

**Submission
No 256**

INQUIRY INTO CROWN LAND IN NEW SOUTH WALES

Organisation : Lithgow City Council

Date received: 23 July 2016

Council has broadly considered the terms of reference in relation to the General Purpose Standing Committee number 6 inquiry into Crown land in New South Wales and in relation to the matters which are subject of the inquiry Council make the following comments.

(a) the extent of Crown land and the benefits of active use and management of that land to New South Wales,

The Crown controls vast amounts of land across the State. With such a huge portfolio of lands and limited resources it is obviously difficult to provide ongoing management and oversight of the entirety of land within its purview. Council though maintains concerns of the Crown seeking to devolve its responsibilities to local councils who have even less resources to manage lands. A balance needs to be found whereby the Crown can dispose of surplus lands; retain and fund ongoing maintenance of important Crown lands; and if of genuine local community importance transfer some land to local councils subject to appropriate consultation.

(b) the adequacy of community input and consultation regarding the commercial use and disposal of Crown land,

Council does not have significant experience in this issue other than a situation where a Crown Road was very arbitrarily transferred into councils ownership. This will in all likelihood result in many hundreds of thousands of dollars burden on Council and subsequently local ratepayers. This represented an example of poor consultation and it is hoped such situation does not occur in the future. Regarding the disposal of land for commercial purposes Council would encourage consultation to ensure that the disposal and subsequent use of the land is consistent with local planning provisions and community expectations.

(c) the most appropriate and effective measures for protecting Crown land so that it is preserved and enhanced for future generations, and

The most appropriate and effective measures for protecting Crown land will often relate to the Crown's ability to maintain that land. With such a vast portfolio of land and limited funding streams the challenges are obvious. Seeking a balance between disposing of unwanted lands and pursuing other sources of funding to maintain the retained lands in perpetuity is clearly important. There often seems little point in the Crown retaining land that has no apparent ongoing use other than activities which should not be encouraged, for example illegal dumping.

(d) the extent of Aboriginal Land Claims over Crown land and opportunities to increase Aboriginal involvement in the management of Crown land.

The opportunities to increase Aboriginal involvement will often relate to the challenges in ascertaining the most appropriate indigenous representation. There appears to have been instances whereby one indigenous group is consulted but there may be a dispute with another group as to whether they are the rightful group to make representations. There does appear to be adequate mechanisms through both Federal and State legislation in relation to both native title and land claims to provide access to Crown lands. Council has had little experience in dealing with such matters other than saying that it is understood that some claims can take a considerable to do time to resolve.

Thank you for the opportunity to contribute to the inquiry.

Andrew Muir | Group Manager Environment &
Development

Environment & Development | [Lithgow City Council](#)

Phone: (02) 6354 9999 | Fax: (02) 6351 4259

