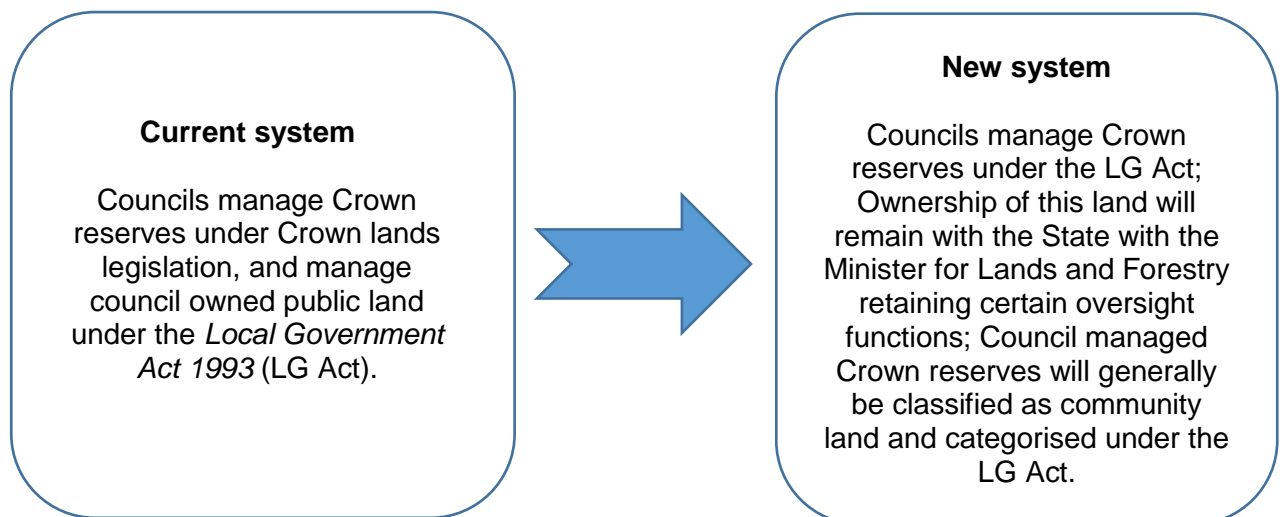


Circular Details	Circular No 17-42 / 14 December 2017 / A575423
Previous Circular	N/A
Who should read this	Councillors / General Managers / Land management staff
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

Changes to Crown reserve management under the *Crown Land Management Act 2016*

What's new or changing

- The Office of Local Government (OLG) is partnering with the Department of Industry (DOI) – Crown Land to ensure councils are prepared for commencement of the *Crown Land Management Act 2016* (CLM Act), in 2018.
- The CLM Act will introduce changes to the way Crown reserves are managed by councils. It is crucial that councils understand these changes and are ready for the transition.



- Until the CLM Act commences, Crown reserves continue to be administered in accordance with existing legislation – *Crown Lands Act 1989*, with no changes for existing reserve trusts, lessees, licence holders or others with an interest in Crown land.
- OLG is leading the development of guidance materials and training programs to support councils through the transition, which will also roll out in 2018. A council reference group, including representation from Local Government NSW will be established to ensure this material meets the needs of councils.
- DOI - Crown Land continues to be the key contact for councils on broader aspects of the reforms including: native title, the Land Negotiation Program, the Crown Reserves Improvement Fund and Crown roads.

What this will mean for your council

- The way councils administer the management of their Crown reserves will change.
- Councils will manage Crown reserves as public land under the LG Act with the Minister for Lands and Forestry retaining certain oversight functions.

Plans of management

- The majority of Council managed Crown reserves will be classified as community land, meaning that councils will be required to have plans of management (POMs) under the LG Act for most Crown reserves that they manage.
- In order to make implementation as straightforward as possible:
 - the requirement to have POMs will be phased in over three years from the time the CLM Act commences
 - councils can amend existing POMs so that they apply to Crown reserves, where this is appropriate given the use of the Crown reserve
 - where new POMs are required, councils will be able to follow a simplified process (for example, councils will not be required to hold public hearings for the first POM)
 - financial assistance, administered by OLG, will be available to help with the costs of preparing POMs.
- In the short-term councils should begin considering categorisation of the Crown reserves they currently manage and identify where leases and licences apply to the reserves, to inform the POM planning process.
- OLG will provide more information and guidance to councils on the requirements for POMs and available funding, in the coming months.

Native title

- An important change in the new legislation is the requirement for Council Crown land managers to employ or engage trained native title managers who will be responsible for providing advice on certain dealings for land that may be affected by native title.
- DOI – Crown Land has commenced delivering Native Title Manager training to councils with further training planned in 2018.

