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**HELD ON MONDAY 16 NOVEMBER 2015**

**EXECUTIVE SERVICES REPORTS**

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## NSW Reserve Trust Handbook References

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### Section 34 Trustees of Schools of Arts

Many halls or meeting rooms across New South Wales are governed by the Trustees of Schools of Arts Enabling Act 1902 because the land is either:

- Crown land reserved, dedicated or granted for the purpose of a school of arts, literary institute or mechanics' institute (public trusts), or
- private land purchased, given or granted in trust for the purpose of a school of arts, literary institute or mechanics' institute (private trusts).

These will be referred to in this chapter as 'institutions'.

These institutions were generally established in the late 1800s and early 1900s as educational facilities or libraries for tradespeople (mechanics). After World War II, the proliferation of public libraries and schools/colleges led to a decline in the need for these facilities.

The Trustees of Schools of Arts Enabling Act was passed at a time when there were no provisions for trustees to become an incorporated association. Trustees did not have the legal status of a company and could not hold property or enter into contracts easily. The Trustees of Schools of Arts Enabling Act provides that trustees can, with the Minister's permission, take out a mortgage to build the required facility, enter into a lease, or to sell land if required. The Act also addresses the appointment of trustees.

### Trustees

The trustees elected by the members to manage the institution are effectively the owners, in trust, and are shown on the Land Title. Trustees hold their office until they resign by giving a written resignation to the Minister administering the Trustees of Schools of Arts Enabling Act, or are removed under section 14 of that Act. New trustees must be approved by the Minister.

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### Section 34.1 Appointment of new trustees

The appointment of new trustees, including the appointment of an incorporated association as trustee, requires two special meetings, four advertisements, approval by the Minister and notification in the NSW Government Gazette. The procedure is as follows:

#### First advertisement (to appear twice)

At least 14 days' notice of a special meeting to declare vacant the position of one or more trustees must be published in two separate issues of a local newspaper. The notice must specify that the purpose of the special meeting is to declare the position of trustees vacant.

#### First special meeting

At the first special meeting, members need to resolve to declare the office of one or more of the trustees vacant. This may be because a trustee has resigned, died, become

bankrupt or mentally ill, or because the members wish to remove one or more trustees and replace them with new trustees. Alternatively, for simplicity, all the positions may be declared vacant (and at the second meeting one or more of the current trustees may be re-elected).

If the meeting passes a resolution to declare the office of a trustee vacant, the trustee is removed from office when the resolution is passed. Note that if a trustee resigns by giving written notice to the Minister, the resignation takes immediate effect.

A copy of the resolution and copies of the required advertisements must be sent to Crown Lands as soon as possible after the resolution has been passed.

### **Second advertisement (to appear twice)**

When the position of one or more trustees has been declared vacant, a second special meeting can then be called to consider the election of replacement trustees. As with the first meeting, at least 14 days' notice of the meeting must be published in two separate issues of a local newspaper. The notice must specify that the purpose of the meeting is to elect new trustees.

### **Second special meeting**

Members at the second special meeting need to elect the new trustee(s).

### **Approval of the Minister and Notification**

Details of the special meeting at which new trustees were elected (including copies of the required advertisements) must be sent to Crown Lands as soon as possible, so that approval of the Minister can be obtained. (Note that details of the first special meeting should already have been forwarded to Crown Lands.) If the Minister approves the election of one or more replacement trustees, a notice which appoints the new trustee(s) will be published in the NSW Government Gazette.

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## **Section 34.2 Liabilities of trustees**

If the institution is not an incorporated body, trustees holding office under the Trustees of Schools of Arts Enabling Act are personally liable for actions taken on behalf of the institution, events occurring on the institution's property, or contracts entered into by the institution.

In certain circumstances, individual trustees may be entitled to have liabilities they have incurred while carrying out their duties as trustee paid out of the trust's assets. This will depend on the nature of the liability and whether the trustee was acting in good faith and in the interests of the trust.

Where an association has been appointed as the sole trustee of the institution, the individual members and committee members do not have any personal liability for actions taken by the association in its capacity as trustee, provided they have acted in good faith and in accordance with the Trustees of Schools of Arts Enabling Act, the

constitution of the association, and the requirements of the Associations Incorporation Act 2009.

However, members may be personally liable for breaches of legislation covering workplace health and safety, environmental protection and pollution, anti-discrimination and freedom of information

### **Incorporated associations**

Individuals appointed as trustees may be personally liable for events occurring on the institution's property, or for contracts entered into by the institution.

For that reason, the members of many institutions have chosen to become a not-for-profit association incorporated under the Associations Incorporation Act 2009, and have then applied for that association to be appointed under the Trustees of Schools of Arts Enabling Act as the sole trustee of their institution's property.

Incorporation has several advantages, including:

- No personal liability: generally, the members of an incorporated association and its committee are not personally liable for the debts of the association or for events that happen on the association's property.
- No need to change trustees: since an association exists until it is dissolved under the Associations Incorporation Act 2009, changes in the membership of its committee can occur each year without the need to appoint new trustees under the Trustees of Schools of Arts Enabling Act (as is the case when individual trustees retire or die).
- Broader representation: the association will have a committee elected to run its affairs, allowing for a broader representation of the members in the control of the association's affairs and property, rather than relying on a more limited number of individual trustees.

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## **Section 34.6 Transfer of ownership and management to local or State government**

### **Transfer to a local council**

Where land is transferred to a local council it is envisaged that the agreement between the trustees of the institution and the Council will establish a future use of the institution's land and buildings which is compatible with the needs of the local community.

Land that is transferred to a local Council will be used and managed by the council as "community land", to which particular provisions in the Local Government Act 1993 apply, including the preparation of a plan of management.

Where a plan of management is prepared by the local Council for the future use of the institution's assets, the Council will be required to:

- advise the Minister for Local Government that it is preparing a draft plan of management

- take into account the previous use of the assets as a place of public instruction or amusement
- consult with such people as the Council considers appropriate or as the Minister directs and
- give public notice in accordance with Section 38 of the Local Government Act 1993.

**Regulatory requirements**

- Resignation, removal and election of trustees: Trustees of Schools of Arts Enabling Act 1902 – sections 13 and 14
- Approval of leasing, selling or mortgaging institution property: Trustees of Schools of Arts Enabling Act 1902 – sections 5 to 8
- Dealing with institution funds: Trustees of Schools of Arts Enabling Act 1902 – section 11
- Transfer to State government: Crown Lands Act 1989 – sections 138 A to G
- Transfer to Local government: Local Government Act 1993 – section 54B

Sourced from [http://www.lpma.nsw.gov.au/trusts/trust\\_handbook](http://www.lpma.nsw.gov.au/trusts/trust_handbook)

**MINUTES FROM THE CARCOAR SCHOOL OF ARTS**  
**SPECIAL MEETING**  
**HELD THURSDAY 20 AUGUST 2015 6.00PM**  
**AT THE CARCOAR SCHOOL OF ARTS**

**Trustee:**

Geoff Braddon

**Chair:**

Allan Kind

Ron Murray, Nathan Graham, Linda Williams, Brian Parker, Roni Van Damme, Candice Braddon, Evan Lee, Di Blazley, Colleen Howarth, Charlie Howarth, Joe & Van Dartel, John Greenwell, John Press, Laurel Thomas, Della Birmingham, Liz Darmody, Kerrie Nicholson, Anne Roohorn, Judy Zerbs, Phil Cram, Ellen Cram, Graham Russel, AB Right, D Winters, Max Wolf, Del Howarth, Krystle & Anthony Stedman, Nicki Parker, P & K Morcom, RJ Pink, Todd Hahn, Michael Woolf, Jill Cole, Wade Blazley, Kim Bright, Barbara Furner, John Nicholson, Joanne Rickard, Tim Cahill, Ros Reirdon, Charles Jensen, Sharon Donlan, John Bourke, Teressa Coughlan, Brenda van Pelt, Rob Beard, Brian Griffiths,

**Guests:**

General Manager Blayney Shire Council: Rebecca Ryan

Mayor Blayney Shire Council: Scott Ferguson

**Minuted by:**

Sonia Hibbert

**Meeting Commenced:** 6.00pm

1. Welcome - Geoff Braddon
2. Current Trustee Status - Mayor Scott Ferguson
3. Process of Appointing new Trustees – Rebecca Ryan
4. A history of the Carcoar School of Arts - Geoff Braddon and Allan Kind
5. A list of stakeholders of the Carcoar School of Arts was prepared:
  - a. Carcoar RSL Sub-Branch – Museum
    - a Lease in place with School of Arts Incorporated, however this is not valid given the Incorporated Body is not the Trustee. A new lease agreement or MOU needs to be arranged.
  - b. Primary School P&C / Anglican Church
    - Catering for wakes, catering, bus tours, film nights, community events, fundraising. 50% of profits donated to Hall
  - c. Historical Society
    - catering / fundraising
  - d. Carcoar School of Arts Incorporated Committee
    - Functions / events
    - Has been the community committee that provided the day to day management of the School of Arts Hall and hire arrangements for over 10 years, paying the electricity and insurance

- e. Carcoar Village Association
  - Meetings , functions, fundraising
- f. Carcoar Primary School
  - Presentation nights
- g. Individuals
  - Functions
- h. Council
  - Community meetings
- i. Show Society
  - community events
- j. Art Society
- k. Australia Day
- l. Hospital Museum
- m. Uralba Fundraising Events
- n. Filming location
- o. Heart of the Community

6. Options for Community Discussion:
- a. Option 1 = Private Individuals (3 x trustees)
  - b. Option 2 = Incorporated Body
  - c. Option 3 = Local Government

7. Motion:

That the office of two trustees of the Carcoar School of Arts are hereby declared vacant

Geoff Braddon / Brenda van Pelt  
Carried

8. Motion:

That there be a vote of confidence in Geoff Braddon

Michael Woolf / Robert Bard  
Carried

9. Next Special Meeting set for 17 September 2015, 6.00pm

**Meeting closed: 7.11pm**



**MINUTES FROM THE CARCOAR SCHOOL OF ARTS COMMUNITY MEETING**  
**HELD THURSDAY 17 SEPTEMBER 2015 6.00PM**  
**AT THE CARCOAR SCHOOL OF ARTS**

**Trustee:**

Geoff Braddon

**Chair:**

Allan Kind

**Present:**

Candice Braddon, Robert Pink, Linda Williams, Hazel Van Dartel, Kim Bright, Jill Cole, Peter Williams, Joanne Richard, Brian Griffiths, Andrew & Jane Baulch, Sharon Donlan, Anne Rewhorn, John Bourke, Laurel Thomas, Wade Blazley, Dale Winters, Michael Woolfe, Phil & Ellen Cram, David Pickett, Joanne Greenwell, Brian Parker, Ashleigh Donlan, Dawn Williams, Eric Foote, Todd Hahn, Judi Zerbst, Phill Morcom, Ramon Jones, Charlie & Colleen Howarth, Bill MacDougall, Rob & Juanita Baird, Max Wolf, John Nicholson, W B King, B van Pelt, Jacynda Simmons, Charles Jensen, B Furner, Ivan Dartel, K Nicholson, Trish B, Phil Cram, Libby Pickett, Alliazmi Shea, Tim Cahill, Warwick Powell.

**Guests:**

General Manager Blayney Shire Council: Rebecca Ryan

Mayor Blayney Shire Council: Scott Ferguson

**Minuted by:**

Sonia Hibbert

**Meeting Commenced:** 6.00pm

1. Welcome - Geoff Braddon
2. Housekeeping – Allan Kind
  - a. Attendees were requested to sign the register
  - b. Election options were reviewed
  - c. Minutes from the previous meeting were made available
3. Minutes from the previous meeting were reviewed and questions answered by Blayney Shire Council Mayor Scott Ferguson and General Manager Rebecca Ryan
4. Motion:

That the minutes from the previous meeting held 20 August 2015 be accepted as a true and accurate record.

