Passed by both Houses

New South Wales

Crown Land Management Amendment (Statutory Review) Bill 2026

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I certify that this PUBLIC BILL, *which originated in the* LEGISLATIVE COUNCIL, *has finally passed the* LEGISLATIVE COUNCIL *and the* LEGISLATIVE ASSEMBLY *of* NEW SOUTH WALES.

Clerk of the Parliaments

Legislative Council
2026

New South Wales

Crown Land Management Amendment (Statutory Review) Bill 2026

Act No , 2026

An Act to make miscellaneous amendments to the *Crown Land Management Act 2016* and other legislation following a statutory review of the Act; and for other purposes.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Crown Land Management Amendment (Statutory Review) Act 2026*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

Schedule 1 Amendment of Crown Land Management Act 2016 No 58

[1] Section 1.3

Omit the section.

Insert instead—

1.3 Objects of Act

The objects of this Act are—

(a) to provide for a consistent, efficient, fair and transparent framework for the ownership, use and management of Crown land, and

(b) to ensure Crown land is owned, managed and used for the benefit of the people of New South Wales, and

(c) to require environmental, social, cultural heritage, economic and ecologically sustainable development considerations to be taken into account in decision-making about Crown land, and

(d) to facilitate access to, and the use and management of, Crown land by Aboriginal people—

(i) to recognise the spiritual, social, cultural and economic importance of land to Aboriginal people and the rights and interests of Aboriginal people in land, and

(ii) to achieve outcomes under the *Aboriginal Land Rights Act 1983* and the *Native Title Act 1993* of the Commonwealth, and

(e) to encourage, where appropriate—

(i) the public use of Crown land, and

(ii) the enjoyment of Crown land, and

(iii) multiple uses of Crown land.

[2] Section 1.4 Principles of Crown land management

Omit the section.

[3] Section 1.5 General definitions

Omit the definitions of ***council manager***, ***Crown land management rules***, ***Crown land manager***, ***Crown managed land***, ***holding***, ***land*** and ***non-council manager*** from section 1.5(1).

Insert in alphabetical order—

altered, for Part 7—see section 7.1.

Crown land management rules has the same meaning as in section 13.5A(1).

Crown land manager means—

(a) for Division 3.6A—see section 3.39, or

(b) otherwise, in relation to Crown land—a person appointed as a Crown land manager of the land under Division 3.2.

ecologically sustainable development has the same meaning as in the *Protection of the Environment Administration Act 1991*, section 6(2).

government agency vesting notice—see section 4.12.

holding—

(a) for Division 5.5A—see section 5.20B, or

(b) for Part 7—see section 7.1, or

(c) otherwise means each of the following—

(i) a lease or licence under this Act, including one that is a continued holding,

(ii) an incomplete purchase,

(iii) another continued holding except a permit or permission.

Note— Schedules 1–3 provide for continued holdings that are leases and licences to continue in force as leases or licences under this Act.

indigenous land use agreement has the same meaning as in the *Native Title Act 1993* of the Commonwealth.

land includes—

(a) waters on or under the surface of the land, and

(b) land that is temporarily or permanently under water.

managed land, for Division 3.6A—see section 3.39.

native title body, for Division 4.4—see section 4.16.

native title body vesting notice, for Division 4.4—see section 4.17.

person responsible, for Division 9.3—see section 9.7.

plan of management—see section 3.33.

prescribed body corporate has the same meaning as in the *Native Title (Prescribed Bodies Corporate) Regulations 1999* of the Commonwealth.

purpose criteria—see section 2.2A(2).

purpose list—see section 2.2A(1)(a).

registered native title body corporate has the same meaning as in the *Native Title Act 1993* of the Commonwealth.

relevant Act, for Division 9.3—see section 9.7.

relevant conduct, for Part 8—see section 8.2.

relevant land, for Division 4.5—see section 4.21.

secondary interest, for Division 3.4—see section 3.27.

transferable Crown land, for Division 4.4—see section 4.16.

unauthorised matter, for Division 9.3—see section 9.7.

use, for Division 3.4—see section 3.27.

vesting notice, for Division 4.5—see section 4.21.

[4] Section 1.15

Omit the section.

Insert instead—

1.15 Crown land must be dealt with in accordance with this Act

(1) Crown land must not be occupied, used, sold, leased, licensed, dedicated, reserved or otherwise dealt with except as authorised by this Act.

(2) Subsection (1) does not affect the operation of another Act to the extent the other Act—

(a) makes specific provision for—

(i) particular Crown land, or

(ii) a particular kind of Crown land, or

(b) authorises Crown land to be dealt with in a way that is inconsistent with this Act.

(3) The regulations may apply the following provisions of this Act to Crown land managed under another Act—

(a) Part 2 Dedicated or reserved Crown land,

(b) Part 9 Protection of Crown land,

(c) Part 10 Investigation of compliance,

(d) Part 11 Enforcement.

