legislating to enforce the dictates of the UN?

For some reason you chose to ignore this legal question and refer it to other Ministers such as the Minister for Planning and Minister for the Environment? Why? Do you feel they are better qualified to answer legal questions about human rights, property rights, and NSW sovereignty?

But the Attorney General refused to answer, seeking to avoid the subject of implementation of AG21 by NSW and even go so far as to pretend it is only a Commonwealth matter. I quote:

“If you have concerns about Australia’s adoption of Agenda 21 you should contact the Federal Government.”

Clearly this is ridiculous. We have a situation in NSW where numerous judges and legal experts acknowledge that the NSW legal system is being restructured to support the ecocentric principles of the United Nations Agenda 21 program and yet we have an Attorney General who accepts no responsibility and seems to profess complete ignorance. Could he possibly be so ignorant, or is he being deliberately misleading or deceptive. Either way, he should be instantly dismissed.

Will you be sacking him?

Could you please state what action you will be taking and the government’s policy in regard to implementation of the foreign UN Agenda 21 program? Will you be banning it? Or do you intend to continue to implement it throughout the various state departments which have embedded it into policy? And could you please advise who is responsible for overseeing the direction of the NSW legal system and administration of justice in NSW as the Attorney General continually seeks to distance himself from any such responsibility.

Regards

Graham Williamson

From: Public Smith's Office Email [mailto:Office@smith.minister.nsw.gov.au]
Sent: Friday, 30 November 2012 10:33 AM
To: grahamhw@iprimus.com.au
Subject: FW: TRIM: FW: Ecocentrism - who is responsible for overseeing NSW laws

Dear Mr Williamson

If you have concerns about Australia's adoption of Agenda 21 you should contact the Federal Government.

If you have concerns about the adoption of a particular policy associated with Agenda 21 then you should contact the Minister, Council etc responsible for that decision.

Elections are regularly held at a local, state and federal level. This affords you the opportunity to vote for the candidate that you believe best reflects your policy preferences.

I have referred your matter to a number of Ministers and should you send further correspondence this will be placed on file without response.

Kind regards

Office of the Attorney General and Minister for Justice.

Mr Barry O'Farrell
Premier
Level 31 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Mr O'Farrell,

The NSW government has integrated Agenda 21 and Agenda 21 related programs into its environmental/sustainability policies, its planning policies, its local government policies, and its education policies ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#)). Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent it is frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [43](#), [44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)).

Traditionally NSW laws have been based upon "anthropocentrism" ([32](#)), the belief that humankind had dominion over the environment and the plants and animals of which it is comprised. In recent years however, this has been reversed so that our legal system is now increasingly based upon a Gaia driven ([39](#), [40](#)) UN Agenda 21 world view where

anthropocentrism is overturned and is replaced by a new order where the environment, and animals, reign supreme and man's place in the world is secondary ([33](#), [34](#), [35](#), [36](#), [37](#), [38](#)). This philosophy now forms the basis of new environmental laws and the flourishing NSW environmental legal system ([25](#), [26](#)). As has been noted by Pain ([25](#), [26](#)):

“environmental legislation has moved away from being ‘anthropocentric-and-development orientated’ towards legislation that is ‘more environment-centred’.”

This new environment centred philosophy or environmental ethics ([41](#), [42](#)) as opposed to a human centred or anthropocentric philosophy, has led to an explosion in both the complexity and number of new environmental laws ([25](#)) and these laws are increasingly being undemocratically used by State and local government to override and erode property rights of NSW landholders ([50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#)).

Agenda 21 however is an undemocratic United Nations designed and monitored program ([58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#)), which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#)).

It is absolutely astonishing and completely unacceptable that foreign designed and monitored programs such as Agenda 21 have been actively and pervasively embedded into NSW planning and legislation while residents have NEVER been given a democratic choice. What will you do about this?

Recently, because of the undemocratic nature of Agenda 21 and the serious threat it poses to human rights, particularly property rights, the following law was passed by the legislature in Alabama banning Agenda 21 ([78](#)):

Senate Bill 477

“Section 1. (b) The State of Alabama and all political subdivisions may not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to ‘Agenda 21’, adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the State of Alabama.

(c) Since the United Nations has accredited and enlisted numerous non-governmental and inter-governmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world, the State of Alabama and all political subdivisions may not enter into any agreement, expend any sum of money, or receive funds contracting services, or giving financial aid to or from those non-governmental and inter-governmental organizations as defined in Agenda 21.”

Are you prepared to represent the interests of NSW residents by giving them this same protection, as enacted in Alabama, from foreign attempts to infringe upon the property rights of local landholders? If not, why not?

In view of the above facts I seek answers to the following questions.

1. Has the NSW government warned residents of the undemocratic nature of Agenda 21 plans, their UN origin, and their full agenda and final goals? If so please supply documentary evidence (notices, media releases etc).
2. Does the NSW government have a clear policy to ban all such UN derived Agenda 21 related policies to protect local residents? Please supply documentary evidence, including the time frame for implementation.
3. Has the NSW government offered local residents the choice between a locally designed, monitored and implemented environmental/sustainability plan as an alternative to plans designed and monitored by a foreign agency (the UN)?

I look forward to receiving clarification of these vitally important matters.

Regards

Graham Williamson

APPENDIX F

Correspondence with [NSW Minister for the Environment Robyn Parker.](#)

**Ms Robyn Parker, MP
Minister for the Environment
Level 32 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000**

Re response from Ms Danielle Lautrec MD12/3442; MD12/4303

Dear Ms Parker,

Thank you for your response, courtesy of Ms Lautrec. As you know, my correspondence (included below) was about various aspects of Agenda 21, none of which Ms Lautrec was able to respond to. To quote Ms Lautrec:

I appreciate that you have written about Agenda 21 however the decision for Australia to commit to the principals of Agenda 21 was a decision made by the Federal Government. With respect to NSW Government policies, our focus on increasing opportunities for people to look after their environments and involving the communities in decision making on Government policy, services and projects is clearly outlined in *NSW 2021*, with associated priority actions. *NSW 2021* is available at www.2021.nsw.gov.au.

The claim that “*the decision for Australia to commit to the principals of Agenda 21 was a decision made by the Federal Government*” is of course, completely false if you are attempting to deny the NSW state government, and Local Governments, are implementing this program. This statement is at best, extremely and deceptively misleading, and at worst, it is deliberate deception and denial of the facts. Do you condone this dishonesty? Are you denying that both the NSW Government, and Local Councils, are implementing this program

and have been doing so for nearly two decades? As you of course realise, the Federal Government is reliant upon State and Local Governments to implement the many [local requirements of Agenda 21](#). Knowing this, why would you feel the need to pretend it was just a “*decision made by the Federal Government*” and imply it has nothing to do with state and local governments?

Let me remind you of some of the issues you failed to address from my earlier correspondence (below).

First let me stress that my enquiry is about the 500 page foreign [United Nations designed and monitored Agenda 21 program](#).

As I stated previously:

The NSW government has integrated Agenda 21 and Agenda 21 related programs into its environmental/sustainability policies, its planning policies, its local government policies, and its education policies ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#)). Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent it is frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#),[43](#),[44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)).

Do you approve of this adoption of this foreign program and its use to penalise NSW residents? Will you be including this program in official Liberal Party Policy or do you prefer to continue to implement it while excluding it from policy?

I continued in my earlier communication:

*Agenda 21 however is an undemocratic United Nations designed and monitored program ([58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#)), which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#)). **It is absolutely astonishing and completely unacceptable that foreign designed and monitored programs such as Agenda 21 have been actively and pervasively embedded into NSW planning and legislation while residents have NEVER been given a democratic choice. What will you do about this?***

Even though these matters are of vital importance to residents of NSW you expressed no concern whatsoever and failed to advise what action you would take to protect the sovereignty of NSW and the rights of NSW land owners. Why?

I continued:

Recently, because of the undemocratic nature of Agenda 21 and the serious threat it poses to human rights, particularly property rights, the following law was passed by the legislature in Alabama banning Agenda 21 ([78](#)):

Senate Bill 477

“Section 1. (b) The State of Alabama and all political subdivisions may not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to ‘Agenda 21’, adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the State of Alabama.

(c) Since the United Nations has accredited and enlisted numerous non-governmental and inter-governmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world, the State of Alabama and all political subdivisions may not enter into any agreement, expend any sum of money, or receive funds contracting services, or giving financial aid to or from those non-governmental and inter-governmental organizations as defined in Agenda 21.”

I then asked:

Are you prepared to represent the interests of NSW residents by giving them this same protection, as enacted in Alabama, from foreign attempts to infringe upon the property rights of local landholders? If not, why not?

But you once again chose to completely ignore this question, apparently preferring NOT to offer NSW land owners any such protections. Is this correct? When will you take decisive action to protect the rights of NSW residents?

I continued:

In view of the above facts I seek answers to the following questions.

- 4. Has the NSW government warned residents of the undemocratic nature of Agenda 21 plans, their UN origin, and their full agenda and final goals? If so please supply documentary evidence (notices, media releases etc).*

You were unable to supply even one NSW Government notice alerting residents to these facts. Why?

- 5. Does the NSW government have a clear policy to ban all such UN derived Agenda 21 related policies to protect local residents? Please supply documentary evidence, including the time frame for implementation.*

Once again you were unable to supply any such documentation. Why?

- 6. Has the NSW government offered local residents the choice between a locally designed, monitored and implemented environmental/sustainability plan as an alternative to plans designed and monitored by a foreign agency (the UN)?*

You were completely unable to confirm that you had offered residents any such local program at all, your only option being to force upon NSW residents a foreign (UN) designed and monitored program. Why?

As is perfectly clear, the above issues are of vital importance, yet your preferred response was to ignore all of them.

When can I expect a meaningful response?

Regards

Graham Williamson

**Ms Robyn Parker, MP
Minister for the Environment
Level 32 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000**

Dear Ms Parker,

The NSW government has integrated Agenda 21 and Agenda 21 related programs into its environmental/sustainability policies, its planning policies, its local government policies, and its education policies ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#)). Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent it is frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [43](#), [44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)).

Traditionally NSW laws have been based upon “anthropocentrism” ([32](#)), the belief that humankind had dominion over the environment and the plants and animals of which it is comprised. In recent years however, this has been reversed so that our legal system is now increasingly based upon a Gaia driven ([39](#), [40](#)) UN Agenda 21 world view where anthropocentrism is overturned and is replaced by a new order where the environment, and animals, reign supreme and man’s place in the world is secondary ([33](#), [34](#), [35](#), [36](#), [37](#), [38](#)). This philosophy now forms the basis of new environmental laws and the flourishing NSW environmental legal system ([25](#), [26](#)). As has been noted by Pain ([25](#), [26](#)):

“environmental legislation has moved away from being ‘anthropocentric-and-development orientated’ towards legislation that is ‘more environment-centred’.”

This new environment centred philosophy or environmental ethics ([41](#), [42](#)) as opposed to a human centred or anthropocentric philosophy, has led to an explosion in both the complexity and number of new environmental laws ([25](#)) and these laws are increasingly being undemocratically used by State and local government to override and erode property rights of NSW landholders ([50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#)).

Agenda 21 however is an undemocratic United Nations designed and monitored program ([58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#)), which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#)).

It is absolutely astonishing and completely unacceptable that foreign designed and monitored programs such as Agenda 21 have been actively and pervasively embedded

into NSW planning and legislation while residents have NEVER been given a democratic choice. What will you do about this?

Recently, because of the undemocratic nature of Agenda 21 and the serious threat it poses to human rights, particularly property rights, the following law was passed by the legislature in Alabama banning Agenda 21 ([78](#)):

Senate Bill 477

“Section 1. (b) The State of Alabama and all political subdivisions may not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to ‘Agenda 21’, adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the State of Alabama.

(c) Since the United Nations has accredited and enlisted numerous non-governmental and inter-governmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world, the State of Alabama and all political subdivisions may not enter into any agreement, expend any sum of money, or receive funds contracting services, or giving financial aid to or from those non-governmental and inter-governmental organizations as defined in Agenda 21.”

Are you prepared to represent the interests of NSW residents by giving them this same protection, as enacted in Alabama, from foreign attempts to infringe upon the property rights of local landholders? If not, why not?

In view of the above facts I seek answers to the following questions.

7. Has the NSW government warned residents of the undemocratic nature of Agenda 21 plans, their UN origin, and their full agenda and final goals? If so please supply documentary evidence (notices, media releases etc).
8. Does the NSW government have a clear policy to ban all such UN derived Agenda 21 related policies to protect local residents? Please supply documentary evidence, including the time frame for implementation.
9. Has the NSW government offered local residents the choice between a locally designed, monitored and implemented environmental/sustainability plan as an alternative to plans designed and monitored by a foreign agency (the UN)?

I look forward to receiving clarification of these vitally important matters.

Regards

Graham Williamson

Correspondence with [NSW Attorney General Greg Smith](#).

Dear Mr Williamson (final response from Minister – 30th Nov 2012)

If you have concerns about Australia's adoption of Agenda 21 you should contact the Federal Government.

If you have concerns about the adoption of a particular policy associated with Agenda 21 then you should contact the Minister, Council etc responsible for that decision.

Elections are regularly held at a local, state and federal level. This affords you the opportunity to vote for the candidate that you believe best reflects your policy preferences.

I have referred your matter to a number of Ministers and should you send further correspondence this will be placed on file without response.

Kind regards

Office of the Attorney General and Minister for Justice.

From: Graham [mailto:grahamhw@iprimus.com.au]
Sent: Sunday, 25 November 2012 7:20 AM
To: Public Smith's Office Email
Subject: TRIM: FW: Ecocentrism - who is responsible for overseeing NSW laws

Mr Greg Smith, MP
Attorney General and Minister for Justice
Level 31 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Sir,

I have still received no response to the vitally important issues raised in the below email. When can I expect a meaningful response? Is your continuing non-response indicative of your complete lack of concern about these issues?

Regards

Graham Williamson

From: Graham [mailto:grahamhw@iprimus.com.au]
Sent: Sunday, 23 September 2012 9:18 AM
To: office@smith..minister.nsw.gov.au; epping@parliament.nsw.gov.au
Cc: office@premier.nsw.gov.au
Subject: FW: Ecocentrism - who is responsible for overseeing NSW laws

Mr Greg Smith, MP
Attorney General and Minister for Justice
Level 31 Governor Macquarie Tower

**1 Farrer Place
SYDNEY NSW 2000**

Dear Mr Smith,

The below email remains unanswered. When can I expect an answer to the extremely important issues contained therein?

Regards

Graham Williamson

From: Graham [<mailto:grahamhw@iprimus.com.au>]

Sent: Wednesday, 15 August 2012 8:25 PM

To: office@smith..minister.nsw.gov.au; 'epping@parliament.nsw.gov.au'

Cc: office@premier.nsw.gov.au; 'kuringgai@parliament.nsw.gov.au'

Subject: Ecocentrism - who is responsible for overseeing NSW laws

**Mr Greg Smith, MP
Attorney General and Minister for Justice
Level 31 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000**

Dear Sir,

In response to my previous communication below, which you referred to other Ministers, you stated *"The matters raised do not fall under the portfolio responsibility of the NSW Attorney General and Minister for Justice."* **Please explain why you consider that overseeing the direction of the legal system of NSW is not your responsibility and please name the person who is responsible?**

Incidentally, since as a result of my earlier correspondence you have declared that the matters I referred to, including the overseeing of the direction of the NSW legal system, has nothing to do with you, I have cc'd the Premier.

Previously I stated as follows.

Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent the principles of this imported undemocratic sustainability program are frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#),[43](#),[44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)).

I then asked:

How is this possible? How can any democratic NSW government permit an undemocratic foreign agency such as the UN to attack the human rights, particularly property rights, of NSW residents by legislating to enforce the dictates of the UN?

For some reason you chose to ignore this legal question and refer it to other Ministers such as the Minister for Planning and Minister for the Environment? Why? Do you feel they are better qualified to answer legal questions about human rights, property rights, and NSW sovereignty?

Traditionally NSW laws have been based upon “anthropocentrism” (32), the belief that humankind had dominion over the environment and the plants and animals of which it is comprised. In recent years however, this has been reversed so that our legal system is now increasingly based upon a Gaia driven (39, 40) UN Agenda 21 world view where anthropocentrism is overturned and is replaced by a new order where the environment, and animals, reign supreme and man’s place in the world is secondary (33, 34, 35, 36, 37, 38). This philosophy now forms the basis of new environmental laws and the flourishing NSW environmental legal system (25, 26). As has been noted by Pain (25, 26):

“environmental legislation has moved away from being ‘anthropocentric-and-development orientated’ towards legislation that is ‘more environment-centred’.”

This new environment centred philosophy or environmental ethics (41, 42) as opposed to a human centred or anthropocentric philosophy, has led to an explosion in both the complexity and number of new environmental laws (25) and these laws are increasingly being undemocratically used by State and local government to override and erode property rights of NSW landholders (50, 51, 52, 53, 54, 55, 56, 57, 79, 80, 81, 82, 83, 84, 85).

I then asked:

Do you support the Gaia inspired UN driven reversal of our traditional anthropocentric legal system and its replacement with a ‘plants come first humans come last’ biocentric system? Have you advised the public about this?

You decided to completely ignore this legal question, preferring instead to refer it to other Ministers such as the Minister for Education. Why? Do you feel you are not qualified to answer legal questions? If you are not responsible for overseeing the direction of the NSW legal system please explain why and refer me to the person who is responsible.

I provide further documentary evidence below and ask again: **Do you support the Gaia inspired UN driven reversal of our traditional anthropocentric legal system and its replacement with a ‘plants come first humans come last’ biocentric system? Have you advised the public about this?**

Justice Preston and others confirm that the anthropocentric basis of the NSW legal system is being undermined so the system is being converted into a virtual plants come first humans come last ecocentric system. You are overseeing this process. Are you directly responsible for these changes? Do you approve of these changes? If not, what will you do to restore anthropocentrism in the NSW legal system?

REWRITING THE LEGAL SYSTEM TO ENFORCE THE RIGHTS OF PLANTS & THE ENVIRONMENT

Agenda 21 is firmly rooted in the [Gaia philosophy](#) of the [Earth Charter](#) and Agenda 21 architects such as [Maurice Strong](#). The Gaians or earth worshippers support a [biocentric world view or ecocentric world view](#) where humans become of secondary importance to the environment and ecosystem. In other words, plants come first humans come last. This biocentric or ecocentric Gaian world view is pervasively infiltrating our legal and political systems and scientific facts no longer matter. As has been noted by Henry Lamb in [The Rise of Global Green Religion](#):

“The paradigm shift from anthropocentrism to biocentrism is increasingly evident in public policy and in the documents which emanate from the United Nations and from the federal government. Public policies are being formulated in response to biocentric enlightenment, rather than in response to scientific evidence.”

