

GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Questions on Notice

Hearing held on 15 August 2016, Sydney

CONTEXT (page number): 65

The CHAIR: That is right. The second issue with staffing is that, with all due respect to the staff, the historical knowledge of the staff is very shallow. There might be a reduction in staff for more effective processes but they do not have knowledge of the local area. It is frustrating for people who ring in when the staff have no historical knowledge of parcels of land. What training are you providing to address the gap in historical knowledge?

Ms STONE: In our regional services we have 140 staff working in client services. They speak daily to local government and customers. We also have consolidated a lot of customer inquiries into our call centre. We have great statistics on that. The call centre takes 18,000 calls a year. Inquiries are answered at first point of call in about 60 per cent of cases. I can provide extra figures on that. If the question cannot be answered at the first point of call it is referred to local staff.

QUESTION (as interpreted, where required):

1. Please provide relevant information and statistics on the call centre and customer services
2. What training are you providing to address the gap in historical knowledge?

ANSWER

1. In 2015/16 the Department of Industry – Lands' centralised call centre took calls and provided information to 22,726 clients regarding Crown land issues and services.
In 2015/16, 72% of all calls were completed at first point of call in the centralised call centre. Where more detailed information or local knowledge is required, calls are referred to the appropriate local officer who contacts the client to provide assistance. In 2015/16, 28% of calls were referred to a district office for further action.
Over 35,000 customer land administration transactions per annum are processed through the centralised business centre. This enables district office staff to be available for on the ground assistance and to provide improved service to clients in their local areas.
2. All staff undergo an extensive training and induction process when they join the Department. Ongoing training and development is provided to staff.
Answers provided through the call centre are on a wide range of products and all staff are rotated through teams to ensure a sound knowledge of the different programs.
The Department has a knowledge retention and transfer process, that it uses when long term staff leave the agency. This ensures that their knowledge and experience is captured and shared for others to reuse through videos and written documents.

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CONTEXT (page number): 66

The Hon. MICK VEITCH: Thank you. Minister, no doubt you have heard that at just about every hearing someone has asked about whether there should be an exposure draft of the legislation. In your first appearance at this inquiry you said that there will not be an exposure draft. Do you still stand by that?

The Hon. NIAL BLAIR: I said I would consider it.

Mr DAVID SHOEBRIDGE: You did not appear in enthused.

The Hon. NIAL BLAIR: It is just my demeanour. I have been accused of being stone-faced.

The Hon. MICK VEITCH: In light of what we have heard, will you give consideration to an exposure draft?

The Hon. NIAL BLAIR: Thank you for the question. The first point is that there is a time line. The department has been working with Parliamentary Counsel to introduce the bill in the spring session of Parliament. This inquiry has popped up in between that. It is an issue that we have been considering and I am more than happy to assist the Committee. We do not have an exposure draft of the legislation yet because we are working to a particular time line. I am happy to provide a subsequent submission for the Committee's consideration. I propose to set out a table to show some comparisons between what the current Act has, what the proposed Act proposes and what the white paper consultation and comments were on the subject. I will run through the subjects that we are looking at. They are the title of the Act, other related Acts, reducing red tape, focus, scope, content, objects, principles of Crown land management, powers, land ownership, Aboriginal interests, state and local land tenures, sale and disposal, Crown reserves, dedications, compliance and enforcement, administrative and miscellaneous matters, community engagement, Western Division, vesting, local councils, market rents, statutory minimum rent, land assessment, landowners' consent, reserve management, appointment of reserve managers, appointment of board members, categorisation of reserve managers, claims of management and council management of reserves. That obviously reads to you like they are the sections we will be covering in the legislation. As I said, we do not have the legislation ready for me to submit it here today. Chair, if there are any areas that you would like that comparison done further than those 33 areas that I have outlined, I am more than happy to consider that from the Committee. I want to be able to use this as a constructive process to say, "These are the areas that we are looking at", show you how they will be dealt with in comparison between what we have at the moment, what we are proposing and then also how that fits in with the community feedback from the white paper. Hopefully the Committee will be able to digest that in time for the handing down of its report. When

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we get to debate this legislation in Parliament hopefully you will see again that there are no surprises. This is something that in eight or nine weeks' time—whenever the parliamentary sitting period is—we will be looking at introducing into the Parliament. I am not trying to avoid the question or the commitment but we do not have a draft available, but we have an idea where we can try to fill in some of those gaps.