(4) If a regulation applies a provision of this Act to Crown land managed under another Act, the applied provision has effect despite the other Act.

[5] Section 2.2A

Insert after section 2.2—

2.2A Purposes for which Crown land may be dedicated or reserved

(1) The Crown land management rules may specify—

(a) a list of purposes (the ***purpose list***) for which Crown land may be dedicated or reserved, and

(b) how land dedicated or reserved for a particular purpose may be used.

(2) The regulations may prescribe the criteria (the ***purpose criteria***) for the addition and alteration of a purpose for which Crown land is dedicated or reserved.

[6] Section 2.3

Omit the section.

Insert instead—

2.3 Minister may dedicate Crown land for certain purposes

(1) The Minister may, by notice published in the Gazette, dedicate Crown land if the Minister is satisfied the dedication is—

(a) in accordance with the objects of this Act, or

(b) in the public interest.

(2) The dedication must be for a purpose that is—

(a) included in the purpose list, and

(b) specified in the notice.

[7] Section 2.6A

Insert after section 2.6—

2.6A Change in purpose of dedicated Crown land

(1) The Minister may, by notice published in the Gazette, do any of the following in relation to the purpose for which Crown land was dedicated—

(a) add a new purpose,

(b) alter the purpose.

(2) The Minister may add a new purpose or alter the purpose if the Minister is satisfied that—

(a) the new or altered purpose is—
(i) included in the purpose list, and
(ii) specified in the notice, and
(iii) in accordance with the objects of this Act or in the public interest, and
(b) the purpose criteria have been met for the land.

[8] Section 2.7 Revocation of dedication

Insert after section 2.7(5)—

(5A) The dedication of land is revoked if—
(a) the land is transferred under an indigenous land use agreement to—
(i) a registered native title body corporate, or
(ii) a prescribed body corporate, and
(b) the Minister is a party to the agreement.

[9] Section 2.8

Omit the section.

Insert instead—

2.8 Minister may reserve Crown land for certain purposes

(1) The Minister may, by notice published in the Gazette, reserve Crown land if the Minister is satisfied that reservation is—
(a) in accordance with the objects of this Act, or
(b) in the public interest.

(2) The reservation must be for a purpose that is—
(a) included in the purpose list, and
(b) specified in the notice.

[10] Section 2.10A

Insert after section 2.10—

2.10A Change in purpose of reserved Crown land

(1) The Minister may, by notice published in the Gazette, do any of the following in relation to the purpose for which Crown land was reserved—
(a) add a new purpose,
(b) alter the purpose.

(2) The Minister may add a new purpose or alter the purpose if the Minister is satisfied that—
(a) the new or altered purpose is—
(i) included in the purpose list, and
(ii) specified in the notice, and
(iii) in accordance with the objects of this Act or in the public interest, and
(b) the purpose criteria have been met for the land.

[11] Section 2.11 Revocation of reservation

Insert after section 2.11(2)—

(3) The reservation of land is revoked if—

(a) the land is transferred under an indigenous land use agreement to—

(i) a registered native title body corporate, or

(ii) a prescribed body corporate, and

(b) the Minister is a party to the agreement.

[12] Section 2.12

Omit the section.

Insert instead—

2.12 Use of dedicated or reserved Crown land

Dedicated or reserved Crown land may be used only for the following purposes—

(a) a purpose for which the Crown land is dedicated or reserved,

(b) a purpose incidental or ancillary to a purpose for which the Crown land is dedicated or reserved,

(c) another purpose authorised by this Act or the Crown land management rules,

(d) a purpose authorised by another Act.

[13] Sections 2.14 and 2.15

Omit the sections.

[14] Section 2.18 Special provisions relating to Minister's powers over dedicated or reserved Crown land

Omit section 2.18(1).

Insert instead—

(1) The Minister may grant a relevant interest over dedicated or reserved Crown land for any purpose.

(1A) Subsection (1) applies despite another provision of this Act.

[15] Section 2.18(7)

Insert after section 2.18(6)—

(7) In this section—

relevant interest means a lease, licence, permit, easement or right of way.

[16] Section 2.19 Secondary interests in dedicated or reserved Crown land

Omit the section.

[17] Section 2.20 Short-term licences over dedicated or reserved Crown land

Omit the section.

[18] Section 2.20

Insert before section 2.21—

2.20 Short-term licences over dedicated or reserved Crown land

(1) This section applies to dedicated or reserved Crown land.

(2) The Minister or the Crown land manager for the land may grant a short-term licence over the land for a purpose prescribed by the regulations.

(3) The prescribed purpose—

(a) may be inconsistent with the purposes for which the Crown land is dedicated or reserved, but

(b) must not be a purpose for which an authority, permit, lease or licence may be granted under the *Fisheries Management Act 1994*.

