

INQUIRY IN CROWN LAND IN NEW SOUTH WALES

Name: Name suppressed

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Partially
Confidential

I understand that the committee is reviewing the Crown Land Legislation and I would like to outline my experience in trying to buy 1 hectare of land at Lot 1 DP 1013943 Maroota.

1. The property was assessed by the department in the 1990s and was suitable for disposal
2. We own all the surrounding land - there are no adjoining landowners
3. We were given a 45 year lease in 2000
4. On the advice of the Department we completed the Application for Purchase of Crown Land by Private Treaty and paid the application fee on 14 August 2002 - nearly 16 years ago!

In the intervening 16 years I have made contact via the telephone, mail and email 30 to 50 times trying to find out what was happening with our Application to Purchase this surplus land (it is a disused, vacant, former 'Trigonometrical property'). I have written to Ministers in the last few years and have been advised that it 'will be completed as quickly as possible'. To give you some idea of the Government 'red tape' I have enclosed a copy of my most recent correspondence which explains that after 16 years:

1. 'It is unclear' whether the protection from the Native Title Act obtained in 2000 for our lease also covers the sale of the land. The Department is 'seeking legal advice'
2. If the Department believes there could be a Native Title issue it is up to us (the proposed purchaser) to make application to the Federal Court and pay all costs. We would have to do this even though there is no property price agreed, there is no certainty of the Department even selling if the Court action is successful and we would have to pay all the subsequent unknown costs of all parties. Obviously this is not a process and anyone would undertake without certainty of a known purchase price.

We are incredibly frustrated at this system. We understand that your inquiry is looking at generalities of the Crown Land system but hopefully you can facilitate some sort of review so that:

- i) once it is determined that land is excess to the Crown requirements; and
- ii) it is willing to sell this excess land; it that it can be done on a normal commercial basis.

No progress in 16 years in our matter is a terrible reflection on the current Government process.