CROWN LAND MANAGEMENT BILL 2016

First Reading

Bill received from the Legislative Council, introduced and read a first time.

Second Reading

Mr KEVIN ANDERSON (Tamworth) (10:31): On behalf of Mr Anthony Roberts: I move:

That this bill be now read a second time.

I ask the House to consider a package of landmark reforms to the management of Crown land in New South Wales. These reforms are a result of a thorough and consultative review of Crown land in New South Wales over the last four years. This bill aims to fundamentally improve the management of Crown land and ensure the Crown estate continues to provide significant social, economic, environmental and cultural heritage benefits to the people of this State. It demonstrates the Government's commitment to protect and preserve Crown land for future generations.

The management of the State's vast Crown land estate has been an important responsibility of the New South Wales Government since the earliest days of the colony. Crown land is land that belongs to the State of New South Wales. It is owned and managed by the State for the people of New South Wales. It should not be confused with other forms of government-owned lands such as national parks, State forests, State rail property and community lands owned by local councils.

Crown land is one of New South Wales's most valuable assets. Across New South Wales there are 580,000 individual Crown land parcels covering some 33 million hectares, with an overall value of $11 billion. The existing framework governing Crown land in New South Wales is complex and outdated and no longer effectively allows for the wide variety of needs of the community to be realised. For this reason, in 2012 the Government initiated the first comprehensive review of Crown land in New South Wales in 25 years, led by Mr Michael Carapiet. The aim of the review was to determine how to improve the management of Crown land and therefore increase the economic, social, environmental and cultural heritage benefits and returns from Crown land to the community.

The review made a number of recommendations. However, the most significant finding of the review was that New South Wales needs new and comprehensive Crown land legislation, and it is needed now. As a companion to the review, in 2014 this Government published a Crown lands legislation white paper which set out key elements of the bill. More than 600 submissions were received, and since that time the Government has continued to consult and engage with stakeholders on the development of this bill. We have also heard from the community through the recent parliamentary inquiry into Crown land. Similarly, we have reflected on the recent Audit Office report into the sale and leasing of Crown land. The bill responds to and incorporates key findings from these processes. We have listened to what the community and stakeholders have said and these views have culminated in the introduction of this bill and a second bill with consequential amendments which will be introduced next year.

This bill will address the delays, duplication and poor practices of Crown land management, some of which have existed for decades. It will also set our expectations for the management of Crown land for the future. This bill creates a single, modern legislative framework which will be easier to understand and increase community involvement in major decisions on Crown land. It is the first stage in a process that will consolidate eight pieces of legislation into one clear, modern legislative framework. It will require environmental, social, cultural heritage and economic considerations to be taken into account in decision-making about Crown land. The bill provides for greater local decision-making by allowing locally significant Crown land to be devolved to a local level and by strengthening opportunities for community involvement. It provides for genuine and tailored consultation with the

community on important decisions and ensures that the people of New South Wales will have a say on relevant decisions.

For the first time, Crown land legislation will include provisions for Aboriginal management of Crown land, acknowledge the need to facilitate Aboriginal people's use of Crown land, and appropriately reference the rights given to Aboriginal people through the State's land rights legislation and recognised by the Commonwealth Native Title legislation. Importantly, the new bill will not automatically transfer any Crown lands to councils, or to government agencies for that matter. It will not change the Aboriginal Land Rights Act 1983 or the Commonwealth Native Title Act and it will not lead to wholesale or widespread sale or disposal of Crown land. A key finding of the Crown Lands Management Review was that while the New South Wales Government should continue to manage land of State significance, land of local importance should be subject to local level decision-making, which is best achieved by transferring these lands to local councils. This bill will allow this to occur together with a number of safeguards.

Fundamentally, the New South Wales Government will retain Crown land that is State significant. Criteria has been developed to guide decisions on which Crown land is State significant. The criteria are publicly available and will sit outside the legislation to ensure that they are responsive to changing community needs. This guidance criteria will ensure that key infrastructure, iconic land and land that has State significant environmental, social, heritage and cultural value are retained in State ownership.

