

CROWN LAND MANAGEMENT ACT 2016

Transition guide for Crown land managers—schools of arts and other institutions

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Transition guide for Crown land managers—schools of arts and other institutions

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More information

Department of Industry—Lands & Water

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Introduction

When the new *Crown Lands Management Act 2016* (the CLM Act) commences on 1 July 2018, the *Trustees of Schools of Arts Enabling Act 1902* will be repealed. As a result, your management requirements will change and your organisation will need to transition to the CLM Act. The NSW Department of Industry—Lands & Water (the department) is here to help you understand the changes and support you in the transition process.

All current appointed trustees of public schools of arts under the *Trustees of Schools of Arts Enabling Act 1902* will automatically transition—existing school of arts trustees will be known as Crown land managers under the new CLM Act. As Crown land managers, they will continue to have the care, control and management responsibility for their school of arts, which will become a Crown reserve.

Local councils currently appointed as either the sole trustee of a public school of arts and/or a manager of a reserve trust will also continue to manage their school of arts, but also as Crown reserves. How local councils manage Crown reserves under the new CLM Act is different from other Crown land managers as they will principally manage their Crown reserves under the public land provisions of the *Local Government Act 1993*.

Local councils should refer to the Office of Local Government website for information on their new requirements: www.olg.nsw.gov.au/crownland.

Background

In 2012, the NSW Government began the first major review of Crown land in 25 years, prompting a comprehensive consultation process with community and other interested parties about the future management of Crown land.

This extensive review process culminated in the NSW Parliament passing the new CLM Act in November 2016 and the *Crown Land Legislation Amendment Act* in May 2017.

This new legislation will commence on 1 July 2018 and will ensure the Crown estate is managed efficiently and effectively and continues to support and generate social, environmental and cultural benefits for the people of NSW.

In NSW, Crown land is managed by the Department of Industry—Lands & Water. Previous Crown land legislation was complex and included eight different pieces of legislation.

The new CLM Act will:

- reduce red tape and duplication in managing Crown land
- improve certainty and clarity about legal requirements
- support greater community involvement in local decisions made about Crown land
- formalise opportunities and processes for community involvement and engagement
- recognise and support Aboriginal involvement in the management of Crown land.

About this guide

The CLM Act will make changes that impact public schools of arts, structurally and in terms of how they are managed. The purpose of this document is to help public schools of arts to understand the changes and how to transition to the new arrangements. Included in this document are:

- **Understanding the changes:** an overview of the transition changes and requirements for managers
- **Transition checklist:** a step-by-step checklist with supporting templates to help managers implement the transition activities. The checklist is provided as a guidance tool only and is not compulsory.

A separate frequently asked questions document addresses common questions managers may have in relation to the changes, their role and transition requirements.

The CLM Act will impact public schools of arts differently depending on what type of trustee is appointed. Trustees should ensure they refer to the transition guide that is **applicable to their manager type** (refer to Figure 1):

- *Transition guide for Crown land managers—schools of arts and other institutions* (this guide)
- *Transition guide for Crown land managers—boards and administrators*
- *Transition guide for Crown land managers—corporations.*

If you are uncertain of which manager type you are, please contact the department on 1300 886 235 or email reserves@crowmland.nsw.gov.au.