Philip Morcom / Father Tim Cahill  
Carried

5. Call for Nominations for Trustee  
a. Carcoar Village Association

Andrew Baulch / Phil Cram

- b. Blayney Shire Council

Wade Blazley / Charlie Jenson

- c. Carcoar School of Arts Committee Incorporated

Anne Rewhorn / Brian Griffiths

An amendment was proposed that Option 2 (Incorporated body) or Option 3 (Local Government) be voted upon first with nominations for Option 2 to proceed if successful.

All movers and seconders agreed to withdraw the nominations.

Motion:

That a ballot be held to vote for either Option 2 (Incorporated body) or 3 (Local Government) as preferred trustee

Phil Cram / Father Tim Cahill  
Carried

6. Motion

That voting be undertaken by secret ballot

David Picket / Ellen Cram  
Carried

Voting results were as follows:

Option 2 that the preferred trustee is an Incorporated Body = 18 votes

Option 3 that the preferred trustee is Local Government = 33 votes

7. Motion

That the community approve the election of Blayney Shire Council as the preferred nominated trustee of the Carcoar School of Arts Trust.

Brenda van Pelt / Phil Cram  
Carried

**Meeting closed: 7.32pm**

***Carcoar School of Arts Financial Statements for the period 1 July 2013 to 30 June 2015.******Bank Reconciliation:***

Carried forward total from 30 June 2013:

As per Bank Statement:	\$6324.74
Plus items to be banked outstanding	209.00
Less cheque not presented	24.50
Total C/f	\$6509.24

Plus Income for the year ended 30 June 2014:	\$10,471.59
Less Expenditure:	\$ 8,689.64

Balance. For 2013-2014	\$ 8,291.19
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Plus Income for the years ended 30 June 2015:	\$11,945.88
Less Expenditure:	\$10,087.04

Balance as at 30 June 2015 as per Bank Statement: \$10,150.03



14 August 2015

## Details of Income &amp; Expenditure: 2013-2014

Income:		Expenditure:	
Hall Hires	\$2015.00	Insurance	4,332.20
Less deposits returned-	300.00	Furniture & Equipment	398.40
		Electricity	1,998.58
Events:		ATO- GST	31.00
State of Origin		Rates- Land & Water	1,227.24
Dinner Dance	\$3000.00	BBQ Expenses:- Kinghams	158.00
Less expenses	1190.10	IGA	177.15
		Australasian Performing Right Assoc Ltd	67.07
Raffles			
Catering P & C			
Donation Tin			
Donations			
ATO – GST			
Total	\$10,171.59	Total	\$8,389.64
Net profit for the year -	\$1781.95		

## Details of Income &amp; Expenditure: 2014-2015

Income:		Expenditure:	
Hall Hires	\$2,650.00	Insurance	4,935.44
Less deposits returned-	150.00	Advertising	35.90
		Electricity	2,337.59
Events:		Ink Cartridge	52.00
State of Origin		Rates- Land & Water	1,363.57
Eurovision fundraiser		Electrical Repairs	644.00
		Australasian Performing Right Assoc Ltd	68.54
Memberships			
Raffles	4,575.40		
Less Vouchers for prizes	500.00		
Catering P & C			
Donation Tin			
ATO - GST			
Blayney Shire Council			
Total	\$11,295.88	Total	\$9,437.04

Net profit for the year - \$1,858.84

I have checked the figures against documents and statements provided and found them to be a satisfactory account of the Carcoar School of Arts Finances. I have checked the memberships from 1st July 2013 - 30th June 2015. There were 31 memberships listed and \$66.00 banked. It was explained that by the Treasurer that 2 memberships were prepaid for 2015. They will be recorded in the 2015 Membership list.

No transactions have been checked from 1<sup>st</sup> July 2015.

I would suggest receipts be completed for all income received to ensure accurate recording weather requested or not. A separate receipt book for memberships may also be helpful to keep track.

I have not checked the GST BAS statements as returns have been submitted and accepted by the Australian Taxation Office.

..... 14/8/15 Gail Blowes JP 109343



Carcoar 2791

28/08/2015

Dear Geoff Braddon, Carcoar School of Arts members,

It is with a very heavy heart that we have made this decision to resign as treasurer and vice president from the committee of the Carcoar School of Arts, effective immediately.

We feel that we can no longer serve our positions on the committee due to the lack of support from the Trustee.

Please remove my name from all signatories on the bank account, I will no longer sign any cheques.

We also no longer will take Hall bookings, or work on the cleaning roster.





**CARCOAR SCHOOL OF ARTS  
HALL COMMITTEE INC.****ICELY STREET  
CARCOAR 2791****ACTING PRESIDENT: ANTHONY BRIGHT  
SECRETARY: CATHY GRIFFITHS  
TREASURER: CHRISTINE BRIGHT**

1 October, 2015

Councillors  
Blayney Shire Council

BLAYNEY SHIRE COUNCIL
2 - OCT 2015
Doc. No.
Verified:
Disp. GA39:
Sent.

RE: POINTS FOR CONSIDERATION WHEN VOTING – CARCOAR SCHOOL OF ARTS  
TRUSTEESHIP

Dear Sirs,

We, the Executive and Committee, of the Carcoar School of Arts Committee Inc., wish to inform Councillors of our point of view as regards the Trusteeship of the Carcoar School of Arts.

Past minutes of the School of Arts show that a committee has been responsible for the day to day running, upkeep and refurbishment of the Hall since at least 1937.

With the agreement of the current Trustee and the Hall Committee general membership a motion was passed to incorporate the then existing Hall Committee with the Department of Fair Trading. On the 16 July 2013 Carcoar School of Arts Committee Incorporated was registered.

Due to the dedicated, hardworking and passionate members of the community fund raising has been undertaken for payment of day to day running expenses and improvements to the Hall and we have a healthy bank balance.

There has been considerable comment regarding insurance for the Hall. The payment of insurance is not an issue. Our current policy is for fire, theft, general public and product liability (which include building, contents, machine and plant).

The RSL Lyndhurst Sub Branch has a written and verbal commitment from the Hall Committee for the continued use of the area known as the Carmanhurst Room for their Museum.

The RSL Lyndhurst Sub Branch has requested use of the area under the stage for a meeting room and storage. After a combined meeting and following a motion put at that meeting the Committee has agreed in writing to the Lyndhurst Sub Branch for the shared use of this area under the stage once damp and drainage problems have been addressed. After consultation with Blayney Shire Council and reports from David Scobie, the committee has commenced the steps required to satisfy Council requirements for the necessary work. Grants to carry out this work are being actively sought.

We feel that it is unnecessary for Blayney Shire Council to take on the responsibility of Trustees of the School of Arts when there is in place, and will continue to be for the future, an association of members of the community with a proven record of managing and maintaining our Hall.

We respectfully request that you give due consideration to Carcoar School of Arts remaining under the care and control of the Carcoar community as it been for approximately 80 years.

Yours faithfully,



CATHY GRIFFITHS  
Secretary  
For and of behalf of the Carcoar School  
Of Arts Inc. Executive and Committee

c.c. Ms. Rebecca Ryan  
General Manager  
Blayney Shire Council

9th October 2015

Councillors  
Blayney Shire council

BLAYNEY SHIRE COUNCIL
20 OCT 2015
Doc. No.
Verified:
Disp. GA39:
Sent.

CARCOAR 2791

**RE: Points for Consideration when Voting**  
**CARCOAR SCHOOL OF ARTS Trusteeship**

Dear Sirs,

I wish to inform Councillors of my point of view regarding the **Trusteeship of the Carcoar School of Arts.**

Special meetings were held at the Carcoar School of Arts on 20<sup>th</sup> August and 17<sup>th</sup> September. The first **special meeting** was to provide information and to **declare the position of Trustee/Trustees vacant**, and the second **special meeting** was to **nominate and vote on the new Trustee/Trustees.**

**In a small village like Carcoar, there is no reason why anyone was not aware of the situation at our hall, and the upcoming meetings.** Background information in regards to the Carcoar School of Arts Trust special meetings was well advertised, there was enough time before the first meeting and before the second meeting for anyone to make arrangements to be at those meetings if they wished to attend. The subject was widely discussed in the village.

At the special meeting on 17<sup>th</sup> September, a motion was moved and seconded, that a ballot be held to vote for either an **Incorporated Body** or **Local Government** as preferred Trustee.

**Local Government** was voted in as the preferred option.

A motion was then moved and seconded.

**That the community approve the election of Blayney Shire Council as the preferred nominated trustee of the Carcoar School of Arts Trust.**

**This week I was told about, and have sighted a petition which is circulating in the village,** for the Trusteeship of the Carcoar School of Arts to remain in the control of the Carcoar community.

I liken this situation to a horse race that has been won, and there are protests from horses, not even entered in the race, to have the result changed. The meetings were open to anyone in this village and anyone who considered themselves a stakeholder in the use of the building. All you had to do was turn up at the meetings. **Everyone could have a say...everyone could have a vote.** You just had to enter yourself in the race, and run it. If you weren't in the race you shouldn't be able to protest against the result. **Just like, if you weren't in the hall for the meetings, you shouldn't now be protesting the result of the vote at that second special meeting.**

I went to both those special meetings. I wanted to find out information. I wanted to vote....I wanted to have my say about the long term future of the most important building in our community. **Anyone who lives in Carcoar can leave their place of residence and be at the Carcoar School of Arts building within 5 minutes.** Anyone who chose not to be at those 2 special meetings chose not to have a say. It was their choice.

**It seems that some people who have signed the petition have been misinformed.** Information they have been told pertaining to what the situation will be at the hall, when the Shire becomes the Trustee of the Building, does not correspond with the information that was provided at the special meetings. I know that it is incorrect, because I went to both the special meetings and I listened, and I know what was said, and it isn't what some people are being told. Obviously this small group of people, who are giving out this misinformation, didn't listen. And some of them obviously didn't want to ask questions, as they are giving out information to do with Council's future involvement as Trustee of the hall, which was not discussed at either meeting. Wherever they have got it from, or whoever they have got it from, it could nearly be considered to be scaremongering. It would have been nice if they had asked the Mayor or the General Manager about this information, which they are telling some people. But even if they had asked, I have got to ask myself, if it would have been repeated correctly. If you haven't asked about this information, how can you go round telling people, that this is going to happen, or that is going to happen?..... **Scaremongering!**

When you only go to the first meeting, or have gone to neither, you obviously didn't want to listen to the information given, or ask questions or have a vote on the future of our hall. **Did you?**

So now I have got to ask myself.....**What are you doing circulating this petition????**

I am 62, and was born in Carcoar, and I do realise, like a lot of people who live in villages know, that there are some people who, when asked to sign a petition, are very obliging just because they don't want to say no to the person who is their next door neighbour, or the person who is their friend who lives down the lane, or their cousin who lives around the bend.

**But the issue here is this: - A small group of people can run around with a petition on a board. They can tell people whatever they want about the issue that that petition refers to (even information that may be dodgy)...they can get lots of signatures. It can look like a whole lot of people in the community want what that petition is asking for....**

But **everybody in this community** or any stakeholder in the hall, was welcome to come to those meetings (needed to be at those meetings), to listen to the information, to ask questions, to vote.....An Incorporated Body or Local Government.

**Five minutes will get you from your residence in Carcoar to The School of Arts.**

It was at those 2 special meetings at that place we all call "the hall" that **everyone in this community** was given the opportunity to have their say on the future of a very important building. And the people who were there on the 17<sup>th</sup> September had their say.

**They were the people in this community who chose to run the race.**





CARCOAR 2791

10th October 2015

Councillors  
Blayney Shire council

**RE: Voting**  
**CARCOAR SCHOOL OF ARTS Trusteeship**

Dear Sirs,

I wish to inform Councillors of my point of view regarding the Trusteeship of the Carcoar School of Arts.

I attended the two **Special Meetings** held in Carcoar to decide the Trusteeship. The meetings were well advertised as was background information relating to the issue.

Anyone who lived in Carcoar would have known the importance of the meetings, and that **all residents** were invited to attend those meetings and **vote for the future of the hall**.