Importantly, the bill effectively presumes that all Crown land is State significant. It does this by requiring ministerial consideration as to whether land is of primarily local significance before it can be transferred to a local council. This is done in the bill by reference to the local land criteria. These criteria, like the State land criteria, have been developed to guide decisions on local significance and are publicly available.

In practice, this means that departmental staff will do a stocktake of each piece of land against both the State and local land criteria before recommending to the Minister whether the land is appropriate for vesting in the local council. Land that is identified as being primarily land of local community value—for example, local parks and libraries—will be able to be vested in local councils through voluntary and staged negotiations. Land that is currently the subject of an undetermined land claim will not be transferred to local councils or indeed other government agencies without the consent of the local Aboriginal land council and the New South Wales Aboriginal Land Council where relevant.

As the House would be aware, the recent parliamentary inquiry into Crown land and the Audit Office report on the sale and leasing of Crown land highlighted the need for new Crown land legislation. The inquiry into Crown land, led by the Hon. Paul Green, was timely as it allowed for further explanation of the community's views about the management of Crown land just as the drafting of this bill was being completed. The Government participated in the inquiry process and the Minister for Lands and Water provided the committee with a high level briefing on this bill. The committee has now released its report and findings. Importantly, the committee stated that it is generally supportive of this Government's legislative proposals, recognising the importance and timeliness of these changes, and made a number of considered recommendations in relation to the bill.

The committee asked the Government to consider additional legislative protections to ensure local land is retained as public land and managed in the public interest. I understand the reasons behind this recommendation. The Government has listened to the community's concerns that Crown land identified as local land, land of primarily local interest, will be sold by councils if it is transferred to them. I am pleased to confirm that the bill puts in place a number of protections to ensure that this does not happen where the land needs to be retained for a public purpose. The bill does this by requiring that local land vested in the councils will transfer as community land under the Local Government Act 1993 in most circumstances. That Act provides that community land cannot be sold by councils and all community land must be managed in accordance with clear, community-focused objectives and a plan of management.

There will only be two scenarios where land may be vested as operational land under the Local Government Act. The first will be where the relevant land is already being used for a truly operational purpose and is not being used by the broader community. In most cases, this will be where land is used to support council services, such as work depots. The second will be where categorisation as operational is required to allow the current land use to continue. This is required in some important circumstances, such as where Crown land is being used for long-term residential accommodation or cemeteries. As these uses support the community, it is in the public interest to allow them to continue in this manner.

The bill also provides powers to put covenants on title to land. There may be circumstances where it is appropriate to put covenants on title to land that is vested in councils to restrict how the land is used and managed into the future. This will be considered on a case-by-case basis as land is put forward for transfer of ownership. The cost to councils of owning and managing the land transferred to them was also raised by the committee in recommendation 4 of its report. To address this concern, the bill has been clarified to provide that all income from land transferred to local councils will be able to be retained by them. The second recommendation of the committee was that the Department of Industry—Lands prepare a strategic plan that establishes how Crown land will be managed, maintained and resourced. This recommendation has been incorporated in the bill and has the need for broad consultation on the plan, including with local governments.

The third recommendation of the committee was that the bill allow for the appointment of a Crown land commissioner.

That was incorporated into the bill. The bill provides for a Crown lands commissioner to be appointed. The commissioner will be able to investigate and report on anything in relation to the administration of the bill, including its implementation and management. Committee recommendation 5 recommends that particular types of land such as travelling stock reserves and showgrounds be classified as State land. This outcome is achieved in the bill. The bill states that all Crown land is State land unless and until the Minister is satisfied, having regard to the local land criteria, that the land is suitable for local use. At the operational level there will be a parcel-by-parcel stocktake against the criteria before any land is transferred to local councils, thereby ensuring appropriate safeguards on land leaving the Crown estate. In recommendation 6 the committee found that the bill should include the same community consultation methods for plans of management that currently operate under the Local Government Act. This finding is partially adopted in the bill. The approximately 7,800 reserves managed by local councils will need to have plans of management that follow the community consultation requirements under the Local Government Act.