According to Bosselmann and Taylor in their essay about the [Significance of the Earth Charter in International Law](#), The Earth Charter “challenges the anthropocentric idea of justice”. The Earth Charter was initiated by [Maurice Strong](#) and [Mikhail Gorbachev](#) , and was [adopted by the Australian government in 2005](#).

Anthropocentrism, the traditional basis of NSW laws ([32](#)), has now been overturned and replaced by a Gaia driven ([39](#), [40](#)) UN Agenda 21 ecocentric world view where the environment, and animals, reign supreme and man’s place in the world is secondary ([33](#), [34](#), [35](#), [36](#), [37](#), [38](#)). This philosophy now forms the basis of new environmental laws and the flourishing NSW environmental legal system ([25](#), [26](#)). As has been noted by Pain ([25](#), [26](#)):

“environmental legislation has moved away from being ‘anthropocentric-and-development orientated’ towards legislation that is ‘more environment-centred’.”

In regard to an ecocentric view of property rights, Peter Burdon notes in his thesis, [Earth jurisprudence: private property and earth community](#):

“The central argument of this thesis is that the institution of private property reflects an anthropocentric worldview and is contributing to the current environmental crisis.It advocates a paradigm shift in law from anthropocentrism to the concept of Earth community. The thesis first provides an example laws anthropocentrism by exploring the legal philosophical concept of private property.It concludes that the dominant rights-based theory of private property is anthropocentric and facilitates environmental harm. The second component of the thesis explores contemporary scientific evidence supporting the ecocentric concept of Earth community.. This concept argues that human beings are deeply connected and dependent on nature. It also describes the Earth as a community of subjects and not a collection of objects. Assuming that the social sphere is an important source for law, this thesis considers how a paradigm shift from anthropocentrism to ecocentrism can influence the development of legal concepts. To catalyse this shift, it considers the ‘new story’ proposed by cultural historian and theologian Thomas Berry. This story describes contemporary scientific insights such as interconnectedness in a narrative form Third, the thesis uses the alternative paradigm of Earth community to articulate an emerging legal philosophy called Earth Jurisprudence. It describes Earth Jurisprudence as a theory of natural law and advocates for the recognition of two kinds of law, organised in a hierarchical

relationship. At the apex is the Great Law, which represents the principle of Earth community. Beneath the Great Law is Human Law, which represents rules articulated by human authorities, which are consistent with the Great Law and enacted for the common good of the comprehensive Earth Community. In regard to the interrelationship between these two legal categories, two points are crucial. Human Law derives its legal quality from the Great Law and any law in contravention of this standard is considered a corruption of law and not morally binding on a population. Finally, the thesis constructs an alternative concept of private property based on the philosophy of Earth Jurisprudence. It describes private property as a relationship between members of the Earth community, through tangible or intangible items. To be consistent with the philosophy of Earth Jurisprudence, the concept of private property must recognise human social relationships, include nonreciprocal duties and obligations; and respond to the 'thing' which is the subject matter of a property relationship. A theory of private property that overlooks any of these considerations is defective and deserves to be labelled such."

Supporters of this world view, who believe property rights should be transferred from humans to plants and the environment, are insidiously rewriting our laws to support their bizarre world view. According to [Justice Preston, Chief Judge of the NSW Land & Environment Court](#), Earth should be run like a spaceship:

"An increasing recognition of the first law of ecology – that everything is connected to everything else²⁷ - and that the Earth's ecosystem is, in a sense, a spaceship,²⁸ may necessitate more sweeping positive obligations on landowners. Sax argues that 'property owners must bear affirmative obligations to use their property in the service of habitable planet'. Sax recommends that:

'We increasingly will have to employ land and other natural resources to maintain and restore the natural functioning of natural systems. More forest land will have to be left as forest, both to play a role in climate and as habitat. More water will have to be left instream to maintain marine ecosystems. More coastal wetland will have to be left as zones of biological productivity. We already recognise that there is no right to use air and water as waste sinks, and no right to contaminate the underground with toxic residue. In short there will be – there is being – imposed a servitude on our resources, a first call on them to play a role in maintaining a habitable and congenial planet ... We shall have to move that way, for only when the demands of the abovementioned public servitude of habitability has been met will resources be available for private benefits. To fulfil the demands of that servitude, each owner will have to bear an affirmative responsibility, to act as a trustee insofar as the fate of the earth is entrusted to him. Each inhabitant will effectively have a right in all such property sufficient to ensure servitude is enforced. Every opportunity for private gain will have to yield to the exigencies of a life-sustaining planet.'

Sax's call for private gain to yield to the existences of a life-sustaining planet is encapsulated in the concept of ecologically sustainable development."

[Justice Preston summarises ecocentrism thus:](#)

"Ecocentrism involves taking a nature-centred rather than a human-centred approach, where the earth is valued not as a commodity belonging to us but a community to which we belong. Development of an earth jurisprudence requires the internalisation of ecocentrism in

environmental law. It involves listening to the earth and adapting law to ecology. It values and gives voice to the environment. This paper surveys some ways in which environmental law can embrace ecocentrism”

The NSW government has integrated Agenda 21 and Agenda 21 related biocentric/ecocentric programs into its environmental/sustainability policies, its planning policies, its local government policies, and its education policies ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#)). The decision of the NSW government not to utilise a democratic locally designed sustainability program, but rather to import an ecocentric sustainability policy which has been designed by a foreign agency (UN), and is monitored and supervised by a foreign agency (UN), poses a fundamental and ongoing threat to the sovereignty and democracy of NSW and all of its residents. Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent the ecocentric principles of this imported undemocratic sustainability program are frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [43](#), [44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)). Otherwise law abiding citizens are being dragged into court as politicians and lawyers seek to enforce their ecocentric philosophy upon ordinary people.

How is this possible? How can any democratic NSW government permit an undemocratic foreign agency such as the UN to attack the human rights, particularly property rights, of NSW residents by legislating to enforce the ecocentric dictates of the UN?

This new environment centred ecocentric philosophy or environmental ethics ([41](#), [42](#)) has led to an explosion in both the complexity and number of new environmental laws ([25](#)) and these laws are increasingly being undemocratically used by State and local government to override and erode property rights of NSW landholders ([50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#), [79](#), [80](#), [81](#), [82](#), [83](#), [84](#), [85](#)).

According to David Farrier and Paul Stein in the [Environmental Law Handbook: Planning and Land Use in NSW](#):

“The perspective presented by the law has been quite clearly human-centred, or anthropocentric. Instead of looking at the natural environment as having value in its own right, we have looked at it from the point of view of humans. Before a 1997 amendment to the Environmental Planning and Assessment Act, ‘environment’ was defined in it as including ‘all aspects of the surroundings of man whether affecting him as an individual or in his social groupings’ (s.4(1)). The problem with the human-centred approach to the natural environment is that it leads to an irresistible temptation to view it simply as a resource to be used for our benefit. Decisions are made on the basis of what is good for people rather than what is good for the natural environment. The natural environment becomes a means to an end rather than an end in itself. Perhaps this is inevitable, given that it is human beings who make the law and the decisions. No matter how motivated the human decision-maker is to give some kind of equal status to the integrity of the natural environment, we cannot avoid the fact that a human interpretation of the needs of the natural world will prevail. Recently, there have been attempts to modify the anthropocentric focus of environmental law. There is a changing consciousness

about the interconnectedness of all living species and systems, encapsulated in a concern for the conservation of biological diversity. This has given rise to a new definition of 'environment' in the Protection of the Environment Administration Act (see page 4), and the enactment of legislation such as the Threatened Species Conservation Act 1995, which seeks to protect ecological communities and the critical habitat of threatened species (see chapter 11). This change in emphasis, however, can also be justified in terms of the future interests of humanity. For example, restrictions on certain developments can be justified because of the need to preserve plants whose pharmacological properties have not yet been identified. And there are ecological processes, many of them still poorly understood, that provide ecosystem services such as water purification and soil fertilisation. Humans ultimately depend on, and benefit from, these processes."

The decline of anthropocentrism and the rise of modern environmentalism is creating a future where basic human rights, including the right to private property, will be challenged on environmental grounds. Not only the rights of plants and ecosystems, but also the rights of future generations will be utilised to justify removal of the human rights of the present generation. We can therefore look forward to a future where fundamental human rights will be considered secondary to the rights of the "environment" and persons who do not exist. According to [Justice McClellan](#):

"It cannot be assumed that environmental law and the role of the Land and Environment Court will be free of controversy in the future. Some of the issues which the Court must deal with raise questions of fundamental human rights. All of them affect the lives of some or a group of people in our community. Many will involve very substantial money profits or losses to individuals or corporations. The court must contribute to the task of balancing the immediate needs of the present generation with the trust we hold for those who will come after us."

Increasingly, the rights of private land owners are being eroded under the guise of environmental concerns, the UN biodiversity programme and Agenda 21, and the principles of distributive justice and intergenerational justice. According to Gerry Bates at the [Conference on Rural Land Use Change](#):

"Government has progressively moved to wrest management of natural resources away from private control and unlimited public access. It is common now for water, fish and biodiversity to be vested in and controlled by the Crown*. Legislation then creates government authorities charged with the task of managing these resources, and implementing and enforcing the statutory scheme. Environmental restrictions imposed by legislation, of course, cut across common law rights; but centuries of legal and cultural tradition that support the pre-eminence of the rights of private landowners cannot be easily overcome; and such rights still have a considerable influence on the development of environmental policy and therefore of environmental law. The governmental approach to environmental management and protection has had to be applied in the context of a social system, supported by the common law, that hitherto placed few restrictions on the exploitation of natural resources by private landowners."

*Emphasis added

Agenda 21, which all levels of government continue to enthusiastically embrace, is an undemocratic

biocentric/ecocentric United Nations designed and monitored program ([58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#)), which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#)).

It is absolutely astonishing and completely unacceptable that foreign designed and monitored biocentric/ecocentric programs such as Agenda 21 have been actively and pervasively embedded into NSW planning and legislation while residents have NEVER been given a democratic choice.

You are the Minister responsible for justice. What do you intend to do regarding this unjust treatment and betrayal of NSW residents? And do you intend to continue to support the insidious undemocratic conversion of the NSW legal system to an ecocentric system? If not, what action will you take to prevent this and when?

Regards

Graham Williamson

Dear Mr Williamson

Thank you for your recent correspondence to the office of the Attorney General and Minister for Justice, the Hon Greg Smith SC MP.

The matters raised do not fall under the portfolio responsibility of the NSW Attorney General and Minister for Justice.

Therefore, we have forwarded your correspondence to;

1. The Hon. Robyn Parker MP Minister for the Environment
2. The Hon. Brad Hazzard MP Minister for Planning and Infrastructure & Minister Assisting the Premier on Infrastructure NSW
3. The Hon. Adrian Piccoli MP Minister for Education
4. The Hon. Don Page MP Minister for Local Government

I trust your correspondence will receive attention as soon as possible...

Kind regards

**Mr Greg Smith, MP
Attorney General and Minister for Justice
Level 31 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000**

Dear Sir,

The NSW government has integrated Agenda 21 and Agenda 21 related programs into its environmental/sustainability policies, its planning policies, its local government policies, and its education policies ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#)). The decision of the NSW government not to utilise a democratic locally designed sustainability program, but rather to import a sustainability policy which has been designed by a foreign agency (UN), and is monitored and supervised by a foreign agency (UN), poses a fundamental and ongoing threat to the sovereignty and democracy of NSW and all of its residents. Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent the principles of this imported undemocratic sustainability program are frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [43](#), [44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)).

How is this possible? How can any democratic NSW government permit an undemocratic foreign agency such as the UN to attack the human rights, particularly property rights, of NSW residents by legislating to enforce the dictates of the UN?

Traditionally NSW laws have been based upon “anthropocentrism” ([32](#)), the belief that humankind had dominion over the environment and the plants and animals of which it is comprised. In recent years however, this has been reversed so that our legal system is now increasingly based upon a Gaia driven ([39](#), [40](#)) UN Agenda 21 world view where anthropocentrism is overturned and is replaced by a new order where the environment, and animals, reign supreme and man’s place in the world is secondary ([33](#), [34](#), [35](#), [36](#), [37](#), [38](#)). This philosophy now forms the basis of new environmental laws and the flourishing NSW environmental legal system ([25](#), [26](#)). As has been noted by Pain ([25](#), [26](#)):

“environmental legislation has moved away from being ‘anthropocentric-and-development orientated’ towards legislation that is ‘more environment-centred’.”

This new environment centred philosophy or environmental ethics ([41](#), [42](#)) as opposed to a human centred or anthropocentric philosophy, has led to an explosion in both the complexity and number of new environmental laws ([25](#)) and these laws are increasingly being undemocratically used by State and local government to override and erode property rights of NSW landholders ([50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#), [79](#), [80](#), [81](#), [82](#), [83](#), [84](#), [85](#)).

Do you support the Gaia inspired UN driven reversal of our traditional anthropocentric legal system and its replacement with a ‘plants come first humans come last’ biocentric system? Have you advised the public about this?

Agenda 21, which your government continues to enthusiastically embrace, is an undemocratic United Nations designed and monitored program ([58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#)), which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#))...

It is absolutely astonishing and completely unacceptable that foreign designed and monitored programs such as Agenda 21 have been actively and pervasively embedded into NSW planning and legislation while residents have NEVER been given a democratic choice. What will you do about this?

Recently, because of the undemocratic nature of Agenda 21 and the serious threat it poses to human rights, particularly property rights, the following law was passed by the legislature in Alabama banning Agenda 21 ([78](#)):

Senate Bill 477

“Section 1. (b) The State of Alabama and all political subdivisions may not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to ‘Agenda 21’, adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the State of Alabama.

(c) Since the United Nations has accredited and enlisted numerous non-governmental and inter-governmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world, the State of Alabama and all political subdivisions may not enter into any agreement, expend any sum of money, or receive funds contracting services, or giving financial aid to or from those non-governmental and inter-governmental organizations as defined in Agenda 21.”

Are you prepared to represent the interests of NSW residents by giving them this same protection, as enacted in Alabama, from foreign attempts to infringe upon the property rights of local landholders? If not, why not?

In view of the above facts I seek answers to the following questions.

1. Has the NSW government warned residents of the undemocratic nature of Agenda 21 plans, their UN origin, and their full agenda and final goals? If so please supply documentary evidence (notices, media releases etc).
2. Does the NSW government have a clear policy to ban all such UN derived Agenda 21 related policies to protect local residents? Please supply documentary evidence, including the time frame for implementation.
3. Has the NSW government offered local residents the choice between a locally designed, monitored and implemented environmental/sustainability plan as an alternative to plans designed and monitored by a foreign agency (the UN)?

I look forward to receiving clarification of these vitally important matters.

Regards

Graham Williamson

APPENDIX H
Correspondence with Minister for Local Government, Don Page

Mr Donald Page MP
Minister for Local Government
Level 33 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Sir,

I have yet to receive a response to the issues below.

Could you please advise your time frame for a meaningful response to these vitally important issues?

Regards

Graham Williamson

From: Graham [mailto:grahamhw@iprimus.com.au]
Sent: Tuesday, 25 September 2012 8:04 PM
To: office@page.minister.nsw.gov.au
Cc: 'Anne Rinaudo'
Subject: RE: Agenda item 21

Mr Donald Page MP
Minister for Local Government
Level 33 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Sir,

In my previous emails (see below) I asked about your policy in regard to Agenda 21 ([1](#), [1a](#)) and its implementation at the local government level. I also provided voluminous back up documentation showing the implementation of Agenda by the NSW government, and by local governments of NSW ([2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#)), none of which was refuted by you. Given the fact that the Department of Local Government is overseeing the implementation of Agenda 21 by local Councils throughout NSW ([24](#) , [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [32](#), [33](#), [34](#), [35](#), [36](#), [37](#), [38](#), [39](#)) under your guidance, I was absolutely astonished to receive the following response from you:

"Dear Mr Williamson

Thank you for your emails. However, the matters you raise in relation to the United Nations and changes in laws in Alabama are not issues which fall under the responsibilities of the Minister for Local Government and Minister for the North Coast."

Are you deliberately, for some reason, attempting to avoid discussing your policy regarding implementation of Agenda 21 at the local government level in NSW? If so. Why? Why would you seek to abandon ministerial responsibility for the local government portfolio in such a fashion? Even the Attorney General's Department has advised me it is your responsibility so your abandonment of your ministerial responsibility raises serious questions indeed.

Given your responsibility for the implementation of AG 21 at the local government level I also drew your attention to the undemocratic and foreign nature of this program:

Agenda 21 however is an undemocratic United Nations designed and monitored program ([58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#)), which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#)). Recently, because of the undemocratic nature of Agenda 21 and the serious threat it poses to human rights, particularly property rights, the following law was passed by the legislature in Alabama banning Agenda 21 ([78](#)):

Senate Bill 477

"Section 1. (b) The State of Alabama and all political subdivisions may not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to 'Agenda 21', adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the State of Alabama.

(c) Since the United Nations has accredited and enlisted numerous non-governmental and inter-governmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world, the State of Alabama and all political subdivisions may not enter into any agreement, expend any sum of money, or receive funds contracting services, or giving financial aid to or from those non-governmental and inter-governmental organizations as defined in Agenda 21."

I then asked:

Are you prepared to represent the interests of NSW residents by giving them this same protection, as enacted in Alabama, from foreign attempts to infringe upon the property rights of local landholders? If not, why not?

In view of the above facts I seek answers to the following questions.

- 10. Has the NSW government warned residents of the undemocratic nature of Agenda 21 plans, their UN origin, and their full agenda and final goals? If so please supply documentary evidence (notices, media releases etc).*

11. Does the NSW government have a clear policy to ban all such UN derived Agenda 21 related policies to protect local residents? Please supply documentary evidence, including the time frame for implementation.
12. Has the NSW government offered local residents the choice between a locally designed, monitored and implemented environmental/sustainability plan as an alternative to plans designed and monitored by a foreign agency (the UN)?

Although you are overseeing the implementation of AG 21 at the local government level you not only expressed no concern whatsoever about the above matters, you even chose to pretend implementation of Agenda 21 by local government in NSW is not your responsibility. Why?

