Crown Land Management Bill 2016

First Reading

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Niall Blair.

Second Reading

The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (11:29): 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.

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 land 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. This valuable asset supports and generates significant social, environmental and cultural benefits in every community in New South Wales. The people of New South Wales, businesses and community organisations depend on fair and transparent access to Crown land.

On coming to Government, it was obvious that there needed to be a substantial rethink of the way that the Government oversaw the management of Crown land. The existing framework governing Crown land in New South Wales is complex and outdated and no longer effectively allows for the wide variety of the needs of the community to be realised.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 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. This is needed now.

As a companion to the review, in 2014 this Government published the Crown Lands Legislation White Paperwhich set out key elements of the bill. Over 600 submissions were received, and since that time we have continued to consult and engage with stakeholders on the development of this bill. We also heard from the community through the recent parliamentary inquiry into Crown land. Similarly, we have reflected on the recent Audit Office report into sale and leasing of Crown land. The bill responds to and incorporates key findings from these processes. Both

the review and the parliamentary inquiry have given this Government the opportunity to listen closely to the people of New South Wales.

We have heard the community's voice calling for greater protection of environmental, cultural heritage and social values derived from the use of Crown land; more meaningful community involvement in the decisions relating to the management of Crown land; a clear, publicly available strategy for the management of Crown land; proved management arrangements for Crown preserves; stronger frameworks for key community assets such as showgrounds and travelling stock reserves; better provisions for tenures and rents; removal of red tape, duplication and reduction of transaction costs; a new approach to the Western Division to aid the productive use of agricultural land; stronger provisions for law enforcement to protect Crown land; greater recognition of Aboriginal interests and involvement in Crown land; and greater clarity on Crown land of State significance and Crown land of local significance.

We have listened to what the community and stakeholders have said, and these views have culminated in the introduction of this bill and in a second bill with consequential amendments that will be introduced next year. These bills will address the delays, duplication and poor practices of Crown land management, some of which have existed for decades. It will also set expectations for how we want Crown land to be managed for the future. The bill creates a single modern legislative framework for Crown land which will be easier to understand and increase community involvement in major decisions about it.

This bill is the first stage in a process that will consolidate eight existing 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 strengthen 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 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 1993, and it will not lead to the 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. The bill will allow this to occur with a number of safeguards. Fundamentally the New South Wales Government will retain Crown land that is State significant. Criteria have been developed to guide decisions on what Crown land is State significant. The criteria are publicly available and sit outside the legislation to ensure they are responsive to changing community needs. These guidance criteria will ensure that key infrastructure, iconic land and land that has State significant, environmental, social, heritage and cultural values is 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 vested in local councils through voluntary and staged negotiations. Land which is currently the subject of an undetermined land claim will not be transferred to local councils or indeed the other government agencies without the consent of the Local Aboriginal Land Council and the NSW 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 further exploration 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 by providing submissions, and I appeared before the committee on two occasions. To support the committee's deliberations, I provided a high-level briefing on this bill. The committee has now released its report and findings on Crown land in New South Wales. I take this opportunity to thank the committee for its very useful and timely report. I also extend my thanks to everyone who took the time to make some 350 submissions to the inquiry to inform the report.

In its report, the committee took into account all of those submissions and considered the ownership and management of Crown land in the context of the proposed bill. Importantly, the committee stated that it is generally supportive of this Government's legislative proposals to recognise the importance and timeliness of these changes. In addition, in recommendations Nos 1 to 6 and recommendation No. 18 of the report, the committee made a number of considered recommendations in relation to the bill. I will address each of those recommendations. In recommendation No. 1, the committee asked the Government to consider additional legislative protections to ensure that local land is retained as public land and is 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 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 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 under a plan of management.

There will be only 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 works 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 and cemeteries. As these uses support the community, it is in the public interest to allow the land to continue to be used in this manner.

The bill also provides powers to put covenants on titles to land. There may be circumstances where it is appropriate to put covenants on a 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 No. 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 committee's second recommendation 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, as has the need for board consultation on the plan, including with local governments. The committee's third recommendation was that the bill should allow for the appointment of a Crown lands commissioner. Again, the Government has incorporated that in the bill, which 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.

In recommendation No. 5, the committee recommended that particular types of land, such as travelling stock reserves and showgrounds, should be classified as State land. This outcome is achieved in the bill, which presumes that all Crown land is State land unless and until the Minister is satisfied that the land is suitable for local use having regard to the local land criteria. At an operational level, there will be a parcel-by-parcel stocktake against the criteria before any land is transferred to local councils, thereby ensuring that there are appropriate safeguards on land leaving the Crown estate.

In recommendation No. 6, the committee stated that the bill should include the same community consultation methods as those used for plans of management that now operate under the Local Government Act. This recommendation is partially adopted in the bill. The approximately 7,800 reserves that are managed by local councils will need to have plans of management that follow the community consultation requirements in the Local Government Act. For reserves managed by other groups, such as community organisations, the consultation requirements will be set out in the new community engagement strategy.

As I will explain in detail, this strategy will ensure that there is an appropriate level and method of consultation and engagement with the community about decisions that affect their use and enjoyment of Crown land. In some cases, the strategy could require consultation above and beyond that which is in the Local Government Act. In other cases, detailed consultation may not be appropriate, for example, for drainage reserves. The strategy will allow for this flexibility in the context of meaningful consultation where the community is affected. In recommendation No. 18, the committee recommended ensuring that the bill recognises the fact of 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. The bill also recognises the operation of the Aboriginal Land Rights Act 1983.

In addition to its findings that relate directly to the bill, the committee made other findings that are relevant. In recommendation No. 7, the committee recommended that the department develop guidelines to ensure that plans of management and leases are flexible enough to allow for

small community-oriented commercial activities to operate for the benefit of both the community and the land manager. The bill explicitly recognises that commercial activities can operate from Crown reserves, and gives flexibility to government and Crown land managers in setting the terms of leases and licences.