QUESTION (as interpreted, where required):

1. Please provide information comparing the current Act, the proposed Act and the White Paper consultation and comments.

ANSWER

1. The new Crown Land legislation is proposed to be introduced into Parliament in the Spring Session 2016. Given these timelines and noting that there have been extensive discussions and substantial consultation about the Crown Land Management Review with key stakeholders and the community, the Government does not consider an exposure draft is required. To support the Committee's deliberations, I have provided an outline of the proposed legislation comparing the provisions of the current Act, the proposed legislation and the public comments on these matters received through the White Paper consultation process.

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CONTEXT (page number): 68

The Hon. Mick VEITCH: Minister, the Committee has taken quite a bit of evidence in relation to the value of travelling stock reserves and routes—TSRs. I know there is a strategy development for TSR management across the State. Are you prepared to take on board all the evidence the Committee has taken and seek that it be transferred across to the other review that has been managing travelling stock reserves at the moment?

The Hon. NIAL BLAIR: Yes, this review is long overdue. No-one has really the time to take a snapshot of where the reserves are, what is left of them, what is their use and current purpose but, more importantly, what is the future. Do we need new routes? Do we need other areas? These are the questions that are being thrown up as part of what Local Land Services is doing. They are working closely with Crown Lands. It would be my expectation that they are looking at some of the evidence that has been received by this inquiry because I know the inquiry has travelled in different parts of State and I hope that the Committee has met with people that it has met with. I know that the combined action to retain routes for travelling stock [CARRTS] is a good example. I have met with CARRTS. I know that they met with Local Land Services on a number of occasions, but certainly the more evidence that we can get to make an informed decision—I would expect that that was occurring, but I will endeavour to follow that up.

QUESTION (as interpreted, where required):

[To be interpreted ...] Will the Minister take on-board evidence this Committee has received in relation to TSRs to inform the Government's current TSR review?

ANSWER

The TSR review will consider evidence received by the Committee on the use and values of TSRs.

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CONTEXT (page numbers: 64- 65; 69)

The CHAIR: In terms of resourcing, obviously we have taken evidence across New South Wales, the Crown Lands department is facing a downturn in appropriate staff resources to be able to cope with all the requests. Do you have a comment on that?

The Hon. Niall BLAIR: I will pass to Ms Stone in a moment, but it is important to note that one of the things that was announced in this year's budget was an allocation around \$7 million over four years for IT services for the department. Obviously that is a key component of making sure that we have the ability to be able to be up to date and efficient in processing a range of applications or other functions within the department. So part of what we are trying to do is to have that IT capacity to be able to be more efficient and more conducive and responsive to customer applications. But part of that as well is exactly why we are doing the reforms. At the moment it does not matter how many staff we have, to a degree; when they are working within an outdated legislative framework that is not keeping up with what we were expecting of our Crown lands estate in 2016, that is one of the limiting factors. So we are trying to implement better information technology [IT] capabilities and a legislative framework that will be more conducive to working through this. Ms Stone may like to add something.

Ms STONE: I reiterate the Minister's comments. Within the business we have started to look at areas to make sure that we are more efficient in the way that we operate. Over the past two or three years we have established a number of business centres that are systems and process driven so that we are more efficient in delivering services for customers. Across the State we have a number of staff operating in reserve management, leasing, licensing and the full range of services that the business requires. The Minister spoke about funding to improve our ICT systems and processes, which has two benefits. It is partially to improve customer service but also so that we are more efficient at a business and financial and management reporting level. Last year the Government also provided money to consolidate our road closure and disposal program. That has made sure that the part of the business is fully funded for the future and that we have very clear targets.

The CHAIR: In the past five years has there been a cut to the number of staff working in Crown land management?

Mr DAVID SHOEBRIDGE: I think that is unfair. We should go back a decade, to 2006. The Government inherited this when it came to office.

The CHAIR: In general, over 10 years has there been a reduction in staff across New South Wales who manage Crown land?

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Ms STONE: I have been in this business for 3½ years. In that time we have made a lot of efficiencies in that business so that we can do more with better trained and skilled people. We put on 65 permanent people for the road closure and disposal program, with that additional funding. It was provided initially in 2012. It was continued last year for that program. We cannot compare apples with apples over the past 10 years.

...

Mr DAVID SHOEBRIDGE: There were some questions from the Chair about resources and the like. Could you please provide us with the full-time equivalent staff numbers in the department since 2006 on an annual basis.