I further noted that according to various experts government officials often prefer to mislead the public by avoiding the term “Agenda 21” and using instead terms such as ([40](#), [41](#), [42](#), [43](#), [44](#), [45](#)) “sustainability”, “smart growth”, “growth management” or “local environmental plans”. Deliberate deception of the public it seems, is fundamental to the success of the program ([45](#)):

“Agenda 21 is being implemented in the U.S. under various names to deceive the unsuspecting public as to the source and real purpose of the program. However identifying the programs is relatively easy. All you have to do is look for the keywords.....Everything associated with this program is deceptive. The language they use, the names they give the projects, the means by which they lure local governments into the trap and then slam the door - absolutely everything is deceptive from beginning to end.”

And the deceit is endemic throughout Australia ([46](#)):

“Throughout Australia it seems that there has been widespread uncertainty about the meaning, scope and value of the term 'Local Agenda 21'.....Some councils have chosen, for a variety of reasons, not to call their initiatives 'LA21' “.....”However, this is not to say that LA21 is not happening within Australia. On the contrary there is Local Agenda 21 activity in every state and territory and many councils are working on projects that have at their core the processes of LA21, although they may not necessarily be using that terminology.”

Will you be promoting a more honest and open policy in regard to educating the public about Agenda 21?

As you realise, the implementation of Agenda 21 is also monitored by the UN, participating countries being required to report back to the UN on a regular basis ([47](#), [48](#), [49](#), [50](#)). The UN describes the monitoring and reporting provisions for Agenda 21 in [chapter 38.11](#). The Commonwealth of course, provides these reports to the UN from implementation progress at state and local government levels. In fact, the United Nations [Commission on Sustainable Development](#) was established to oversee the implementation of Agenda 21 around the world ([47](#), [48](#), [50](#)). According to the Commonwealth Government in this regard ([50](#)):

“The Commission on Sustainable Development (CSD) was established by the United Nations General Assembly (UNGA) with a mandate to review implementation of the outcomes of the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro in 1992, in particular progress in the implementation of the program of action known as Agenda 21. The CSD held its first

substantive session in June 1993 and has met annually since. The 10-year review of the implementation of Agenda 21 culminated in the World Summit on Sustainable Development (WSSD) which was held in Johannesburg, South Africa (September, 2002). While the CSD successfully built a profile and improved understanding of sustainable development during its first 10 years, it was recognised at the WSSD that some reforms were required to ensure the continued relevance of its work. The WSSD Plan of Implementation (POI) called for reform of the CSD within its existing mandate (as adopted in UNGA resolution 47/191). In particular, the POI recommended :

- Limiting negotiating sessions to every two years;
- Re-considering the scheduling and duration of intersessional meetings; and
- Limiting the number of themes addressed in each session.

An enhanced role for the CSD in monitoring and reporting on progress in the implementation of Agenda 21 and in facilitation of partnerships was also recommended.”

Following are some of the typical United Nations land use questions the government is required to answer to check implementation of Agenda 21 at the local level (51):

“4. Agenda 21 called for the review and development of policies to support the best possible use of land and sustainable management of land resources, with a target date not later than 1996. Please describe progress that your country has made towards meeting this target.

6. Please explain briefly, to what extent are plans for expansion of human settlements reviewed with respect to the impacts on farmlands, landscape, forest land, wetlands and biological diversity.

ANNEX: OVERALL EVALUATION OF INTEGRATED APPROACH TO THE PLANNING AND MANAGEMENT OF LAND RESOURCES

The following section is designed to facilitate an overall evaluation of the progress achieved in various related activities as outlined in Chapter 10.

1. Please provide qualitative rankings on different aspects of integrated land use planning and management that your Government has been able to achieve at different levels of success since UNCED. In order to guide your answers (i.e. giving a rating to every box) the qualitative rankings are ordered on a scale from 1-5:

5 – distinguishing or outstanding achievements

4 – clear and apparent achievements

3 – only slight achievements

2 – no achievements at all

1 – worse than before UNCED

Rankings Activities

[4] Development of a national policy or strategy on integrated land management

[4] Development of policies that have encouraged sustainable land use and management of land resources

[5] Review of the regulatory frameworks related to land use and management

[4] Formulation and adoption of land use zoning

- [3] Institutional set-up for monitoring land use regulations*
- [4] Formulation and adoption of market-based measures*
- [4] Information compilation and land capability analysis*
- [5] Identification of data gaps*
- [5] Identification of major challenges and issues related to the implementation of integrated land use and management approach at nation-wide level*

82

2. What level of importance is attached to the different functions of land in your country? Please provide qualitative ranking of the major functions or characteristics of land (i.e. give a rating to every box) on a scale from 1-4.

4 – Very high importance

3 – Highly important

2 – only slightly important

1 – not important at all

Ranking Major functions/characteristics of land

[1] Food security

[4] Rural development

[4] Rural viability

[4] Environmental sustainability (protection/recovery/rehabilitation/enhancement)

[4] Improved policies and institutions

[4] Economic development

[4] Poverty reduction and equity

[4] Social cohesion”

Will you be publicising the above facts and educating the public (and councils) about the full details and end goals of Local Agenda 21? Will the government be officially including Agenda 21 in government policy or do you prefer to continue to implement this program through local governments without including it as a policy?

Regards

Graham Williamson

From: Anne Rinaudo [mailto:Anne.Rinaudo@minister.nsw.gov.au]

Sent: Tuesday, 25 September 2012 9:51 AM

To: grahamhw@iprimus.com.au

Subject: FW: Agenda item 21

Dear Mr Williamson,

Please accept my apologies, unfortunately the email reply to your request was mistakenly sent to an incorrect email address. The reply is below.

Kind regards

Anne Rinaudo

Policy Advisor

Minister for Local Government
and the North Coast



Email: anne.rinaudo@minister.nsw.gov.au
Tel: 02 9228 3403
Fax: 02 9228 3442

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

Views expressed in this message are those of the individual sender, and are not necessarily those of the office of the Minister.

Please consider the environment before printing this email.

From: Public Page's Office Email
Sent: Monday, 6 August 2012 11:56 AM
To: 'grahamw@iprimus.com.au'
Subject: Agenda item 21

Dear Mr Williamson

Thank you for your emails. However, the matters you raise in relation to the United Nations and changes in laws in Alabama are not issues which fall under the responsibilities of the Minister for Local Government and Minister for the North Coast.

Kind regards
Anne Rinaudo
Policy Advisor
Minister for Local Government
and the North Coast



Email: anne.rinaudo@minister.nsw.gov.au
Tel: 02 9228 3403

Fax: 02 9228 3442

APPENDIX I
Correspondence with the [NSW Minister for Planning & Infrastructure Brad Hazzard](#)

Mr Brad Hazzard, MP
Level 31 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Sir,
I have still received no response to the vitally important issues raised in the below email. When can I expect a meaningful response? Is your continuing non-response indicative of your complete lack of concern about these issues?

Regards
Graham Williamson

From: Graham [mailto:grahamhw@iprimus.com.au]
Sent: Sunday, 23 September 2012 9:11 AM
To: office@hazzard.minister.nsw.gov.au
Cc: office@premier.nsw.gov.au
Subject: FW: Agenda 21 policy

Mr Brad Hazzard, MP
Level 31 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Mr Hazzard,
The below emails remain unanswered. When can I expect an answer to the extremely important issues contained therein?

Regards
Graham Williamson

From: Graham [mailto:grahamhw@iprimus.com.au]
Sent: Tuesday, 31 July 2012 7:31 PM
To: office@hazzard.minister.nsw.gov.au
Cc: office@premier.nsw.gov.au
Subject: FW: Agenda 21 policy

Mr Brad Hazzard, MP
Level 31 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Mr Hazzard,
The below emails remain unanswered. When can I expect an answer to the extremely important issues contained therein?

Regards
Graham Williamson

From: Graham [mailto:grahamhw@iprimus.com.au]
Sent: Saturday, 21 July 2012 7:16 AM
To: office@hazzard.minister.nsw.gov.au
Subject: Agenda 21 policy

Mr Brad Hazzard, MP
Level 31 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Mr Hazzard,

The NSW government has integrated Agenda 21 and Agenda 21 related programs into its environmental/sustainability policies, its planning policies, its local government policies, and its education policies ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#)). Indeed, so entrenched has Agenda 21 become that it has even infiltrated the legal system of NSW to the extent it is frequently used to pass judgement upon, and penalise, NSW citizens ([24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [43](#), [44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#)).

Traditionally NSW laws have been based upon “anthropocentrism” ([32](#)), the belief that humankind had dominion over the environment and the plants and animals of which it is comprised. In recent years however, this has been reversed so that our legal system is now increasingly based upon a Gaia driven ([39](#), [40](#)) UN Agenda 21 world view where anthropocentrism is overturned and is replaced by a new order where the environment, and animals, reign supreme and man’s place in the world is secondary ([33](#), [34](#), [35](#), [36](#), [37](#), [38](#)). This philosophy now forms the basis of new environmental laws and the flourishing NSW environmental legal system ([25](#), [26](#)). As has been noted by Pain ([25](#), [26](#)):

“environmental legislation has moved away from being ‘anthropocentric-and-development orientated’ towards legislation that is ‘more environment-centred’.”

This new environment centred philosophy or environmental ethics ([41](#), [42](#)) as opposed to a human centred or anthropocentric philosophy, has led to an explosion in both the complexity and number of new environmental laws ([25](#)) and these laws are increasingly being undemocratically used by State and local government to override and erode property rights of NSW landholders ([50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#)).

Agenda 21 however is an undemocratic United Nations designed and monitored program ([58](#), [59](#), [60](#), [61](#), [62](#), [63](#), [64](#)), which is being banned overseas because of its fundamentally undemocratic regressive nature and the threat it poses to basic human rights, including property rights ([65](#), [66](#), [67](#), [68](#), [69](#), [70](#), [71](#), [72](#), [73](#), [74](#), [75](#), [76](#), [77](#)).

It is absolutely astonishing and completely unacceptable that foreign designed and monitored programs such as Agenda 21 have been actively and pervasively embedded into NSW planning and legislation while residents have NEVER been given a democratic choice. What will you do about this?

Recently, because of the undemocratic nature of Agenda 21 and the serious threat it poses to human rights, particularly property rights, the following law was passed by the legislature in Alabama banning Agenda 21 ([78](#)):

Senate Bill 477

“Section 1. (b) The State of Alabama and all political subdivisions may not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to ‘Agenda 21’, adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the State of Alabama.

(c) Since the United Nations has accredited and enlisted numerous non-governmental and inter-governmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world, the State of Alabama and all political subdivisions may not enter into any agreement, expend any sum of money, or receive funds contracting services, or giving financial aid to or from those non-governmental and inter-governmental organizations as defined in Agenda 21.”

Are you prepared to represent the interests of NSW residents by giving them this same protection, as enacted in Alabama, from foreign attempts to infringe upon the property rights of local landholders? If not, why not?

In view of the above facts I seek answers to the following questions.

1. Has the NSW government warned residents of the undemocratic nature of Agenda 21 plans, their UN origin, and their full agenda and final goals? If so please supply documentary evidence (notices, media releases etc).
2. Does the NSW government have a clear policy to ban all such UN derived Agenda 21 related policies to protect local residents? Please supply documentary evidence, including the time frame for implementation.
3. Has the NSW government offered local residents the choice between a locally designed, monitored and implemented environmental/sustainability plan as an alternative to plans designed and monitored by a foreign agency (the UN)?

I look forward to receiving clarification of these vitally important matters.

Regards

Graham Williamson

UNANSWERED EMAIL OF 29th JUNE

Dear Sir,

I am alarmed at the pervasive infiltration of foreign UN Agenda 21 ([1](#)) associated programs at all levels of state and local government in NSW ([3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#),

[16](#), [30](#), [31](#), [32](#), [33](#), [34](#), [35](#), [36](#), [37](#), [38](#), [39](#), [40](#), [41](#), [42](#), [43](#), [44](#), [45](#), [46](#), [47](#), [48](#), [49](#), [50](#), [51](#), [52](#), [53](#), [54](#), [55](#), [56](#), [57](#), [58](#), [59](#), [60](#), [61](#)) and the continuing refusal of the NSW government to reverse this undemocratic trend. Rather than inform Australians about the UN origins of Agenda 21 or the intended radical end results of the total agenda, government officials often seek to conceal the truth by using terms such as ([2](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#), [24](#), [25](#), [26](#), [27](#), [28](#)) “sustainability”, “smart growth”, “growth management” or “local environmental plans”. Deliberate deception of the public it seems, is fundamental to the success of the program ([28](#)):

“Agenda 21 is being implemented in the U.S. under various names to deceive the unsuspecting public as to the source and real purpose of the program. However identifying the programs is relatively easy. All you have to do is look for the keywords.....Everything associated with this program is deceptive. The language they use, the names they give the projects, the means by which they lure local governments into the trap and then slam the door - absolutely everything is deceptive from beginning to end.”

And the deceit is endemic throughout Australia also ([29](#)):

“Throughout Australia it seems that there has been widespread uncertainty about the meaning, scope and value of the term 'Local Agenda 21'.....Some councils have chosen, for a variety of reasons, not to call their initiatives 'LA21' “.....”However, this is not to say that LA21 is not happening within Australia. On the contrary there is Local Agenda 21 activity in every state and territory and many councils are working on projects that have at their core the processes of LA21, although they may not necessarily be using that terminology.”

Agenda 21 and LA 21, inspired by Mikhail Gorbachev and Maurice Strong who formed the Earth Charter, amounts to a socialistic global land grab to control and outlaw private land ownership ([62](#), [63](#), [64](#), [65](#), [66](#)). Those behind the United Nations global sustainability push believe more in the rights of animals, plants, and people not yet born, than they do about everyday Australians and their families. Do you support this gaia driven biocentric philosophy which forms the basis of Agenda 21?

But, most conspicuously, as with all these United Nations motivated visions for the future, Commonwealth, State, and local governments, seem to have abandoned any concept of democracy, freedom, and ensuring individual rights. Our elected representatives are spending billions of dollars on protecting the rights of plants, animals, and people not yet born. At the same time they are attacking the rights and freedoms of real people and real families. What sort of vision do we have if we do not include exact details of our plans to protect freedom and democracy?

Increasingly, the rights of private land owners are being eroded by Australian governments acting as agents of the UN against the interests of the Australian people, all under the guise of environmental concerns ([68](#)):

“Government has progressively moved to wrest management of natural resources away from private control and unlimited public access. It is common now for water, fish and biodiversity to be vested in and controlled by the Crown*. Legislation then creates government authorities charged with the task of managing these resources, and

implementing and enforcing the statutory scheme. Environmental restrictions imposed by legislation, of course, cut across common law rights; but centuries of legal and cultural tradition that support the pre-eminence of the rights of private landowners cannot be easily overcome; and such rights still have a considerable influence on the development of environmental policy and therefore of environmental law. The governmental approach to environmental management and protection has had to be applied in the context of a social system, supported by the common law, that hitherto placed few restrictions on the exploitation of natural resources by private landowners."

*Emphasis added

Do you support this UN driven process of using environmental concerns to control & restrict the rights of land owners?

In Chapter 38 of Agenda 21 the United Nations describes the necessary powers to administer and implement Agenda 21 and initiates the formation of the United Nations **Commission on Sustainable Development (CSD)** to oversee and monitor the implementation of Agenda 21. According to Chapter 39 countries should ensure they co-operate with the requirements of Agenda 21 as set out by the United Nations ([67](#)):

"The parties to international agreements should consider procedures and mechanisms to promote and review their effective, full and prompt implementation. To that effect, States could, inter alia:

(a) Establish efficient and practical reporting systems on the effective, full and prompt implementation of international legal instruments;

(b) Consider appropriate ways in which relevant international bodies, such as UNEP, might contribute towards the further development of such mechanisms."

Strangely, membership of the CSD which will oversee Australia's compliance with the requirements of Agenda 21, includes various extremist and despotic regimes who deny basic human rights to their own citizens. According to Windsor ([110](#)) "many of the world's worst violators of human rights and democratic standards have joined in loose coalitions at the United Nations to deflect attention from their records of repression." Interestingly, "North Korea is not only on the Human Rights Council, It was appointed to the UN Commission on Sustainable Development (UN CSD) even though many of its people routinely suffer from starvation because of the regime's totalitarian nature"([111](#), [112](#)). In fact, the CSD is comprised of many undemocratic totalitarian countries ([112](#), [113](#)).

These countries will be overseeing Australia's progress. Do you approve of this and why haven't you advised the people of NSW?

Meanwhile, Australian schoolchildren are being 'educated' in line with the instructions contained within the United Nations global ecological sustainability program ([69](#), [70](#), [71](#) , [72](#), [73](#), [90](#)). These educational initiatives are in response to the United Nations Agenda 21 program and their global sustainability requirements ([74](#)). According to John Aquilina ([69](#)):

"The New South Wales Government is a world leader in supporting environmental education in schools, with particular attention being given to Agenda 21, a global policy outcome of the 1992 Earth Summit. Agenda 21 has been recognised by the New South Wales Government as

the basis for an internationally agreed course of action towards sustainability. This has led to legislation in a number of areas, including the Protection of the Environment Amendment (Environmental Education) Act, 1998.”

Do you support this UN driven indoctrination of schoolchildren?

Not only have the people of NSW never been given a democratic choice about the NSW government’s implementation of UN based Agenda 21 associated initiatives, but from the evidence above it is clear there have even been attempts to deliberately conceal the true UN origin and goals of the program by the use of more innocuous names. This persistent refusal of the government to properly inform Australians about Agenda 21 and the United Nations global sustainability campaign is not only in breach of fundamental freedoms and the ability to make an informed democratic choice, it is also in direct violation of the basic human right to participate in elections and political processes. These rights [\(75\)](#) “are protected by the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on the Elimination of all forms of Racial Discrimination (ICERD) and the Universal Declaration on Human Rights (UDHR).” The right to participate in Agenda 21 and other political or public policy processes (which of course, should also include the right not to participate – but that is another matter!) includes the right to be correctly and fully informed, as is noted by Picolotti [\(76\)](#):

“Informative participation

Informative participation implies an exchange of information and knowledge on certain issues of concern to the community. The community provides information to the state and vice versa, enabling each to make proper decisions about how they administer resources, which leads to more optimal resource management.”

Successive Australian & NSW governments have not only been guilty of gross negligence in refusing to fully inform Australians of the long term goals and totality of the Agenda 21 and sustainability initiatives, but further, they are also guilty of consistently violating fundamental human rights relating to the right to participate. Not only have they failed to inform the voting public of the totality and long term goals of the UN Agenda 21 sustainability initiatives, but further, there is even evidence that attempts have been made to conceal the truth by the use of innocuous descriptive labels the aim of which is to distance Australian initiatives from their UN global origins. But this violation of human rights is still continuing as the government still refuses to publicise the totality and goals of their agenda, thereby actively preventing Australians from making an informed democratic choice.