(4) The licence is subject to—

(a) conditions prescribed by the regulations, and

(b) conditions imposed by the Minister or the Crown land manager to the extent the conditions are not inconsistent with the prescribed conditions.

(5) The licence ceases to have effect—

(a) when the licence term expires, or

(b) if the licence is revoked sooner by the Minister or Crown land manager—when the licence is revoked.

(6) This section does not authorise a Crown land manager to grant a licence without the Minister's consent if a provision of Part 3 requires the Minister's consent.

(7) Sections 2.18 and 3.28 do not limit the circumstances in which a licence may be granted under this section.

(8) The regulations may specify a maximum term of no more than 5 years for a short-term licence granted under this section.

[19] Section 2.23

Omit the section.

Insert instead—

2.23 Minister taken to give consent for making development application

(1) The Minister is taken, for the purposes of the *Environmental Planning and Assessment Act 1979*, to have given written consent on behalf of the Crown to the making of a development application in relation to Crown land if—

(a) the development is prescribed by the regulations, and

(b) a development application for the development is made by—

(i) the Crown land manager for the land, or

(ii) a holder of a lease or licence over the land.

(2) This section does not apply to development involving the subdivision of land.

[20] Section 3.2A

Insert after section 3.2—

3.2A Regulations

The regulations may modify how provisions of the *Local Government Act 1993* apply to Crown land managers.

[21] Section 3.3A

Insert after section 3.3—

3.3A Categories of Crown land managers

(1) The regulations may prescribe the following—

(a) categories of Crown land managers,

(b) subject to this Act, functions for Crown land managers in a particular category,

(c) categories of Crown land managers for which, or circumstances in which, the Minister's consent is not required to exercise a function of the Minister.

(2) The Crown land management rules may, subject to this Act and the regulations, specify functions for Crown land managers in a particular category.

(3) The instrument of appointment for a Crown land manager may specify the category of the Crown land manager.

[22] Sections 3.12 and 3.12A

Omit section 3.12.

Insert instead—

3.12 End of appointment

(1) A Crown land manager's appointment ends if—

(a) the manager resigns by a written instrument given to the Minister and the resignation is in accordance with subsection (2), or

(b) the manager's appointment is revoked by the Minister, or

(c) the manager completes the manager's term of appointment and is not reappointed.

(2) The resignation of a Crown land manager for Crown land—

(a) must be in accordance with an exit plan—

(i) prepared by the Crown land manager, and

(ii) approved by the Minister, and

(b) for a Crown land manager who is required by the regulations to obtain the Minister's consent to resign—must not occur unless the Minister consents to the resignation, and

(c) takes effect on the date notified by the Minister to the Crown land manager.

(3) The exit plan must contain the information required by the Crown land management rules.

3.12A Transfer of assets, rights and liabilities

(1) When a Crown land manager's appointment ends, the Crown land manager's assets, rights and liabilities are automatically transferred in accordance with Schedule 6.

(2) The Minister may direct that some or all of the assets, rights and liabilities must be transferred to a Crown land manager, former Crown land manager or public authority.

(3) The direction may be given by notice published in the Gazette.

(4) For an asset, right or liability to which the direction applies, the transferee is the Crown land manager, former Crown land manager or public authority to whom the Minister directed the asset, right or liability be transferred.

(5) For other assets, rights and liabilities, the transferee is—

(a) if a new Crown land manager is appointed for the land—the new Crown land manager, or

(b) if no Crown land manager is appointed and a relevant exit plan specifies a public authority—the public authority, or

(c) otherwise—the Minister.

(6) Assets, rights and liabilities transferred to the Minister under subsection (5)(c) are automatically transferred in accordance with Schedule 6 to—

(a) if the Minister gives a direction under subsection (2) in relation to some or all of the assets, rights and liabilities after the transfer to the Minister—the Crown land manager, former Crown land manager or public authority to whom the Minister directed the assets, rights or liabilities be transferred, or

(b) otherwise—a new Crown land manager appointed for the land if—

(i) the new Crown land manager is appointed after the transfer to the Minister, and

(ii) the Minister authorises the transfer by notice published in the Gazette.

(7) In this section—

assets, rights and liabilities, of a Crown land manager, means the assets, rights and liabilities created, exercisable or incurred in connection with the exercise of the manager's functions as a Crown land manager.

[23] Section 3.13 Functions of Crown land managers

Omit section 3.13(2)(d) and (e).

Insert instead—

(d) relevant plans of management, and

(e) relevant community engagement strategies.

[24] Section 3.15 Crown land management rules

Omit the section.

[25] Section 3.16 Application of proceeds of managed Crown land

Omit section 3.16(4)(d).