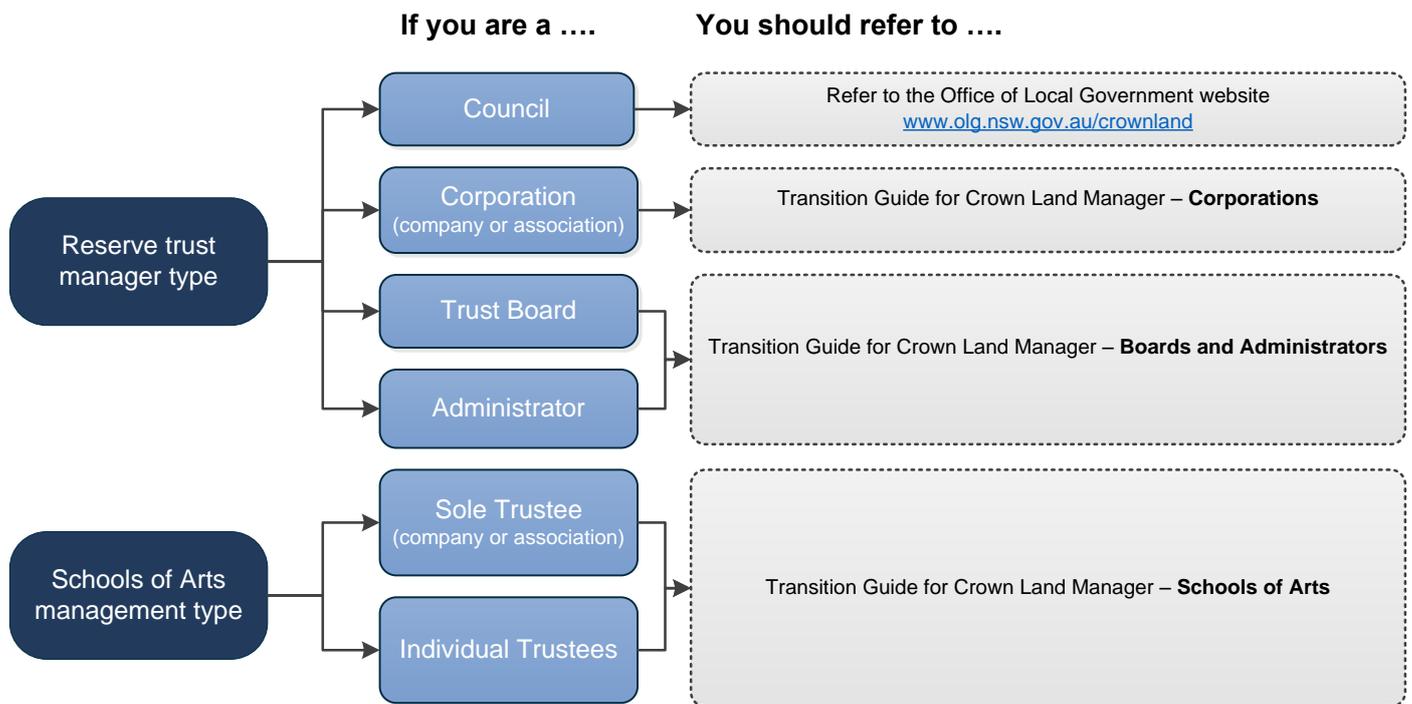


Figure 1. Reference guide: transition information for managers

New terminology

The CLM Act introduces new terminology that is referred to in this guide. To help you understand key terms, here is a summary:

- **Appointment instrument:** a document that sets out the term and conditions of a Crown land manager’s appointment.
- **Category 1 non-council Crown land manager** or **Category 1 manager:** a Crown land manager that is not a local council and has been assigned as a Category 1 manager, having demonstrated advanced governance and expertise in Crown land management.
- **Category 2 non-council Crown land manager** or **Category 2 manager:** a Crown land manager that is not a local council and is not assigned as a category 1 manager.
- **Community Engagement Strategy:** a document approved by the minister that sets out the minimum requirements for engaging with the community on certain proposed activities on Crown land such as sale, leasing and licensing.
- **Crown land manager** or **CLM:** the name given to a legal entity appointed to manage a Crown reserve.

- **Crown Reserves Improvement Fund:** the name of the funding program that replaces the Public Reserves Management Fund to provide financial support for the development, maintenance and improvement of Crown reserves and freehold showgrounds.
- **Native Title Manager:** a person who has undertaken approved training and is employed or engaged by either a local council or category 1 Crown land manager to ensure dealings with their Crown reserves comply with native title legislation.
- **Statutory land manager:** a legal entity established by the *Crown Land Management Act 2016* so that individuals as members of a board and administrators can manage Crown reserves.

Understanding the changes

Managing Crown land

The ability to reserve and dedicate Crown land for the public benefit continues under the CLM Act.

Appointed managers of school of arts Crown reserves are required to manage their facility in line with the reserved or dedicated purpose/s. It is important that all activities and uses on the reserve are suitable to occur having regard to the reserve purpose/s, including anything permitted through a lease or licence. If in doubt, the department can provide advice on the suitability of any proposed activity.

New management structure

Under current arrangements, all managers are appointed as trustees of the school of arts trust. The repeal of the *Trustees of Schools of Arts Enabling Act 1902* means that trustees of schools of arts on public land will automatically be appointed as 'Crown land managers' for the same land under the CLM Act—however the school of arts trust will be abolished. The new management structure for the trustees will vary depending on the current type of trustee.

Individually appointed trustees

If individuals are currently appointed as trustees for a school of arts trust, the trust will be abolished and a statutory land manager will automatically be created in its place on 1 July when the CLM Act commences. The statutory land manager will be appointed as the Crown land manager for the same land.

The name of the new statutory land manager will be the same as the trust—excluding the word 'trust' if it forms part of its name—and ending with the words 'land manager'.

For example, ABC Trust will be abolished, and ABC land manager will be constituted in its place.

The statutory land manager will become the new legal entity that will hold all the assets, rights and liabilities of the school of arts trust (refer to Figure 2). To support the transition, the department will register the new statutory land manager entity for an Australian Business Number.

The individuals that are currently appointed as trustees will be automatically appointed as board members of the new statutory land manager for the same term as their current appointment as trustee. If a trustee does not have a specified term, they will be appointed for a term of five years, which is the maximum term of appointment under the new CLM Act.

Statutory land manager boards can have a maximum of seven members, including ex-officio appointments. If there are currently more than seven trustees, all will continue as board members until their appointment term expires.

If you know of other members of the community that would like to be part of your board, and you have fewer than seven appointed members, contact the department on 1300 886 235.