Do you continue to support this removal of democratic choice and refusal to clearly spell out the UN origin of the Agenda 21 program? Or will you follow the overseas precedent ([77](#), [78](#), [79](#), [80](#), [81](#), [82](#), [83](#), [84](#), [85](#), [86](#), [87](#), [88](#), [89](#)) and ban UN gaia driven ([94](#)) Agenda 21 associated programs until residents of NSW have been granted a genuine informed democratic choice?

Currently the rights of NSW residents, particularly landowners, are under attack on so many fronts and yet the NSW government appears to be part of the problem, with their UN driven

gaia motivated legal pursuit of landowners, rather than part of the solution ([91](#), [92](#), [93](#), [95](#), [96](#), [97](#), [98](#), [99](#), [100](#), [101](#), [102](#), [103](#), [104](#), [105](#), [106](#), [107](#), [108](#), [109](#)). Will you change this? Will you take immediate action to protect landowners and all Australians from intrusive UN driven 'sustainability' programs? Will you ban such programs and show allegiance to NSW residents by enabling them to determine their own environmental future or do you feel our future should be determined by foreign undemocratic agencies in a process which is overseen by foreign dictators?

Regards

Graham Williamson

APPENDIX J

Transferring Property Rights from Humans to Plants & the Environment: Submission to the NSW Government BioBanking review

1. Putting a Price on Nature: Morality & Responsibility

The NSW government seeks to put a price on nature, a price on every blade of grass, every animal, every insect, even microorganisms and the ecosystem itself. Since the ecosystem will be valued and revalued at the whim of government, this of course, includes every rock, leaf, log, or dead tree. A dead tree or log harbouring termites after all, is an important part of the ecosystem. And the government wants the power to control the value of all these components of nature. This clearly is a full out frontal attack on private property, the rights of all land holders ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#)). It is unjust, immoral, and fundamentally anti-Australian.

This aspect has recently been addressed by David Leyonhjelm in an article entitled ([3](#)) "**Property rights gone for the 'general good'**." According to Leyonhjelm ([3](#)):

WHEN the great William Blackstone codified the English common law in the 1760s, he placed great significance on property rights.

[In his view:](#)

'So great moreover is the regard of the law for private property, that it will not authorize the least violation of it; no, not even for the general good of the whole community.'

Although they are among the inheritors of the common law, farmers have watched in dismay as their property rights have dwindled in the face of government encroachments, always defended as for the "general good of the whole community". The rain that falls on their property may now comprise part of the water rights owned by someone else. There are major restrictions on the subdivision of land for lifestyle blocks. Riparian rights and biodiversity corridors reduce property options. Mineral rights are owned by the Crown, allowing others to explore without permission.

Justin Jefferson has also acknowledged the threat to private property posed by the NSW Native Vegetation Act ([2](#)):

“For starters, here in the Monaro the overwhelming effect of the Act in practice is actually to promote the spread and restrict the fighting of African lovegrass. This means more weeds and less native vegetation, less biodiversity and less sustainability. So the Act is self-defeating. It can't justified be even in its own terms.

But it gets worse. The Act simply

1: ASSUMES that all property should and does belong to the state;

2: ASSUMES that the state knows best in all and any decision-making; and it;

3: ASSUMES that social co-operation based on force and threats and central planning is intrinsically better than social co-operation based on consent and freedom and property.

All these assumptions are wrong and offensive. They have been disproved both in theory and in practice over and over and over again at enormous cost in human suffering. The Act reverses the onus of proof: you're guilty until proven innocent. It authorises intrusive search without a warrant. It abolishes the right to silence: it compels you to incriminate yourself. It authorises evidence by executive decree. It effectively confiscates freehold property rights without compensation in breach of the Constitution. The Act is oppressive and abusive.”

As has recently been pointed out by Lorraine Finlay (8), the government attack on private property rights, which is occurring on many fronts, is completely at odds with frequent public statements about human rights or individual rights. The fundamental importance of private property rights in regard to human freedom have also been noted by Finlay (8):

“the protection of property rights has evolved to mean owners have the right to obtain benefits from their property, including the right to put it to productive use and to dispose of it through sale”8. Property rights therefore encompass “the right to own property, the right to dispose of property and the right to exclude others”9. Since that time leading philosophers and political thinkers have emphasized the link between private property rights and the protection of individual liberty. This was noted by 4 Henry Maine, who claimed that the history of individual property rights and history of civilization “cannot be disentangled”11. Similarly, John Adams observed that12: ‘Property is surely a right of mankind as real as liberty ... The moment that the idea is admitted into society that property is not as sacred as the laws of god, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence. Property must be secured or liberty cannot exist’.

This paper argues that private property rights are just as important today as in the past. The link between property rights and individual liberty remains relevant in the modern context, and the foundations for both individual freedoms and economic security may be found in private property rights. In relation to this point, it has been emphasized that19:

‘Without private property rights there is no way to check the power of the state over the individual. When the state gains control over private property rights the ability to create wealth stagnates or even declines, thereby creating poverty and misery rather than freedom and wealth’.

*There is a well established causal link between property rights and higher standards of living21, with the ownership of private property motivating individuals ‘to improve the productivity and value of assets in the realization that family and designated heirs may benefit from such endeavour’22. In short, ‘*the evidence is irrefutable that the protection of property rights is the key to wealth accumulation and secure and stable societies’23.”*

But in spite of the fundamental importance of private property rights, the NSW government is busily involved in plotting against landholders and tying their properties up in so much green tape they become unusable and worthless (1, 2, 3, 4, 5, 6, 7, 8). One case in point is the

disgraceful case of Peter Spencer (8). As Finlay indicates, these problems have been noted by the Productivity Commission (8):

“In the 2004 Inquiry Report into the Impacts of Native Vegetation and Biodiversity Regulations the Productivity Commission concluded that while the retention, management and rehabilitation of native vegetation and biodiversity were important objectives, “existing regulatory approaches are not as effective as they could be in promoting these objectives and impose significant costs”⁶⁴. In particular, it was concluded that the effectiveness of the clearing restrictions had been compromised, that “perverse environmental outcomes” often resulted and that landholders “... are being prevented from developing their properties, switching to more profitable land use, and from introducing cost-saving innovations. Arbitrary reclassification of regrowth vegetation as remnant and restrictions on clearing woodland thickening in some jurisdictions are reducing yields and areas that can be used for agricultural production”⁶⁵

Since the Zimbabwe experience shows exactly what happens when private property rights are lost (8), it is up to all Australian governments to respect private property rights, respect landowners, and respect freedom which is so fundamental to all Australians (8):

“If we are not able to build an environment in which the general public, politicians and government bureaucrats are all encouraged to respect and value private property rights, then we will continue to see the gradual erosion of property rights regardless of any changes that may be made to the surrounding legal framework.”

The moral acceptability of putting a price on everything (17, 18, 19) including water and the air we exhale, is clearly paving the way for putting a price on every component of nature, commonly referred to as ecological economics (20, 21). Of course the idea that a monetary value can be placed upon every animal, plant, insect, microorganism, and ecosystem is not only ridiculous, it is morally reprehensible and scientifically impossible. In fact, reducing nature to a monetary value is necessarily a move to devalue nature and give humans the ability to decide the absolute and relative worth of not only living things, but also systems. It is fundamentally and intrinsically hypocritical and contradictory to suggest that nature will become more valuable, and more readily conserved, by devaluing it and defining it in terms of human currency. According to Monbiot (20):

“The UK government’s assessment of the “value” of nature is pure reductionist gobbledegook, dressed up in the language of objectivity and reason but ascribing prices to emotional responses: prices, which, for all the high-falutin’ language it uses, can only be arbitrary. It has been constructed by people who feel safe only with numbers, who must drag the whole world into their comfort zone in order to feel that they have it under control.....The second problem is that it delivers the natural world into the hands of those who would destroy it. Picture, for example, a planning enquiry for an opencast coal mine. The public benefits arising from the forests and meadows it will destroy have been costed at £1m per year. The income from opening the mine will be £10m per year. No further argument needs to be made. The coal mine’s barrister, presenting these figures to the enquiry, has an indefeasible case: public objections have already been addressed by the pricing exercise; there is nothing more to be discussed. When you turn nature into an accounting exercise, its destruction can be justified as soon as the business case comes out right. It almost always comes out right.....This is the machine into which nature must now be fed. The National Ecosystem Assessment hands the biosphere on a plate to the construction industry. It’s the definitive neoliberal triumph: the monetisation and marketisation of nature, its reduction to a tradeable asset.”

The cost of calculating the value of nature seems incomprehensible. It has recently been calculated that in Canberra the planting of 400,000 trees has had (22) *“a combined energy reduction, pollution mitigation and carbon sequestration value of US\$20–67 million during the period 2008–2012,”* or around 11c daily per tree. Whether this allows for the tree having a bad day (or year) from attack by insects is not clear.

Clearly there is no moral or scientific basis for reducing nature to a marketable commodity.

We have seen that there has been an attack on private property rights by the NSW government as they busily use the environment to tie up landholders. But is their environmental zealotry genuine, or is it just a deliberate devious land grab? What ways has the NSW government legislated to protect the rights of land owners?

2. The Effectiveness of Biobanking or Market Mechanisms for Maintaining or Improving Biodiversity

Everyone is concerned about the environment, but is the NSW government drive to control the land of private landowners really about the environment? Historically, as noted by David Leyonhjelm (3), evidence of the environmental benefits of government policies are lacking:

“The perverse thing about all this is that there is plenty of evidence to show the environment does better when it is in private hands, away from the tentacles of government. We saw that very clearly in the difference in environmental quality between the former Communist countries and the west when communism collapsed. Here at home we see uncontrolled weeds and feral animals in our government-owned national parks. Quite simply, government control is incompatible with the promotion of environmental values. And as Blackstone would say, the government should stop violating private property”.

Indeed, there is no argument that historically it is the governments at all levels who must shoulder the responsibility for degradation of the environment for it is they who have formulated the policies, permitted land development, and organised land planning and land use strategies. In fact, the biodiversity loss and environmental situation today is the result of present and previous government policies (9). Not only have governments presided over wilful habitat destruction and poor town planning, but also they are responsible for most of the enormous environmental damage and biodiversity loss caused by invasive species (9, 10, 11, 12). According to McFadyen (11):

“In the 200 years since the arrival of Europeans, over 28,000 foreign plants have been brought to Australia, most deliberately imported for pasture, horticulture or as ornamentals. Their impact is enormous – invasive plants are the main threat to 45% of threatened and endangered species and ecosystems in New South Wales (Coutts-Smith and Downey 2006), and the cost to Australian agriculture is at least \$3.5bn per year in lost production and control costs (Sinden et al. 2004).

Further, according to the the **Australian Terrestrial Biodiversity Assessment 2008** (12), *“Invasive species and pathogens represent one of the most potent, persistent and widespread threats to Australian biodiversity.”* But what have successive government’s done

about this? And how is it envisaged that biobanking and other market schemes will reverse or prevent this major threat?

Clearly the matter of invasive species alone exposes the whole biobanking/biodiversity marketing scheme as a fraud, somewhat synonymous with the idea that we can control climate by economic instruments. This is highly significant because if environmental policies or biobanking are to be just and have a sound moral basis then the system must be firmly based upon science, and be cost effective, and responsibility for environmental damage must be correctly attributed .

The matter of historical responsibility has been considered of the utmost importance when it comes to climate change and a clear precedent has been established in this regard ([13](#), [14](#), [15](#), [16](#)). Historical responsibility in fact, because it permits a cumulative assessment of responsibility ([13](#)), “*is one of the main lines of argument underlying the principle of common but differentiated responsibility for climate change, and the polluter pays principle more generally.*” In fact the cumulative aspect is far more important when it comes to biodiversity loss as the permanence and irreversibility are not disputed, unlike CO2.

Whether from the point of view of habitat destruction or invasive species, there is absolutely no doubt that all 3 levels of government share most of the responsibility for cumulative biodiversity loss in Australia and therefore, in keeping with a moral and just conservation program, financial penalties should be targeted accordingly.

But has biobanking or biodiversity trading been environmentally effective? What are the expectations?

Given the above, it is hardly surprising that biobanking or biodiversity trading does not have a history of positive environmental outcomes ([23](#), [24](#), [25](#), [26](#), [27](#), [28](#), [29](#)). As has been pointed out by the Productivity Commission ([28](#)):

The high scientific uncertainty associated with biodiversity conservation and salinity mitigation could mean that market creation schemes for these ecosystem services are subject to considerable sovereign risk. In particular, there may be a high probability that the property right associated with a market creation scheme would need to be changed in the future because of new scientific discoveries. This uncertainty could diminish the value of the property right and hence the likelihood that market creation would be effective. We use the term market creation to refer to government intervention to indirectly form markets for ecosystem services whose ownership cannot be enforced. Such intervention involves the definition of a new property right that is both linked to an ecosystem service and can be exchanged for reward. A property right is an entitlement to use a particular good or service in a certain way. For example, the property right for a car entitles its owner to use the car, prevent others from using it, and to sell it to another party.”

So the government seeks to redefine every creature, plant or ecosystem as separate property rights and then value, revalue, or devalue each or all at will. But as has been pointed out by the **Clarence Environment Centre** ([29](#)), although scientists have predicted a loss of at least 30% of world diversity due to climate change, “BioBanking proposes to lock

landowners into contracts that demand biodiversity values be 'maintained or improved' in perpetuity. At the same time it is made clear that: *"If participants fail to meet their commitments under the scheme, penalties can be applied"*. **According to the CEC these requirements are bordering on fraud.**

The CEC further notes that biobanking is structured to favour developers (29) a view confirmed by Ian Cohen (30), and therefore will result in a net loss of biodiversity (29). Indeed, it must be admitted that the Act is user friendly to developers, the purpose of biobanking being to (31) ***"streamline biodiversity assessment for development"***. Biobanking even offers developers (31) **immunity from legal appeals in the Land and Environment Court** and (31) *"certainty for developers and consent authorities with respect to meeting their threatened species responsibilities."*

Landowners however, once locked into biobanking, agree to surrender extensive control of their property forever and this encumbrance, since it is automatically passed to any new land owner, would be expected to devalue the land (31):

"Biobanking agreements are registered on the land title and run with the land to bind future landowners. The agreements create a permanent legal obligation for the owner to manage the land either passively or actively, depending on the number of credits sold from the site. Agreements also restrict development, commercial and industrial uses and certain other activities on the land that may have a detrimental effect on biodiversity."

So sweeping and pervasive are these powers that land owners even lose control of the rocks and dead trees on their property (31). Since the emphasis is on the eco "system" rather than individual components of the system, the virtual loss of title surrendered by the land owner is considerable. And if the landholder fails to comply with these requirements there are a range of severe penalties, including an application to have the land title transferred to the Minister under Section 1270 of the **Threatened Species Conservation Act (31, 32, 33)**. The transfer of land title under Section 1270 is possible under the following circumstances (33):

"(3) An order may be made under this section only where the Court is satisfied, on the balance of probabilities:

(a) that there is a serious risk to the biodiversity values protected by the biobanking agreement because of the contravention by the person, or

(b) that there is no reasonable likelihood of the person complying with the obligations imposed by the biobanking agreement, or

(c) that the person has previously committed frequent contraventions of the biobanking agreement, or

(d) that the person has persistently and unreasonably delayed complying with the obligations imposed by the biobanking agreement.

(4) If the Court makes the order requested, the Court may impose such conditions on the conveyance or transfer of the land as the Court thinks fit.

(5) Where land is conveyed or transferred to the Minister, or to a person or body nominated by the Minister, in accordance with an order made under this section, the consideration payable by the Minister, person or body, is to be determined in the same way as the compensation payable under the [Land Acquisition \(Just Terms Compensation\) Act 1991](#) in

respect of an acquisition of land, but is to be reduced by the amount that, in the opinion of the Court, is equivalent to any outstanding liability of the person to the Minister arising out of contravention of the biobanking agreement.

(6) In calculating the consideration payable as referred to in subsection (5), the value of the land is to be determined having regard to the fact that it is subject to a biobanking agreement, and any increase in the value of the land attributable to anything done or omitted to be done in contravention of the biobanking agreement is to be disregarded."

Already these proposals are tying up private land, particularly in rural areas. According to Damien Rogers, these proposals are well advanced in Eurobodalla Shire ([36](#)):

"Biodiversity Certification is basically a forced version of Biobanking. Few know about it, and fewer understand it. But it is essentially a Development Rights Credit Trading Scheme! Trading development "Credits" taken from land owners, without Just Compensation, or even a requirement to notify owners. Just like Carbon Trading, only this time designed with the cooperation of all three levels of Government (and environmental groups). It is to be run by councils, the DOP and a State Bureaucracy, called the OEH (Office of Environment and Heritage).....First councils use the "Standard Template LEP" to cover undeveloped Urban and Rural land with numerous restrictive "Overlay" maps, and new Environmental zonings, which severely restrict or stop development. As mentioned, in our Shire, these covered at least 80% (and probably more) of all the private land area of the Shire. (which is already approximately 90% state forest and national parks) Councils can then earn 25% Development Credits for land they restrict in this way. Then when owners on mainly Rural land want to build something, it triggers expensive studies, and funnels most owners into unavoidable "Perpetual Voluntary Agreements". The more council or the OEH restrict the land, the more Credits they can earn, for perpetual agreements its more like 90%. These "agreements" must then be attached to the owners title deeds, and may now restrict the land forever..... So here is the real motive. Council, with the DOP and OEH can now control and profit from virtually all future land releases and development. As, for example, unlocking an area of undeveloped urban land, will now likely require a perpetual agreement, and/or that it to be "Biocertified" first. This involves packaging an urban area with a nearby rural area. "Taking" credits from the rural owners (now called "offset" lands). Without Just Compensation, or even a requirement to personally notify owners. Then compelling Urban land owners and developers to bargain with council or the OEH for these Development "Credits", which were 'taken' from others. The deals councils and the OEH make will be in confidential contracts. As developers have pointed out, this will make the cost of new urban land very expensive. But as most Rural blocks will loose their building entitlements, or be sterilized with environmental overlays and zonings, there will be little competition or alternatives for future potential buyers. Giving Councils and the OEH total control, and in effect, a massive monopoly control over urban land development, for their own benefit! Another big plus for Councils and the OEH, is that any urban or rural land they sterilize will then plummet in value."