Public Reserves Management Fund

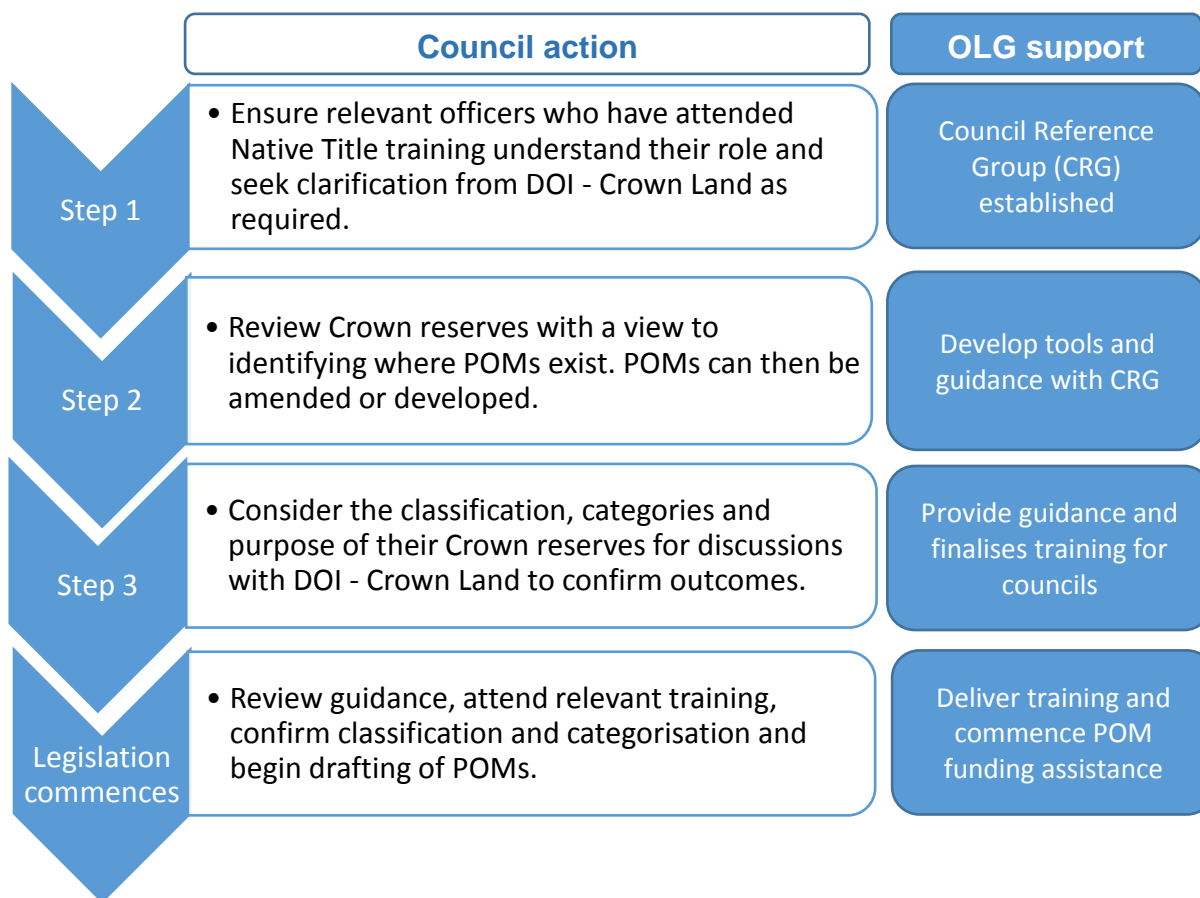
- The Public Reserves Management Fund will be known as the Crown Reserves Improvement Fund.
- Councils will continue to be eligible to apply for grants from the Crown Reserves Improvement Fund to support the management of Crown reserves.

Land Negotiation Program

- The CLM Act includes provisions for the transfer of specified local lands to councils under the Land Negotiation Program which is being rolled out by DOI – Crown Land. All transfers of local land to local councils will be voluntary and there will be no forced transfers.
- Crown land that is identified as State land, being land that is of significance to all the peoples of NSW, will not be available for transfer under this program. The negotiation process will be run in partnership with both local councils and Aboriginal Land Councils.

Key points

- The following diagram provides an overview of the key steps for councils in the lead up to the commencement of the legislation. Further information will be provided to councils from January 2018.



Where to go for further information

- OLG's website www.olg.nsw.gov.au/crownland will be Council's access point for information on the reforms. Frequently Asked Questions, other guidance materials and further resources will be progressively made available throughout 2018.
- Enquiries about the management of Crown reserves under the LG Act and the forthcoming support material should be directed to OLG's Crown Land Project Officer, Glen Colley on 0419 002 541 or glen.colley@olg.nsw.gov.au.
- Enquiries about the broader Crown land reforms, including native title, the Land Negotiation Program, the Crown Reserves Improvement Fund and Crown Roads should continue to be directed to the DOI - Crown Land on 1300 886 235 or by email at legislation@crowland.nsw.gov.au.



Penny Holloway
Acting Chief Executive