For the reserves managed by other groups such as community organisations, the consultation requirements will be set out in the new community engagement strategy. I will explain that in detail. This strategy will ensure that there is an appropriate level and method of consultation and engagement with the community about the decisions that affect their use and enjoyment of Crown land. In some cases, the strategy will require consultation above and beyond that which is in the Local Government Act. In other cases, such as drainage reserves, detailed consultation may not be appropriate. Where the community is affected, the strategy will allow for flexibility in the context of meaningful consultation. Committee recommendation 18 recommends that the bill recognise prior and continuing Aboriginal custodianship of Crown land and operates together with the Aboriginal Land Rights Act 1983.

The bill provides for timely recognition and facilitation of Aboriginal people's rights and interests. It also recognised the operation of the Aboriginal Land Rights Act 1983. In addition to findings directly related to the bill, the committee made other relevant findings. Recommendation 7 states that departmental guidelines be developed to ensure that plans of management and leases are sufficiently flexible to allow for small community-oriented commercial activities to operate for the benefit of both the community and the land manager. This bill explicitly recognises that commercial activities can operate from Crown reserves and allows flexibility for government and Crown land managers to set the terms of leases and licences.

Finally, the bill enshrines comprehensive rebate, waiver and concession provisions within the bill to ensure that community benefits will be taken into account when considering rentals. In recommendation 13 the committee recommends that the department explore the feasibility of an independent appeals mechanism for decisions regarding Crown land plans of management, sale and leases. The bill includes a regulation-making power that will confer jurisdiction on the Land and Environment Court or the NSW Civil and Administrative Tribunal to hear appeals arising from decisions made under the bill. This provides flexibility to create an appellate jurisdiction in appropriate circumstances.

On 8 September 2016 the Audit Office tabled a report on the sale and lease of Crown land. The Audit Office report makes six recommendations which have all been accepted by the Government. This bill addresses areas in the report that require attention and reform. Specifically, the Auditor-General recommended that the department improve its consultation with stakeholders regarding the sale and lease of Crown land. It recommended increasing transparency concerning sales and leases. This bill proposes significant improvements to the manner of community consultation. The bill introduces the requirement for a community engagement strategy to be developed and adhered to for dealings with Crown land. The strategy will commence at the same time as the main provisions in the bill. The Audit Office recommended that a number of important administrative arrangements be put in place. These related to compliance, direct negotiations, policies, guidelines and procedures and enhancing transparency of decisions.

The Government has accepted all of these recommendations and, consistent with recommendation 12 of the parliamentary inquiry report, will report to the Parliament on progress.

I will now turn to the detail of the bill. The bill is divided into 13 parts. Part 1 of the bill provides preliminary information. Clause 1.3 sets out the new objects for the bill, which are centred on establishing a clear legal framework applicable to Crown land and providing for the ownership, use and management of Crown land in New South Wales. The objects provide a definitive basis for decision-making about Crown land to encompass environmental, social, cultural heritage and economic considerations. The benefits of Crown land to the people of New South Wales are protected through an objective to provide for the consistent, efficient, fair and transparent management of Crown land.

The objects make it clear that the Government is committed to protecting the interests of Aboriginal people in its dealings in Crown land. The objects include facilitating Aboriginal peoples' use of Crown land and emphasise the need to enable co-management of dedicated or reserved Crown land where appropriate. Division 1.3 of the bill defines "Crown land" and makes clear when land is vested in the Crown. It also provides for when land ceases to be Crown land and when land will become Crown land. It provides a simplified approach in deciding what is Crown land and makes clear when land will form part of the Crown estate. "Dedicated" land, which is land that has been dedicated for particular purposes, is clearly recognised as Crown land and part of the Crown estate.

Schools of arts and mechanics institutes will also be recognised as Crown land, with their special uses acknowledged through appropriate reserve purposes to ensure that those uses can continue. Land leased under the Wentworth and Hay irrigation Acts will also become Crown land, facilitating a consistent approach to leasing land owned by the Crown. Crown reserves and dedications are a fundamental aspect of the Crown estate. They are the key mechanism through which the community can manage Crown land. Across New South Wales more than 700 community volunteer trusts look after important areas of Crown land on behalf of their local community and the State. This bill will significantly simplify and improve the way Crown reserves are managed.