The suggestion that biobanking schemes may be compulsory, completely and permanently locking up the land of private landholders, is absolutely alarming. Clearly we need a broad ranging enquiry into this exploitation of environmental concerns for short sighted self-interested political agendas. There must be extensive community consultation regarding environmental marketing schemes and biobanking.

While the powers over the private landholder are incredibly extensive, the same cannot be said for developers. Under Section 127U and 127S of the Act mining or petroleum activities are specifically exempted, allowing mining companies to trash the environment at will, and existing biobank contracts may be cancelled without compensation ([34](#), [35](#)):

“Nothing in this Division:

*(a) prevents the grant of a mining authority or petroleum title in respect of a biobank site in accordance with the [Mining Act 1992](#) or the [Petroleum \(Onshore\) Act 1991](#) , or
(b) prevents the carrying out, on or in respect of a biobank site, of any activity authorised by a mining authority or petroleum title in accordance with the [Mining Act 1992](#) or the [Petroleum \(Onshore\) Act 1991](#) .”*

127S Prospecting and mining on biobank sites

(1) The Minister may, by order published in the Gazette, vary or terminate a biobanking agreement without the consent of the owner of the biobank site if a mining authority or petroleum title is granted in respect of the biobank site and the Minister is of the opinion that the activity authorised by the mining authority or petroleum title:

(a) will adversely affect any management actions that may be carried out on the land under the biobanking agreement, or

(b) will adversely affect the biodiversity values protected by the biobanking agreement.

(2) If the Minister varies or terminates the biobanking agreement under this section, the Minister may, by order in writing to the holder of the mining authority or petroleum title, direct the holder to retire biodiversity credits of a number and class (if any) specified by the Minister within a time specified in the order.

(3) A direction may be given to a person under subsection (2) only if biodiversity credits have already been created in respect of management actions that were carried out or proposed to be carried out on the biobank site and have been transferred to any person.

(4) The maximum number of biodiversity credits that the holder of the mining authority or petroleum title may be required to retire under the direction is the number of biodiversity credits that have been created in respect of the biobank site.

(5) A person must not, without reasonable excuse, fail to comply with a direction under subsection (2).

Maximum penalty: 10,000 penalty units.

(6) It is not an excuse for a failure to comply with a direction under this section that the person who is the subject of the direction does not, at the time the direction is given, hold a sufficient number of biodiversity credits to comply with the direction.

Note: *If the person who is the subject of the direction does not hold a sufficient number of credits to comply with the direction, the person may obtain the required number by purchasing them.*

(7) A court that convicts a person of an offence under subsection (5) may, in addition to or in substitution for any pecuniary penalty for the offence, by order direct the person to retire, in accordance with this Part, biodiversity credits of a specified number and class (if applicable) within a time specified in the order and, if the person does not hold sufficient biodiversity credits to comply with the direction, to acquire the necessary biodiversity credits for the purpose of retiring them.

(8) The owner of a biobank site is not entitled to any compensation as a result of the variation or termination of an agreement under this section.

(9) Subsection (8) does not affect any right to compensation the owner may have under the [Mining Act 1992](#) , the [Petroleum \(Onshore\) Act 1991](#) or any other legislation in respect of the grant of the mining authority or petroleum title.

(10) In this section:

"conviction" includes the making of an order under section 10 of the [Crimes \(Sentencing Procedure\) Act 1999](#) .

CONCLUSION

The fact that Biobanking/biodiversity trading schemes are primarily marketing schemes and are therefore NOT primarily intended to generate positive environmental outcomes is evidenced by the following fundamental facts.

1. These schemes completely avoid targeting one of the main causes of biodiversity loss, namely the problem of invasive species.
2. Instead of addressing the causes of cumulative biodiversity loss and pursuing those responsible (governments), responsibility for biodiversity loss is shifted AWAY from those responsible and transferred to current landholders.
3. The underlying philosophy that nature will be conserved by devaluing it and reducing it to a marketable commodity is completely immoral, unjust, and devoid of any semblance of common sense or logic.
4. Biobanking is proposed as a scheme to “streamline” development and prevent legal appeals to the Land & Environment Court.
5. The Act specifically empowers mining companies and oil companies to avoid any environmental responsibilities.

The true spirit and essence of environmentalism is completely betrayed by biodiversity trading schemes which are a direct attack on private property rights and an attempt to transfer to government the power to control and put a price on nature. We need to get back to genuine environmentalism and stop exploiting environmentalism for personal or political gain and short sighted self-interested agendas ([21](#)):

“The scientific and self-referential controversies in which ecological economists engage drain away the moral power that once sustained environmentalism. This moral power may return if environmentalists employ science not to prescribe goals to society but to help society to achieve goals it already has. Environmentalists may then shape the natural environment of the future rather than model and monetize the environment of the past.”

The cost effectiveness of biobanking is a completely unknown quantity. Though I have written to the Department seeking this information I have received no response whatsoever, not even the courtesy of an acknowledgement. Clearly the complete costs of this scheme must be publicised and there must be complete transparency and accountability. The scheme should be discontinued until this is done.

Recently there has been an erosion of private property rights under the guise of short sighted self-interested government promoted environmentalism. This exploitation of environmentalism must cease. Property rights should be restored by extensive consultation with landholders.

Since the government has no mandate for biodiversity trading schemes such schemes should cease until such a mandate is obtained. Not only has there been no mandate, the level of public ignorance about these schemes is alarming and must be immediately rectified

by an extensive education campaign. There should be extensive community consultation, especially with rural landholders.

References

1. <http://www.dailytelegraph.com.au/news/opinion/truth-gets-lost-amid-the-debate-on-national-parks-catherine-cusack/story-e6frez0-1226389879077>
2. <http://www.abc.net.au/rural/content/2012/s3535098.htm?site=gippsland>
3. <http://theland.farmonline.com.au/blogs/agribuzz-with-david-leyonhjelm/property-rights-gone-for-the-general-good/2594167.aspx?storypage=0>
4. http://www.nswfarmers.org.au/_data/assets/pdf_file/0003/62247/Native_Veg_Case_Study.pdf
5. <https://senate.aph.gov.au/submissions/comittees/viewdocument.aspx?id=ef282b1a-43d5-44d3-a1e8-e613ee9f4ccb>
6. <https://senate.aph.gov.au/submissions/comittees/viewdocument.aspx?id=0088ed5f-025e-4164-81fd-05d062568ff7>
7. <http://www.quadrant.org.au/blogs/doomed-planet/2009/12/peter-spencer>
8. <http://www.familyfirst.org.au/files/The-Attack-on-Property-Rights-Finlay.pdf>
9. <http://www.abs.gov.au/ausstats/abs@.nsf/Previousproducts/1301.0Feature%20Article12009%E2%80%9310?opendocument&tabname=Summary&prodno=1301.0&issue=2009%9610&num=&view>
10. <http://www.environment.gov.au/biodiversity/invasive/index.html>
11. http://www.weeds.org.au/docs/intro_flora_australia.pdf
12. <http://www.environment.gov.au/biodiversity/publications/terrestrial-assessment/pubs/terrestrial-assessment.pdf>
13. <http://www.oxfordclimatepolicy.org/publications/documents/ElIermannetal.pdf>
14. <http://150.229.66.66/bmrc/basic/cawcr-wksp1/papers/Raupach.pdf>
15. <http://www.guardian.co.uk/environment/datablog/2009/sep/02/co2-emissions-historical>
16. <http://globalcitizen.net/Data/Pages/1291/papers/2009103014156814.pdf>
17. <http://www.theatlantic.com/magazine/archive/2012/04/what-isn-8217-t-for-sale/8902/>
18. <http://www.independent.co.uk/arts-entertainment/books/reviews/what-money-cant-buy-the-moral-limits-of-markets-by-michael-sandel-7711785.html>
19. <http://www.theatlantic.com/magazine/archive/2012/04/what-isn-8217-t-for-sale/8902/>
20. <http://climateandcapitalism.com/2011/06/07/putting-a-price-on-nature-a-destructive-delusion/>
21. <http://breakthroughjournal.org/content/authors/mark-sagoff/the-rise-and-fall-of-ecologica.shtml>
22. http://www.fs.fed.us/psw/programs/uesd/uep/products/12/psw_cufr704_Brack_Pollution_Mitig_Urban_Forest.pdf
23. <http://news.ninemsn.com.au/national/1053209/biobanking-land-purchase-to-go-ahead>
24. <http://www.colongwilderness.org.au/media-releases/2010/06/biobanking-credibility-sinks-conservation-site-undermined>
25. <http://www.smh.com.au/environment/mine-plan-shows-biobanking-fails-say-green-groups-20100624-z3px.html>
26. http://www.edo.org.au/edonsw/site/pdf/subs/071130assessment_methodology.pdf
27. <http://www.thefifthestate.com.au/archives/12356>
28. http://www.pc.gov.au/_data/assets/pdf_file/0006/8484/cmefes.pdf
29. <http://www.cec.org.au/sub/BioBanking.Submission/index.htm>
30. <http://www.parliament.nsw.gov.au/prod/parlment/hanstrans.nsf/v3ByKey/LC20061025>
31. <http://www.environment.nsw.gov.au/resources/biobanking/20120062bbrevdp.pdf>

32. <http://www.environment.nsw.gov.au/resources/biobanking/08346biobankingcas.pdf>
33. http://www.austlii.edu.au/au/legis/nsw/consol_act/tsca1995323/s127o.html
34. http://www.austlii.edu.au/au/legis/nsw/consol_act/tsca1995323/s127u.html
35. http://www.austlii.edu.au/au/legis/nsw/consol_act/tsca1995323/s127s.html
36. http://justgroundsonline.com/forum/topics/fighting-the-nsw-standard-lep-what-if-we-all-joined-forces?xg_source=activity

APPENDIX K

Correspondence With Eurobodalla Shire Council

Mark Hitchenson

Land Use Planning Coordinator

Eurobodalla Shire Council

Dear Mark,

Thank you for your email.

Although I am trying to move forward in an attempt to resolve the vitally important issues we have been discussing, you are tending to revisit matters we have already resolved while at the same time completely ignoring fundamental questions from my earlier emails. The matters discussed below are of vital importance to local ratepayers and of vital importance for the upcoming elections. If any of my assertions below are in any way inaccurate, please supply documentary evidence from the vast resources of Council to demonstrate my error/s so that the matters may be resolved. Your inability to do this to date merely prolongs the correspondence and raises more questions.

I look forward to resolving the issues below in the interests of local ratepayers and in the interests of the wider community as well.

For clarity I will reproduce some of the unanswered questions from previous correspondence at the conclusion of this email and I hope that you will make a meaningful attempt to respond to them.

Previously I stated the following facts which you now, for some reason seem to dispute.

FACT: Eurobodalla Council has decided to have its environmental and land use policies determined and monitored by an undemocratic foreign agency (the UN), utilising the principles of their Agenda 21/sustainability program.

You will note that I have cited authoritative evidence in support of this claim, including evidence from your Settlement Strategy and from the UN but although you disputed the above you were unable to supply any supportive documentation whatsoever to support your position. In fact, the documentation you did provide (Settlement Strategy) supports my claim that Council policy is indeed based upon the UN Agenda 21 program.

It is a simple fact that you state the *“Eurobodalla Settlement Strategy sets out the Councils policies and strategies for managing land use within the Shire”* and it is also a simple fact

that this Settlement Strategy clearly states (1): “Eurobodalla Shire Council is committed to the concept and principles of sustainable development and the implementation of Local Agenda 21”. It is also a simple fact that Agenda 21 is a United Nations program, designed by the UN (2, 3, 4, 5). But as you no doubt realise, the implementation of Agenda 21 is also monitored by the UN, participating countries being required to report back to the UN on a regular basis (2, 6, 7, 8). The UN describes the monitoring and reporting provisions for Agenda 21 in [chapter 38.11](#). The Commonwealth of course, provides these reports to the UN from implementation progress at state and local government levels. In fact, the United Nations [Commission on Sustainable Development](#) was established to oversee the implementation of Agenda 21 around the world (2, 6, 8). According to the Commonwealth Government in this regard (8):

“The Commission on Sustainable Development (CSD) was established by the United Nations General Assembly (UNGA) with a mandate to review implementation of the outcomes of the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro in 1992, in particular progress in the implementation of the program of action known as Agenda 21. The CSD held its first substantive session in June 1993 and has met annually since. The 10-year review of the implementation of Agenda 21 culminated in the World Summit on Sustainable Development (WSSD) which was held in Johannesburg, South Africa (September, 2002). While the CSD successfully built a profile and improved understanding of sustainable development during its first 10 years, it was recognised at the WSSD that some reforms were required to ensure the continued relevance of its work. The WSSD Plan of Implementation (POI) called for reform of the CSD within its existing mandate (as adopted un UNGA resolution 47/191). In particular, the POI recommended :

- *Limiting negotiating sessions to every two years;*
- *Re-considering the scheduling and duration of intersessional meetings; and*
- *Limiting the number of themes addressed in each session.*

An enhanced role for the CSD in monitoring and reporting on progress in the implementation of Agenda 21 and in facilitation of partnerships was also recommended.”

Following are some of the typical United Nations land use questions the government is required to answer to check implementation of Agenda 21 at the local level (7):

“4. Agenda 21 called for the review and development of policies to support the best possible use of land and sustainable management of land resources, with a target date not later than 1996. Please describe progress that your country has made towards meeting this target.

6. Please explain briefly, to what extent are plans for expansion of human settlements reviewed with respect to the impacts on farmlands, landscape, forest land, wetlands and biological diversity.

ANNEX: OVERALL EVALUATION OF INTEGRATED APPROACH TO THE PLANNING AND MANAGEMENT OF LAND RESOURCES

The following section is designed to facilitate an overall evaluation of the progress achieved in various related activities as outlined in Chapter 10.

1. Please provide qualitative rankings on different aspects of integrated land use planning and management that your Government has been able to achieve at different levels of success since UNCED. In order to guide your answers (i.e. giving a rating to every box) the qualitative rankings are ordered on a scale from 1-5:

5 – distinguishing or outstanding achievements

4 – clear and apparent achievements

3 – only slight achievements

2 – no achievements at all

1 – worse than before UNCED

Rankings Activities

[4] Development of a national policy or strategy on integrated land management

[4] Development of policies that have encouraged sustainable land use and management of land resources

[5] Review of the regulatory frameworks related to land use and management

[4] Formulation and adoption of land use zoning

[3] Institutional set-up for monitoring land use regulations

[4] Formulation and adoption of market-based measures

[4] Information compilation and land capability analysis

[5] Identification of data gaps

[5] Identification of major challenges and issues related to the implementation of integrated land use and management approach at nation-wide level

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2. What level of importance is attached to the different functions of land in your country? Please provide qualitative ranking of the major functions or characteristics of land (i.e. give a rating to every box) on a scale from 1-4.

4 – Very high importance

3 – Highly important

2 – only slightly important

1 – not important at all

Ranking Major functions/characteristics of land

[1] Food security

[4] Rural development

[4] Rural viability

[4] Environmental sustainability (protection/recovery/rehabilitation/enhancement)

[4] Improved policies and institutions

[4] Economic development

[4] Poverty reduction and equity

[4] Social cohesion”

Since the United Nations origin, and monitoring provisions for implementation of Agenda 21, are indisputable, it would seem you must disagree with Council’s commitment to Agenda 21 as stated in the Settlement Strategy. Clearly this would be ridiculous. I was hoping for a more meaningful response, more in accord with the seriousness of these matters. To continue to dispute simple facts while ratepayers struggle with the results of Council policy creates a perception of extreme self-interest and complete indifference towards the everyday concerns of ratepayers.

I also asserted in my previous communication:

FACT: Eurobodalla Council has decided to continue to deny residents a democratic choice as to whether they prefer Council land use/sustainability policies determined locally, by

local authorities and ratepayers, or by an undemocratic foreign agency as is presently the case.

Has the situation changed? Has Council decided to fully inform residents of the UN origin and end goals of AG21 at the upcoming election so they make an informed choice?

As I asked previously:

You are suggesting that if I were to conduct a survey in the local area and ask residents the following questions then I would mostly obtain correct answers.

1. *Did you realise council's sustainability policy is based upon the UN Agenda 21 program?*
2. *Did council explain the full details and goals of Agenda 21 to you prior to adopting this policy?*
3. *Did council give you an informed democratic choice and offer you a locally based policy as distinct from a foreign UN policy?*

Is it true council has been communicating with residents so they can answer these very basic questions?

Not only was this question completely ignored by you, but further, In your response you were unable to supply any documentary evidence whatsoever (media releases, ratepayers notices) confirming that Council had fully advised residents of the UN origin, end goals, and UN monitoring, of Agenda 21 prior to its introduction and incorporation into Council policy. Why do you continue to refuse to supply this information if in fact you have accurately and truthfully advised residents as you claim?

I have repeated some of your statements below with my responses in red.

"Agenda 21 is an international framework agreement for pursuing global sustainable development that was endorsed by national governments, including the Australian Government, at the 1992 Rio Earth Summit." Correct, it is a program designed by the UN and overseen and monitored by the UN as noted above, but it appears you did not explain this to ratepayers.

Eurobodalla Shire Council is not a signatory to the framework." The fact that Council is implementing Agenda 21, without giving residents an informed democratic choice has already been established. The fact that you may not be a direct (Council of course must answer to state and federal governments which in turn answer to the UN) 'signatory' is completely irrelevant.

"Eurobodalla Shire Council has not decided to have its environmental and land use policies determined by any foreign agency." You have already conceded that Council's Settlement Strategy, is based upon the dictates of the United Nations Agenda 21 program. Are you suggesting the UN is not a foreign agency?

"Council does not report to the United Nations or any other foreign agency. No foreign agency has any involvement in Council's processes for determining environmental or land use policy. There is no monitoring of Council's environmental or land use policies by any

foreign agency.” You have stated in your Settlement Strategy (1): “Eurobodalla Shire Council is committed to the concept and principles of sustainable development and the implementation of Local Agenda 21”. How is it possible that you have based the Shire Settlement Strategy on Agenda 21, which states in [chapter 38.11](#), that the United Nations Commission on Sustainable Development will be established to monitor progress and implementation, and yet you claim no involvement from the UN or a foreign agency? Of course, whether it is monitored directly, or indirectly through state or federal governments, is irrelevant.

“Eurobodalla Shire Council has not decided to deny residents a democratic choice in terms of the setting of environmental or land use policy.” Council has so far been unable to provide any evidence whatsoever that it fully informed residents of the UN origin and total goals of Agenda 21 before implementation.