It was total disbelief, when I was told this week, that a small group of people from an organisation in town are circulating a petition around the village, which is asking for the Trusteeship of the hall to remain in community hands.

**Bloody Ridiculous!**

And it seems that **some people signing the petition are being given the wrong facts** as to how the hall will function when the Blayney Shire Council become the Trustee of the School of Arts Building.

There was a vote on the Trusteeship of the hall on the 17th September. Anyone who wanted to have a say on the future of the hall needed to be at that hall to vote **and knew they had to be at the hall that night**. The result of the vote that night - the community to approve the election of the Blayney

Shire Council as the preferred nominated Trustee of the School of Arts Trust..... End of story.

I am asking for a YES from Councillors at this month's Shire meeting, when they take a vote to accept the Trusteeship of the hall. This is what the majority of the people who were at the hall for those meetings wanted. **Anyone who did not make the effort to be at the hall didn't have a say. They didn't want a say.** And now a small group of people in this town are asking people to sign this petition. Some members of the group only went to the first meeting. Some of them went to neither meeting.

I am a present financial member of **The Carcoar School of Art Committee Inc.** I haven't attended a general meeting since 21<sup>st</sup> June 2015, simply because they have not held a general meeting since that date. And as you can gather from the contents of this letter, I voted for The Shire.

They can chase up as many signatures as they want for this petition. **How many people, who have signed that petition, were being told wrong information?**

The outcome of that vote in the hall on the 17<sup>th</sup> September was valid. If any resident made the choice not to be there and vote that was their decision at the time. I don't care how many signatures they get on the petition, or where they go to get them. The vote on the Trusteeship of the hall took place. **The Residents of Carcoar who were interested enough in the future of the hall, were at the hall at the meetings on the 20<sup>th</sup> August and the 17<sup>th</sup> September.** They made the choice to have their say. They made the choice to vote.

**They want The Blayney Shire Council as the Trustee of the Hall.**

Now it is up to Councillors to see that that is exactly what eventuates.

Yours faithfully



CARCOAR NSW 2791  
11<sup>th</sup> October 2015

Ms Rebecca Ryan,  
General Manager,  
Blayney Shire Council,  
Adelaide Street,  
BLAYNEY NSW 2799

Dear Rebecca,

I have attended several community meetings in Carcoar in the recent months, and wish to thank Council for the support shown to the Carcoar community.

I was particularly interested to attend the two meetings regarding the Trusteeship of the School of Arts. The School of Arts Hall is the one building in Carcoar that has been available for public use by all-comers. I have been involved in events held in the Hall, both private and via community groups. On occasions, when hiring the hall from the Hall Committee for a function, I had questioned the safety of the kitchen floor, and was told that the Committee did not have enough money to repair it, and my request to see insurance papers was refused.

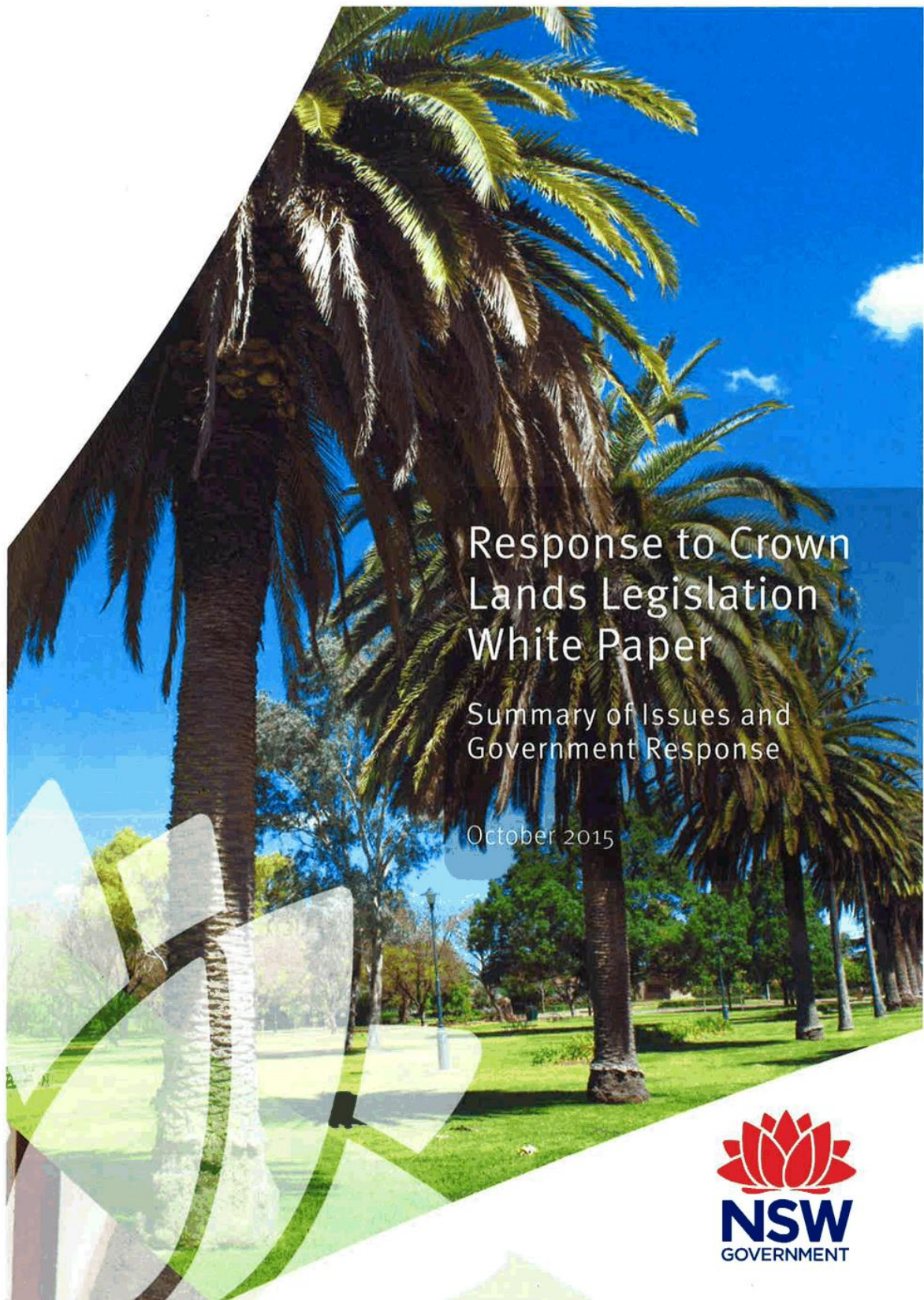
It was reassuring to have the opportunity to learn the complexities of the current trustee arrangements and be given the necessary information to lodge an informed vote on the future management of the building.

I am aware of a petition circulating via the local post office and church and am disappointed that a section of the community, who had the same opportunity via well-advertised and informative meetings, cannot accept the majority vote of their fellow residents, and appear to be using the management of the Hall as a personal vendetta. The petition is flawed in that it does not offer a balanced explanation of the rules of the Trusteeship or give an overview of the information presented at the Public Meetings. It does not explain that members of the local community will still be an integral part of the management of the Hall, with the Council's role as support and 'safety net'.

I am asking Council to consider the points I raise when making a decision on the future of the School of Arts Hall.

Thank You,  
Yours faithfully,





Title: Response to Crown Lands Legislation White Paper: Summary of Issues and Government Response - October 2015.

Author: NSW Government

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#### Disclaimer

Information contained in this publication is based on knowledge and understanding at the time of writing (July 2015).

However, because of advances in knowledge, users are reminded of the need to ensure that information on which they rely is up to date and to check the currency of the information with the appropriate officer of NSW Department of Industry, or the user's independent advisors.

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## Background

The Crown land estate covers 42 percent of New South Wales and contributes to the social, environmental and economic structure of the State. There has not been major review of Crown land for more than 25 years. The Crown Land Management Review ('Review') took a timely and objective look at how to improve the management of existing assets and plan for our future.

NSW Trade & Investment (now NSW Department of Industry) invited comments on the proposed changes to the Crown Lands legislation through a White Paper released in early 2014. At the same time, the Crown Lands Management Review Report ('Review Report') was made available online.

Community and industry expectations have changed over time and the release of the Government's White Paper provided an opportunity for the people of New South Wales to have their say about what's important to help build the future management of the Crown land estate.

The White Paper included 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.

Information about the White Paper appeared in the *NSW Government Gazette*, *The Land*, the *Sydney Morning Herald* and the *Daily Telegraph*. The White Paper was available at [www.crownland.nsw.gov.au](http://www.crownland.nsw.gov.au).

Letters were sent to key stakeholders including peak bodies, Local Councils, Local Aboriginal Land Councils, reserve trusts and commons trusts.

The Review team received 626 submissions by email, post and online.

## The submission review process

The NSW Department of Industry Review team reviewed all submissions received. This report summarises the main themes arising from the submissions.

The analysis of the submissions will continue to inform improvements to the management of Crown land estate and the development of new Crown lands legislation.

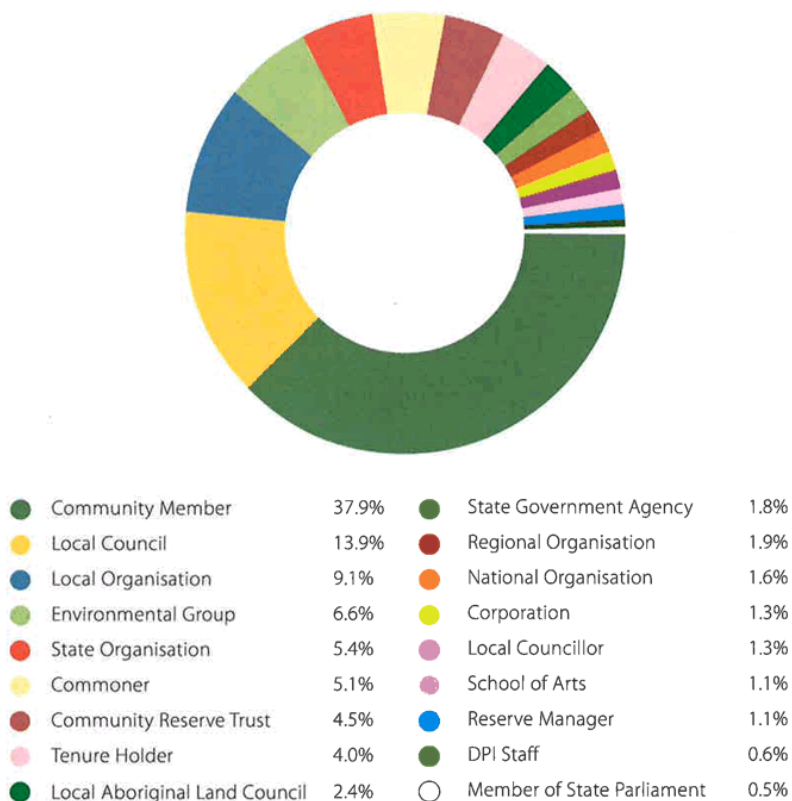
The Review team thanks those who have invested in the process and contributed to the future management of the Crown land estate through their responses to issues raised in the White Paper and the Review Report.

Appendix 1 identifies the individuals or bodies who made submissions. This list excludes individuals or bodies who asked not to be identified.

## Overview of submissions

A total of 626 submissions were received from a wide range of respondents (see Figure 1).