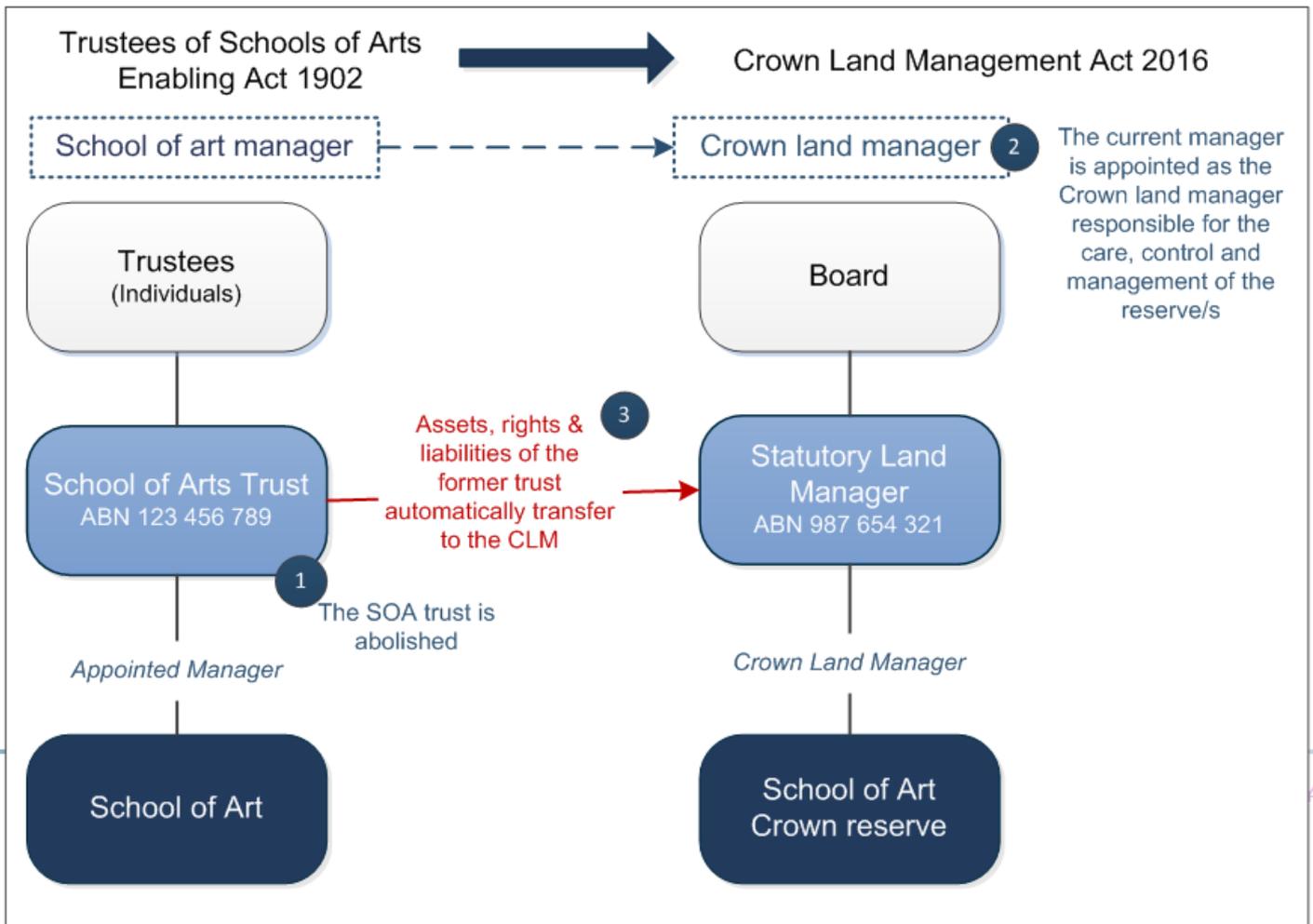


Figure 2. Transition to the CLM Act: schools of arts managed by individual appointed trustees

Sole trustees

If a corporation or association is appointed as the sole trustee of a school of arts trust, on 1 July 2018 the school of arts trust entity will be abolished and the corporation or association will automatically be appointed as the Crown land manager for that land under the CLM Act. The corporation or association will become the legal entity that holds all the assets, rights and liabilities of the school of arts (refer to Figure 3).

Revenue generated via the operations of the school of arts Crown reserves is only available for expenditure by the corporation on the school of arts Crown reserves under its management.