Finally, the bill enshrines comprehensive rebate, waiver and concession provisions to ensure that community benefits can be taken into account when considering rentals. In recommendation No. 13, the committee recommended that the department explore the feasibility of including an independent appeals mechanism for decisions regarding Crown land plans of management, sales and leases. The bill allows for that by including a regulation-making power that would 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 in terms of creating appellate jurisdiction in appropriate circumstances.

In addition to the Crown land parliamentary inquiry, the Audit Office tabled a report on the sale and lease of Crown land on 8 September 2016. The Audit Office report made six recommendations, all of which have been accepted by the Government. This bill goes a long way towards addressing the areas in the report that recommend 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 also recommended increasing transparency about sales and leases. The bill proposes significant improvements to how the community is consulted.

As I have mentioned, the bill introduces the requirement for a community-engagement strategy to be develop 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 also recommended that a number of important administrative arrangements be put in place. These relate to compliance, direct negotiations, policies, guidelines, procedures, and enhancing transparency of decisions. The Government has accepted all of those recommendations and, consistent with recommendation No. 12 of the parliamentary inquiry report, will report to the Parliament on progress. The Auditor-General recognised in her report that this bill will represent the most comprehensive reform of management of Crown lands undertaken in New South Wales in more than 25 years.

I now turn to the detail of the bill. The bill is divided into 13 parts. Part one provides preliminary information. Clause 1 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 object is to provide a definitive basis for decision-making around Crown land to encompass environmental, social and 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 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 people's use of Crown land and emphasise the need to enable co-management of dedicated or reserve Crown land where appropriate. Division 1.3 of the bill sets out what is Crown land and makes it 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. This provides for a simplified approach in deciding what is Crown land and makes it 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 is part of the Crown estate.

Commons and 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 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 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 Minister for lands 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 be taken into account in decision-making, rules about public access to and use of land, and rules to facilitate the use of the land by Aboriginal people. It is intended that rules will be made over time and be set strategically. This new framework will ensure 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 management of reserves was excessively complex. This bill will reduce this complexity by enabling local council managers to manage dedicated or reserved Crown land as if it was 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 categorises 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 that have proven themselves capable of meeting the highest levels of professional standards will become category 1 Crown land managers. They will be able to undertake certain dealings without the Minister's approval. Category 1 Crown land managers will be responsible for submitting comprehensive annual reporting. All other non-council Crown land managers will be category 2 Crown land managers.

These category 2 Crown land managers will generally manage single and/or smaller Crown reserves and have fewer resources when compared to the category 1 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 they will be required to undertake consultation as set through the community engagement strategy.

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, 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 of the public around decisions in Crown land.

This Government has responded by including a requirement for a community engagement strategy in the bill to be in place when the main provisions in the bill commence. The new

community engagement strategy is a cornerstone of the new 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 requirements 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 Crown land white paper 2014 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 New South Wales Government needs to be able to enter into flexible and commercial tenure arrangements with proponents to ensure leases are best tailored to individual circumstances. The bill enables the terms and conditions of a lease to be commercially negotiated—for example, by negotiating individual rent redetermination clauses. However, the bill 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 the duplication across the multiple Acts and introduces a consistent approach to tenures. The licensed provisions have also been reviewed and updated and are contained in division 5.6 of the bill. The bill allows the Minister to unilaterally issue licences where Crown land is being used without permission, but that the use would be permissible if a licence had been applied for. This is to 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 their 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 the lease negotiations. The bill provides 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 determinations for Western lands leases will continue to be determined by a set formula as prescribed in 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 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 A to the new bill will have additional provisions to facilitate compliance with the native title regime by local councils and certain Crown land managers. Although the 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 the 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 the 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 that 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 Land 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. The new provisions include powers to question persons of interest, seize vehicles, enter into and search non-residential land, and offences for obstructing authorised officers in their work. Safeguards to ensure that those powers are exercised appropriately are included.

The Crown lands white paper found that the Local Courts are ill-equipped to deal with the full range of complexity of Crown lands prosecutions. The bill, therefore, 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 as 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 the Crown land can be proven, a higher maximum penalty will apply. The Minister also will now be able to accept civil undertakings under the new bill. This represents more adequately the value of Crown lands to the New South Wales public and the seriousness in which this Government takes offences against Crown land.

Part 12 of the bill contains provisions to ensure that there is an appropriate scheme for administering the bill. As part of this, the bill includes the new power for the Minister to appoint a Crown land commissioner as recommended by the parliamentary inquiry in recommendation three. The bill also provides for a State strategic plan for Crown land as recommended by the parliamentary inquiry in recommendation two. This plan will set out 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 enhancement to the Western Division framework. The schedule enables lease holders to diversify their activities on land under the 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 of this bill provides a scheme of applications for purchasable leases. This includes incentives for eastern and central perpetual leases to purchase their land within two years of commencement of the schedule. It also streamlines and simplifies the processes 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 lease holders. This responds to the need to stimulate productivity and growth in the Western Division and balances that need against the importance of protecting the range lands. 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 also 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.

Over the past four years there has been extensive consultation with the community and stakeholders relating to the Crown Lands Management Review and the new bill. More than 600 submissions were received to the Crown Lands Legislation White Paper and, more recently, some 350 submissions were received and there were seven public hearings on the public inquiry into Crown land.

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 this is the most significant overhaul of legislation relating to Crown lands 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 that important commitment.

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

a product of the Crown Land Management Review and the white paper and has been informed by the parliamentary inquiry and Audit Office report. The bill is the result of an 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 and into the future. I commend the bill to the House.