“Further, Eurobodalla Shire Council is not promoting or implementing any foreign based and initiated restrictions on Eurobodalla land owners. All of Council’s environmental and land use policies are determined by Council in consultation with the Eurobodalla community.” I have already dealt with these issues above. Council agreed to implement Agenda 21 and one of the provisions of Agenda 21 is an agreement to be monitored by the UNCSO as already noted.

“All of Councils policies are set by the democratically elected Council of the day, this includes the Eurobodalla Settlement Strategy which sets out the Councils policies and strategies for managing land use within the Shire.” Since the Settlement Strategy, which is based upon the UN Agenda 21 program, will determine “Councils policies and strategies for managing land use within the Shire,” does this mean you will be following the lead of US States and Councils which are banning the UN Agenda 21 program?

I note that Minister for Planning, Brad Hazzard, has recently passed the new LEP (9, 10,) in spite of the numerous protests and complaints from local ratepayers, including a petition with 5000 signatures ([11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [19](#), [20](#), [21](#), [22](#), [23](#), [24](#), [25](#)) and in spite of your claims that you continue to work with local residents rather than against them. I note the long list of complaints and adverse results of Council policies ([12](#)):

“· Lost sales due to new Overlays / E-Zones

· Owners cost of DA applications and associated expensive consultancy studies i.e., native vegetation, endangered species, aboriginal artefacts, environmental impact, sea inundation, acid soil test, flora and fauna studies, bush fire report, catchment management study, energy

rating report, geotechnical report and section 94 contributions

· Owners/buyers being compelled to sign agreements to further restrict land uses or forced to

donate private land to get a DA approved.

· Council requesting owners to submit DA’s despite knowing the DA would be rejected on crucial issues

· Council applying new Draft (LEP) to current DA applications

· More recently the Council not wanting DA’s submitted until the new LEP is adopted

- 1c zoned land owners are losing their entitlements
- Subdivision approved with onerous restrictions - i.e. No hoofed animals allowed on lifestyle properties (Hobby farms)
- Increasing minimum size lots from 450m² to 550m²
- Council selling public land
- Private buyers finding the Eurobodalla Council too difficult and frustrating to deal with and therefore abandon their pursuit of buying within the shire
- Commercial developers claiming similar issues as above
- Council becoming a Quasi Developer – viewed as a conflict of interest and possibly anticompetitive
- Some residents have left the area and others are looking to leave due to frustrations with Council
- Council stating to purchasers not to touch certain properties “With a 40 foot pole”
- Down-zoning land for Councils’ future acquisition with no communication to owners
- The implementation of Bio-certification is inequitable and will divide our Community. This will also add further costs and restrictions to landowners and developers, further exasperating our struggling economy
- Owners restricted from removing dead wood and slashing/mowing their land
- Property owners promised 4-5 lot subdivision and eventually badgered into accepting a 1 lot subdivision
- The Rural Lands Strategy Steering Committee will neither remedy nor compensate negatively affected land owners.”

I urge you to reconsider your stance and ban UN/Agenda 21 associated policies as mentioned below. How do you propose to protect landowners from restrictive repressive anti-Australian Agenda 21 policies? When will you commence such action?

Regards

Graham Williamson

PREVIOUS UNANSWERED QUESTIONS

Recently the following law was passed by the legislature in Alabama banning Agenda 21 ([1](#)):

Senate Bill 477

“Section 1. (b) The State of Alabama and all political subdivisions may not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to ‘Agenda 21’, adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the State of Alabama.

(c) Since the United Nations has accredited and enlisted numerous non-governmental and inter-governmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world, the State of Alabama and all political subdivisions may not enter into any agreement, expend any sum of money, or receive funds contracting services, or giving financial aid to or from those non-governmental and inter-governmental organizations as defined in Agenda 21."

Are you prepared to represent the interests of Eurobodalla residents by giving them this same protection, as enacted in Alabama, from foreign attempts to infringe upon the property rights of local landholders? If not, why not?

If you prefer to continue to have landowners property rights determined and monitored by a foreign agency, will you make this an election issue at the upcoming elections so residents may make an informed democratic choice?

When the local government of College Station in Texas recently withdrew from Agenda 21, Councilman Jess Fields commented ([2](#), [3](#)):

"I am truly excited to announce that the proposed 2013 College Station budget will not include funding for this organization (ICLEI-an Agenda 21 organisation).....It is an insidious, extreme institution that does not represent our citizens, and for our taxpayers to continue to fund it would be ridiculous.... This organization is a threat to our individual rights and our local government's sovereignty in decision-making.....ICLEI's Charter and its Strategic Plan both reinforce what could already be surmised by examining its founding and history.....This is an international organization with an extreme environmentalist bent, which desires to impose its vision of 'sustainability' on the citizens of member cities and connect to the United Nations in a way that furthers that goal.....We do not need international organizations leading the way for us in how we develop our planning and development tools and regulations. It is better for policies to reflect the actual needs of our community than some amorphous concept of greenness or sustainability, promoted by an overarching international body."

Do you agree or disagree? Do Eurobodalla residents "need international organizations leading the way for us in how we develop our planning and development tools and regulations?"

Are Eurobodalla residents any less deserving of having their property rights protected from foreign agencies?

"Especially since the restrictive requirements of Agenda 21 are being banned overseas ([2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [12](#), [13](#), [14](#), [15](#)), why is Council moving in the opposite direction? Does Council intend to continue following the dictates of Agenda 21 program or do you intend to ban this foreign interference and represent the interests of ratepayers instead?"

From: Mark Hitchenson [mailto:mark.hitchenson@eurocoast.nsw.gov.au]
Sent: Monday, 16 July 2012 4:30 PM
To: 'Graham'
Cc: Clr Fergus Thomson; Paula Pollock; Lindsay Usher; Shannon Burt
Subject: RE: Land use

Dear Graham,

Apologies for the delay in replying to your email.

Your concerns regarding the process of determining local land use and sustainability policies are unfounded.

Agenda 21 is an international framework agreement for pursuing global sustainable development that was endorsed by national governments, including the Australian Government, at the 1992 Rio Earth Summit. Eurobodalla Shire Council is not a signatory to the framework.

Eurobodalla Shire Council has not decided to have its environmental and land use policies determined by any foreign agency. Council does not report to the United Nations or any other foreign agency. No foreign agency has any involvement in Council's processes for determining environmental or land use policy. There is no monitoring of Council's environmental or land use policies by any foreign agency.

Eurobodalla Shire Council has not decided to deny residents a democratic choice in terms of the setting of environmental or land use policy. Further, Eurobodalla Shire Council is not promoting or implementing any foreign based and initiated restrictions on Eurobodalla land owners. All of Council's environmental and land use policies are determined by Council in consultation with the Eurobodalla community.

As I have previously advised, the Eurobodalla Settlement Strategy was developed in consultation with the Eurobodalla community. I have also previously advised that there was extensive community consultation in the preparation of the Eurobodalla Community Strategic Plan. In both of these consultation processes, the community told Council that protection of the environment was important to them. Council will therefore continue to work with the community to develop local solutions to local environmental issues.

All of Councils policies are set by the democratically elected Council of the day, this includes the Eurobodalla Settlement Strategy which sets out the Councils policies and strategies for managing land use within the Shire.

This should leave you in no doubt that Council has and will continue to provide all Eurobodalla residents with the opportunity to be involved in the setting of local policies and that Council is not undemocratically implementing any foreign agenda. As all of your questions have now been fully answered, there should be no need for any further correspondence on the matter.

Regards,

Mark

Mark Hitchenson

Land Use Planning Coordinator

t 02 4474 1314 | m 0400 784 515 | f 02 4474 1234

From: Graham [mailto:grahamhw@iprimus.com.au]
Sent: Thursday, 12 July 2012 7:49 AM
To: Mark Hitchenson
Cc: Clr Fergus Thomson; Paula Pollock; Lindsay Usher
Subject: RE: Land use

Dear Mark,

I have yet to receive a response to my communication of 2nd July and the issues raised therein (see below).

When can I expect a response to these issues and questions? If you feel incapable of making a meaningful response could you please forward this communication to the appropriate authority.

In order to save your valuable time, the matters may be summarised as below.

FACT: Eurobodalla Council has decided to have its environmental and land use policies determined and monitored by an undemocratic foreign agency (the UN), utilising the principles of their Agenda 21/sustainability program.

FACT: Eurobodalla Council has decided to continue to deny residents a democratic choice as to whether they prefer Council land use/sustainability policies determined locally, by local authorities and ratepayers, or by an undemocratic foreign agency as is presently the case.

Recently the following law was passed by the legislature in Alabama banning Agenda 21 ([1](#)):

Senate Bill 477

"Section 1. (b) The State of Alabama and all political subdivisions may not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in, or traceable to 'Agenda 21', adopted by the United Nations in 1992 at its Conference on Environment and Development or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the State of Alabama.

(c) Since the United Nations has accredited and enlisted numerous non-governmental and inter-governmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world, the State of Alabama and all political subdivisions may not

enter into any agreement, expend any sum of money, or receive funds contracting services, or giving financial aid to or from those non-governmental and inter-governmental organizations as defined in Agenda 21."

FACT: Your council is unashamedly still promoting and implementing these same undemocratic foreign based and initiated restrictions upon the rights of local landowners.

Are you prepared to represent the interests of Eurobodalla residents by giving them this same protection, as enacted in Alabama, from foreign attempts to infringe upon the property rights of local landholders? If not, why not?

If you prefer to continue to have landowners property rights determined and monitored by a foreign agency, will you make this an election issue at the upcoming elections so residents may make an informed democratic choice?

When the local government of College Station in Texas recently withdrew from Agenda 21, Councilman Jess Fields commented ([2](#), [3](#)):

"I am truly excited to announce that the proposed 2013 College Station budget will not include funding for this organization (ICLEI-an Agenda 21 organisation).....It is an insidious, extreme institution that does not represent our citizens, and for our taxpayers to continue to fund it would be ridiculous.... This organization is a threat to our individual rights and our local government's sovereignty in decision-making.....ICLEI's Charter and its Strategic Plan both reinforce what could already be surmised by examining its founding and history.....This is an international organization with an extreme environmentalist bent, which desires to impose its vision of 'sustainability' on the citizens of member cities and connect to the United Nations in a way that furthers that goal.....We do not need international organizations leading the way for us in how we develop our planning and development tools and regulations. It is better for policies to reflect the actual needs of our community than some amorphous concept of greenness or sustainability, promoted by an overarching international body."

Do you agree or disagree? Do Eurobodalla residents *"need international organizations leading the way for us in how we develop our planning and development tools and regulations?"*

Are Eurobodalla residents any less deserving of having their property rights protected from foreign agencies?

Regards

Graham Williamson

Dear Mark,

Once again you have overlooked the main points I have made.

1. Your environmental policy, in spite of your initial denial, is UN Agenda 21 ([1](#)) based as stated quite clearly in your settlement strategy. Agenda 21 environmental policies are planned and

monitored by an undemocratic foreign agency, the UN. In fact, In Chapter 38 of Agenda 21 the United Nations describes the necessary powers to administer and implement Agenda 21 and initiates the formation of the United Nations **Commission on Sustainable Development (CSD)** to oversee and monitor the implementation of Agenda 21. Have you fully informed residents about this and given them a democratic choice?

I repeat the unanswered questions from my previous email.

“Especially since the restrictive requirements of Agenda 21 are being banned overseas ([2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [12](#), [13](#), [14](#), [15](#)), why is Council moving in the opposite direction? Does Council intend to continue following the dictates of Agenda 21 program or do you intend to ban this foreign interference and represent the interests of ratepayers instead?”

You state in your response:

With regards to your specific questions about Agenda 21, I wish to advise that Council is required by law to act in an environmentally sustainable manner. The Environmental Planning and Assessment Act, 1979, for example, has a number of objects, including “to encourage...the protection of the environment...” and “ecologically sustainable development”. In addition, one of the purposes of Local Government Act, 1993 is “to require councils, councillors and council employees to have regard to the principles of ecologically sustainable development in carrying out their responsibilities.” Local Agenda 21 is about establishing a dialogue between Council and the community on ways to address sustainable development issues locally. Council regularly has this dialogue with the Eurobodalla community, most recently in the development of the Eurobodalla Community Strategic Plan “Eurobodalla 2030”. One of the key messages to emerge from the community in the development of Eurobodalla 2030 was that “the natural environment is important”.

Once again you overlook the main point which is not about sustainability but rather whether council should be acting as an agent of the UN by implementing UN environmental policies which will also be overseen by the UN, or whether council should reject interference from undemocratic foreign agencies and instead implement its own policies. Is council incapable of implementing its own sustainability policy, controlled and monitored locally? And did council give residents a democratic choice about this, fully informing them they had decided to seek foreign control of their environmental policies instead of acting independently in accord with the desire of ratepayers? You seem to suggest that it is impossible to act sustainably unless council conforms to the dictates of the UN. Is this your meaning?

You further state:

“Council’s support for local action to achieve sustainable development is based on communication with the local community and local actions to achieve the community’s vision.”

Is this true? You are suggesting that if I were to conduct a survey in the local area and ask residents the following questions then I would mostly obtain correct answers.

1. Did you realise council’s sustainability policy is based upon the UN Agenda 21 program?

2. Did council explain the full details and goals of Agenda 21 to you prior to adopting this policy?
3. Did council give you an informed democratic choice and offer you a locally based policy as distinct from a foreign UN policy?

Is it true council has been communicating with residents so they can answer these very basic questions?

Will council continue to support intrusive, regressive UN policies which are being banned overseas? Or will council reconsider and represent ratepayers instead?

Regards

Graham Williamson

From: Mark Hitchenson [mailto:mark.hitchenson@eurocoast.nsw.gov.au]
Sent: Monday, 2 July 2012 11:56 AM
To: 'Graham'
Cc: Clr Fergus Thomson; Paula Pollock; Lindsay Usher
Subject: RE: Land use

Dear Graham,

The purpose of my previous reply to your email was to confirm that Council undertakes extensive consultations with the Eurobodalla community in the development of planning strategies and to outline how the Draft LEP makes provision for a range of development in rural areas. This was to show how Council supports Eurobodalla residents and ratepayers and that our policy is not regressive as suggested. You expressed an interest in rural properties, so my reply was focused on our planning for rural areas.

With regards to your specific questions about Agenda 21, I wish to advise that Council is required by law to act in an environmentally sustainable manner. The Environmental Planning and Assessment Act, 1979, for example, has a number of objects, including “to encourage...the protection of the environment...” and “ecologically sustainable development”. In addition, one of the purposes of Local Government Act, 1993 is “to require councils, councillors and council employees to have regard to the principles of ecologically sustainable development in carrying out their responsibilities.”

Local Agenda 21 is about establishing a dialogue between Council and the community on ways to address sustainable development issues locally. Council regularly has this dialogue with the Eurobodalla community, most recently in the development of the Eurobodalla Community Strategic Plan “Eurobodalla 2030”. One of the key messages to emerge from the community in the development of Eurobodalla 2030 was that “the natural environment is important”.

As a further example of local dialogue on actions relating to achieving the principles of ecologically sustainable development, Council is currently exhibiting a Greenhouse Action

Plan to seek community input into the ways Council can reduce its greenhouse gas emissions in response to the issue of climate change.

Council's support for local action to achieve sustainable development is based on communication with the local community and local actions to achieve the community's vision.

I trust this clarifies the situation for you.

Regards,

Mark

From: Graham [mailto:grahamhw@iprimus.com.au]
Sent: Thursday, 28 June 2012 6:03 PM
To: Mark Hitchenson
Cc: Clr Fergus Thomson; Paula Pollock; Lindsay Usher
Subject: RE: Land use

Dear Mark,

Thank you for your prompt reply.

It does appear you have misunderstood or perhaps you have been misinformed. I asked if Council policy is based upon a foreign UN Agenda 21 program or whether Council is following overseas precedents in banning such programs to protect ratepayers. You responded by stating "*unfortunately the information you have been given is incorrect*", however, you referred me to your **Settlement Strategy (1)** to back up your claim that I had been misadvised. When I checked this document I found that it directly contradicted your claim that your policies are NOT UN Agenda 21 based and actually confirmed what I had heard about Council resorting to implementation of regressive UN Agenda 21 policy.

According to the **Settlement Strategy (1)**:

"Eurobodalla Shire Council is committed to the concept and principles of sustainable development and the implementation of Local Agenda 21".

I am alarmed that Council seems to be acting as an agent of the UN in forcing ratepayers to comply with the dictates of such a regressive intrusive program as Agenda 21. Has Council given ratepayers an informed choice about this? Especially since the restrictive requirements of Agenda 21 are being banned overseas, why is Council moving in the opposite direction? Does Council intend to continue following the dictates of Agenda 21 program or do you intend to ban this foreign interference and represent the interests of ratepayers instead?

I am particularly interested in ascertaining your future intentions in this regard. Council has made their allegiance to the UN quite clear in their above statement, but what about your allegiance to ratepayers? Will you move to ban all Agenda 21 associated policies to protect the interests of ratepayers?

Regards

Graham Williamson

From: Mark Hitchenson [mailto:mark.hitchenson@eurocoast.nsw...gov.au]
Sent: Thursday, 28 June 2012 3:41 PM
To: 'Graham'
Cc: Clr Fergus Thomson; Paula Pollock; Lindsay Usher
Subject: RE: Land use

Dear Mr Williamson,

Unfortunately the information you have been given is incorrect.

Councils Rural Local Environmental Plan (RLEP 1987) and the soon to be adopted Eurobodalla Local Environmental Plan (LEP 2012) both provide for a full range of agricultural land uses and primary production industries on rural zoned lands across the Shire. Aside from traditional agricultural pursuits such as dairying, horticultural and husbandry activities, the LEP 2012 permits a range of additional land uses such as tourist and visitor accommodation and nurseries through to home based child care with consent in rural areas. The LEP 2012 also includes secondary dwellings and dual occupancy development to accommodate growing families or rural workers. It is anticipated that the LEP 2012 will be approved by the NSW Government in the very near future and will then be available to view from Council's website www.esc.nsw.gov.au.

If you would like to learn more about the rural values of the Shire and Council's aims for rural land management, you may like to review the Eurobodalla Settlement Strategy, available on Council's website at <http://www.esc.nsw.gov.au/services/planning-and-development/plans-policies-and-strategies/>. The ESS is a 30 year plan that makes explicit the policy positioning of Council and State Government which in turn are in response to community expectations. The Eurobodalla Settlement Strategy involved extensive public consultation, community survey work, community visioning and planning and development with State Agencies. Eurobodalla's rural land planning and policy is consistent with the South Coast Regional Strategy (available at <http://www.planning.nsw.gov.au/StrategicPlanning/Regionalstrategies/tabid/161/language/en-AU/Default.aspx>) that underpins the planning framework for all South Coast LGAs.