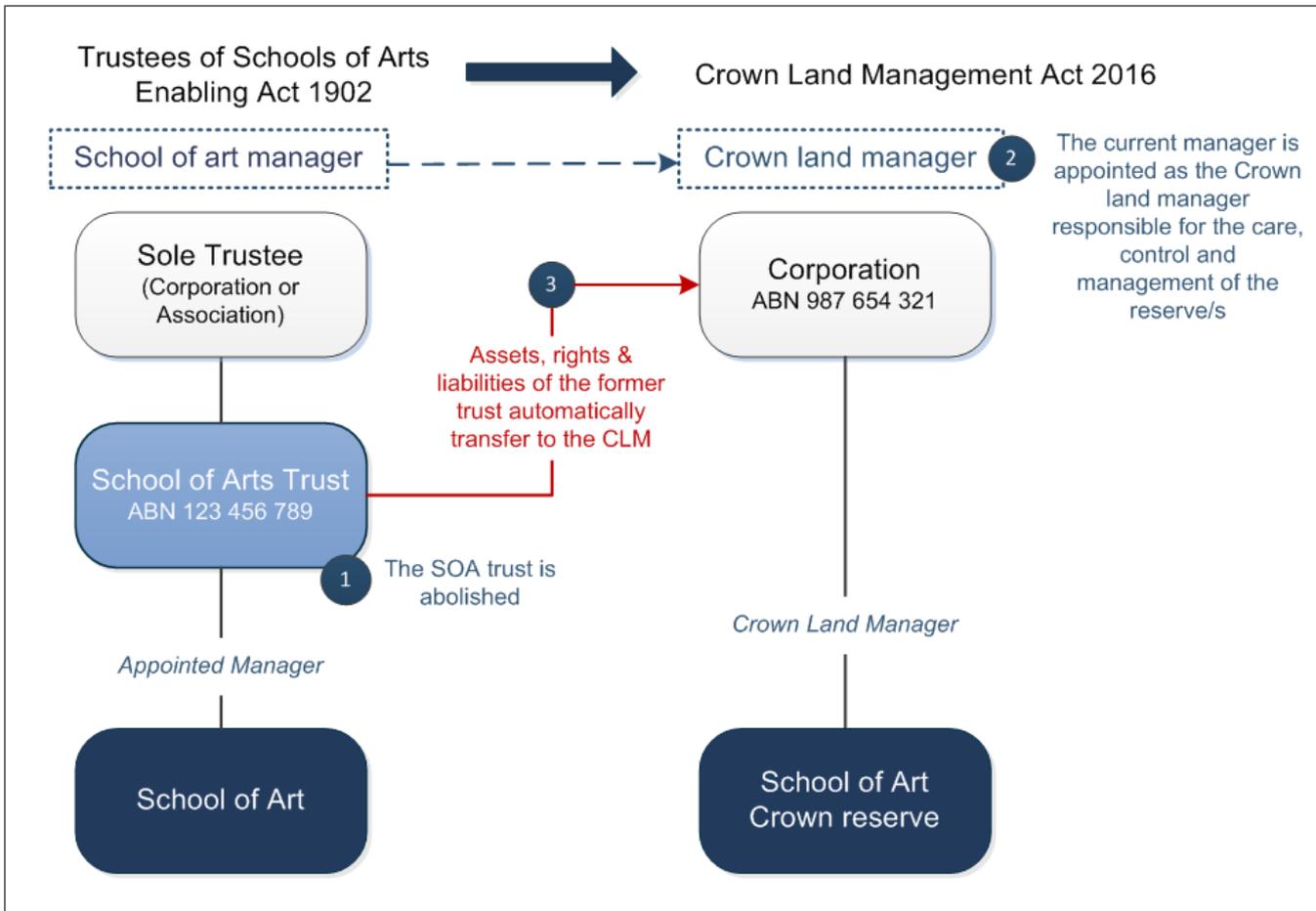


Figure 3. Transition to the CLM Act: schools of arts managed by a sole trustee

Transition of assets, rights and liabilities

The CLM Act makes provision so that all assets, liabilities, tenures and contracts of the existing school of arts trust automatically transfer to the Crown land manager. This means that any existing leases or licences issued by the trust will automatically continue under the CLM Act for their remaining term.

Categorisation for non-council Crown land managers

To recognise the diverse capacity and capability of current managers, non-council Crown land managers will be categorised as either:

- Category 1 managers
- Category 2 managers.

Category 1 managers are Crown land managers who have demonstrated advanced governance and expertise in Crown land management. Category 1 managers are authorised under the CLM Act to enter into leases and licences for terms of up to 10 years without the need to obtain ministerial consent.

The ability to enter into longer-term leases and licences without requiring consent, also means all category 1 managers are required to employ or engage a qualified Native Title Manager. This requirement is to ensure compliance with native title obligations.

Category 1 managers that will be established from commencement of the CLM Act are:

- NSW Crown Holiday Parks Land Manager
- Northern Metropolitan Cemeteries Land Manager
- Rookwood General Cemeteries Reserve Land Manager

- Catholic Metropolitan Cemeteries Trust
- Southern Metropolitan Cemeteries Land Manager
- Rookwood Necropolis Land Manager

All other Crown land managers—including all of the new schools of arts Crown land managers—will be Category 2 managers at commencement of the CLM Act.

Category 2 managers need ministerial approval to grant any proposed leases and licences of more than one year in length (including any option to renew). As part of the consent process, the department will provide oversight to ensure native title obligations for development, leasing and licencing activities are met.

Aboriginal land rights and interests in Crown land

For the first time, Aboriginal land rights, native title rights and interests and Aboriginal people's involvement in the management of Crown land are explicitly recognised and supported in the CLM Act. Crown land has spiritual, social, cultural and economic importance and value to Aboriginal people. For many Crown reserves across the state this traditional connection to the land remains largely intact. Native title rights may exist over the Crown reserve you manage and you must still consider the effect an activity could have with respect to the *Native Title Act 1993*.

The introduction of the CLM Act does not change this requirement.

Aboriginal cultural heritage places or items could also be present on Crown reserves you manage. When undertaking management activities on your Crown reserve, you must consider if these activities or works could possibly impact on Aboriginal cultural heritage places or items. The introduction of the CLM Act does not change this requirement.

Grant and loan funding

The Public Reserves Management Fund will be known as the Crown Reserves Improvement Fund under the new CLM Act. While the name is new, the ability to apply for grant funding and the existing process will remain the same.

All Crown land managers are still encouraged to apply for this annual grant funding. Applications can be made online when the annual funding round is open at www.industry.nsw.gov.au/lands/reserves/funding.

Construction, repairs and maintenance on Crown land

All Crown land managers are required to undertake any development on Crown reserves in accordance with relevant planning legislation. Under the CLM Act, a Crown land manager is not a statutory body representing the Crown. While not giving public authority status, appointment as a Crown land manager does provide certain development pathways to recognise your public land management responsibilities.

Crown land managers are now allowed to make a development application with their local council or planning authority for a range of low impact development on Crown land without the need to get prior landowners consent from the Minister for Lands and Forestry. This allows Crown land managers and holders of leases and licences to make development applications for activities such as repairs, maintenance and restoration of existing buildings and structures and the erection and maintenance of fencing and signage. For all other activities requiring a development application to be lodged, landowners consent from the minister is required.

When considering development activities on your reserve, it is important to discuss your proposal with the department as early as possible so that assistance can be provided to identify the most appropriate development pathway.

Leases and licences

The authority to lease and licence your school of arts changes when the CLM Act starts on 1 July 2018. All Category 2 Crown land managers remain able to issue short-term licences for up to 12 months without the minister's consent. Leases and longer term licences can only be issued with the consent of the minister. A short-term licence template will be available to assist you with complying with the requirements of the CLM Act.

All non-council Crown land managers will be required to set rent for any lease or licence on their Crown reserve at market value. Recognising community benefits – subsidised rent that is less than market value is still possible if it is justified with a business case to the minister as part of applying for consent to grant the lease or licence. Revised lease and licence templates and updated guidance for Crown land managers will be available on the department's website.

The *Community Engagement Strategy* is a new statutory requirement under the CLM Act and it must be followed prior to issuing any lease, or any licence for a term greater than 12 months (see further below). Crown land managers are encouraged to contact their local Crown Lands Office to discuss any new lease or licence proposal for assistance in meeting these new requirements.

Improving reserve governance

Crown reserves code of conduct

The introduction of the *Crown reserve code of conduct* has been timed to coincide with the start of the *Crown Lands Management Act 2016* on 1 July 2018. The code of conduct is the foundation of expected standards of management for the Crown reserve system, now and into the future. The code applies to public schools of arts.

The ten standards detailed in the code of conduct outline the need to respect others, act with integrity and transparency, be responsive to our communities and maintain an environment that has regard for the safety of volunteers, employees and reserve users. Importantly the code of conduct will ensure that managers of Crown reserves can have the confidence to participate in an environment that is safe, respectful and enjoyable.