Part 2 of the bill sets up a standardised scheme for the dedication and reservation of Crown land. The Minister may dedicate or reserve Crown land if it is for a purpose consistent with the new objects of the bill, or if it is in the public interest. This will broaden the purposes available to the Minister for the dedication of Crown land and will ensure the community can continue to play a significant role in the management of Crown land. Regarding dedicated land, clause 2.7 retains the requirement that any dedication can only be revoked following tabling of the revocation proposal in

both Houses of this Parliament for 10 days. This provides the opportunity for both Houses to disallow any amendment to a dedication. This is an important protection and recognises the special status of dedicated land.

In order to cut red tape, clause 2.23 of the new bill confirms that the lands Minister will be taken to have given consent to low impact acts on dedicated or reserved land. Applicable low impact acts are minor, such as repairs and maintenance. This will help to reduce red tape for reserve managers and tenure holders. No longer will hardworking volunteers need to approach the often lengthy and resource-intensive landowner consent process to fix small issues such as public toilets. Part 3 of the bill implements a modern approach to the management of dedicated or reserved Crown land. This is necessary because the current arrangement of three tier trust governance and reserve management system is outdated and complex. The current trust and trust manager system will be replaced with a single incorporated manager responsible for each Crown reserve, known as the Crown land manager.

These arrangements will simplify the management structures, enable improved governance standards to be set for Crown land managers and reduce the overall approvals and reporting required. Ministerial oversight will remain to ensure that reserves are managed appropriately for the people of New South Wales.

Importantly, community groups managing Crown land will continue to play a crucial role in the management of dedicated and reserved Crown land. Existing community reserve managers will continue to manage their reserves, with no changes to existing arrangements. This bill provides new powers to ensure that Crown reserves continue to be managed effectively and are protected. Clause 3.15 enables the Minister to create Crown land management rules that can apply to any Crown land manager. Rules can be made about a number of factors. However, it is significant to note that the bill specifically enables rules to be made about environmental standards that are to be taken into account in decision-making; in relation to public access to and the use of land; and to facilitate the use of land by Aboriginal people. It is intended that rules will be made over time and set strategically. This new framework will ensure that the rules applying to specific Crown land managers can be responsive to changing State and community needs for Crown land reserves.

The Crown lands management review found that the current system for the management of reserves was excessively complex. This bill will reduce that complexity by enabling local council managers to manage dedicated or reserved Crown land as if it were community land under the Local Government Act 1993. This will reduce the duplication and drain on resources experienced by local councils in their management of Crown land. It will also mean that all Crown reserves managed by local councils will have plans of management. Although local councils will generally be managing Crown land under the Local Government Act 1993, the Minister will retain important oversight rights and powers, including the ability to make rules that local councils must comply with. Local council Crown land managers will not be able to sell or re-categorise managed Crown land without the consent of the Minister. Communities will be in a position to influence decisions about how Crown land is managed by local councils through the strong existing processes under the Local Government Act.

Additionally, this bill brings forward new, comprehensive governance provisions to regulate the conduct of non-council Crown land managers and require them to uphold high professional standards. Division 3.5 introduces two new categories of non-council Crown land managers and represents a risk-based approach to the undertaking of functions on behalf of the Minister. Those Crown land managers who have proven themselves capable of meeting the highest levels of professional standards will become category one Crown land managers and will be able to undertake certain dealings without the Minister's approval. Category one Crown land managers will be responsible for submitting comprehensive annual reporting.