Figure 1: Submissions by group



The submissions included:

- » 84 submissions from Local Councils
- » 55 submissions containing similar comments about environmental issues
- » 49 submissions supporting the current legislative arrangements for St Albans and Woomargama Commons
- » 43 form letters from members of the Waterfront Action Group
- » 14 submissions from Local Aboriginal Land Councils
- » 12 submissions calling for the retention of community trust management for Gresford Park
- » 5 submissions from Regional Organisations of Councils



In broad terms the suggestions raised by different groups were as follows:

Group	Suggestions
Councils	<ul style="list-style-type: none"> <li>» Support for management under the Local Government Act, including reduced reporting requirements</li> <li>» Support for streamlining owner's consent process</li> <li>» Support for councils being able to close roads in their local government area</li> <li>» Concerns about the potential implications of: <ul style="list-style-type: none"> <li>» management of Crown reserves under the Local Government Act</li> <li>» transfer of local land</li> <li>» transfer of Crown roads</li> </ul> </li> </ul>
Environmental groups Community members	<ul style="list-style-type: none"> <li>» Support for the proposal to replace Reserve Trusts and Reserve Managers with one Crown Land Manager and to move from a three tier to a two tier management structure for Crown reserves.</li> <li>» Strong support for increased enforcement and compliance provisions</li> <li>» Support for the removal of red tape</li> <li>» Support for real community consultation and engagement processes</li> <li>» Support for continued community involvement in reserve management</li> <li>» Confusion about the interaction between the various government review processes</li> <li>» Concern about removal of specific protections for environmental and social values of Crown land (including land assessment)</li> <li>» Concern about a perceived bias towards economic values</li> <li>» Concern about transferring management and ownership of Crown land to councils</li> <li>» Concern about the sale of Crown land</li> <li>» Concern about any potential to reduce public consultation, approval and reporting requirements</li> </ul>
Tenure holders	<ul style="list-style-type: none"> <li>» Support for consistent lease terms</li> <li>» Support for increased flexibility for Western Lands tenures</li> <li>» Support for greater opportunities for perpetual Western Lands lessees to buy their leaseholds, but concern that purchase prices will be too high</li> <li>» Concern about the potential of charging market rent for community and not-for-profit organisations</li> <li>» A desire for more certainty, reduced delays, consistent terms</li> </ul>
Reserve trusts, Commons and Schools of Arts	<ul style="list-style-type: none"> <li>» Support for the proposal to replace Reserve Trusts and Reserve Managers with one Crown Land Manager and to move from a three tier to a two tier management structure for Crown reserves.</li> <li>» Strong support for retaining management of local assets (including Crown reserves, commons and Schools of Arts) by local groups</li> <li>» Concerns about transferring management and ownership of Crown land to councils</li> </ul>
Aboriginal groups	<ul style="list-style-type: none"> <li>» A desire to ensure that the reforms will not result in less Crown land available for claims under the Aboriginal Land Rights Act</li> <li>» A desire for full involvement in the reform processes</li> </ul>



## Details of submissions and Government response

The following sections give a brief overview of how the submissions addressed the proposals contained in the White Paper and the Review Report. They also include the Government's response to the comments that were made.

### Comments on the White Paper

#### *New legislation*

The majority of submissions supported the idea of new consolidated legislation and repealing the existing Acts. Submissions from Commons Trusts, Schools of Arts and some Councils sought to retain the *Commons Management Act 1989* and the *Trustees of Schools of Arts Enabling Act 1902*.

Reasons for retaining the status quo for Commons and Schools of Arts included:

- » The current system functions efficiently and involves communities
- » The current system has played a major role in preserving the heritage of NSW
- » Help from local volunteers may not be forthcoming if managed by Councils
- » Councils would be unlikely to maintain them as well as under existing arrangements

#### **Government response and next steps:**

It is proposed that Commons will become Crown reserves, with the dual reserve purpose of commons and community use. This will preserve the historic nature of commons, and allow use by commoners and the broader community. Under the new legislation, existing commons trusts will be granted licences over 'their' commons.

It is proposed that where a Schools of Arts is on public land, that land will be reserved. The current trustees will form the Crown Land Manager board.

It is proposed that where a School of Arts is on private land, the trustees will remain the legal owners of the land and will be able to deal with the land subject to the terms of any trust deed and the *Trustee Act 1925*.

Relevant provisions will be included in the new legislation.

Very few comments were received in relation to the proposed repeal of the *Western Lands Act 1901* and only one in relation to the proposed repeal of the *Wentworth Irrigation Act 1890* and the *Hay Irrigation Act 1902*.

A large number of submissions contained comments to the effect that the proposed changes fail to recognise the environmental significance of Crown land, or to protect environmental, heritage and social values. The majority of comments on these issues came from community members and from local and environmental groups. A number of councils, the Law Society of NSW and some corporations also made similar comments.

The submissions contained a wide range of comments on the proposed objects of the new Act. There was overwhelming support for the objects to include the protection of environmental, cultural heritage and social values, and concerns that the draft objects in the White Paper seemed to focus on the economic values of Crown land. A number of submissions suggested that the objects should make stronger statements about the protection of Aboriginal interests.

**Government response and next steps:**

The proposed objects of the Act will explicitly recognise the need to integrate environmental, social, cultural heritage and economic considerations in decision-making about Crown land. The environmental significance of Crown land will be recognised in a number of provisions, including provisions for plans of management.

All land identified by the State land stocktake as having State significance will be retained by the State for the people of NSW. By definition, State land will have certain values, including in many cases environmental values.

The proposed objects of the Act will provide for Aboriginal use and co-management of Crown reserves. Under the legislation it will be possible for Aboriginal groups such as Aboriginal Land Councils to be appointed as Crown Land Managers.

The State land stocktake is under way in consultation with Government agencies. The stocktake will test the draft criteria for State land proposed by the Crown Land Management Review.

Submissions raised support for and concerns about the aims of removing red tape and reducing transaction costs. The concerns were largely around removal of red tape potentially resulting in the removal of protections for Crown land.

**Government response and next steps:**

There are very real issues of multiple layers of rules and administrative processes that currently make it difficult to manage the Crown land estate effectively and efficiently. The removal of red tape does not diminish protection of the value of the Crown land estate, given the approval mechanisms available in other legislation.

By cutting red tape, Government and Crown Land Managers will be able to more efficiently and effectively focus on preserving and managing the multiple values of Crown land.

The new legislation will remove red tape wherever practical.

***Improved management arrangements for Crown reserves***

The proposals for improved reserve management attracted a lot of comment from all groups of respondents. Overall more submissions supported than opposed the proposals, but this was not evenly spread across all groups.

**Local Councils managing reserves under the Local Government Act**

Local Councils broadly support being able to manage reserves under the Local Government Act 1993 ('LGA'). Local Councils do have concerns about the potential for increasing the cost of management, noting this particularly in relation to plans of management.

Several Local Council submissions stated support for complete autonomy to manage under the LGA including, for example, the ability to use the provisions for leasing and licensing available under the LGA, and not to have to seek approval from the Minister responsible for the Crown Lands Act.

Non-Council respondents expressed a strong philosophical belief that the Government should manage the Crown land estate and that oversight of Local Councils by State government was preferred. There was a general wariness of Local Councils, including concerns that Local Councils:

- » could impose higher rents for the use of reserves to cover potential increased resourcing requirements
- » could seek to change the classification of reserves from community to operational land in order to sell it
- » could be open to pressure from developers and other groups
- » may not have the same level of interest in small community reserves that those communities have
- » could reduce the level of community involvement under the LGA which will reduce community volunteering
- » may not be effective in protecting community land under the processes in the LGA

**Government response and next steps:**

Local Councils already manage a great deal of Crown land effectively for a variety of purposes. For example, most Local Councils manage local parks, sporting and recreation areas located on Crown reserves, including some high profile and iconic areas such as beaches, foreshore, riverside precincts and nature reserves.

The Government is driving a program to improve the sustainability, capacity and integrity of local government. This will increase the ability of councils to manage Crown land. Communities will be in a position to influence decisions about how Crown land is managed through the processes under the LGA.

Land of primarily local value can be made available to Councils as 'community land'. This will mean that councils are restricted in how they deal with it under the LGA requirements around community land.

It is proposed that land that councils can demonstrate is used for operational or local utility purposes, such as reserves used for depots or waste sites can be transferred as operational land.

Where land has State significance, councils will not be able to sell it and the Minister will retain a degree of oversight of it. This land will retain its reserve purpose and councils will need to manage it having regards to that purpose. The Crown land stocktake will explore the process of applying the State criteria to identify State significant land.

**The proposed new management structure**

There was overwhelming support in the submissions for the proposal to replace Reserve Trusts and Reserve Managers with one Crown Land Manager. A few submissions expressed concerns that this could lead to fewer 'checks and balances'.

#### Crown Land Managers

The majority of submissions supported the concept that legislation should provide for local community representation and participation in reserve management and governance.

There were also a number of submissions from individuals and community organisations that assumed that Local Councils would be taking over the management of all reserves currently managed by community trusts. This misconception raised a high level of concern about the potential to reduce the role of community members in the future management of community trust reserves.

A large number of community trusts and local groups expressed a strong desire to retain community management of 'their' reserves and identified benefits of the current system, including community involvement and a focus on environmental protection. It is clear that these trusts and groups have a high degree of commitment to their reserves.

Some Local Councils expressed a preference for community members to be involved in an advisory rather than a management capacity. Other Councils noted that they currently rely on volunteers to administer a number of reserves, and would not have the capacity to undertake the management and maintenance work that is currently done by volunteers.

#### Government response and next steps:

It is proposed that the legislation will provide for existing community trusts to become new corporate Crown Land Managers and community trust board members to continue as board members: the legislation will not transfer control of reserves to Councils.

Councils may ultimately take control of some land which is identified as having local rather than State significance where Local Councils believe that this will benefit their constituents. Where this happens, Local Councils will be able to establish community advisory groups to ensure continuing community involvement in the management of the reserves.

Where land is retained by the State, Department of Primary Industries - Lands will continue to work with community Crown Land Managers as it currently does with community reserve trusts and it is anticipated that significant community management of Crown land will continue.

#### Improved governance standards

There was general support for higher governance standards for reserve trusts. Other submissions noted:

- » caution about adopting a 'one size fits all' approach to governance standards, as there is a diversity of reserves
- » concern that community involvement in reserve management would reduce if governance requirements are too rigorous
- » that training would be required to raise governance standards
- » that effective support from Department of Primary Industries - Lands needs to continue
- » that support from Department of Primary Industries - Lands has reduced in recent times

**Funding**

Submissions from community trusts, community members and councils unanimously supported the retention of the Public Reserves Management Fund ('PRMF'). There were no objections to including provisions to retain the PRMF in the new consolidated legislation.

**Government response and next steps:**

It is proposed to retain provisions for the PRMF to continue as a vehicle to provide funding for Crown reserves with State significance.

**Approval requirements**

Half the submissions received on this issue came from Councils, with all supporting the opportunity to reduce the need for Ministerial approvals. Non-council respondents emphasised the importance of the State Government retaining an appropriate level of control over reserves.

**Government response and next steps:**

Crown Land Managers who are not Local Councils will continue to require Minister's approval for certain dealings with Crown reserves. There will be two categories of Crown Land Manager, with different approval requirements which will be detailed in the legislation.

Local Councils will not be required to seek the Crown Land Minister's approval for dealings on reserves because they will be subject to the requirements for managing land contained in the LGA. This will involve obtaining the Minister for Local Government's approval in certain circumstances.

**Reporting requirements**

Local Council submissions universally supported the removal or reduction of reporting requirements, noting that the requirements in the LGA are comprehensive and familiar.

A number of submissions from community members and community and environmental groups expressed concerns that reduced reporting would result in less transparency.

**Government response and next steps:**

Crown Land Managers who are not Local Councils will be required to review their operations on Crown reserves annually and submit a report to Department of Primary Industries - Lands. These reports will be publicly available.

In order not to duplicate requirements under the LGA, the only reporting obligation in the Crown Lands legislation for Local Councils managing Crown reserves will be to provide information if requested by the Minister. Councils will still be required to comply with their reporting requirements under the LGA.

**Plans of Management**

Submissions from environmental groups suggested that Plans of Management should be mandatory for all reserves, which is not the case under the current Crown lands legislation.

Submissions from Local Councils raised a number of suggestions, including the potential for more generic plans to be prepared.

**Government response and next steps:**

It is proposed that Plans of Management will be required for many reserves, particularly reserves that provide a number of facilities and are used by different community sectors.

