

**Submission  
No 131**

## **INQUIRY INTO CROWN LAND IN NEW SOUTH WALES**

**Organisation:** Lismore City Council

**Date received:** 22 July 2016

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**Submission from Lismore City Council - Inquiry into Crown land due 24 July 2016, to The Director, General Purpose Standing Committee No.6, Legislative Council, Parliament House, Macquarie Street, Sydney NSW 2000.**

Lismore City Council supports the concepts provided in the original *White Paper 2015* and was part of the information sessions held around NSW in late 2015. Council provided a submission for the White Paper in November 2015, which includes recommendations to

- create simpler legislation to support Crown land management in the 21st century.
- help grow the NSW economy through the more effective management of Crown land.
- continue the key objective of managing Crown land for the benefit of the people of NSW.
- reduce red tape for the community and stakeholders.
- streamline and speed up administration.
- cement the role of local communities in the management of Crown land.

Lismore City Council also acknowledges the content of the document titled *“Response to Crown Land Legislation White Paper - October 2015”*, and supports the points raised by Councils in NSW:

- Support for management under the Local Government Act, including reduced reporting requirements
- Support for streamlining owner’s consent process
- Support for councils being able to close roads in their local government area
- Concerns about the potential implications of:
  - management of Crown reserves under the Local Government Act
  - transfer of local land
  - transfer of Crown roads

**General Purpose Standing Committee No. 6 inquiry into and report on Crown land in New South Wales,**

Further to the White Paper responses, Council supports, and as part of the Northern Rivers Regional Organisation of Councils INC (NOROC), will actively engage in the General Purpose Standing Committee No. 6 inquiry and hearings, into Crown land in New South Wales, and in particular provide comment on the following:

- the extent of Crown land and the benefits of active use and management of that land to New South Wales,
- the adequacy of community input and consultation regarding the commercial use and disposal of Crown land,
- the most appropriate and effective measures for protecting Crown land so that it is preserved and enhanced for future generations, and
- the extent of Aboriginal Land Claims over Crown land and opportunities to increase Aboriginal involvement in the management of Crown land.

**Additionally Lismore City Council would like to provide comments, on particular issues experienced or observed with Crown land management.**

**Local Land Pilot Programs**

The original White paper had identified several Local Land Pilot Programs to be undertaken, consequently Council would like the Crown to update the progress of the pilots. If pilot programs are progressing or complete, it is imperative the learning from the pilots is captured and shared with other Council so they can benefit from findings and results.

**Road Closure with Crown**

It is taking an inordinate length of time (up to 5 years ) for Crown to complete road closures. Is there any way this can be improved, could this function be transferred totally to Council. How will the

backlog of thousands of road closure applications be completed. Council also understands the Crown are lightly resourced, subsequently creating 4-5 year backlogs for Crown Road Closure process. Could the crown consider resourcing this function more adequately for a period of time to clear the excess?

### **Training and knowledge sharing**

Lismore City Council would like to see a more proactive approach from the Crown with training, Council has observed there is no official training courses offered by the Crown. Importantly training should be offered in the regional areas as well as the major cities such as Sydney. Crown could provide structured training secessions with learning from the pilot programs. This training would need to cover a wide variety of subjects i.e. what do we need for road closure, creation of easements , disposal/licencing of drainage easements, creation of easement over community land, compulsory acquisition, transfer of land etc.

### **Major Council assets infrastructure and buildings**

Lismore City Council has major city landmarks, parks and civil buildings located on Crown Land. The reality is Council are the owners and operators of these sites, and subsequently invest millions of dollars into the operation, maintenance of the buildings and grounds. The crown provides no financial support at all. A review should be undertaken of Crown properties with Council, with the aim to transfer from Crown to Council for zero cost, these sites so Councils can manage their own assets.

### **Native Title Claim and Aboriginal Land Claim in NSW**

Lismore City Council is a respondent in the Widjabul Wia-bul - Native Title claim NSD1174/2013 LTL:[LIS00313] over all Crown land in the Lismore LGA, which is presently in the Federal Court . There is also a great number of individual NSW Aboriginal Land claims on Crown land. ***It seems these claims are now clouding every aspect of crown land dealing.*** Some projects proposed for the community in Lismore City Council, located on Crown land have stalled due to confusion by the interested parties over ownership of crown land after the native title claim is resolved. Lismore City Council is working closely with NTSCorp PL and the interested aboriginal parties to understand the aboriginal people's concerns and interest in the land.

### **Operation and care of Crown Lands in the Lismore LGA**

In some cases the resources, time and money required to operate Crown lands in the LGA are significant, how the Crown are going to provide more financial support for Councils if and when the findings of the White paper are instigated.

### **Review of the Local Government Act and Crown Land Act NSW**

The review of the Local Government Act has been in progress for some time, and obviously delayed in the NSW political environment of 2014-2015. It is timely to integrate the findings of the **General Purpose Standing Committee No. 6 inquiry into and Crown land in New South Wales**, and reflect the proposed changes to the **Crown Land Act NSW** into the **Local Government Act NSW**.