Ms STONE: We can do that.

QUESTION (as interpreted, where required):

Please provide FTEs per annum since 2006

ANSWER

FTE data relating to Crown Lands prior to 2010 is unavailable as the Public Sector Commission workforce profile data prior to 2010 reports a single figure for the whole of the then Department of Lands.

Department of Lands annual reports for 2006 - 2010 shows a single figure for the whole of the Department.

2010-11	364.41
2011-12	367.5
2012-13	Sep YTD 326.3, Mar YTD 298.11
2013-14	348.93
2014-15	344.23

From 1 July 2015, Crown Lands Division became part of the Land and Natural Resources branch which comprised of:

2015-16	518.81
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CONTEXT (page number 72- 73):

The Hon. NIAL BLAIR: For the information of the Committee, the Department of Industry—Lands is responsible for over 500,000 hectares of Crown roads, with the majority of those roads not formed or constructed. Many of those roads are not required for access by the general public and exist as lines on maps. The roads program enables landholders to apply to purchase roads adjoining their freehold property through a process of closure and disposal of unnecessary Crown roads. This program benefits landowners by providing them with an opportunity to consolidate their landholdings. Approximately 8,000 applications have been completed since April 2011, generating revenue of more than \$81 million for the Government. In 2015-16 more than 1,800 applications were completed. They generated revenue of more than \$17 million, which provides funds for reinvestment into other government projects and priorities. This is a very popular program with more than 6,500 applications awaiting completion and 550 new applications being received each year. Currently, the department aims to complete 1,700 applications each year. Road closure applications are individually assessed on their merits. For equitable management, road closure applications are processed on a first-received, first-processed basis. Applicants can seek expedition of their road closure by applying in writing. Extenuating circumstances may include a current development application involving a road or deceased estate matters. It takes a minimum of seven months to close and sell a Crown road. This timeframe is dictated by the legislative requirements governing Crown roads. The process involves thorough investigation and actions under two pieces of legislation—the Crown Roads Act and the Crown Lands Act—as well as consultation with adjoining and affected landholders and other authorities. The process involves public consultation and assessment of whether the roads are required for public access to land or waterways and should remain as part of the public road network. All proposed road closures are publicly advertised. If not required for public purposes, the roads are closed and sold, which reduces costs associated with managing this land for the State and reduces red tape for affected property owners. Approximately 25 percent of road closure applications process per annum are unable to be approved due to being required for public access or because the applicant withdrew interest at different stages of the process. Officers from Department of Primary Industries Fisheries [DPI] and the Department of Industry—Lands work together to ensure that road closure applications are assessed to identify existing angler access. DPI Fisheries staff have assessed more than 13,000 individual roads for closure. Of those, DPI Fisheries has requested the retention of 300 roads because they provide access to waterways, which is an important issue as I am the Minister responsible for fishing. That is a good example of two different sections within my ministerial portfolio working together to address the issue of, in some cases, competing stakeholder interests.

The Hon. SCOTT FARLOW: We heard that from the anglers today.

The Hon. TREVOR KHAN: Perhaps Ms Stone may know what was the number of road closure applications that were outstanding in 2012 as compared to now.

Ms STONE: There were probably over 8,500 applications on hand when the road closure and disposal program was funded initially. The first tranche of funding provided for 50 staff to be located in a business hub in Grafton. I think we have talked today about a second tranche of funding that continues that, with staff across the State, but mostly located in Grafton and New South Wales. The Minister has already said that the number of current applicants on hand has come down substantially. We hope to be bringing that number of applications down to within 1,000 within three to four years.

The Hon. CATHERINE CUSACK: That was initiated in 2012.

Ms STONE: That is right.

The Hon. CATHERINE CUSACK: What is the future of that program.

Ms STONE: The future of that program is strong and ongoing. As I said, we are more efficient with it now. We are looking at it at a cluster level, so it is not road by road. Again, we are looking at how to make sure that roads within a particular area are all assessed at the same time to make it more efficient for the referencing agencies like the NSW Rural Fire Service, local government and the waterway access that the Minister has referred to.

Mr DAVID SHOEBRIDGE: Can you give us the costs as well as the returns for that, so we get a full picture.

Ms STONE: I can provide those figures on notice.

QUESTION (as interpreted, where required):

Please provide figures on costs of, and revenues from, the Crown Roads Disposal Program (CRDP).