Plans of Management may not always be appropriate for smaller reserves and it may be better to develop other plans, such as strategic plans.

**Harmonising the management of submerged land**

The submissions received on this issue all supported greater consistency between leases, licences and policies on land managed by Department of Primary Industries - Lands and Roads and Maritime Services.

**Reserves used for specific purposes**

A number of submissions included comments about specific categories of Crown reserves, in particular showgrounds, caravan parks and racecourses.

Comments on showgrounds were received from local organisations, show societies and community members. The comments highlighted the role that showgrounds play in providing a focal point for local communities. None of these respondents wanted the management of showgrounds to be transferred to Local Councils, citing reasons including potential cost increases, support for and satisfaction with the existing management arrangements and concerns that Local Councils may not have the necessary expertise or interest.

A small number of comments were received from a range of groups in relation to caravan parks. Most respondents were opposed to caravan parks being transferred to Local Councils, citing reasons including the potential for increased fees and that Local Councils may not continue to invest in caravan parks. Several examples were given of camping fees rising where Local Councils have taken over management of parks.

Comments on the future management of racecourses were received from racing clubs and organisations. Local clubs want to retain their current management of reserves that include racecourses. Concern was raised that if management was transferred to other bodies that might seek to diversify the use of racecourses it could create conflict and possibly workplace health and safety risks.

One suggestion was for Racing NSW to become the Crown Land Manager of all reserves used only for thoroughbred racing and training, with local racing clubs responsible for the on-ground management of these racecourses. Alternatively, Racing NSW could be given outright ownership of all racecourses.

**Government response and next steps:**

It is proposed that the legislation will provide for existing community trusts to become new corporate Crown Land Managers and for community trust board members to continue as board members.

Where Local Councils manage showgrounds, caravan parks and racecourses Local Councils will be able to establish community advisory groups to ensure continuing community involvement on the management of this land.

In all other cases, Department of Primary Industries - Lands will continue to work with Crown Land Managers for showgrounds, caravan parks and racecourses in much the same way as it currently does with reserve trusts.

The Department will explore the role of peak bodies in managing Crown land. The proposals for caravan parks will be carefully considered and the proposals for Racing NSW in relation to racecourses are under consideration.

**Other streamlining measures**

The White Paper invited comments on a number of streamlining measures. Responses generally focused on the proposals to abolish land assessment, streamline landowner's consent and improve notification requirements.

**Land Assessment**

A large number of submissions related to the removal of land assessment requirements in the Crown Lands Act, and this issue provoked strong feelings. The majority of submissions were concerned that assessment of the capabilities and values of individual parcels of land is not provided by the strategic planning framework and were of the view that this meant that assessment should be retained.

**Government response and next steps:**

The existing provisions in the *Crown Lands Act 1989* are not practical to implement. The Minister has the ability to waive the requirement for land assessment to be carried out and generally uses this power. The provisions are not aligned with the planning processes.

To ensure that land use considerations are aligned with a strategic process and to encourage a 'whole of government' approach to Crown land, it is proposed that land use is governed by a combination of the planning framework and the reserve purpose.

**Landowner's consent**

Comments from Local Councils supported simplifying landowner's consent arrangements with the majority wanting Councils to be able to give consent for reserves under their management. These Councils submitted that the current requirements and resulting delays are frustrating.

One suggestion was that any Reserve Manager should be able to give consent to developments or activities that are consistent with the reserve purpose and/or a Plan of Management. Other respondents were concerned that streamlining requirements could lessen the State's level of control over developments proposed on Crown land.

The White Paper invited submissions on what might be considered 'low impact' developments and activities for which landowner's consent was unnecessary. A wide range of developments and activities were suggested, for example: park infrastructure

and installing playgrounds, general maintenance and improvements not exceeding a certain value, telecommunications infrastructure, underground utility installations, conservation management and carbon sequestration activities, marinas and other boating infrastructure, fossicking, and ATM machines on university campuses. Another suggestion was to set a cost cap rather than identifying specific developments and activities.

**Government response and next steps:**

The range of activities proposed in the submissions will inform the list of low impact activities to be included in the streamlined and simplified landowner's consent provisions. This will allow greater flexibility and reduce red tape.

**Notification requirements**

The White Paper proposed improving the notification provisions to provide more effective community engagement. A large number of comments were received, from which it was evident that community consultation is very important to community members, environmental groups, Aboriginal groups, Local Councils and many other stakeholders.

Submissions highlighted the fact that notification in its current form is not active communication, and that the community must be fully engaged to ensure effective public consultation. Suggestions included developing a communications charter.

Several Councils stated that the consultation requirements in the LGA result in effective consultation, particularly in relation to processes for reclassifying community land as operational land. Some non-Council respondents took the opposite view. A number of Councils suggested that they could assist with notification (for example by including details of proposed dealings on their websites) and should be consulted as to what forms of notification work best in their local government areas.

Specific proposals for ways to provide notification of proposed dealings with Crown land included relying on a mix of traditional methods (for example newspapers or individual written notification) and newer methods such as popular websites, social media and online portals. It was suggested that newsfeeds would be preferable to expecting people to regularly check relevant websites or portals. Newsfeeds could also ensure that non-local users of Crown land such as fossickers could be advised of proposals that might affect their use of land.

Several submissions noted that not everyone has good access to the internet and that a 'one size fits all' system might not be appropriate for all communities, particularly smaller ones. Some submissions noted that consultation periods need to give adequate time for the community to comment.

**Government response and next steps:**

The Government agrees that community consultation must be meaningful, and proposes to develop a community engagement strategy for dealings with Crown land as part of the comprehensive response to the Review.

The strategy will be a requirement under the new legislation and will focus on meaningful community consultation, including community meetings where appropriate. The strategy will recognise the need for a mix of traditional communication methods (such as newspapers) and contemporary methods (for example social media). As has been suggested in submissions, the strategy will draw on Local Councils' experience of the best means for community engagement in their local government area.



#### **Streamlining arrangements between Department of Primary Industries - Lands and Local Councils**

The submissions included suggestions for improving and/or streamlining arrangements and communication between Department of Primary Industries - Lands and Councils. Some submissions suggested that this is something that should really be addressed across the whole of government.

Many of the submissions recommended an integrated IT and property resources platform to improve the flow of information and data between Local Councils and Department of Primary Industries - Lands. Such a platform could perform multiple functions, including providing spatial data to Local Councils, allowing Local Councils to lodge applications for approval from Department of Primary Industries - Lands and to check on their progress, and providing information to Local Councils and the community about the status and ownership of Crown land and/or all land managed by Local Councils.

#### ***Better provisions for tenures and rents***

##### **Market rent with rebates and waivers where appropriate**

A market based approach to rent had significant support from across a variety of respondents. A number of submissions emphasised the inability of community groups and not-for-profit organisations to pay a market rental. For these groups, the need to have a robust and transparent system of rebates and waivers was important.

A number of Local Council submissions suggested that Local Councils should set, or at least be consulted about, the rebates and waivers for tenures in their local government areas. Some Local Councils expressed concern that they would be charged rent for the Crown reserves they manage.

##### **Government response and next steps:**

It is proposed that rebates, waivers and concessions will continue be available for community groups and not-for-profit organisations. Department of Primary Industries - Lands will develop a publicly available policy in this regards, to ensure that there is transparency and consistency in the application of rebates, waivers and concessions across the State.

Local Councils and Crown Land Managers will not be charged rent for reserves they manage.

##### **Consistent provisions for tenures**

Consistent provisions for tenures were generally supported. Some submissions suggested that the Minister responsible for administering the Crown lands legislation should not have to approve minor amendments to tenancy agreements.

##### **Government response and next steps:**

It is proposed that new legislation will not require Ministerial approval for minor changes to tenancy agreements. This will reduce red tape and speed up minor transactions.

**Use of Crown Land without permission**

Concerns were raised in some submissions that providing a power for the Minister to authorise the use of Crown Land by issuing a licence where land is being used without permission could retrospectively affect the ability to make Aboriginal land claims under the Aboriginal Land Rights Act.

Apart from these concerns, the proposal was generally supported.

**Rent arrears**

The overwhelming majority of submissions supported a requirement that any outstanding arrears to be paid prior to the transfer of a lease, with only two submissions comfortable with arrears being transferred to the new tenure holder.

**Government response and next steps:**

It is proposed that new legislation will require outstanding arrears to be paid prior to the transfer of a lease.

**Sale of Crown Land to Lessees**

A number of submissions expressed concern that there would be a general freehold purchase right for all lessees of Crown Land, which was largely opposed. There were a number of submissions that raised issues with the cost to lessees of purchasing the freehold in their land.

A few submissions raised environmental concerns regarding the sale of Crown Land to lessees.

**Government response and next steps:**

It is proposed that new legislation will provide that, outside of the Western Division, only lessees who currently have rights to purchase the freehold of their leases without going through a public tender process will continue to have those rights.

**Permissive occupancies**

Only a few submissions commented on the proposal to convert all existing permissive occupancies to licences. These submissions were generally supportive of the proposal, with no outright objections.

**Carbon sequestration and forestry rights**

There was a mixed reaction to the proposal to include broad provisions in the new legislation to facilitate all forms of carbon sequestration activities on Crown Land.

The majority of submissions generally supported the proposal. The most significant issue raised was that not all of the Crown land estate is appropriate for carbon sequestration activities.

***Greater flexibility for Western Lands leases***

Over 100 submissions included comments on the proposals for changes to Western Lands leases. These submissions came from a wide range of groups including 16 Western Lands lessees, a number of Councils, environmental groups and community members.

**Freehold conversion**

The vast majority of Western Lands lessees who made submissions believe that the leasehold system disadvantages them economically. In particular, lessees living near the River Murray maintain that the lack of development in Wentworth Shire by comparison with Mildura is due to the leasehold regime in NSW. Wentworth Shire Council proposes allowing conversion of all leases within 20 km of towns in its local government area.

Almost all the Western Lands lessees who made submissions want to be able to convert their perpetual grazing leases, and for conversion to be on no less favourable terms than the conversion of perpetual leases elsewhere in the State (3% of capital value).

NSW Farmers Association submitted that the majority of grazing leaseholders were happy to continue with the existing perpetual leasehold system provided that there was more flexibility to carry out other activities on their land.

Submissions from environmental groups and members of the community expressed concerns about freehold conversion and the likelihood that this would result in environmental damage to fragile rangelands.

Other submissions maintained that the current leasehold regime does not protect environmental values and that Crown Lands is not a good environmental custodian, with one submission noting that only three de-stocking notices have been issued in the past ten years. There were differing views as to whether leasehold conditions are more effective than statewide regulation such as the *Native Vegetation Act 2003*.

Several submissions expressed concerns about the adequacy of the ecological sustainability test and whether it considers all relevant factors. Most respondents who commented on this test want it reviewed and strengthened. One submission suggested using the Rangeland Condition Assessment Program as well as considering land capability.

**Government response and next steps:**

It is proposed that lessees of certain perpetual leases in the Western Division will be able to apply to purchase their leasehold land, including in an urban area, for residential, commercial and industrial leases and for primary production leases of land that has soil capability to sustain cultivation. This will balance environmental considerations with the provision of economic opportunities to Western Lands leaseholders.

**Access**

Access issues, including maintaining access for fishing and fossicking, were mentioned in relation to the freehold conversion of Western Lands leases.

**Government response and next steps:**

Prior to the conversion of Western Lands leases existing third party rights will be identified and protected where appropriate.

**Flexibility measures**

The White Paper sought suggestions for activities that could be undertaken on Western Lands leases without requiring approval from Department of Primary Industries - Lands. A wide range of activities was suggested, including: tourism, conservation activities and agreements, fossicking, Aboriginal community use, commercial yabby harvesting, motorcycle and 4WD events, mobile telecommunications infrastructure, and filming.

**Government response and next steps:**

The range of activities proposed in the submissions will inform the list of activities that will not require approval. This will provide greater flexibility and reduce red tape.