Additionally, the preparation of a Rural Lands Strategy is about to commence and will inform land use planning decisions on rural developments and industries into the future. This Strategy will be conducted in consultation with the rural community. You can find more information on this process at Council's website at <http://www.esc.nsw.gov.au/services/planning-and-development/plans-policies-and-strategies/eurobodalla-rural-lands-strategy/>.

I hope this advice clarifies the situation for you and I encourage you to review the information referred to. If you would like further information Council staff would be happy to assist.

Regards,

Mark

Mark Hitchenson

Land Use Planning Coordinator

t 02 4474 1314 | m 0400 784 515 | f 02 4474 1234

From: Mark Hitchenson [mailto:mark.hitchenson@eurocoast.nsw.gov.au]

Sent: Monday, 2 July 2012 11:56 AM

To: 'Graham'

Cc: Clr Fergus Thomson; Paula Pollock; Lindsay Usher

Subject: RE: Land use

Dear Graham,

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With regards to your specific questions about Agenda 21, I wish to advise that Council is required by law to act in an environmentally sustainable manner. The Environmental Planning and Assessment Act, 1979, for example, has a number of objects, including “to encourage...the protection of the environment...” and “ecologically sustainable development”. In addition, one of the purposes of Local Government Act, 1993 is “to require councils, councillors and council employees to have regard to the principles of ecologically sustainable development in carrying out their responsibilities.”

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Plan to seek community input into the ways Council can reduce its greenhouse gas emissions in response to the issue of climate change.

Council's support for local action to achieve sustainable development is based on communication with the local community and local actions to achieve the community's vision.

I trust this clarifies the situation for you.

Regards,

Mark

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Sent: Thursday, 28 June 2012 6:03 PM
To: Mark Hitchenson
Cc: Clr Fergus Thomson; Paula Pollock; Lindsay Usher
Subject: RE: Land use

Dear Mark,

Thank you for your prompt reply.

It does appear you have misunderstood or perhaps you have been misinformed. I asked if Council policy is based upon a foreign UN Agenda 21 program or whether Council is following overseas precedents in banning such programs to protect ratepayers. You responded by stating "*unfortunately the information you have been given is incorrect*", however, you referred me to your **Settlement Strategy (1)** to back up your claim that I had been misadvised. When I checked this document I found that it directly contradicted your claim that your policies are NOT UN Agenda 21 based and actually confirmed what I had heard about Council resorting to implementation of regressive UN Agenda 21 policy.

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I am particularly interested in ascertaining your future intentions in this regard. Council has made their allegiance to the UN quite clear in their above statement, but what about your allegiance to ratepayers? Will you move to ban all Agenda 21 associated policies to protect the interests of ratepayers?

Regards

Graham Williamson

From: Mark Hitchenson [mailto:mark.hitchenson@eurocoast.nsw...gov.au]
Sent: Thursday, 28 June 2012 3:41 PM
To: 'Graham'
Cc: Clr Fergus Thomson; Paula Pollock; Lindsay Usher
Subject: RE: Land use

Dear Mr Williamson,

Unfortunately the information you have been given is incorrect.

Councils Rural Local Environmental Plan (RLEP 1987) and the soon to be adopted Eurobodalla Local Environmental Plan (LEP 2012) both provide for a full range of agricultural land uses and primary production industries on rural zoned lands across the Shire. Aside from traditional agricultural pursuits such as dairying, horticultural and husbandry activities, the LEP 2012 permits a range of additional land uses such as tourist and visitor accommodation and nurseries through to home based child care with consent in rural areas. The LEP 2012 also includes secondary dwellings and dual occupancy development to accommodate growing families or rural workers. It is anticipated that the LEP 2012 will be approved by the NSW Government in the very near future and will then be available to view from Council's website www.esc.nsw.gov.au.

If you would like to learn more about the rural values of the Shire and Council's aims for rural land management, you may like to review the Eurobodalla Settlement Strategy, available on Council's website at <http://www.esc.nsw.gov.au/services/planning-and-development/plans-policies-and-strategies/>. The ESS is a 30 year plan that makes explicit the policy positioning of Council and State Government which in turn are in response to community expectations. The Eurobodalla Settlement Strategy involved extensive public consultation, community survey work, community visioning and planning and development with State Agencies. Eurobodalla's rural land planning and policy is consistent with the South Coast Regional Strategy (available at <http://www.planning.nsw.gov.au/StrategicPlanning/Regionalstrategies/tabid/161/language/en-AU/Default.aspx>) that underpins the planning framework for all South Coast LGAs.

Additionally, the preparation of a Rural Lands Strategy is about to commence and will inform land use planning decisions on rural developments and industries into the future. This Strategy will be conducted in consultation with the rural community. You can find more information on this process at Council's website at <http://www.esc.nsw.gov.au/services/planning-and-development/plans-policies-and-strategies/eurobodalla-rural-lands-strategy/>.

I hope this advice clarifies the situation for you and I encourage you to review the information referred to. If you would like further information Council staff would be happy to assist.

Regards,

Mark

APPENDIX L

Complaint to NSW Ombudsman

SUMMARY

Three important issues resulted from my correspondence with Eurobodalla Council and the NSW Ombudsman.

1. Truthfulness of Council. This includes both the supplying of complete and factual information in response to my enquiry and also the commitment shown by Council to fully and truthfully inform residents of the full details of Agenda 21.
2. The legislative authority of Council in regard to enforcing upon local residents the dictates of a foreign program such as the UN Agenda 21 program.
3. Response of the Ombudsman. This includes not only the Ombudsman's refuting of evidence provided in my complaint, but also the "repackaging" of my complaint by the Ombudsman and internal disagreements within the Ombudsman's office regarding the subject of my complaint.

1. Truthfulness of Council

a. Accuracy of information supplied by Council in response to my enquiry

My assertion to Council that the Agenda 21 program, which they admitted forms the basis of their Settlement Strategy, is a foreign program, the implementation of which is also monitored by a foreign organisation (the UN), was completely denied by Council. Council statements clearly contradicted the facts, as evidenced by extensive documentary evidence from the United Nations, the Commonwealth government, and the NSW government. In spite of this, the NSW Ombudsman stated they agreed with Council claims that Agenda 21 is NOT a foreign program and its implementation is NOT monitored by a foreign agency (the UN).

The NSW Ombudsman has here apparently acted to condone or reinforce the dishonesty of Council and the supplying of misleading or deliberately false information by Council.

b. Commitment shown by Council to fully and truthfully inform residents of the full details of Agenda 21.

Because of the UN origin of AG21, the complexity of the program, and the threat it poses to fundamental human rights, it is vitally important that the Council has shown a clear commitment to accurately convey all these details to local residents. However, in response to my enquiry asking Council to provide evidence of media releases or Council notices to explain the details of AG21 to local residents, Council were unable to provide even one such notice. I concluded that *"the high level of ignorance about AG 21 in the local community is*

patently obvious and is a sad reflection of Council's community spirit and its total abandonment of community education, its duty of care, and any sense of social conscience or commitment." While the Ombudsman made no direct reference to this allegation, he did note however that of the various "community consultations" conducted by Council he was unable to document even one which was designed by Council to educate local residents regarding the full details of AG21. Evidence from the Ombudsman therefore reinforces the claim that enforcement of AG 21 by Eurobodalla Council is fundamentally undemocratic.

2. The legislative authority of Council in regard to enforcing upon local residents the dictates of a foreign program such as the UN Agenda 21 program.

As I notified the NSW Ombudsman, according to the Commonwealth government "**Many local governments work in areas beyond statutory requirements, such as Local Agenda 21 and Cities for Climate Protection.**" In response the Ombudsman was careful NOT to deny Council had exceeded its legislative authority. He simply made the point that he did not have the information "before" him to confirm any such abuse of Council powers. The Ombudsman however, carefully avoided responding to my quote from the Commonwealth government that Councils have no legislative authority to enforce AG21. The fact remains that Eurobodalla Council ARE enforcing AG21 and the Commonwealth government says they do not have the legislative power to enforce it. The NSW Ombudsman clearly, and no doubt wisely, refused to contradict the Commonwealth, preferring instead to suggest he did not have sufficient information. Perhaps this issue can only be resolved in the Courts. Obviously a distinction must be made between enforcing provisions of AG21 and enforcing provisions of NSW state legislation.

3. Response From the Ombudsman's Office

According to Phoebe Tan, my complaint to the Ombudsman was about "**council's environmental and land use policies being determined and monitored by the United Nations (UN) as the council have stated that it supports the UN's Agenda 21 policy.**" For some reason Ms Tan chose to confine my complaint to land use policies (my complaint was about the totality of AG21) and completely omit all my complaints about Council's dishonesty and Council's failure to supply truthful and complete information to local residents.

Why does the Ombudsman's office assume the role of processing and altering the substance of complaints they receive?

As a result of my objections to the initial response of the Ombudsman's office from Phoebe Tan, I received a second response from Ombudsman Bruce Barbour. According to Ombudsman Bruce Barbour's new description of my complaint, my complaint was about the "**legislative authority**" of Council, not the "land use policies" as asserted by Phoebe Tan. Like Phoebe Tan however, Bruce Barbour chose not to include my complaint about honesty and accuracy of information supplied by Council.

The reader can see that I have made my complaints perfectly clear but yet the Ombudsman's office was obviously very confused with Phoebe Tan and Bruce Barbour contradicting each other regarding the fundamental nature of my complaint. In Barbour's defence however, it should be noted that Tan's claim that my complaint was confined to "land use policies" was apparently invented by her. However, though I asked why this fictitious complaint about land use policies had been invented by the Ombudsman's office, Barbour refused to comment upon this, preferring instead to state that he agreed with Tan's analysis even though he changed my complaint to a complaint about the "legislative authority" of Council. Tan's acknowledgement of my concerns about the UN monitoring of Council Agenda 21 policies was of course correct, but for some reason Barbour, in further apparent disagreement with Tan, deleted this from his analysis of the subject of my complaint.

The Ombudsmans office is clearly in complete disarray with complainants having their complaints twisted and censored and staff openly contradicting each other about the subject of a complaint. The Ombudsman's office accepts a complaint, then processes and sterilises the complaint and spits out a completely new complaint, then, after arguing about the subject of the complaint, adjudicates on the merits of the complaint. How can they ever arrive at a correct and just decision?

Given the above it is hardly surprising that the Ombudsman's office was unable to refute the voluminous documentary evidence I supplied to them. My evidence may have been indisputable, but my complaint was dismissed nevertheless.

I repeat my concerns made to the Ombudsman regarding the specific failings of the Ombudsman's office in regard to my complaint:

*"I am concerned that the NSW Ombudsman, in responding to my complaint, has failed or completely abandoned his responsibility which (20) **"is to make sure that agencies we watch over fulfil their functions properly and improve their delivery of services to the public."** You have also failed or abandoned your responsibility to oversee Council activities (21), **"We handle complaints about local councils and help make sure councils act fairly and reasonably. We can look at the conduct of councillors and council employees and the administrative conduct of the council itself."***

You have failed in 3 specific areas.

- 1. Firstly, Council states quite clearly that it is implementing the provisions of the 500 page United Nations plan called "Agenda 21". The Commonwealth government says Council has no legislative power to implement this program and I have asked you if this is correct, whether Council has the legal power to introduce this program, or any other foreign program for that matter, and from whence does Council derive the legal authority to enforce any or all of the Agenda 21 package. You responded by completely avoiding my complaint and my questions and instead you fabricated a new fictitious complaint about LEP's and land use and proceeded to answer this new complaint which was created by you.*

2. *Although Agenda 21 is United Nations program, you approved as factual and accurate Council's claim that Agenda 21 is a local program which has no relationship to any foreign agency. Clearly you are seeking to condone or cover up Council untruths here.*

I supplied voluminous evidence regarding improper conduct of Council but once again you completely ignored all this evidence.

Introduction

Eurobodalla Shire Council, like many councils, has been busy using the provisions of the United Nations Agenda 21 program to undermine human rights and freedoms, particularly property rights ([1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#)). To make matters worse, the public have not been informed of the implications of Agenda 21 and are kept in a high state of ignorance by all three levels of government. In fact this public ignorance is one of the hallmarks of the program and seems to be a prerequisite for the successful implementation of what otherwise would be a democratically unacceptable foreign program. In view of these facts I expressed my concerns to Eurobodalla Council in a series of emails which are documented in **Appendix A**. However, the dismissing of my concerns by council ultimately resulted in my contacting the NSW Ombudsman.

On 1st of August 2012 I submitted a complaint to the NSW Ombudsman regarding Eurobodalla Councils implementation of the United Nations Agenda 21 program. This paper documents that complaint and the response from the Ombudsman.

The reader should note however, that since this complaint was initiated there have been Council elections with the consequent restructuring of Eurobodalla Council.

Summary of Initial Complaint to Ombudsman

Initially, in my complaint, I documented the responsibility of Council to truthfully inform the public.

Council notes the unacceptability of "illegal decisions", "decisions not in the public interest", "decisions which would not withstand public scrutiny," "conflicts of interest", but also dishonest decisions or those reflecting poorly on Council integrity are also unacceptable. But in forcing upon local residents, with absolutely no legislative authority, a program which was produced by a foreign agency, and is monitored by a foreign agency, Council has gone way beyond its legal authority and has relied upon fictitious powers to force its will upon residents. Furthermore, Councils complete failure to properly inform and educate the local community regarding the foreign nature of this program, the foreign monitoring of the program, and the totality or end goals of the program, reveals that Council has completely abrogated its role as a Council and working with the community in the interests of the community. So complete has been Councils failure to truthfully inform the public that the prospect of deliberate deception must be very carefully investigated.

I then proceeded to summarise my complaint and supply back up evidence.

Summary of Complaint

1. **Council Enforcing Foreign Program With no Legislative Support**

Council, as confirmed by its own Settlement Strategy document (16), is attempting to enforce upon the local community the provisions of a foreign UN initiated and monitored program called [Agenda 21](#). As is aptly pointed out by the Commonwealth Government (17), there is no statutory basis for enforcing this program upon the community. Why is Eurobodalla Council being permitted to enforce a foreign initiative upon the local community without any legislative requirement? Is Council empowered to respond directly to foreign agencies? What limits have been imposed upon this? Is any Local Government empowered to indiscriminately enforce foreign programs upon local residents? What action will you take about this and when?

2. **Council resorting to dishonesty or misleading information.**

Initially I asked Council : "I was advised that Council supports a regressive rural land policy based upon the requirements of the UN Agenda 21 program, a program currently being banned overseas. Is this correct?"

On behalf of Council, Mr Hitchenson responded: "Unfortunately the information you have been given is incorrect."

However, as noted above and below, Mr Hitchenson's response is not true or accurate since Council admits its policy is indeed based upon Agenda 21. What disciplinary action will be taken about this and when?

Subsequently Mr Hitchenson responded in regard to Agenda 21: "With regards to your specific questions about Agenda 21, I wish to advise that Council is required by law to act in an environmentally sustainable manner."

So though Council claims I had been incorrectly advised about Council implementing Agenda 21, now Council claims, re Agenda 21, they are "required to act by law." As already noted however, AG 21 has no legislative basis.

Council also goes to some length to repeatedly emphasise their policies have no foreign connection whatsoever but have been locally formulated. According to Council: "Eurobodalla Shire Council has not decided to have its environmental and land use policies determined by any foreign agency - Council does not report to the United Nations or any other foreign agency. No foreign agency has any involvement in Council's processes for determining environmental or land use policy - There is no monitoring of Council's environmental or land use policies by any foreign agency - Further, Eurobodalla Shire Council is not promoting or implementing any foreign based and initiated restrictions on Eurobodalla land owners."

As I point out to Council however, "Council admits its policies **are** based upon AG 21 and AG21 is a UN policy and the UN is a foreign agency; if any of this is incorrect please supply proof, if not, let us cease arguing about simple facts - council has agreed to the provisions of Agenda 21 and [chapter 38.11](#) of AG 21 clearly sets out the UN's monitoring provisions, which are of course carried out with the assistance of all 3 levels of government. Since Council agreed to adopt Agenda 21 Council would also have been aware of the monitoring provisions which are an integral part of the program."

Council further underlines the dependence of its environmental/sustainability policies upon Agenda 21 and foreign agencies with its admission in its [Greenhouse Action Plan](#) that such policies are derived from [ICLEI \(2\)](#), an Agenda 21 promotional organisation. In fact, [Section 7.21 of Agenda 21](#), specifically recommends involvement with ICLEI. According to Maurice Strong in the [Local Agenda 21 Planning Guide \(4\)](#), "The task of mobilizing and technically supporting Local Agenda 21 planning in these communities has been led by the International

Council for Local Environmental Initiatives (ICLEI) and national associations of local government." And further, [according to ICLEI](#), "In 1991, at the invitation of Secretariat for the UN Conference on Environment and Development, ICLEI presented a draft of Chapter 28 of Agenda 21 including the mandate for all local authorities to prepare a 'local Agenda 21'." Once again information supplied by Council is false, unless of course Council is either declaring its own documents to be false or claiming the UN is not a foreign agency. What disciplinary action will you take about this and when?

3. Abandonment of Democracy, Divisiveness, and Acting Against the Interests of Ratepayers, and Refusing to Truthfully Advise Ratepayers.

I asked Council the following questions as evidenced below:

"Has Council offered local residents the choice between a locally designed, monitored and implemented environmental/sustainability plan as an alternative to plans designed and monitored by a foreign agency (the UN)? **Council has completely ignored this question.**

Do you intend to clearly state your policies in regard to the above matters for the upcoming local elections?" **Council has completely ignored this question.**

"Has Council warned residents of the undemocratic nature of Agenda 21 plans, their UN origin, and their full agenda and final goals? If so please supply documentary evidence (notices, media releases etc)?"

In response Council stated: "Eurobodalla Shire Council has not decided to deny residents a democratic choice in terms of the setting of environmental or land use policy - All of Council's environmental and land use policies are determined by Council in consultation with the Eurobodalla community- As I have previously advised, the Eurobodalla Settlement Strategy was developed in consultation with the Eurobodalla community. I have also previously advised that there was extensive community consultation in the preparation of the Eurobodalla Community Strategic Plan - Council will therefore continue to work with the community to develop local solutions to local environmental issues."

So far Council has not been able to produce even one document they have produced with the purpose of educating the public about the UN origin of Agenda 21, and the totality or end goals of Agenda 21. As a result, I responded to Council: "I have repeatedly asked Council to provide copies of media releases or council notices informing residents of the UN origin and monitoring of AG21 and the full agenda or long term goals of AG21 but so far council has been unable to produce even one document in support of their claim that they have communicated with the community and given them a democratic choice - I have asked why the Council felt unable to utilise its own locally produced and monitored sustainability plan but instead felt the need to import a UN plan but have received no answer to this. Has this been explained to residents during your consultation with them?"