The code of conduct aligns with community expectations that Crown reserves will be managed with transparency, integrity and good governance—adopting consistent standards and behaviours will help to instil public trust and confidence in the integrity and professionalism of the Crown reserve system.

Appointment instruments for Crown land managers

Crown land manager appointments will be established and governed by appointment instruments that set out the terms and conditions of their management functions. The appointment instrument will generally set out the date of appointment, rules or guidelines to be complied with, adherence to the code of conduct and use of the land compatible with the reserve purpose. A standard suite of appointment instruments will be used by the minister when appointing Crown land managers and will be progressively issued to existing managers from commencement of the CLM Act.

Reporting requirements

Under the new CLM Act, all non-council Crown land managers are required to report to the minister annually via the online Crown Reserves Reporting System (CRRS). This can be done online via the CRRS portal. However, to support the transition to the new CLM Act, a reporting exemption has been applied to all non-council Crown land managers for the 2017–18 financial year. You will still need to prepare your normal financial reporting statements for your previous school of arts entity.

Community Engagement Strategy

As custodians of some of the most valuable land in NSW, the minister and Crown land managers have an obligation to current and future generations to optimise benefits from Crown reserves. Community needs and expectations change over time and engaging with the community ensures informed decision-making and better outcomes for the community that use and enjoy Crown reserves.

As a Crown land manager, you will be expected to engage with your community about the activities being undertaken on your Crown reserves.

The *Community Engagement Strategy* is a statutory requirement of the CLM Act and applies to decisions made by the department and all non-council Crown land managers. It seeks to ensure that decisions about Crown land are made in an open and transparent way by setting out engagement requirements for certain activities such as leasing and licensing. The statutory requirement for community engagement corresponds with the expected level of impact on community use and enjoyment if the lease or licence was granted.

Non-council Crown land managers are encouraged to contact their local Crown Lands Office to discuss any development, leasing or licensing proposal early, so the department can assist you to meet your obligations under the *Community Engagement Strategy*. For more information about your requirements, refer to the department's website.

Transition checklist and templates

While the CLM Act provides for any assets rights and liabilities of the school of arts trust to automatically transfer, there are certain things you will need to do to complete the transition.

This will be most evident where there are business activities or undertakings in the name of the school of arts trust entity. For example, if staff are employed by the school of arts trust entity or there are bank accounts and other trading accounts held, the trustee will need to ensure these are transferred to the Crown land manager.

Even if the school of arts trust is not actively carrying on a business, you will need to ensure that the school of arts trust entity is wound down and any statutory obligations are met, including lodgement of final Business Activity Statements or other tax-related returns for the school of arts trust if relevant.

A checklist and pro-forma templates provided to assist schools of arts in their transition to the CLM Act.

Every school of arts trust is different—trustees should consider their own circumstances and seek additional guidance from the department where necessary.

You are **not** required to complete the checklist or submit it to the department—it is provided as a guidance tool only.

Checklist for winding down the reserve trust

Is this checklist relevant for my reserve trust?

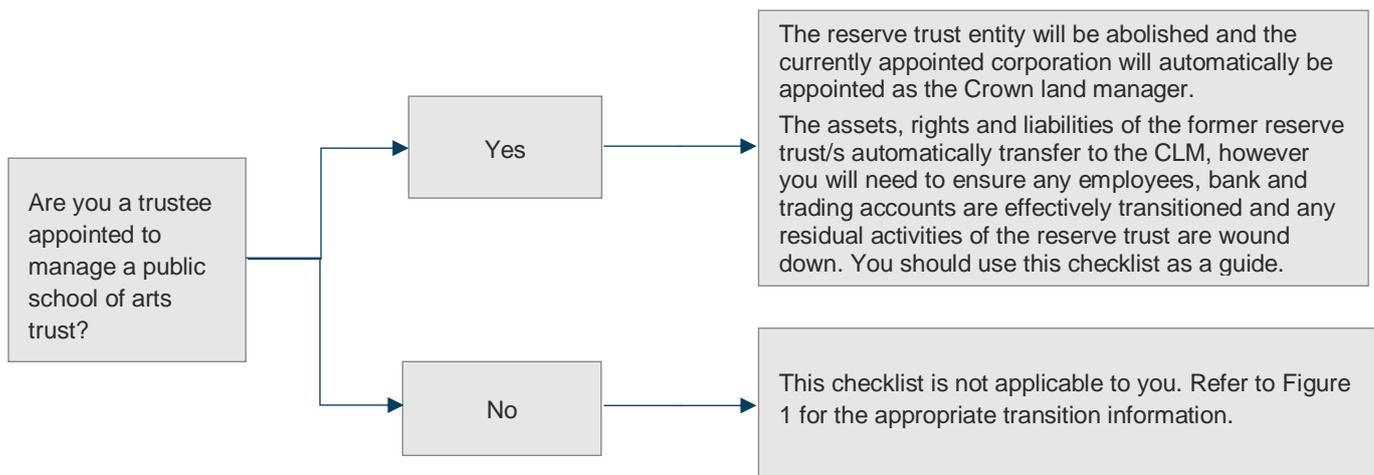


Figure 4. How to determine the relevance of the checklist

Understanding the transition requirements

The CLM Act provides for assets, rights and liabilities of the trust to automatically transfer to the Crown land manager—however there are certain activities required to complete the **business transfer** and the **winding down** of the school of arts trust. Certain stakeholders may also need to be notified of the changes.

A simple way to identify the business transfer or wind down requirements is to ask:

- Are there any accounts, registrations, assets or other contractual arrangements (other than leases and licences) currently held in the name of the school of arts trust?
 - If the answer is 'yes', you will need to take some form of action to complete the business transfer and wind down.

