

MANAGING CROWN LANDS

An update for stakeholders

JUNE 2017

With the new legislation coming into effect next year, this update will provide information on how we will work with you to deliver improved management of the State's vast Crown land.

Overview

Following the passing of the *Crown Land Management Act 2016* (the Act) in November 2016 and the *Crown Land Legislation Amendment Act 2017* in May 2017, a consolidated, modern piece of legislation will govern the management of Crown land in NSW.

The legislation implements reforms identified through the comprehensive review of Crown land management and follows over four years of engagement with the community on the future of Crown land.

The new framework will ensure that the Crown Estate continues to support and generate significant social, environmental and cultural benefits to the people of NSW. Complexity and duplication will be reduced and community involvement in Crown land improved.

The new legislation

Key provisions in the Act are outlined at the end of this update and a series of factsheets are available on the Department of Industry, Lands & Forestry Division [website](#).

Timeframe

It is anticipated that the majority of the Act will commence in early 2018.

Until then, all existing legislation covering the management of Crown land applies. Commencement in 2018 allows sufficient time to inform and engage with stakeholders and customers with an interest in Crown land, as well as prepare supporting policies and systems.

What the Act will do

- reduce red tape
- improve certainty and clarity about legal requirements
- facilitate enhanced community engagement in decisions about Crown land
- continue community involvement in the management of Crown land
- provide for greater local decision making by allowing locally-significant Crown land to be transferred at a local level
- strengthen opportunities for community involvement
- recognise and facilitate Aboriginal involvement in the management of Crown land, including recognition of Aboriginal land rights, native title rights and interests and the spiritual, social, cultural and economic importance of Crown land to Aboriginal people

What the Act will not do

- automatically transfer Crown land to third parties
- change the *Aboriginal Land Rights Act 1983* or the Commonwealth native title legislation

- change the manager of any reserved Crown land
- allow the widespread sale of Crown land.

Key projects

Work is underway on key projects to support the transition to the new legislation. Information on some of the key projects is below and details of others will be provided in future updates.

Regulations

Regulations are currently being developed to support the operation of the new legislation. The new Crown Land Management Regulation (the Regulation) will combine new regulatory provisions with some of the current regulations which sit under various existing Acts. These Acts will be repealed upon commencement of the new legislation.

The Regulation will cover a wide range of topics including:

- the protection and management of Crown land
- conversion of lease holdings to freehold
- fees
- enforcement.

Draft regulations, together with a regulatory impact statement assessing the direct and indirect benefits and costs of the proposed regulations, is expected to be exhibited shortly.



Community engagement strategy

A Community Engagement Strategy to ensure genuine engagement for key decisions concerning Crown land is under development. A requirement of the new legislation, the strategy must be finalised and approved by the Minister for Lands and Forestry prior to commencement of the Act.

The types of Crown land decisions that will be covered by the strategy include certain:

- sales
- leases
- licences
- changes to reserve purposes
- revocations of reserves
- entry into plans of management.

The Community Engagement Strategy will be tailored to specific situations to ensure that Crown land decisions of greater impact on community use and enjoyment will attract greater public participation. More information about the drivers and intention of the Community Engagement Strategy is on the Lands & Forestry Division [website](#).

During the development of the Community Engagement Strategy, the Lands & Forestry Division will engage with the community and stakeholders. The draft Community Engagement Strategy is expected to be released in August 2017 for public comment. Once finalised, the strategy will be submitted to the Minister for Lands and Forestry for approval.

To be updated on the community engagement strategy, email community.engagement@crownland.nsw.gov.au

More information

As implementation arrangements for the legislation are developed, the Division will engage with stakeholders on the topics most relevant to them.

For more information contact the Department of Industry, Lands & Forestry Division on 1300 886 235 or email legislation@crownland.nsw.gov.au.

The Lands & Forestry Division website at www.industry.nsw.gov.au also has updated information on the legislation.

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