ANSWER

1. In 2015/16, the cost of the Crown Roads Disposal Program was \$9.448 million, with income returned to Treasury of \$17.2 million. In 2016/17, the budget for the Crown Roads Disposal Program is \$8.026 with a target of \$17.2 million to be returned to Treasury.

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CONTEXT (page number 73):

The CHAIR: I know you have given that undertaking. My second point is about essential services. There was a petrol station or something at Stockton—an essential service for a small community. Maybe Crown Lands need to be mindful of not flogging off those particular properties given the essential service needs of local communities. It can make or break those communities if those properties are moved on for commercial purposes. Can we just be mindful of that?

The Hon. NIAL BLAIR: What is the question?

The CHAIR: There was some evidence that came through with respect to essential services at Stockton. I am sure you would know all about it because the evidence came across.

The Hon. NIAL BLAIR: I definitely know about it. I have been asked about it before.

The CHAIR: I am just asking that the department to be mindful of those sorts of situations popping up, where there are essential services in small communities.

Mr DAVID SHOEBRIDGE: Is the issue of essential services in small communities going to be part of the Act, too? I am happy if you take the next question on notice. We have had a series of representations, particularly from the New South Wales Aboriginal Land Councils, about prioritising return of land to the Aboriginal people. Aboriginal people, of course, owned this entire State before colonisation. Crown Land is 42 per cent of the State. Will any new Act have, as one of its core principles, prioritising the return of land to Aboriginal people and the traditional owners?

The Hon. NIAL BLAIR: I will take that on notice. Are you referring to what the previous witnesses were talking about in relation to a settlement?

Mr DAVID SHOEBRIDGE: No, I was referring to the New South Wales Aboriginal Land Council's evidence.

QUESTION (as interpreted, where required):

- 1) Is the issue of essential services in small communities going to be part of the Act?
- 2) Will any new Act have, as one of its core principles, prioritising the return of land to Aboriginal people and the traditional owners?

ANSWER

- 1) Essential services in small communities will not be an explicit consideration in the Act. The Act will provide for social and economic considerations to be taken into account in decision-making about Crown land.

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- 2) One of the core objects of the Act will relate to facilitating the use of Crown land by the Aboriginal people of New South Wales. The return of land to Aboriginal people and traditional owners is managed under the provisions of the *Aboriginal Land Rights Act 1983* and the *Native Title Act 1993* (Cth).

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Questions on Notice

Hearing held on 15 August 2016, Sydney

CONTEXT (page number 73):

The CHAIR: I would like to put a couple of questions on notice. Can you give us a reply to the issue of fencing at King Edward Park. Where is that up to? Is it more than likely going to be removed for the public good?

The Hon. NIAL BLAIR: I am happy to come back to you on that but I can answer very quickly. Crown Lands definitely believes that the issue at the moment is between council and the developer. As I said, I can come back to the committee, but once Crown Lands is satisfied that the demolition has been completed— and council has signed off to say that that has occurred—it is my understanding that the issue around the fencing can be resolved.

Mr DAVID SHOE BRIDGE: Mr Blair, tear down that fence.

The Hon. NIAL BLAIR: Once we get the confirmation. When Mr Blair is responsible for that site and when I am confident that the demolition has occurred—

The CHAIR: If you could quicken that outcome it would be appreciated by the community.

The Hon. NIAL BLAIR: I will chase that up for you.

QUESTION (as interpreted, where required):

Please provide information about the process and timing for removal of the fence at the King Edward site.

ANSWER

The Department of Industry – Lands will continue to work with the former developer, Annie Street Commercial P/L and Newcastle City Council about completing the clean-up of the site from the demolition of the former Newcastle Bowling Club buildings.

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Supplementary Question

Question for the Department of Industry – Lands

1. I understand that in June 2015 determinations in relation to Native title were made in relation to the claims of the Barkandji and Yaegl Traditional Owners. These determinations terminated many licences and permissive occupancies in these areas. Can you please advise what the Department has done to address this issue?
2. How many tenures are affected by this determination?
3. Are the insurances held by these tenure holders still valid?
4. Have you advised the Government or the tenure holders affected about the impact on their tenures?
5. Do you continue to issue new tenures in the determined areas using clause 24LA of the Native Title Act?