All other non-council Crown land managers will be category two Crown land managers. Category two Crown land managers will generally manage single and/or smaller Crown reserves and have fewer resources compared to category one Crown land managers. They will largely be required

to seek ministerial approval for all matters in the first instance. Ministerial requirements can then be tailored to fit the circumstances of the Crown land manager until they are equipped to undertake more functions. The Minister will continue to be able to direct a Crown land manager to prepare a plan of management. However, now the manager will be required to undertake consultation, as set through the community engagement strategy. Part 4 of the bill provides for the acquisition and vesting of Crown land. In addition to the vesting of Crown land in local councils, with all the safeguards as outlined above, the bill provides for vesting in other agencies. These provisions build on the existing powers in the Crown Lands Act 1989 to move land to other agencies.

However, there are certain key differences between these existing powers and the new, additional vesting powers. The first is that under the vesting provision the agency does not need to pay for the land.

This gives the New South Wales Government more flexibility in allowing for provision of essential public services such as schools and hospitals in appropriate circumstances. It means that health and education do not need to pay market rent for securing land for these essential services. The second is that the new provision contains express safeguards to ensure that vesting in other agencies takes place only in appropriate circumstances. The provision requires that the Minister be satisfied that vesting the land is in the public interest, and the agency to whom it will be vested is an appropriate owner and manager of the land. This is in addition to the general requirement that applies to all decisions to transfer land under the bill; that is, they must take into account environmental, social, cultural heritage, and economic considerations. Finally, all transfers and vestings will be subject to the provisions of the community engagement strategy, which is a leap forward in community involvement in decisions on Crown land dealings. The application of the strategy means that the community will be engaged where decisions to take land out of the Crown estate affect their use and enjoyment of the land.

Land has continued to be set aside or separated from the Crown estate since the early settlement in New South Wales. Part 5 of the bill will continue to provide for the sale, lease, licence and other tenure of Crown land. The object of the bill requires social, economic, cultural heritage, and environmental considerations to be taken into account in decision-making about Crown land. These decisions include the sale of Crown land. Any sale would also need to follow the requirements set out in the community engagement strategy required under division 5.3. At the same time, the land-use framework under planning and environmental legislation will regulate what happens on the land, thereby protecting the land from inappropriate development. Combined, this regime goes towards addressing the criticisms of the Auditor-General and ensures that the sale process is transparent when community use is affected.

The current legislative requirements for community engagement for sales, disposals, leases, and licences are limited. Community engagement has been a legacy concern for the public in respect of decisions about Crown land. This Government has responded by including a requirement for a community engagement strategy with regard to the bill when its main provisions commence. The new community engagement strategy is a cornerstone of the legislation and will provide for more meaningful engagement with the public where proposals will impact on the community's use and enjoyment of a parcel of Crown land. The strategy will define the requirements for community engagement on Crown land and when engagement is required. Mandatory provisions specified by the strategy must be complied with. The strategy will enable the move from a traditional and limited notification approach to a modern, best practice approach. This new approach provides for tailored and more accessible engagement so that Crown land decisions of greatest impact will trigger greater public participation.

To consolidate and simplify legislation, tenures under the Western Lands Act will be transitioned to the framework in the bill. However, certain provisions in the bill will apply only to the Western Division of New South Wales due to the unique characteristics of that area. Division 5.4 sets conditions around the ability to sell Crown land in the Western Division. Crown land will not be able to be sold in the Western Division unless it is urban land; required for urban expansion; within a prescribed distance of urban land and will contribute to the economic growth of the region; in a rural

area and predominately used for residential, business, industrial or community purposes; or has at least a moderate land and soil capability. This balances environmental considerations with the need to ensure that farmers in the Western Division have the greatest possible flexibility to own and productively manage their land without artificial barriers.

The 2014 Crown land white paper found that the current Crown Lands Act and related Acts and regulations established a network of variable tenures, rent requirements and surrender provisions. Part 5 of the bill includes a standardised regime for the management of all Crown land tenures to the extent possible. This improvement to the Crown land framework will harmonise and provide certainty to all those involved in Crown land leases in New South Wales. The Government needs to be able to enter into flexible and commercial tenure arrangements with proponents to ensure leases are best tailored to individual circumstances.

