
The New Crown Land Management Act 2016

Date : June 5, 2018

On 1 June 2018, the Minister for Lands and Forestry, the Hon. Paul Toole MP announced that the *Crown Land Management Act 2016 (NSW)* (**CLM Act**) will commence on **1 July 2018**.

Local councils will commence management of Crown reserves under the Local Government Act 1993 (**LGA**) from 1 July 2018, and must be ready to start the transition to the new requirements from that date.

An Interim Schedule of Crown Reserves was distributed to each council to help complete the preparatory work of classifying and categorising Crown Reserves.

Until the CLM Act commences, Crown reserves continue to be administered in accordance with existing legislation – *Crown Lands Act 1989 (NSW)* – with no changes for existing reserve trusts, lessees, licence holders or other with an interest in Crown land.

Key changes

1. Native title manager training

- A key change to the way councils manage Crown Land under the CLM Act will be the requirement for each council to employ or engage a trained native title manager who will be responsible for providing advice on certain dealings for land that may be affected by native title.
- Participants who have satisfactorily completed the trainings previously delivered in November 2017 and May 2018 are now qualified as native title manager for the purposes of the CLM Act.
- Planning is underway to make further native title manager training after 1 July 2018.

2. Plans of management (PoM)

- Council Crown land managers must ensure that a compliant PoM is adopted for all Crown land that they manage as community land within three years of the commencement of Part 3 of the CLM Act on 1 July 2018.
- The NSW Government has allocated funding to support councils prepare PoMs for Crown land. All councils are eligible for the funding, which will be distributed by the Office of Local Government (OLG) after 1 July 2018.
- The funding is intended to help councils fund preparation of legally compliant PoMs.
- Funding will be delivered using an equitable and relative-needs-based apportionment methodology, based on each council's resourcing requirements and capacity to deliver PoMs.



- A base level of funding is set at \$30,000 and a funding cap of \$100,000.
- Councils will be informed of the allocation prior to 1 July 2018. Funding is expected to be allocated in August 2018.
- From June 2018, OLG and Department of Industry will also provide other resources to assist councils develop PoMs within the statutory period, including guidance, templates and training.

Transitions arrangements

- The Government is providing an additional 12-month transition period for councils and corporate entities managing Crown reserves.
- The existing reserve trust structure will therefore be kept in place until 1 July 2019.
- The transition period only applies to the reserve trust layer for council and corporate entities.
- The transition period does not delay the requirement to comply with all other provisions of the CLM act, which will commence on 1 July 2018.
- A Crown Land Commissioner will soon be appointed to work with the Government and stakeholders, providing independent advice to support the implementation and transition to the CLM Act.

What to expect in the coming months?

June 2018	<ul style="list-style-type: none">• Release of Classification and Categorisation of Crown Reserves guidelines and webcast Q&As• Release of guidance material on PoM preparation under the LGA• Webinar on PoM framework, funding and transition preparation
July 2018	<ul style="list-style-type: none">• Commencement of CLM Act (1 July)• Release of Crown land reserve manager portal for councils for formal use in management of Crown reserves
August 2018	<ul style="list-style-type: none">• Distribution of PoM funding to councils• OLG to host regional, face-to-face training sessions for council Crown land managers on PoM development

Further information

- For further information, including support materials and details of upcoming training and events, Council may visit OLG's Crown Land webpage olg.nsw.gov.au/crownland.
- For general enquiries, Council may email councilcrownland@olg.nsw.gov.au or sign up to OLG's eNewsletter and closed Facebook group at <http://www.olg.nsw.gov.au/content/council-crown-land-managers-newsletter-and->



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