The high level of ignorance about AG 21 in the local community is patently obvious and is a sad reflection of Council's community spirit and its total abandonment of community education, its duty of care, and any sense of social conscience or commitment.

What disciplinary action will you take about this and when?

Ombudsman's Response to Initial Complaint

In my complaint to the Ombudsman I first made the following point.

"Council Enforcing Foreign Program With no Legislative Support

Council, as confirmed by its own Settlement Strategy document ([16](#)), is attempting to enforce upon the local community the provisions of a foreign UN initiated and monitored program called [Agenda 21](#). As is aptly pointed out by the Commonwealth Government ([17](#)), there is no statutory basis for enforcing this program upon the community. Why is

Eurobodalla Council being permitted to enforce a foreign initiative upon the local community without any legislative requirement? Is Council empowered to respond directly to foreign agencies? What limits have been imposed upon this? Is any Local Government empowered to indiscriminately enforce foreign programs upon local residents? What action will you take about this and when?"

I received the following response from Phoebe Tan of the Ombudsman's office:

"Council's decision to consider Agenda 21 when developing their environmental and land use policies is a discretionary decision and doing so does not avoid the requirement that such policies must be deemed to comply with the Act by the Director-General of the Department of Planning and ultimately, the Minister for Planning."

In reply I pointed out to the Ombudsman that my complaint did not specifically mention land use policies and nowhere in Council documentation did Council claim its implementation of AG 21 was limited to the land use policies of the AG21 program.

"Seems for some reason you have decided to limit your Agenda 21 comments to "land use policies" whereas this was not my complaint. Why do you suggest my complaint about AG21 is only about "land use policies" when I did not state this? Council states quite clearly that they endorse ALL the provisions of Agenda 21" (16).

I then outlined some of the requirements of Agenda 21, requirements which were endorsed by Eurobodalla Council since Council did not seek to qualify or limit their endorsement of Agenda 21 in any way.

According to the UN, Agenda 21 is (18) "a comprehensive plan of action to be taken globally, nationally and locally by organizations of the United Nations System, Governments, and Major Groups in every area in which human impacts on the environment." These provisions include control of pollution, land use, limiting consumption, conservation, health, development, agriculture, biodiversity, water, women, farming, to name but a few. Additionally, participants in Agenda 21 agree to UN supervision and monitoring. In specific connection with local government AG21 states (19):

"All local authorities in each country should be encouraged to implement and monitor programmes which aim at ensuring that women and youth are represented in decision-making, planning and implementation processes.

Activities

28.3. Each local authority should enter into a dialogue with its citizens, local organizations and private enterprises and adopt "a local Agenda 21". Through consultation and consensus-building, local authorities would learn from citizens and from local, civic, community, business and industrial organizations and acquire the information needed for formulating the best strategies. The process of consultation would increase household awareness of sustainable development issues. Local authority programmes, policies, laws and regulations to achieve Agenda 21 objectives would be assessed and modified, based on local

programmes adopted. Strategies could also be used in supporting proposals for local, national, regional and international funding.

28.4. Partnerships should be fostered among relevant organs and organizations such as UNDP, the United Nations Centre for Human Settlements (Habitat) and UNEP, the World Bank, regional banks, the International Union of Local Authorities, the World Association of the Major Metropolises, Summit of Great Cities of the World, the United Towns Organization and other relevant partners, with a view to mobilizing increased international support for local authority programmes. An important goal would be to support, extend and improve existing institutions working in the field of local authority capacity-building and local environment management. For this purpose:

(a) Habitat and other relevant organs and organizations of the United Nations system are called upon to strengthen services in collecting information on strategies of local authorities, in particular for those that need international support;

(b) Periodic consultations involving both international partners and developing countries could review strategies and consider how such international support could best be mobilized. Such a sectoral consultation would complement concurrent country-focused consultations, such as those taking place in consultative groups and round tables.”

The Ombudsman was unable to refute any of this information of course since it is taken directly from the Agenda 21 document published by the United Nations.

I asked the Ombudsman again:

“Why is Eurobodalla Council being permitted to enforce a foreign initiative upon the local community without any legislative requirement? Is Council empowered to respond directly to foreign agencies? What limits have been imposed upon this? Is any Local Government empowered to indiscriminately enforce foreign programs upon local residents? What action will you take about this and when?”

My questions regarding implementation were NOT limited to land use decisions though for some reason you have chosen to make this claim. Council has nowhere limited its implementation of AG21 to land use decisions only in spite of your apparent conclusion in this regard. Especially since the Commonwealth government has said Council has no legal power ([17](#)) to implement the provisions of “Agenda 21”, how are they permitted to implement this foreign program? The mere statement by Council that it is implementing AG21 is, according to Commonwealth, a violation of its own powers.

Are you contradicting the Commonwealth and suggesting Council is legally entitled to enforce any or all of the provisions of the Agenda 21 package?

FACT: Eurobodalla Council has confirmed it is implementing the extensive UN package of reforms described as “Agenda 21”.

FACT: Agenda 21 is a comprehensive UN program which has no clear end point but which contains hundreds of provisions which aim to control our lives and yet you, for some reason, have chosen to ignore my complaint and confine the discussion to land use policies only.

FACT: The Commonwealth government has stated Council has no legislative authority to implement AG21.”

The Ombudsman, though unable to refute my evidence, failed to respond to any of my above points.

I asked the Ombudsman again:

“For some reason you have sought to turn my complaint into a complaint about land use only and ignore the actual facts of my complaint which relate to AG21 itself and the behaviour and authority of Council. Why?”

In my complaint I also drew attention to supply of inaccurate, misleading, or untruthful information by council but the Ombudsman’s only response to Council deception was:

“I acknowledge your complaint that council has answered none of your questions. I have read your complaint and the supporting documentation you have provided, including several responses from Mr Mark Hitchenson, Land Use Planning Coordinator for the council.

Mr Hitchenson’s emails to you demonstrate that the council has been appropriately responsive to your contact and the issues you have raised. That the council has not answered ‘every’ question is not wrong conduct that warrants further investigation by this office.”

I replied to the Ombudsman:

“You have made absolutely no comment or judgement about the accuracy or truthfulness of Council’s responses but yet this was fundamental to my complaint. Why? Are you suggesting Council was truthful, accurate and open? Are you suggesting Council did not breach the Council Code of Conduct?”

FACT: Council readily admits it is implementing Agenda 21;

FACT: Agenda 21 is a foreign UN program;

FACT: The UN monitors implementation of AG21

FACT: Council has repeatedly denied their policies have any connection with a foreign agency.

Council claims are blatantly false and untrue and yet you have described this as being “appropriately responsive”. Why, and on what basis, do you consider factual inaccuracies and untruths as an appropriate response? Please reveal where Council responded “appropriately” by accurately informing me about the UN basis and monitoring of AG21. If you cannot show me this then my question remains; why are you seeking to condone or cover up their dishonesty? Is this your personal decision, or an official decision of the Ombudsman’s office?

Council has made repeated statements which are factually inaccurate and untruthful and yet you have concluded that this dishonesty is quite acceptable. Why? On what basis do you

condone this dishonesty? Are you suggesting this dishonesty conforms to the Code of Conduct?

As a result of the Ombudsman's response I responded thus:

So are you endorsing and supporting the numerous untruths told by Council, and the misinformation supplied by Council, which is in direct breach of the Council Code of conduct? Is this correct?

Or are you suggesting the Council told no untruths, did not supply misinformation, and did not violate the Code of Conduct?

I further expressed my concern regarding the Ombudsman's response and detailed specific failings of the Ombudsman's office in regard to my complaint:

"I am concerned that the NSW Ombudsman, in responding to my complaint, has failed or completely abandoned his responsibility which (20) "is to make sure that agencies we watch over fulfil their functions properly and improve their delivery of services to the public." You have also failed or abandoned your responsibility to oversee Council activities (21), "We handle complaints about local councils and help make sure councils act fairly and reasonably. We can look at the conduct of councillors and council employees and the administrative conduct of the council itself."

You have failed in 3 specific areas.

- 3. Firstly, Council states quite clearly that it is implementing the provisions of the 500 page United Nations plan called "Agenda 21". The Commonwealth government says Council has no legislative power to implement this program and I have asked you if this is correct, whether Council has the legal power to introduce this program, or any other foreign program for that matter, and from whence does Council derive the legal authority to enforce any or all of the Agenda 21 package. You responded by completely avoiding my complaint and my questions and instead you fabricated a new fictitious complaint about LEP's and land use and proceeded to answer this new complaint which was created by you.*
- 4. Although Agenda 21 is United Nations program, you approved as factual and accurate Council's claim that Agenda 21 is a local program which has no relationship to any foreign agency. Clearly you are seeking to condone or cover up Council untruths here.*
- 5. I supplied voluminous evidence regarding improper conduct of Council but once again you completely ignored all this evidence.*

I continued to express my concerns to the Ombudsman regarding his response.

"In your response you stated as in red below.

Council's environmental and land use policies

When councils develops its planning policies such as the Local Environment Plan (LEP), council must follow the process set out in the Environmental Planning and Assessment Act 1979 (the Act).

More specifically, councils must publicly exhibit amendments to the LEP, invite public comment and consider any submissions received. The draft LEP is then sent to the Director-General of the Department of Planning for a report to the Minister for Planning who makes the final decision to amend the LEP. The Director-General must report to the Minister on whether the draft LEP has met all the requirements of the Act. This office generally does not take up complaints about the changes to the content of LEPs because the Minister for Planning makes the final decision on a proposal to rezone land, and we have no power to investigate the conduct of a Minister.”

“While I thank you for the information, what has all this got to do with my complaint? I did not mention land use and LEP’s but yet here you are answering a complaint I did not make. Why? Why invent a new complaint that I did not make and then proceed to answer it?

I repeat:

FACT: Eurobodalla Council has confirmed it is implementing the extensive UN package of reforms described as “Agenda 21”.

FACT: Agenda 21 is a comprehensive UN program which has no clear end point but which contains hundreds of provisions which aim to control our lives and yet you, for some reason, have chosen to ignore my complaint and confine the discussion to land use policies only.

FACT: The Commonwealth government has stated Council has no legislative authority to implement AG21.

FACT: Council readily admits it is implementing Agenda 21;

FACT: Agenda 21 is a foreign UN program;

FACT: The UN monitors implementation of AG21

FACT: Council has repeatedly denied their policies have any connection with a foreign agency.

I have provided extensive documentation from the United Nations, the government, and Council, to substantiate ALL of the above facts. You have not been able to dispute or disprove ANY of that evidence.

You describe Council’s dishonesty about the United Nations origin of Agenda 21 thus: “Mr Hitchenson’s emails to you demonstrate that the council has been appropriately responsive to your contact and the issues you have raised.”

So according to the Office of the NSW Ombudsman, concealing the truth, or blatant dishonesty, is an “appropriate” Council response and does not violate the Council Code of Conduct. Is this correct? If not, in light of the above facts, please explain how their denial of foreign involvement is truthful. Are you suggesting both the government and the United Nations are wrong about the foreign origin of AG21?”

The above points I made in my complaint, backed up by extensive evidence from the United Nations, the Australian government, and Eurobodalla Council, were not refuted by the Ombudsman even though my complaints were nevertheless dismissed. The Council was untruthful and supplied misleading or deliberately false information about the foreign UN origin of Agenda 21 and yet this dishonesty was apparently approved by the Ombudsman. Adding to this deception was the fact that the Council were unable to supply a copy of even

one press release or council notice explaining to residents the full details of AG 21 and its UN origins. Nevertheless, the Ombudsman seemingly gave his seal of approval to Council's deceptive and misleading behaviour and their determination NOT to explain to residents the full implications of AG 21.

Second Response from Ombudsman's Office – from Ombudsman Bruce Barbour

As a result of my above objections to the initial response of the Ombudsman's office from Phoebe Tan, the matter was then referred to Ombudsman Bruce Barbour for further consideration. But for some reason, the Ombudsman chose to completely omit all my complaints about Council's dishonesty and Council's responsibility to supply truthful information. According to Ombudsman Bruce Barbour's new description of my complaint, my complaint was only about the "legislative authority" of Council.

Your complaint is that Eurobodalla Shire Council is enforcing the provisions of a programme initiated by the United Nations, Agenda 21, without any legislative authority. You have been communicating with the Council for some months and are dissatisfied with Council's responses to you.

Barbour's analysis of my complaint contrasts sharply with the earlier analysis by Phoebe Tan.

"You complain that the council's environmental and land use policies are being determined and monitored by the United Nations (UN) as the council have stated that it supports the UN's Agenda 21 policy."

The reader can see that I have made my complaint perfectly clear but yet the Ombudsman's office was obviously very confused with Phoebe Tan and Bruce Barbour contradicting each other regarding the fundamental nature of my complaint. In Barbour's defence however, it should be noted that Tan's claim that my complaint was confined to "land use policies" was apparently invented by her. However, though I asked why this fictitious complaint about land use policies had been invented by the Ombudsman's office, Barbour refused to comment upon this, preferring instead to state that he agreed with Tan's analysis even though he changed my complaint to a complaint about the "legislative authority" of Council. Tan's acknowledgement of my concerns about the UN monitoring of Council Agenda 21 policies was of course correct, but for some reason Barbour, in further apparent disagreement with Tan, deleted this from his analysis of the subject of my complaint.

The Ombudsmans office is clearly in complete disarray with complainants having their complaints twisted and censored and staff openly contradicting each other about the subject of a complaint. The Ombudsman's office accepts a complaint, then processes and sterilises the complaint and spits out a completely new complaint, then, after arguing about the subject of the complaint, adjudicates on the merits of the complaint. How can they ever arrive at a correct and just decision?

Barbour went on to say he agreed with the reply I received from Mark Hitchenson of Eurobodalla Council:

In your communications with Council's Land Use Planning Co-ordinator, Mr Mark Hitchenson, you raised a large number of issues with him, and you were critical of the responses you received. However I consider the central issues of your complaint and dispute with the Council were addressed by Mr Hitchenson in his e-mail to you of 16 July 2012. I agree with the advice provided by him on the matter.

The comments made by Hitchenson, with which the Ombudsman fully agrees, are as follows:

“Eurobodalla Shire Council has not decided to have its environmental and land use policies determined by any foreign agency. Council does not report to the United Nations or any other foreign agency. No foreign agency has any involvement in Council’s processes for determining environmental or land use policy. There is no monitoring of Council’s environmental or land use policies by any foreign agency. Eurobodalla Shire Council has not decided to deny residents a democratic choice in terms of the setting of environmental or land use policy. Further, Eurobodalla Shire Council is not promoting or implementing any foreign based and initiated restrictions on Eurobodalla land owners. All of Council’s environmental and land use policies are determined by Council in consultation with the Eurobodalla community.....This should leave you in no doubt that Council has and will continue to provide all Eurobodalla residents with the opportunity to be involved in the setting of local policies and that Council is not undemocratically implementing any foreign agenda.”

The fact that Agenda 21 is a foreign UN program, and it is program monitored by a foreign Agency (the UN) is simply indisputable as is clear from the above evidence. Also perfectly clear is the fact that Eurobodalla Council not only failed to publicise and inform the community about these facts, but even worse, when I questioned them they concealed the truth and supplied highly misleading and deceptive information. Additionally, the Council was unable to supply even one media release or Council notice showing they had attempted to explain to residents the full implications of AG 21.

In spite of all these facts, the NSW Ombudsman has endorsed and stated his agreement with the above misinformation supplied by Eurobodalla Council.

The NSW Ombudsman continued to offer the following explanation of his response in his letter.

I am aware that Agenda 21 was adopted at a United Nations meeting in June 1992 and supported by the then Prime Minister. I am also aware that it is an international plan which outlines actions which governments, international organisations and the community can take to achieve sustainability. Council itself was not a signatory to the agreement.

This information of course is completely irrelevant to my complaint and the reason for its inclusion in the Ombudsman’s response is unclear. Of course I have never suggested the Council is a signatory to the agreement. Quite the opposite in fact since I pointed out that Council had no legislative authority to enforce AG21 upon local residents. Signatory or not, the fact remains that implementation is monitored by the United Nations.

The Ombudsman continues in his letter.

The Eurobodalla Settlement Strategy was adopted by Council in December 2006. It followed extensive consultation with the community and relevant State Government Departments including Primary Industries (Fisheries and Agriculture), Environment and Conservation, Housing and the Rural Fire Service. Public meetings were held and the draft strategy was exhibited for three months for the purpose of receiving submissions. The strategy was ultimately considered by the democratically elected body in open session and approved, and then endorsed by the NSW Government.

Other Council policies such as the Sustainable Living Policy, Community Strategic Plan, the Local Environmental Plan 2012, and recently the Greenhouse Action Plan, have all followed the required statutory procedure with public exhibition of the policies, invitation and consideration of submissions and reporting openly to the elected body. The policies have been approved by the elected Councillors.

The reason the Ombudsman included this information is also unclear, unless he was somehow meaning to suggest that the “community consultations” he referred to in some way indicate that Council has attempted to honestly inform the public about AG21. Quite the opposite is true in fact.

The Ombudsman has seemingly confirmed that he was unable to document any community consultations conducted by Council which were intended to convey to the public the full implications of AG21 and its United Nations origin. In all of these community consultations, the Ombudsman has confirmed that not one was designed to explain the full implications of AG21 to residents. The Council it seems, specifically avoided explaining the full details of AG 21 to local residents.

Even though the Ombudsman is supplying further evidence here to support my allegation that Council has not even attempted to explain the full implications of AG21 to local residents, nevertheless, somehow he dismissed my complaint!

The Ombudsman continues in his letter.

On the basis of the documentation before me there is nothing to suggest that Council has acted outside its statutory authority.

The Ombudsman is careful here NOT to deny Council has exceeded its legislative authority. He simply makes the point that he does not have the information “before” him to confirm any such abuse of Council powers. The Ombudsman carefully avoided responding to my quote from the Commonwealth government that Councils have no legislative authority to enforce AG21 (2) :

“Many local governments work in areas beyond statutory requirements, such as Local Agenda 21 and Cities for Climate Protection.”

The fact remains that Eurobodalla Council ARE enforcing AG21 and the Commonwealth government says they do not have the legislative power to enforce it. The NSW Ombudsman clearly, and no doubt wisely, refused to contradict the Commonwealth, preferring instead to suggest he did not have sufficient information.