**Stronger provisions for law enforcement**

There was general support for the detailed proposals for the new legislation to include stronger compliance and enforcement provisions. Some submissions raised questions about the capacity of Department of Primary Industries - Lands to undertake enforcement action, the allocation of responsibility for enforcement activities between Department of Primary Industries - Lands, Councils and other Reserve Managers and the need for training in the new legislation.

There was some support for increased auditing (particularly of Crown roads), aligning the provisions in the new legislation with those in the local government legislation, and for compliance sharing with other agencies.

**Comments on the Review Report**

The Review Report was not released for public consultation but a number of submissions to the White Paper also commented on matters in the Review Report. The main themes of these comments are shown below.

**State and local land****State and local land concept**

Submissions were divided about the concept of Crown land being classified into State and local land. Those in favour of the concept liked the fact that local interests will have control of local land. Those against were concerned that it is an exercise by the Government to cost-shift to Local Councils, or for the Government to reap large financial gains through selling off of land to private interests. There was also a strong theme of the level of trust in Local Councils.

**Government response and next steps:**

The classification of State and local land is not about selling land or cost-shifting. It is about strategically looking at Crown land so that its management better aligns with the current and future needs of Government and the community as a whole. This is consistent with the land assessment provisions of the current CLA but will be more practical and strategic.

Where land is predominantly of local interest, transferring it to Local Councils will allow decisions about that land to be made by local communities rather than by the State Government. There will be no forced transfers of land to Local Councils.

Since colonial times the NSW economy has developed through the release and sale of Crown land. This approach continues to be relevant, and where Crown land does not have State or local values it may make sense to dispose of it. The legislation will allow current processes to continue, but will not force or require land disposals.

#### Process of classifying local and State land

Many submissions made comment on this issue, including that the draft criteria did not provide sufficient consideration of environmental and conservation values. The criteria for identifying land in CBDs and coastal areas as State significant were seen as raising problems when they were applied on a broad scale. Some submissions identified that Aboriginal interests in land were not receiving adequate consideration in the criteria.

Councils were of the view that their input and local decision-making is essential in finalising the criteria for classifying State and local land.

#### Government response and next steps:

The submissions will be considered in the development of the criteria for State and local land.

The draft local land criteria have been tested and further refined as a result of the Local Land Pilot. It is proposed that the criteria be used as a decision-making tool to guide councils in determining the benefits to local community from councils owning or managing the land. Determining the best manager for the land will be site specific and on a case by case basis. The draft State criteria will be tested and refined by the State land stocktake.

Aboriginal interests will be consulted prior to implementation of the criteria, and the Government intends to work in partnership with both Aboriginal interests and Local Councils in the implementation of the criteria.

#### Local Council control

Submissions were divided on this issue. There were some submissions from Local Councils who want full control of all Crown land in their LGA, including the right to sell any land transferred to them. A larger group of submissions doubted the capacity and commitment of Local Councils to manage Crown lands in the interests of their communities.

#### Financial implications for councils

The financial implications for Local Councils were of major concern to respondents, and in particular to Local Councils. The following aspects were highlighted:

- » Cost-shifting - concern that the Government will retain Crown land of high monetary value, while Local Councils will be offered the low-value or high-maintenance local lands
- » Income stream – concern that the classification of some Crown reserves as State land will cut Local Councils off from income streams or assets in which they have invested
- » Cost of transfer – concern that Local Councils will be charged a fee or have to pay transaction costs for Crown lands transferred to them
- » Cost of management – concern that Local Councils will be given land that they have no financial capacity to manage
- » Compliance – concern about Local Councils' ability to deal with Aboriginal land claims and native title

**Government response and next steps:**

Where Local Councils already manage Crown reserves that have local significance there may be an additional expense resulting from the legislative requirement under the LGA for plans of management over community land. The Government is investigating options, including phase in periods for plans of management, to address this. There will be no forced transfer of reserves to Local Councils. As such, Local Councils will be able to properly consider resourcing issues before accepting local land and will not be required to take on land with significant liabilities.

It is proposed to retain provisions for the PRMF to continue as a vehicle to provide funding for Crown reserves with State significance.

**Agency management**

The vast majority of submissions supported the proposition that Government agencies should manage those parcels of the Crown Lands estate which meet their agency needs.

Many submissions supported the transfer of Crown land with conservation or environmental values to Government agency management.

**Travelling Stock Reserves**

The submissions on the recommendation that Local Land Services ('LLS') review all Travelling Stock Reserves ('TSRs') to determine their future use and management highlighted that TSRs are of interest and importance to a wide range of users, interest groups and the public.

A number of submissions identified that environmental, cultural and social values and the connectivity of TSRs are significant attributes that should be considered as part of the review. This was in addition to their use by farmers to move and graze stock, particularly during times of drought and other emergencies.

In acknowledging the cultural importance of TSRs to Aboriginal people, a number of submissions expressed the view that the assessment criteria and review process be developed in partnership with the NSW Aboriginal community and Aboriginal Land Councils.

A number of submissions noted that TSRs in the Western Division, in particular those on Western Lands leases, are different to those in the Central and Eastern parts of the State, acknowledging that in this region TSRs are managed on a day to day basis by lessees.

In considering the future management of TSRs, many submissions advocated that the linear, connected nature of TSRs be maintained and that they should not be broken up and sold off. The management of weeds and pests on TSRs, and bushfire risks were raised in a number of submissions as concerns that need addressing in the future management of TSRs.

**Government response and next steps:**

The submissions will be considered as part of developing the review of TSRs by LLS.

The review of TSRs will be undertaken by LLS. The aim of the review is to work out who is best placed to manage TSRs. The majority of work is expected to occur over 2015-2016.

*New business model for Department of Primary Industries - Lands*

A number of submissions were received relating to transitioning Department of Primary Industries - Lands to a public trading enterprise ('PTE'). The majority of submissions were not in favour of this, based on the assumption that a PTE model would be more corporate and primarily focussed on profit and loss, and designed to deliver only a financial return on the portfolio of Crown land in NSW.

Some respondents believed that less consideration would be given to other objectives such as long-term conservation and enjoyment of the NSW environment through recreation and other social pursuits. Concerns were raised by Aboriginal stakeholders that a PTE model may reduce the amount of claimable land.

Key performance indicators were identified as being essential to ensure that any future PTE has the right focus. It was also noted that the PTE model would also need the right business tools to support its operation.

There was a mixed response to the recommendation to investigate the use of market value to determine opportunity costs on Crown land. Some submissions expressed concerns that economic values would overshadow social and environmental values in decision making, leading to a more commercially focused organisation. This view was consistent with comments on the PTE.

**Government response and next steps:**

The submissions will be considered in any further development of a PTE model and in the development of business systems and Key Performance Indicators supporting Department of Primary Industries - Lands as an organisation.

It will be important that the business of managing the Crown land estate is accountable and transparent to the people of NSW. The Government has commenced reform of Department of Primary Industries - Lands to ensure the business processes, reporting and land management activities are all accountable and transparent.

*Proposals relating to Crown roads*

A number of submissions raised issues in relation to Crown roads, which was a topic in the Review Report. The key points were:

- » that Local Councils were opposed to forced transfers of roads to them, as they saw this as a cost and liability shifting exercise;
- » that Local Councils strongly supported being given the power to close the roads for which they are the roads authority; and
- » concerns about the backlog of Crown road closures.

**Government response and next steps:**

Improvements to deliver effective and efficient management of Crown roads, including transfer of Crown roads to Local Councils and reducing the backlog of road closure applications, will continue to be considered.

It is proposed that Councils will be given the power to close roads for which they are the roads authority. This will enable Department of Primary Industries - Lands to focus on the backlog of road closure applications.

***Additional issues raised that were not explored in the White Paper or the Review Report*****Disposal of Crown land**

Opposition to the disposal of Crown land was a strong theme in submissions from community members.

These submissions can be summarised as follows:

- » opposition to any sale of Crown land – this group was largely of the view that the basic approach should be to retain Crown land in public ownership in perpetuity
- » opposition to the current processes for the sale of Crown land – this group raised issues about the level of community consultation preceding disposals and the criteria for deciding what land should be disposed of
- » submissions from Aboriginal Land Councils – which put forward the view that all land that is surplus to the Crown land estate should be transferred to Aboriginal Land Councils

**Government response and next steps:**

The Review is not about the broadscale disposal of Crown land.

Since colonial times the NSW economy has developed through the release and sale of Crown land and this still continues today. The Review is about strategically looking at the Crown land estate so that it better aligns with the current and future needs of Government and the community as a whole. The legislation will not compel or require the disposal of land.

**Opposition to coal seam gas**

A number of submissions from a range of stakeholders (Local Councils, environmental groups, community groups and individuals) raised concerns about coal seam gas exploration and mining on Crown land.

**Register of Crown land**

There were a large number of requests for a publicly accessible register or database of Crown land.

**Government response and next steps:**

It is proposed a publicly accessible register of Crown land will be developed.



**Department of Primary Industries - Lands Resourcing**

There was a strong theme that Local Councils value personal relationships with Department of Primary Industries - Lands staff. There was a general perception about staff reductions impacting on the level of service provided.

**Government response and next steps:**

The changes being proposed will lead to a reduced administrative burden on Department of Primary Industries - Lands staff, who will be able to focus their attention on managing priority areas in the Crown land estate.

A reduction in Department of Primary Industries - Lands staff is not proposed as part of the (Crown Land Management) Review.

**General Aboriginal issues**

A number of Aboriginal groups, organisations with Aboriginal interests and environmental groups stressed the importance of recognising Aboriginal heritage and Aboriginal interests in Crown land, and involving Aboriginal people in the decision making process for Crown land.

Local Councils expressed concerns about owning and managing Crown land that is affected by native title or subject to claims under the *Aboriginal Land Rights Act 1983*.

**Government response and next steps:**

Local Councils currently manage land affected by native title and land claims and this will continue in the usual course. The proposed legislation will specifically address native title by providing for a scheme of native title accreditation so that there is an understanding of the requirements of the native title legislation. Land that is the subject of undetermined land claims under the *Aboriginal Land Rights Act 1983* will not be transferred to Local Councils.

The first group comprised 14 submissions from Aboriginal Land Councils and a number of submissions from organisations with Aboriginal interests. This group advocated that the reforms to Crown land management must not jeopardise land claims and should facilitate transfer of land to Aboriginal Land Councils.

The second group largely comprised Local Councils and individuals or organisations that had been affected by land claims. This group generally advocated for changes to the *Aboriginal Land Rights Act* to limit the ability for land to be successfully claimed and the impact of land claims on the use of Crown land.

Both groups expressed concerns with the existing backlog of undetermined land claims.

**Government response and next steps:**

Changes to the *Aboriginal Land Rights Act 1983* and the land claims regime are outside the scope of the Review. The *Aboriginal Land Rights Act* and the Native Title legislation will not be amended by the new Crown land legislation. The Government will work closely with both Aboriginal Land Councils and Local Councils in implementing the recommendations of the Review, including by exploring opportunities afforded by the new Aboriginal land agreement provisions in the *Aboriginal Land Rights Act 1983*.

**Comments about Review and White Paper processes**

There were a considerable number of submissions that supported the aims of the Review and the proposals in the White Paper.

There was a level of disappointment with the Review process and consultation on the Review Report. Some respondents considered that the Review had a pre-determined outcome and was undertaken by people who did not properly understand the purpose of the Crown land estate. There was a concern that the Review and White Paper were driven by economic and revenue enhancement and did not properly consider the environmental, social and cultural values of Crown land.

Some submissions raised concerns that the review of Crown land was being undertaken without the Government having released its findings or coming to a position on other legislative reviews, mostly the LGA review and the review of the planning framework.

A number of submissions raised concerns that the Review and White Paper only looked at Crown land and did not explore options for reform for all public land, with national parks frequently mentioned.

**Government response and next steps:**

Governments regularly review legislation and look for ways to reduce red tape and increase transparency. The outcomes of these processes are synchronised in the preparation of legislation to the extent possible. The review of Crown land will proceed in order to progress a number of significant reforms that will deliver broadscale benefit the public.