ANSWER

1. The Department has responded to this issue by:
 - seeking advice to confirm that the tenures had in fact terminated and to confirm the legal framework that could be used for reissuing licences;
 - securing resources to effectively respond in a coordinated and comprehensive fashion;
 - progressively identifying the specific licences and enclosure permits that have terminated; in this respect we note that not all records in relation to these tenures are available electronically and this process has taken a number of months.

The Department has written to all affected licence holders advising that their licences and permits have terminated. In the letter, the Department committed to making contact by the end of September 2016 and providing further information. The letter also informs recipients that in the interim period they may continue to use the land provided they continue to comply with the terms of the terminated licence.

2. As at 2 September 2016, the Department has identified a total of 512 tenures that have terminated: 504 licences and 8 enclosure permits that have terminated.
3. The validity of any insurance policy is dependent on its specific terms.
4. Yes. Letters were sent to affected licence holders on 1st September 2016. These letters were advice to licence holders that:
 - certain tenures have terminated after native title consent determination; and
 - the Department is currently undertaking a review of all of the affected licences and enclosure permits.
 - Their occupation and use under their licence is currently unaffected, and they will be contacted, along with the Native Title holder, regarding future options.

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5. No. Once native title is determined to exist in relation to crown land by the Federal Court, the Department cannot issue certain 'low impact' tenures over that land. Low impact is defined in s 24LA (Low impact future acts) of the Native Title Act 1993 (Cth).

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Supplementary Question

Question for the Department of Industry – Lands

1. .When does the Government expect the Crown Land Regulations to come into effect should the new Crown Lands Act be assented to? What is the proposed timetable for the development and implementation of any new Regulations for the new Act?

ANSWER

Significant work is underway and will need to be done to prepare for the commencement of the new Act, including the development of the new Crown Land Regulations. The intention is that commencement of the Regulations will coincide with the date of the proclamation. This is likely to be within 12 to 18 months after assent to the Act.

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Supplementary Question

Question for the Department of Industry – Lands

Mr Carapiets Review

1. What was the total remuneration of Michael Carapiet in relation to the Crown Lands review?
2. How many meetings did Mr Carapiet chair?
3. How many years of service with Crown Lands had the two officers (Mr Whitehead and Ms Paget Cooke) referred to by Mr Carapiet as undertaking the “bulk of the work” prior to the commencement of the review?
4. Was the sale of Crown Caravan Parks ever contemplated as part of the Carapiet Review?

ANSWER

1. Nil.
2. The Steering Committee met four times and Mr Carapiet chaired all four meetings.
3. Mr Whitehead had more than 12 years’ service with the Department and Ms Paget Cooke had more than 20 years’ service with the Department.
4. The sale of Crown caravan parks was not in the terms of reference for the Crown Land Management Review and nor was it proposed in the final "Crown Land Management Review" report.

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Supplementary Question

Question for the Department of Industry – Lands

1. Can you provide a list of Crown land transferred to Property NSW (formally Government Property NSW) since July 1, 2011?
2. Can you also provide the market value for each parcel of Crown Land transferred to Property NSW?
3. Was Native Title addressed when those properties were transferred?
4. Did the Minister for Corrective Services at the time consult with the Minister responsible for the Crown Lands Act 1989 at the time before making the announcement to close the Parramatta Gaol, given that it was located on Crown Land?
5. Did Crown Land raise any objection when the Government announced that it would be closing down Parramatta Gaol, given that it was Crown Land?

ANSWER

1. List of sites vested since July 2011 with Government Property NSW and its predecessor, State Property Authority, is at "Attachment 1".
2. Statutory Land Values (SLV) and book values were used to inform vesting (inter agency transfer). SLV is noted in Attachment 1.
3. The Native Title responsibility was passed to Property NSW at the time of vesting on the basis it is able to hold lands subject to Native Title.
4. Ministerial correspondence in 2011 indicates Corrective Services advised State Property Authority of the intention to close the gaol.
5. As the proposal was consistent with Premiers Memorandum M2008-06 and s19 of the State Property Authority Act 2006 Crown Lands raised no objection.