This bill enables the terms and conditions of a lease to be commercially negotiated—for example, by negotiating individual rent redetermination clauses. However, it recognises that some terms and conditions should be mandatory and will continue to be included in all lease arrangements. The bill also standardises the leasing arrangements on the land in the Hay and Wentworth areas as well as land currently leased and licensed under the Crown Lands (Continued Tenures) Act 1989 to the extent possible. This reduces duplication across the multiple Acts and introduces a consistent approach to tenures. Licence provisions have also been reviewed and updated and are contained in division 5.6 of the bill. The bill allows the Minister to issue licences unilaterally where Crown land is being used without permission but that use would be permissible if an application for a licence had been lodged. This will deal with a lack of understanding of the requirements for a licence for use of public lands. Licences will not be issued in this manner where the relevant activity is detrimental to the Crown land in question.

Rental income has been an ongoing concern in Crown land management and has also been identified as a concern in the Audit Office report. Whilst this can be primarily an enforcement issue, part 6 will standardise the minimum rent and bring together all the rental schemes across the current Acts into one harmonised framework. The objective is to promote equity across all holders of tenures in Crown land. Determination and redetermination of rent is a significant part of lease negotiations. The bill proposes new general principles for rent determinations and redeterminations that will be set with reference to market rent. The exception to this is Western lands leases. Rent redeterminations for Western lands leases will continue to be determined by a set formula as prescribed in the regulations. This recognises the difficulties of establishing an applicable and equitable market in the Western Division. Flexibility is also built in to allow the secretary and the Independent Pricing and Regulatory Tribunal to make recommendations that different rent be applied to a determination. Importantly, the bill will include an ability to object to a redetermination, and will also provide for tenure holders to seek waivers, rebates or concessions for rents payable.

In addition to land claims, the New South Wales Government has obligations to deal with Crown land in compliance with obligations in the Commonwealth Native Title Act 1993. As such, part 8 of the new bill will have additional provisions to facilitate compliance with the native title regime by local councils and certain Crown land managers. Although this obligation already exists, this is the first time it has been made clear in the State's legislation. The provisions include a requirement for local councils and professional Crown land managers to engage a native title manager. This person will be trained on how to manage land in accordance with the Native Title Act 1993. To assist local councils and Crown land managers in this regard, the Government will pay for initial training to take place across the State. The bill also contains a specific provision prescribing that all vesting of land in councils is subject to native title rights and interests in the land so that native title is not extinguished when land is vested.

A key concern raised in the Crown Land Management Review and the recommendations of the Auditor-General was that the regulatory framework and enforcement by the department was inadequate to protect Crown land. This bill responds to this and includes increased powers to ensure Crown land is appropriately used and managed. Part 9 to part 11 contain a robust suite of compliance and enforcement powers. Stronger enforcement provisions received almost unanimous support

through submissions to the Crown Lands Legislation White Paper. The new compliance provisions enable a broader pool of officers to be authorised and empowered to undertake compliance activities similar to those provided for in the benchmark regime in the Protection of the Environment Operations Act 1997. These new provisions include powers to question persons of interest, to seize vehicles and to enter into and search non-residential land, and to deal with offences for obstructing authorised officers in their work.

Safeguards to ensure that those powers are exercised appropriately are included.

The Crown Lands Legislation White Paper found that the Local Courts are ill-equipped to deal with the full range of complexity of Crown lands prosecutions. Therefore, the bill provides that proceedings for offences can be initiated in the Local Court and also in the Land and Environment Court in its summary jurisdiction for more serious offences requiring greater penalties. The Crown lands review also found that the current penalties established by the Crown Lands Act 1989 are an inadequate deterrent for compliance purposes and are out of step with benchmark penalty regimes. As such, the bill introduces different categories of maximum penalties applicable to the offences in part 9. For more serious offences where intent and significant harm to Crown land can be proven, a higher maximum penalty will apply. The Minister will also now be able to undertake civil undertakings under the new bill. This represents more adequately the value of Crown lands to the New South Wales public and the seriousness with which the Government takes offences against Crown land.