The Government considered that a targeted review of the Crown land estate and Crown land management was required, particularly as the last major review occurred more than 25 years ago.

The Government will continue to explore options for consistency and good governance across all public land.

## What's next?

Pilot programs and reviews are in the preliminary stages and will continue in 2015. These programs aim to test, define and review the current state of Crown land. There will be further engagement with key stakeholders as the legislation is developed and the Government considers financial implications.

### *Legislation*

The new Crown lands legislation is being developed and is likely to be implemented in stages thereafter.

### *Local Land Pilot Program*

The Government has given in principle support to the Review Report recommendation that ownership or management of land identified as having primarily local significance should be transferred to the relevant Local Council. This principle has been tested as part of a pilot program. The Local Land Pilot was conducted to help define and test the state and local land criteria and to develop an implementation plan for the transfer of local land, where feasible and appropriate.

The pilot has been conducted with four disparate councils (a council of a regional centre, a small inland council, a coastal council and an urban council) in order to identify different types of land management issues faced by Local Councils across NSW. From consultation with Local Government NSW and NSW Government stakeholder agencies, Warringah Council, Tamworth Regional Council, Corowa Shire Council and Tweed Shire Council were selected to participate in the Local Land Pilot.

The pilot program was completed in July 2015 and a report has been delivered to Government for consideration.

### *State Land Stocktake*

A stocktake of the Crown land estate is currently underway. The aim of the stocktake is to refine State criteria to identify State significant land. This process will inform the identification of land for retention along with management options for land.

### *Travelling Stock Reserve review*

Following on from the recommendation of the Crown Lands Management Review that Local Land Services (LLS) develop assessment criteria to review all Travelling Stock Reserves (TSRs) and determine their future ownership and management, LLS intends to develop criteria for a Capability Analysis in consultation with relevant agencies in the first quarter of 2016 and to begin an assessment of ownership and management options in the second half of 2016.

As an interim measure LLS is developing a Planning Framework to guide the development of Regional Plans for each of the 11 LLS regions. LLS expects to put the Planning Framework on public exhibition and to begin extensive consultation with stakeholders in September 2015.

### *Reserves Governance Project*

The Reserves Governance project is identifying ways to improve the governance and oversight of reserve managers, for example in terms of appointment, support and compliance and ensuring the right manager is in place with effective governance and oversight. The policy development work is expected to occur during 2015-2016 with implementation to follow thereafter.

*More information*

For more information on the Crown Lands Management Review please contact us:

T: 1300 886 235

E: [CL.Enquiry@crownland.nsw.gov.au](mailto:CL.Enquiry@crownland.nsw.gov.au)

## Appendix 1: List of respondents

### Notes

Some respondents made more than one submission

The total of 626 submissions includes 22 submissions where the respondents indicated that they wanted their identities withheld

Submission respondent
Absolute Strata Management
Julie Adams
Megan Adams and Clinton Ryan
Agricultural Societies Council of NSW Ltd
Albury City Council
Phillip Altman
Jairan Amigh
Alaine Anderson
ANTaR NSW Inc.
Arts NSW
Ashfield Council
Association for Berowra Creek Inc.
Association of Mechanics' Institutes and School of Arts NSW
Association of Mining and Exploration Companies
Shane Auld
Australian Institute of Architects
Australian Institute of Landscape Architects, Local Government Landscape Design Forum
Australian Mobile Telecommunications Association
Australian Narrowcast Radio Association
Australian Plant Society - Nowra Group
Australian Property Institute and Spatial Industries Business Association Australia
Kathryn Baird
Ballina Environment Society Inc.
Ballina Shire Council
Bankstown City Council
Paul Barker
Steven Barnett
Bill Barnfield
Bathurst Agricultural, Horticultural & Pastoral Association Inc.
Bathurst Community Climate Action Network
Bathurst Regional Council
Lindsay Beck, Brendan and Jenny Coates, Craig and Sue Williams, Ron Harris, S and Paul Coates

Submission respondent	Submission respondent
Bega Valley Shire Council	Bush Heritage Australia
Belrose Rural Community Association	Bushwalkers NSW
Bendick Murrell Recreation Reserve Trust	Jeff Cameron
Peter Bernard	Campbell Partnership
Berrigan Shire Council	Campbelltown City Council
Better Planning Network Inc.	Campervan & Motorhome Club of Australia
Timothy Bidder	Canal Reserve Action Group Inc.
Binnaway Jockey Club	Caravan and Camping Industry Association NSW
Birdlife Southern NSW	Carrathool Shire Council
John Black	Doreen Carter
Blayney Shire Council	Lynn Carter
John Blore	Castle Hill & Hills District Agricultural Society Inc.
Blue Mountains Bird Observers and Blue Mountains Bushcare Network	Castlecrag Conservation Society
Blue Mountains City Council	Castlecrag Progress Association Inc.
Blue Mountains Conservation Society Inc.	Castlereagh Macquarie County Council
Boating Industry Association of NSW	David Caswell
Bogal Local Aboriginal Land Council	Central Darling Shire Council
Boorowa Council	Central NSW Councils (Centroc)
Borah Creek Public Hall Trust	Central West Environment Council Inc.
Matt Bortolotto	Central Western Group of Shows Inc.
Bourke Shire Council	Centre for Aboriginal Economic Policy Research, ANU
Leanne Boyce	Cessnock City Council
Peter Boyce	Jim Chambers
Ronald and Robyn Boys	Norma Chapman
Linda Bracken	Charles Sturt University
Barry and Judith Brading	Robyn Christie
Roger Braham	Peter Chubb
Jenny Brand	City of Canada Bay
Max Breckenridge	City of Sydney
Brewarrina Shire Council	Clarence Environment Centre
Broken Hill City Council	Clarence Valley Conservation Coalition Inc.
Bronte and Tamarama Advancement Society	Clarence Valley Council
Emma Brooks Maher	Mike Clear
Alja Brown	Cobar Shire Council
Anthony Burns	Coffs Harbour City Council
Burrendong Arboretum Trust	Paul Cohrs
Burwood Council	Alan Cole
	Colong Foundation for Wilderness

Submission respondent	Submission respondent
Community Environment Network	Andrew Docking
John Connell	Dogs NSW
Peter Connell	Ian Donald
Aidan Conrecode	John and Sharalyn Drayton
Coolah Common Trust	Drill Resources Pty Ltd
Coolamon Shire Council	Ian Drinkwater
Coonabarabran Local Aboriginal Land Council	Catherine du Peloux Menage
Cootamundra Shire Council	Dubbo Show Society Inc.
Colin and Laurel Cope	Duffys Forest Residents Association
Corindi Beach Reserves Trust	Ken Dumbleton
Corindi Community Group Inc.	Dunedoo Showground Trust
Fran Corner	Dungog Shire Council
Corowa Common Trust	Blake Dyer
Corowa Shire Council	Bronwen Dyson
Correct Planning and Consultation for Mayfield Group	J Ebeyer
Country Women's Association of NSW, Castle Hill Branch	EcoNetwork Port Stephens Inc.
County of Finch Action Group	Jennifer Edwards
Ian Cranwell	Marg Edwards
Cronulla School of Arts Inc.	S R Edwards
Brittany Crouch	David Egan
Rodney Crouch	Max and Hazel Elsley
Crown Castle International Australia Pty Ltd	Emmaville Common Trust
Crown Land is Our Land	Environment Liaison Office
Cudal Common Trust	Environmental Defenders Office NSW
Cumberland Bird Observers Club	Environmentally Concerned Citizens of Orange
Curl Curl Lagoon Friends Inc.	Eurobodalla Shire Council
Dimitra Damianos	Sam Evans
Savas Damianos	Elizabeth Eyre
Daroo Orange Urban Landcare Group	Fairfield City Council
Neville Davey	Fairhaven Services
Gael Davies OAM	Shelley Farriss
Carlos de Rocha	Laura Fernando
Bronwyn Delaney	Wesley Fernando
NSW Department of Family & Community Services	Ferry Artists Gallery
David Dickson	Fiona Firth
Susan Dillon	Malcom Fisher
	Fisheries NSW
	Terry Fogarty

Submission respondent	Submission respondent
Robert and Joyce Forbes	Ruth and James Green
Forbes Shire Council	Sylvia Green
Brian Forbigg	Jane Gregory
Forster Local Aboriginal Land Council	Gresford Bowls Sport & Recreation Club
Myra Fox	Gresford Cricket Club
Noelene Franklin	Gresford District Agricultural Society Inc.
Andrew Fraser M.P.	Gresford District Bushman's Carnival Association Inc.
Friends of Berowra Valley Inc.	Gresford Park Trust
Friends of Burrendong Arboretum Inc.	Griffith City Council
Friends of Durras	Jillian Grove
Friends of Grasslands	Kathryn Grusovin
Friends of King Edward Park	Gugin Gudduba Local Aboriginal Land Council
Friends of Narrabeen Lagoon Catchment	Gundaroo Common Trust
Les Gael	Gundaroo Park Trust
Garigal Landcare	Gundurimba Flood Refuge Reserve Trust
P and J Garske	David Hall - Johnston
Glenda Gartrell	Jennifer Hamilton-McKenzie and Scott Lochhead
Helen and Mike Gayford	Ross Hampton
Nicholas and Louanne Gebert	Harden Shire Council
Shan Gilchrist	Hal Harris
Patricia Gillard	Krissy Harris
AE and CG Gillogly	L Harrison
Gillogly Holdings Pty Ltd	Martin Harrison
Girl Guides NSW & ACT	Matilda and Bruce Hartwell
Gloucester Shire Council	Fred Haskins
Suzie Gold	Hastings Birdwatchers Inc.
Goobarragandra Valley Reserves Trust	Hawkesbury Race Club Ltd
Gosford City Council	G Hayes
Grafton Local Aboriginal Land Council	John Hayes
Grafton Showground & Recreation Reserve Trust	Rosemary Hayes
Grand Junction Pty Ltd	Susan and David Hearn
Granville Historical Society Inc.	Emma Hill
Grassy Head Reserve Trust	Hill End and Tambaroora Common Trust
Great Lakes Council	Ian Hitchcock
Greater Hume Shire Council	Margaret Hogg
Greater Taree City Council	Kelly Hojer
Greater Western Sydney Heritage Action Group	John Hood
James Green	David Horkan



Submission respondent	Submission respondent
Hornsby Conservation Society Inc.	Kingsford South Precinct
Hornsby Shire Council	Kurri Kurri & District Pre-School Kindergarten Inc.
Horseshoe Cove Association Inc.	Virginia Kurtze
Janice Hosking	Kyogle Council
Kate Hughes	La Perouse Precinct Committee
Peter Hughes	Lake Macquarie City Council
Matthew Hundleby	Lake Tabourie Holiday Van Owners
Graham Hunt	Peter Lance
Phil Hunt	Lane Cove Bushland & Conservation Society Inc.
Hunter & North West Racing Association	Lane Cove Municipal Council
Hunter Environment Lobby Inc.	Scott Lawrence
Illawarra Birders Inc.	Maralyn Lawson
Illawarra Turf Club Ltd	Paul Layt
Independent Pricing and Regulatory Tribunal	Philip Le Geyt
Peter Inman	Raichel Le Goff
Susan Inman	Leeton Shire Council
Sara Jaclin	Leeton Show Society
Pamela and Barry Jago	Leichhardt Municipal Council
Susan Jalaluddin	Lightning Ridge Miners' Association Ltd
Peter and Yvonne Janssen	Hilary Linstead
Marion Jarratt	Lithgow City Council
Peter Jarratt	Liverpool City Council
Jemena Ltd	Liverpool Plains Shire Council
Kaye Jenkins	Local Government NSW
Imelda Jennings	Local Land Services
Jerilderie Shire Council	Peter Lubrano
Noela Jones	Mark Luchetti
Noel Jupp OAM	Des and Joyce Lush
Karuah Local Aboriginal Land Council	John Lyons
Margareta Keal	Alasdair MacDonald
Leonie Kemp	Alexander MacDonald
Kempsey Shire Council	Scot MacDonald M.L.C.
Kendall Community Centre Reserve Trust	R Mackenzie
Jennifer Kenna	Mackunbar Pty Ltd
Andrew Kennard	Karin Mainwaring
Kensington & West Kingsford Precinct	M Mandeno
Kiama Municipal Council	Mangrove Mountain Flora Reserve, Mangrove Creek Recreation Reserve and Mangrove Mountain Recreation Reserve
Terence and Tanya Killalea	