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Attachment 1

Address	LGA	Title	SLV
Research Rd NARARA NSW 2250	CENTRAL COAST	Lot 13 DP 1126998	\$3,825,000
100 Faulkner St ARMIDALE NSW 2350	ARMIDALE REGIONAL	Lot 24 DP 1176464	\$811,000
9 Burrawang St NAROOMA NSW 2546	EUROBODALLA	Lot 1 DP 1177640	\$470,000
345 Panorama Ave BATHURST NSW 2795	BATHURST REGIONAL	Lot 277 DP 821883, Lot 279 DP 823425	\$205,000
Queens Sq SYDNEY NSW 2000	SYDNEY	Lot 1863 DP 1000001, Lot 1864 DP 1000002	\$62,600,000
23 - 33 Bridge St SYDNEY NSW 2000	SYDNEY	Lot 1877 DP 877000	\$68,700,000
5 Regatta Ave BALLINA NSW 2478	BALLINA	Lot 9 Section 1 DP 758047	\$247,000
40 Frome St MOREE NSW 2400	MOREE PLAINS	Lot 4 Section 42 DP 758706	\$280,000
92 Kite St ORANGE NSW 2800	ORANGE	Lots 11-13 Section 39 DP 758817	\$341,000
25 - 27 Fitzroy St TAMWORTH NSW 2340	TAMWORTH REGIONAL	Lot 22 Section 14 DP 758951	\$1,400,000
26 Johnston St WAGGA WAGGA NSW 2650	WAGGA WAGGA	Lot 8 DP 47977	\$404,000
126 Lachlan St HAY NSW 2711	HAY	Lot 7301 DP 1137381	\$132,620
142 Brisbane St DUBBO NSW 2830	WESTERN PLAINS REGIONAL	Lot 3 DP 1128529	\$217,000
108 Faulkner St ARMIDALE NSW 2350	ARMIDALE REGIONAL	Lot 1 DP 1198874	\$406,000
Lot 1 Monara Hwy ANDO NSW 2631	SNOWY MONARO REGIONAL	Lot 1 DP 756862	\$9,820
141 Newcastle St EAST MAITLAND NSW 2323	MAITLAND	Lot 1 DP 973162	\$158,000

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GENERAL PURPOSE STANDING COMMITTEE NO. 6
INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

Hearing held on 15 August 2016, Sydney

Supplementary Question

Question for the Department of Industry – Lands

1. What is the status of Wentworth Park Reserve and the Wentworth Park Sporting Complex Reserve?
2. Is it dedicated land?

ANSWER

1. Wentworth Park was proclaimed (dedicated) as a public park on 10 November 1885. It is covered by two Reserves. The Reserve within Lot 678 is managed by an Administrator for the Wentworth Park Sporting Complex Trust. The Reserve that covers the remaining lots is managed by Sydney City Council for the Wentworth Park (Open Space Areas) Reserve Trust.
2. Yes

INQUIRY IN TO CROWN LAND IN NEW SOUTH WALES

15 August 2016

Supplementary Questions

Questions

6. Will Native Title be determined prior to any crown land being transferred to local councils or Aboriginal Land Councils?
7. This Inquiry has heard testimony about Aboriginal Land Agreements and the Local Land pilots following the Governments review into Crown Land Management in 2012. Given Native Title is integral to Crown land management can you please advise how Native Title will be addressed in the ALA process?
8. Have you considered addressing Native Title under an Indigenous Land Use Agreement at the same time as negotiating an Aboriginal Land Agreement?
9. Has the Department calculated the resource implications for local councils and Aboriginal land claims in dealing with native title issues on transferred Crown Land? What NSW Government assistance and resources will be provided to local councils and Local Land Councils to manage the Native Title issues on transferred Crown Land?

Answers

6. No. Consistent with current practice, Crown land will be transferred to local councils and Aboriginal Land Councils subject to any existing native title rights and interests as provided for under the *Aboriginal Land Rights Act 1983*. Native Title applications will continue to be determined in accordance with the *Native Title Act 1993* (Cth).
7. An Aboriginal Land Agreement Negotiation Framework was released by the Government in August 2016. The Framework provides an avenue for native title rights and interests to be considered as part of the ALA negotiation process. Where native title parties are included in ALA negotiations, native title outcomes will be explored. This may require use of an Indigenous Land Use Agreement (ILUA) in accordance with the *Native Title Act 1993* (Cth) to give effect to any agreed native title outcomes. Where this is not possible, land transferred to LALCs will remain subject to any existing native title rights and interests, as provided for under the *Aboriginal Land Rights Act 1983*.
8. Yes.
9. Yes. Training will be provided to local Councils to ensure they understand their obligations under the *Native Title Act 1993* (Cth) on Crown land managed or transferred to local Councils. Local Land Councils have experience in managing Native Title as the ALRA already provides for land to be transferred subject to any existing native title rights and interests.

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