- If ‘no’, and the activities or assets are instead in the name of the sole trustee (corporation or association), no action is likely to be required. You will still need to consider whether certain stakeholders need to be notified and ensure the school of arts trust activities are effectively wound down.

Managers should be particularly careful to ensure any staff employed by the school of arts trust are transferred lawfully to the Crown land manager, with transparency and with minimal disruption.

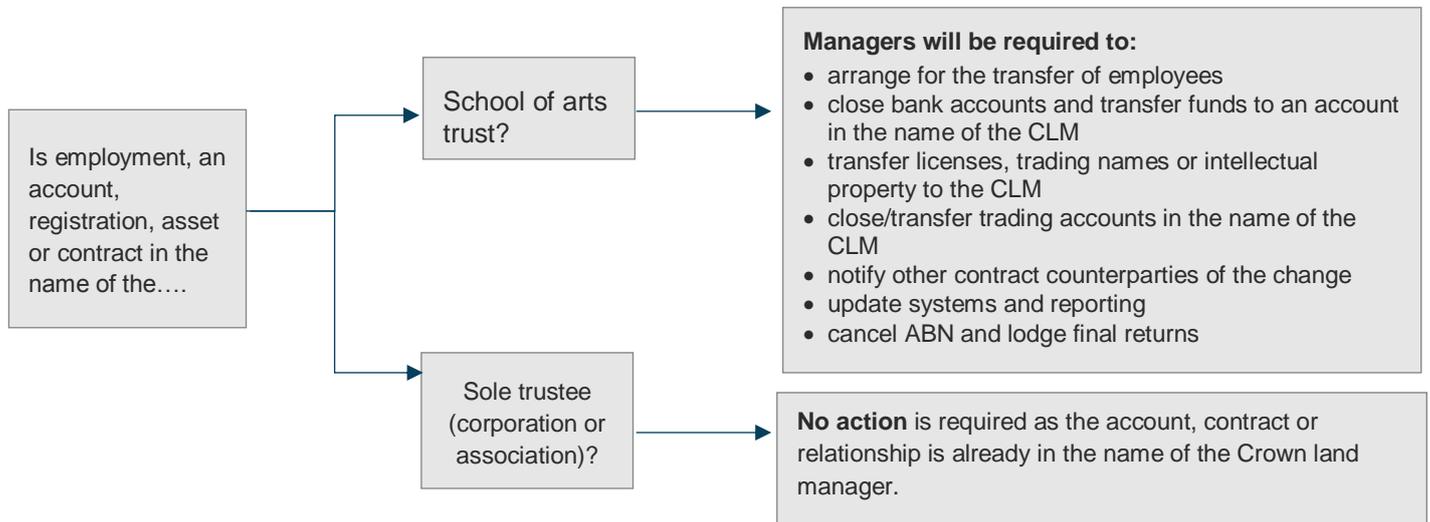


Figure 5. Transition requirements

Winding down the reserve trust	Actions	Timing	Action complete?	Reference
A. Statutory authorities				
1. Does the school of arts trust entity have an ABN?	<ul style="list-style-type: none"> • If ‘yes’, the ABN will need to be cancelled and the Australian Business Register notified. • If ‘no’, no action is required. 	No later than 28 July 2018		n/a
2. Is the school of arts trust entity registered for payroll tax?	<ul style="list-style-type: none"> • If ‘yes’: <ol style="list-style-type: none"> 1. Notify Revenue NSW to cancel the payroll tax registration 2. Lodge a final return 3. Register for payroll tax in the name of the Crown land manager (if not already registered). • If ‘no’, no action required. 	As soon as practicable		n/a
3. Does the trust entity operate in a regulated industry or hold a special operating license?	<ul style="list-style-type: none"> • If ‘yes’, notify the regulator or licencing body to transfer the operating licence or registration from name of the school of arts trust to the name of the Crown land manager. • If ‘no’, no action required. 	As soon as practicable, and before 1 July 2018		n/a

Winding down the reserve trust	Actions	Timing	Action complete?	Reference
4. Does the trust have any business or trading names?	<ul style="list-style-type: none"> If 'yes', notify ASIC to transfer the business or trading name/s from the school of arts trust to the name of the Crown land manager. If 'no', no action required. 	As soon as practicable after 1 July 2018		n/a
5. Does the trust have any other registrations, licenses or permits with Service NSW?	<ul style="list-style-type: none"> If 'yes', you will need to visit a Service NSW centre to transfer the registration, licences or permits from the name of the trust to the name of the Crown land manager. If 'no', no action required. 	As soon as practicable after 1 July 2018		n/a
6. Is the trust listed on a land title?	<ul style="list-style-type: none"> If 'yes', there is no action required by you. The department will notify Land Registry Services on your behalf. 	n/a		n/a
B. Insurance				
7. Does the trust have insurance via the Treasury Managed Fund (TMF)?	<ul style="list-style-type: none"> If 'yes', there is no action required by you. The department will notify the TMF on your behalf. If 'no', contact the department regarding eligibility for coverage. 	n/a		n/a
8. Does the school of arts trust have other insurance policies in place (not via the TMF)?	<ul style="list-style-type: none"> If 'yes', notify your insurer or broker to transfer the insurance policy from the name of the trust in to the name of the Crown land manager and request an updated Certificate of Currency If 'no', consider whether you should have insurance in place. 	As soon as practicable after 1 July 2018		Template B.2: Notification to insurers
C. Banking				
9. Does the school of arts trust operate a bank account, merchant facilities or credit cards?	<p>If 'yes', notify your banking institution to:</p> <ul style="list-style-type: none"> open a new bank account in the name of the Crown land manager transfer the funds and any attached merchant facilities or other products, from the trust account to the Crown land manager account close the trust bank account. <p>You may wish to request your bank leave the reserve trust account open for a reasonable period to allow time for direct deposits and payments to be redirected.</p>	As soon as practicable after 1 July 2018		Template D. Bank accounts