Submission respondent	Submission respondent
Marine Rescue NSW	Antonia Nagy
Annie Marlow	Nambucca Shire Council
Maroubra Central Precinct Committee	Namoi Councils
Noel Matis	Narooma School of Arts & War Memorial Hall
Denis Matthews	Narrabri Shire Council
Barry May	Narromine Local Aboriginal Land Council
Robert McBride	Narromine Shire Council
Graham McDonald	National Parks Association Armidale Branch
Margaret McDonald	National Parks Association of NSW
Jocelyn McGirr	National Trust of Australia (NSW), Hunter Regional Committee
Carmel McIntyre	Natural Allies
D McKee	Natural Areas Ltd
S McKee	Nature Conservation Council of NSW
David McKew	Nature Conservation Trust of NSW
David McKibbin	Newcastle City Council
Marg Mclean	Newtown School of Arts
Stewart McNeice	Michelle Nitschki
Paul Meacham	North Coast National A and I Society Inc.
Paul Meecham	North East Forest Alliance
C K Mendel	North Sydney Council
Peter Mitchell and Ross Brown	NSW & ACT Prospectors and Fossickers Association Inc.
Rose and Harry Moll	NSW Aboriginal Land Council
Glenn Moore	NSW Advisory Council on Recreational Fishing
Moree Plains Shire Council	NSW Apiarists Association Inc.
Daniel Morgan	NSW Bird Atlassers Inc.
Mosman Municipal Council	NSW Council of Freshwater Anglers Inc.
Mosman Parks & Bushland Association Inc.	NSW Crown Holiday Parks Trust
Moverly Precinct Committee	NSW Farmers Association
Mudgee District Environment Group	NSW Minerals Council
Mulgoa Valley Landcare Group	NSW Ministry of Health
Kaylee Mulloy	NTSCORP Limited
Mullumbimby Agricultural Society Inc	Oberon Show Society Inc.
Sharyn Munro	Barry O'Connell
Lynette Murphy	Anita O'Connor and Anny O'Connor
G.A. (Bill) Murray	Carol O'Donnell
Murringo Community Association Inc	NSW Office of Local Government
Muswellbrook Shire Council	
Alice Nagy	

Submission respondent	Submission respondent
Sandy O'Flanagan	Ian Richardson
Deidre Olofsson	T.R. Richardson
Clare O'Loughlin	Marion Riordan
Diane O'Mara	Rookwood Cemetery
O'Neil Australia Pty Ltd	Laughlin Ross
Joan Opbroek and Ian Elton	Darryl Rowley
Optus	Andrew Roydhouse
Orange City Council	Mario Ruiz
Orange Field Naturalist & Conservation Society	Michael Rumbold
Steven Osbourne	Kate Russell
Kim Ostinga	Maureen Ryan and Amelio Sarchese
Margaret Ostinga	Rydal A, H & P Society (Rydal Show Society)
Outdoor Recreation Industry Council of NSW Inc.	Rydal Showground Trust
Don Owers	Ryde - Hunter's Hill Flora and Fauna Preservation Society
Pambula Wetlands And Heritage Reserve Trust	Ryde City Council
Parkes Pastoral, Agricultural and Horticultural Association Inc.	Ryde Community Alliance
Parkes Shire Council	Samaritans Foundation
Parkes Showground Trust	Save Little Manly Beach
Parramatta City Council	Save the La Perouse Market Gardens
Jason Pascoe	Lynne Saville
Pastoralists' Association of West Darling	Neville Schrader OAM
Paterson River Pony Club	David Scott
Ron and Cynthia Patton	Scouts Australia NSW Branch
Peel Native Flora & Fauna Reserve Trust	Geraldine Searles
Penrith City Council	Ann Sharp
Jacob Philpott	James Shaw
Emma Pocock and Ruth Faraday	Tom Sherlock
Port Macquarie-Hastings Council	Shoalhaven City Council
Port Stephens Council	David Shoebridge M.L.C.
Bob Puffett	Gordon Shrubbs
PUSH HQ	David Siebert
Queanbeyan City Council	Dorothy Simmons
Racing NSW	Tony Simpson
Racing NSW Country	Susan Sims
Randwick City Council	Singleton Archery Society Inc.
Stan Rees	Darvan Sinnnetamby
B M G Remond	Mark Skipper

Submission respondent	Submission respondent
Mathew and Vivian Slack-Smith	Tilligerry Habitat Association
Bev Smiles	David Tolmie
Lindy Smith	Tomaree Ratepayers and Residents Association
Snowy River Shire Council	Total Environment Centre
Patricia Sofios	Terry and Valda Tout
South East Regional Organisation of Councils (SEROCC)	Trangie Local Aboriginal Land Council
Robin Spies	Transport for NSW
Dennis Spooner	Ursula Tunks
St Albans Common Trust	Tweed Byron Local Aboriginal Land Council
St Albans School of Arts	Tweed District Residents & Ratepayers Association
John Staker	Tweed Shire Council
Denis Starrs	Tyalgum District Community Association Inc.
Strathfield Municipal Council	U3A
Angelina Stratigos	Uki Public Hall and Recreation Reserve Trust
Lyndal Sullivan	Ulladulla Local Aboriginal Land Council
Wayne Sullivan	Upper Lachlan Shire Council
Surf Life Saving NSW	Uralla District Show Society
Sutherland Shire Council	Urana Shire Council
Swan Lake Environment Protection Association Inc.	Valley Team Penning
Sydney Coastal Councils Group Inc.	Dianne Van Sommers
Sydney Water	Garry and Louise Vickers
Mark and Jennifer Tailby	Vodafone Hutchison Australia Pty Ltd
Agnes Tait	Wagga Wagga City Council
Taree Literary Institute	Wagonga Local Aboriginal Land Council
Kevin Taylor	Walcha Council
Martin and Marion Tebbutt	Walgett Shire Council
Telstra Corporation Limited	Philip Walker
Tenants' Union of NSW Co-Op Ltd	Glenn Wall
Tharawal Local Aboriginal Land Council	Annabel Walsh
The Haberfield Association Inc.	Wanaruah Local Aboriginal Land Council
The Hills Shire Council	P Wang
The Law Society of New South Wales	Vivien Ward
The Macdonald Valley Association Inc.	Warren Shire Council
The Myall Koala & Environment Group Inc.	Warrumbungle Shire Council
The Paddington Society Inc.	Kim Warwick
Peter Thompson	Suzanne and Robert Wason
Elizabeth Thwaites	Waterfront Action Group

Submission respondent
Wattle Flat Heritage Lands Trust
Wentworth Park Sporting Complex Trust
Wentworth Shire Council
West Wyalong Local Aboriginal Land Council (Aimee Davis, Andrew Carter, Braydn Davis, Colin Luck, Jasmine Boneham, Julie Hampton, Leeanne Hampton, Linton Howarth, Louise Davis, Marlene Collins, Max Lake, Michael Hampton, Mikayla Atkinson, Richard Hampton)
Western Division Councils of NSW
Western Lands Advisory Council
Western Sydney Community Forum
Western Sydney Conservation Alliance
Mark Whatley
Bob Wheeldon
Helen Wheeler
Beth White
Sue White
Wendy White
Ross Whitelaw
Wild Dog Destruction Board
Michael Wilkinson
P Williams
Willoughby City Council
Willoughby Environmental Protection Association
Adrian Wills
Wingecarribee Shire Council
David and Elizabeth Winterbottom
Wollondilly Shire Council
Wollongong City Council
Womboota Common Trust
Woollahra Municipal Council
Woomargama Common Trust
Woonona-Bulli School of Arts
Jamie Wright
Peter Bathurst Wyburd
Wyang Shire Council

Submission respondent
Yengo Produce
Yless4U Pty Limited
Michael York
Val Young
Young Dressage Association Incorporated
D Yule



We the undersigned Shire residents and concerned persons humbly request that you vote against the Carcoar School of Arts Trusteeship transferring to Blayney Shire Council thus allowing an Incorporated Association within the Village this responsibility.

[illegible]





PETITION  
TO THE COUNCILLORS BLAYNEY SHIRE COUNCIL

We the undersigned Shire residents and concerned persons humbly request that you vote against the Carcoar School of Arts Trusteeship transferring to Blayney Shire Council thus allowing an Incorporated Association within the Village this responsibility.

NAME	ADDRESS	SIGNATURE
Cathy Griffiths	18 Naylor St, Carcoar	C. Griffiths
Loretta Jones	8 Stoke Lane Carcoar	LJ
BRIAN GRIFFITHS	18 NAYLOR ST., CARCOAR	B. Griffiths
Christine Bright	11 Rodd St, Carcoar	Christine Bright
Ray Davis	CARCOAR	Ray Davis
A Bright	11 Rodd St Carcoar	A Bright
Ross Townsend	6 Belubula St Carcoar.	Ross Townsend
Joan Stevenson	21 Stoke Lane	Joan Stevenson
Erin Johns	Trunkay Creek.	Erin Johns
CHRIS PILSON	10 NAYLOR ST CARCOAR	Chris Pilson
PATRICIA PILSON	10 NAYLOR ST, CARCOAR	Patricia Pilson
Frances Ridley	5 Coombing St- Carcoar	Frances Ridley
Frank Leeches	2 Coombing St Carcoar	Frank Leeches
Kevin Murray	11 Kelly St Carcoar	Kevin Murray
D. McLane	13 Stoke Lane Carcoar	D. McLane
A. Donlan	92 Brady Rd Carcoar	A. Donlan
R Ramström	396 mt Macquarie Rd Carcoar	R Ramström
S. Donlan	92 Brady Rd Carcoar	S. Donlan
de Qian	35 Rodd St Carcoar	de Qian
Nathan Graham	7- Kelly St. Carcoar	Nathan Graham
Lester Smith	7. Belubula St Carcoar	Lester Smith
Rebecca Fenwick	13 Rodd St. Carcoar	Rebecca Fenwick
GEORGE KINS	"COOMBING PARK" CARCOAR	George Kins

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NAME	ADDRESS	SIGNATURE
JUDY BRIGHT	14 STOKERD CARCOAR	J. Bright
ANNE REWHORN	16 Stoke Ln Carcoar	AKR
Nancy Taylor	41 Hill St. Blayney	N. Taylor
Brian Turner	30 Parkside Blayney	B. Turner
Maele Sherlock	32 Osmans St Blayney	M. Sherlock
Enid Rich	105 Mullhorne Rd	E. Rich
Peter Lutton	3 Evans Cres Blayney	P. Lutton
Marg Bentley	57 Macara St Mullhorne	M. Bentley
Terri Reed	31 Crouch St Neville	T. Reed
Kene Donnelly	32 Raphael St Blayney	Kene Donnelly
Margie Thompson	2 Selby St Lymington	M. Thompson
R. Hammett	4 Stoke Lane Carcoar	R. Hammett
R. Hammett	4 Stoke Lane Carcoar	R. Hammett
Tom Nicholson	1-3 Stoke Lane Carcoar	T. Nicholson
Kennie Nicholson	1-3 Stoke Lane Carcoar	K. Nicholson
J. Greenwell	4 Naylor St Carcoar	J. Greenwell
J. Greenwell	9 Naylor St Carcoar	J. Greenwell
H. Sandy	Sunsethills Neville	H. Sandy
K. R. Rewhorn	Charles St. Blayney	K. R. Rewhorn
MARY WRIGHT	Lot 51 Belubula Wy Mandurana	M. Wright