Part 12 of the bill contains provisions designed to ensure that there is an appropriate scheme for administering the bill. This bill includes the new power for the Minister to appoint a Crown land commissioner as recommended by the parliamentary inquiry in recommendation No. 3. The bill also provides for a State strategic plan for Crown land as recommended by the parliamentary inquiry in recommendation No. 2. This plan will set the vision, priorities and overarching strategy to ensure that the objects of the bill are achieved.

The Crown Lands Management Review found that some processes in the Western Division were constraining flexible land management. Schedule 3 provides for the transition of existing Western Division tenures and allows for further enhancements to the Western Division framework. The schedule enables leaseholders to diversify their activities on land under Western Lands leases by removing duplicative and onerous requirements for ministerial consent. The Crown lands review found that there was a need to simplify and modernise the processes under which certain lessees of Crown land can purchase their leases.

Schedule 4 to the bill provides a scheme of applications for purchasable leases. This includes incentives for eastern and central perpetual lessees to purchase their land within two years of commencement of the schedule. It also streamlines and simplifies the process to purchase land. For perpetual leases in the Western Division, a different and longer term purchase regime is appropriate. The Crown lands review found that western lands leases for primary production purposes could be considered for conversion to freehold ownership. Schedule 4 facilitates the purchase of leased land in the Western Division by perpetual leaseholders. This responds to the need to stimulate productivity and growth in the Western Division and balances that need against the importance of protecting the rangelands. It gives lessees opportunities to greatly enhance productivity in many areas that are now perpetual lease tenures while keeping environmental protections in place. The bill allows applications to freehold perpetual leases in the Western Division and, in deciding on these applications, will ensure environmental, social, cultural heritage, and economic factors are taken into account.

There has been extensive consultation with the community and stakeholders in relation to the Crown Lands Management Review and the new bill over the past four years. More than 600 submissions were received on the Crown Lands Legislation White Paper and, more recently, some 350 submissions were lodged and seven public hearings of the parliamentary inquiry into Crown land were held. The Government and the Department of Industry—Lands have spoken with numerous stakeholders and community representatives. This has provided a rich evidence base of the issues relating to Crown land that are important to the people of New South Wales. This level of consultation

is entirely appropriate given that this is the most significant overhaul of legislation relating to Crown land in more than 25 years.

The Crown estate is an important asset that is entrusted to the responsibility of the Government of the day. For too long New South Wales has operated under an outdated and disconnected series of Acts that have led to inconsistent decisions over Crown land. In response, this Government committed to improve Crown land management. This bill delivers on the important commitment of this Government. In summary, this bill introduces a consolidated framework for the contemporary, efficient, fair and balanced management of Crown land for the benefit of the people of New South Wales. It is the product of the Crown Lands Management Review and the white paper, and has been informed by the parliamentary inquiry and Audit Office report. The bill is the result of in-depth consultation over a number of years by this Government, and is a landmark achievement for the ongoing management of Crown land in New South Wales in the future.

This bill was passed by the other place last night after a number of amendments were agreed to. Key amendments agreed to involve carrying over the principles of Crown land management from the current Act to this bill. This will provide comfort to those who have raised concerns regarding the ongoing protection of Crown land. These amendments will appropriately provide for land management principles to continue as part of the framework for the management of Crown land. Amendments agreed to also deferred the repeal of the Commons Management Act, which will now be dealt with in the consequential bill that will be introduced next year. This will provide time for consultation with affected stakeholders.

The next amendment was a savings and transitional amendment. The amendment will reassure the New South Wales Aboriginal Land Council and the local Aboriginal land councils of the ongoing effect of clause 59 of schedule 8 to the Crown Lands Act 1989, which protects certain land claims. Amendments were also agreed relating to the community engagement strategy. These included providing reassurance to the public that notification procedures can continue to be used where it is appropriate, and also providing for engagement with the public in the development of the community engagement strategy. Finally, amendments were agreed to enshrine the local land criteria in a regulatory instrument. This will provide comfort to the broader community that the local land criteria will be subject to appropriate scrutiny and oversight. The local land criteria are intended to be dynamic and responsive to changes of the day. However, the inclusion of the criteria in the regulations will ensure greater transparency around the process. I commend the bill to the House.