Winding down the reserve trust	Actions	Timing	Action complete?	Reference
	<p>You should also consider any payroll or supplier payments due on or around the transition date and tailor your instructions to the bank to ensure you have facilities in place to meet these commitments.</p> <p>Sole trustees can also transfer school of arts funds to an existing bank account in the name of the corporation or association Crown land manager. A separate bank for reserve activities will help you separate Crown reserve funds from the funds required for any other unrelated activities.</p> <ul style="list-style-type: none"> If 'no', no action required. 			
D. Employees				
10. Does the school of arts trust employ staff?	<ul style="list-style-type: none"> If 'yes', you will need to notify employees of their transfer to the Crown land manager on the same terms and conditions. If the Crown land manager is a corporation, former trust employees will continue to be covered by their existing industrial agreement/s. You will need to ensure that employee records are transferred to their systems and that original start date, period of service, pay rates and other entitlements are recognised. You will also need to: <ul style="list-style-type: none"> issue PAYG payment summaries to employees on behalf of the trust lodge a final PAYG tax return in the name of the trust. <p>If 'no', no action is required.</p>	You should notify employees as soon as possible, prior to the commencement of the CLM Act		Template B: Notification to employees
11. Does the school of arts trust remit superannuation on behalf of employees?	<p>If 'yes', you should:</p> <ul style="list-style-type: none"> notify the fund/s of the change in the employing entity from the trust to the Crown land manager and which employees (and applicable membership numbers) are affected. <p>If 'no', then no action is required.</p>	As soon as practicable after commencement of the CLM Act		Template B: Notification to suppliers
E. Other stakeholders				

Winding down the reserve trust	Actions	Timing	Action complete?	Reference
<p>12. Does the school of arts trust hold utility accounts in its name?</p> <ul style="list-style-type: none"> • utilities—water, gas, electricity • telephone or mobile phone 	<p>If 'yes', you should:</p> <ul style="list-style-type: none"> • notify the utility provider to close the account in the name of the trust and issue a final invoice for payment • transfer services to an existing account in the name of the corporation or open a new account in the name of the Crown land manager (as relevant). <p>If 'no', then no action is required.</p>	As soon as practicable after 1 July 2018		Template B: Notification to suppliers
<p>13. Does the school of arts trust have other trading accounts in its name?</p> <p>For example:</p> <ul style="list-style-type: none"> • suppliers • customers • professional advisors including accountants, lawyers. 	<p>If 'yes', you should notify suppliers who provide goods and services to the reserve trust to:</p> <ul style="list-style-type: none"> • close the account in the name of the trust and issue a final invoice for payment (payable by the Crown land manager); • open a new account in the name of the Crown land manager under the same terms and conditions. <p>You should notify customers of the school of arts trust to:</p> <ul style="list-style-type: none"> • close the account in the name of the reserve trust and open a new account in the name of the Crown land manager on the same terms and conditions • redirect payments to the new Crown land manager bank account. <p>If 'no', then no action is required.</p>	As soon as practicable after 1 July 2018		Templates B and B1: Notification to suppliers and Notification to customers
<p>14. Are there other users of the reserve including lessees, tenants or community user groups?</p>	<p>The CLM Act provides for the automatic transfer of assets, rights and liabilities to the Crown land manager which includes contracts and leases.</p> <p>You are not required to reissue leases or contracts in the name of the Crown land manager. You may wish to notify lessees and other contract counter parties of the changes.</p>	As soon as practicable, and prior to 1 July 2018		Template C: Notification to lessees and other land users
F. Systems, stationery and branding				

Winding down the reserve trust	Actions	Timing	Action complete?	Reference
<p>15. Does the school of arts trust have:</p> <ul style="list-style-type: none"> • accounting, payroll, customer database or other operating IT systems? • stationery or marketing collateral? • a website or Facebook page? 	<p>Update systems and software to be in the name of the Crown land manager or transfer licenses where appropriate.</p> <p>Update collateral to be in the name of the Crown land manager including:</p> <ul style="list-style-type: none"> • invoices and receipts • all stationery including letterhead and email signatures • logos, signage and other marketing collateral • your website, domain name or Facebook page • communication tools including newsletters. 	As soon as practicable after 1 July 2018		n/a

Table 1 winding down the trust

Template A: Notification to employees

[insert date]

[employee name]

[address line 1]

[address line 2]

Re: *Crown Land Management Act 2016* and transfer of your employment

I refer to your employment with [insert name of school of arts trust].

As you may be aware, the *Crown Land Management Act 2016* (the CLM Act) will come into full effect on 1 July 2018. Under schedule 7 of the CLM Act, the legal entity who is your current employer, [insert name of school of arts trust] will be abolished on 1 July 2018 and the assets, rights and liabilities will be transferred to [insert name of crown land manager].

As a result, from 1 July 2018, your new employer will be [insert name of crown land manager]. [insert name of crown land manager] will recognise your period of service and accrued entitlements and you can continue working on **the same terms and conditions** as your current employment. Your employment will continue to be covered by [insert applicable industrial agreement (if relevant)] and the *Fair Work Act 2009*.

You are deemed to accept employment with [insert name of crown land manager] unless you notify us otherwise by close of business on [insert date, not less than 7 days from the date of letter but before the commencement date of the CLM Act].

Please also find enclosed a copy of the Fair Work Statement relating to business transfer situations.

If you have any queries in relation to this letter or your employment, please contact [insert name] on [contact details].

Your sincerely

[name]

[position]

Note: The example letter is applicable to employees of public schools of arts where the employing entity is the school of arts trust. You should:

- copy and paste the body of the letter onto the school of arts trust letter head
- replace all [red text]
- modify other wording as applicable.

The key message to convey to employees is that there is no change to their employment terms and conditions.

