



Mr Craig Milburn
General Manager
Kempsey Shire Council
P.O. Box 3078
WEST KEMPSEY NSW 2440

Dear Mr Milburn

Thank you for the opportunity to provide comments on the Department of Planning, Industry and Environment – Crown Lands' (the department) requirements for the preparation of Local Strategic Planning Statements (LSPS).

Crown land comprises some of the most iconic and diverse spaces in NSW that are reserved for a multitude of purposes including recreational activities, environmental protection, tourism and community and cultural purposes. Protecting and enhancing Crown land is essential for business, tourism, recreation, community well-being and the biodiversity of the state.

Future land use visions set out in LSPS should reflect the special social, environmental and economic characteristics of Crown land.

The department's requirements to inform LSPS as they relate to Crown land are set out below:

Objects of the Crown Land Management Act and the principles of Crown land management must be considered in Local Strategic Planning Statements

When preparing local, centre, and neighbourhood strategies within their local area that incorporate Crown land, councils must recognise the management framework for Crown land under the *Crown Land Management Act 2016 (CLM Act)* and consider the objects of the CLM Act, including the principles of Crown land management provided by the Act.

Local Strategic Planning Statements must be consistent with reserve and dedication purposes

Any detailed plans, planning controls and policies pertaining to future uses of areas of Crown land must take into consideration and be consistent with the purposes for which the land is reserved or dedicated under the CLMA Act.

Particular consideration should be given to encouraging public use and enjoyment, and multiple uses of Crown land where appropriate, and ensuring that planning controls do not restrict the use of the reserved Crown land for the purposes for which it has been reserved or dedicated.

This is also essential to ensure compliance by council and the State with the Commonwealth native title legislation and the NSW *Aboriginal Land Rights Act 1983*.

Local Strategic Planning Statements must be consistent with plans of management

Planning priorities in LSPS must also align with any plans of management for reserved and dedicated Crown land.

The CLM Act introduced significant changes to the model for the management of reserved Crown land for which Councils are appointed to have care, control and management.

Council Crown land managers are now authorised to manager Crown land as if it were 'public land' under the *Local Government Act 1993 (LG Act)*, generally as community land. Accordingly, Council Crown land managers must prepare plans of management for Crown reserves for which they are appointed to manage as community land.

These plans of management must be in place by 1 July 2021 and a number of guidance materials have been prepared to assist Councils in this regard.

These materials can be found on the NSW Office of Local Government website at www.olg.nsw.gov.au/content/council-crown-land-managers-resources.

Plans of management under the LG Act set out strategic, community focused land-use and operational management objectives for Crown land. Communities are able to influence the development and adoption of these plans through community consultation requirements under the provisions of the CLM Act and LG Act.

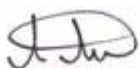
Plans of management may also be prepared and adopted for reserved Crown land managed by non-council Crown land managers under separate provisions of the CLM Act.

Plans of management for both Council and non-council managed Crown land are useful instruments to support broader local planning priorities. Plans of management can set a framework for optimising opportunities for community use and enjoyment of public land for recreational and social activities, protecting environmental values, and providing for cultural and economic activities such as museums, galleries, tourism and public facilities such as kiosks.

LSPS must be consistent with any adopted plan of management for Crown land. Nothing in a LSPS should restrict any action permissible or any future land use objectives that are set out in an adopted plan of management for Crown land.

If you require any further information please contact Derek van Leest Group Leader Property Management North Coast, on ph. 6642 9236.

Yours sincerely



Silas Sutherland
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DEPARTMENT OF PLANNING, INDUSTRY & ENVIRONMENT – CROWN LANDS

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