Managers should be aware that under the *Fair Work Act 2009*, employers **must** provide employees a copy of the Fair Work Statement.

Template B: Notification to suppliers

- Suppliers
- Utilities
- Other trading partners
- Advisers

[insert date]

[addressee]

[address line 1]

[address line 2]

Dear Sir/Madam

Re: Change of account

Account [or policy / license] holder: [XYZ Trust]

ABN [if registered]

Account [or policy / license] number: [insert account number/s]

I refer to the [XYZ school of arts trust] which holds the above named accounts with you.

Please be advised that *Crown Land Management Act 2016* (the CLM Act) came into full effect on 1 July 2018. Under schedule 7 of the CLM Act, [XYZ school of arts trust] is abolished effective 1 July 2018 and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager].

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

Could you please:

1. Open a new account in the name of [insert name of crown land manager]
2. [For utility providers only] Transfer all services from the [XYZ school of arts trust] account to the new account. **Please ensure you do not disconnect any services.**
3. Close the account in the name of [XYZ school of arts trust]
4. Issue a final invoice for services rendered up to 1 July 2018.

All other contact details, including authorised persons, remain the same [strike out or amend if not accurate].

Should you have any queries, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

[position]

The authorised contact person or account signatory for the school of arts trust should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

Template B.1: Notification to customers

[insert date]

Circular to customers

Dear Sir/Madam

Re: Change of account details

[XYZ school of arts trust]

ABN [if registered]

Please be advised that *Crown Land Management Act 2016* (the CLM Act) will come into full effect on 1 July 2018. Under schedule 7 of the CLM Act, [XYZ school of arts trust] is abolished effective 1 July 2018 and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager].

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

From 1 July 2018, all activities associated with the [XYZ Reserve] will be in the name of [insert name of crown land manager]. Could you please update your systems and redirect all future payments to the following bank account:

Bank details

New bank details—from 1 July 2018	
Bank:	[insert bank]
BSB:	[insert BSB]
Account name:	[insert account name]
Account number:	[insert account number]

All other contact details remain the same [strike out or amend if not accurate].

Should you have any queries, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

[position]

The authorised contact person for the school of arts trust should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

Template B.2: Notification to insurers

[insert date]

[addressee]

[address line 1]

[address line 2]

Dear Sir/Madam

Re: Change of policy details

Account holder: [XYZ school of arts trust]

ABN [if registered]

Policy number/s: [insert policy description and number/s]

I refer to the [XYZ Trust] which holds the above named insurance policies with you.

Please be advised that *Crown Land Management Act 2016* (the CLM Act) came into full effect on 1 July 2018. Under schedule 7 of the CLM Act, [XYZ school of arts trust] is abolished effective 1 July 2018 and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager].

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

Could you please update all existing policies to be in the name of [insert name of crown land manager and ABN].

All other contact details, including authorised persons, remain the same [strike out or amend if not accurate].

Should you have any queries or require further information, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

[position]

The authorised contact person for the school of arts trust should sign off.

Note: This wording is provided as an example only. You should:

- Copy and paste the body of wording into your own letter head or an email
- Replace all [red text]
- Delete, modify or add text as relevant.

Template C: Notification to lessees and other land users

- Lessees
- Community user groups
- License holders

[insert date]

[addressee]

[address line 1]

[address line 2]

Dear Sir/Madam

Re: *Crown Land Management Act 2016* and appointment of Crown land manager

Please be advised that the *Crown Land Management Act 2016* (the CLM Act) came into full effect on 1 July 2018. Under schedule 7 of the CLM Act, [XYZ school of arts trust] is abolished effective 1 July 2018 and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager].

The [contract / lease or license – be specific where possible] you hold with [XYZ school of arts trust] therefore is transferred to [insert name of crown land manager]. There is otherwise no change to the terms and conditions of the agreement and all reserve contact details remain the same [strike out or amend if not accurate].

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

Should you have any queries, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

The authorised contact person for the school of arts trust should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

Template D: Bank accounts

[insert date]

[addressee]

[address line 1]

[address line 2]

Dear Sir/Madam

Re: New bank account and transfer of funds

Account holder: [XYZ school of arts trust]

ABN [if registered]

Account number: [insert account number/s]

I refer to the the above named accounts held with you of which I am a signatory.

Please be advised that *Crown Land Management Act 2016* (the CLM Act) came into full effect on 1 July 2018. Under schedule 7 of the CLM Act, [XYZ school of arts trust] is abolished effective 1 July 2018 and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager]. Under schedule 7 of the CLM Act, this includes bank accounts.

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

Could you please:

[Option 1] – Open new accounts

1. Open new bank account/s in the name of [insert name of crown land manager], effective 1 July 2018 (the new accounts)
2. Transfer funds from the reserve trust accounts to the new accounts
3. Allow online access to the new accounts
4. [If relevant] Transfer the merchant facilities to the new accounts
5. [If relevant] Cancel credit cards issued to [XYZ school of arts trust] and reissue in the name of [XYZ Land Manager].
6. Transfer any direct debits from the reserve trust account/s to the new account/s
7. Please continue to allow deposits into the reserve trust accounts until further notice.

[Option 2] – Transfer to an existing CLM Account

1. Transfer funds from the reserve trust accounts to the following account:
[insert CLM account details]
2. [If relevant] Transfer the merchant facilities to the new accounts
3. [If relevant] Cancel credit cards issued to [XYZ school of arts trust] and reissue in the name of [XYZ Land Manager].
4. Please continue to allow deposits into the reserve trust accounts until further notice.

All other contact details and signatories should remain the same [strike out if not accurate].

Should you have any queries, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

[position]

The authorised contact person and account signatory should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

You should also consider any payroll or supplier payments due on or around the transition date and tailor your instructions to the bank to ensure you have facilities in place to meet these commitments.