Insert instead—

(d) a plan of management for the land.

[26] Section 3.17

Omit the section.

Insert instead—

3.17 Performance improvement

(1) The Minister may direct a Crown land manager to take actions to improve the manager's performance as a Crown land manager.

(2) The direction must be in the form of a written order given to the Crown land manager.

(3) The regulations may specify the kinds of actions that may be included in a direction.

[27] Sections 3.20–3.26 and Division 3.4

Omit Divisions 3.4 and 3.5.

Insert instead—

3.20 Minor changes to leases or licences

(1) A Crown land manager for Crown land may make a minor change to a lease or licence granted over the land if—

(a) the manager is in a category prescribed by the regulations, and

(b) the lease or licence was granted by the manager or a previous manager.

(2) In this section—

minor change, to a lease or licence, means a change that does not result in a change to the following—

(a) the rent payable for the lease or licence,

(b) the term for which the lease or licence will be in force, including an option to renew,

(c) provisions relating to insurance,

(d) provisions relating to native title rights and interests or claims under the *Aboriginal Land Rights Act 1983*,

(e) provisions relating to the lease or licence holder making good damage to the land or structures on the land,

(f) provisions relating to works undertaken by the holder for which consent is required,

(g) provisions relating to the termination or revocation of the lease or licence.

3.21 Acquisition of other land required for use with Crown land

(1) A Crown land manager for Crown land may purchase or lease other land (***acquired land***) or acquire an easement over other land if—

(a) the manager is in a category prescribed by the regulations, and

(b) the acquired land or easement is required for use in connection with the Crown land, and

(c) the Minister has given written consent to the acquisition.

(2) The Crown land manager must manage acquired land as if the acquired land were Crown land reserved or dedicated for the same purposes as the Crown land.

(3) The regulations may modify the application of this Act to acquired land.

3.22 Purchase of other land to become Crown land

(1) A Crown land manager for Crown land may purchase other land (***purchased land***) if—

(a) the manager is in a category prescribed by the regulations, and

(b) the purchased land is intended to be available for use as dedicated or reserved Crown land, and

Note— See section 4.4.

(c) the Minister has given written consent to the purchase that also specified the proposed uses for the purchased land.

(2) The Crown land manager must manage purchased land as if the purchased land were Crown land reserved for the proposed uses specified in the Minister's consent.

(3) The regulations may modify the application of the provisions of this Act to purchased land.

3.23 Selling other land

(1) The Minister may direct a Crown land manager to sell land, or an interest in land, if—

(a) the land or interest was acquired under section 3.21 or 3.22, and

(b) the Minister is satisfied the land or interest is no longer needed for the purposes for which it was acquired.

(2) The direction must be in the form of a written order given to the Crown land manager.

(3) The direction may authorise the Crown land manager to apply the proceeds of the sale to—

(a) managing and caring for dedicated or reserved Crown land managed by the manager, or

(b) acquiring other land.

(4) The Crown land manager must comply with the direction.

3.24 Community advisory groups

(1) The Minister may direct a Crown land manager for Crown land to establish a community advisory group for the Crown land if the manager is in a category prescribed by the regulations.

(2) The regulations may make provision about the following—

(a) the giving of directions to establish community advisory groups,

(b) the membership, procedures and functions of community advisory groups.

3.25 Annual reports

(1) A Crown land manager must give the Minister a report (an ***annual report***) about the manager's management operations for each reporting year.

(2) The annual report must be prepared and given in accordance with the regulations.

(3) The *Government Sector Finance Act 2018* does not apply to an annual report prepared by a Crown land manager prescribed by the regulations.

(4) In this section—

reporting year, for a Crown land manager, means the period of 12 months ending—

(a) for the first annual report—12 months after the appointment of the Crown land manager, and

(b) otherwise—12 months after the end of the previous reporting year for the Crown land manager.

3.26 Record keeping

(1) A Crown land manager in a category prescribed by the regulations must, in accordance with the regulations—

(a) keep records, including accounting records, and

(b) allow the Minister or an authorised officer to inspect the records, and

(c) give the Minister or an authorised officer copies of the records.

(2) Without limiting subsection (1), the regulations may make provision about the following—

(a) the form in which records must be kept,

(b) the inspection of records, including by members of the public,

(c) the retention of records by persons who have ceased to be Crown land managers,

(d) exemptions from the requirement to keep records.

Division 3.4 Grant of secondary interests

3.27 Definitions

In this division—

secondary interest means the following—

(a) a lease,

(b) a licence,

(c) a permit,

(d) an easement,

(e) a right of way.

use, of land, includes occupation of the land.

3.28 Secondary interests over dedicated or reserved Crown land

(1) A Crown land manager for Crown land may grant a secondary interest over the Crown land if—

(a) the Crown land manager is satisfied the secondary interest meets the criteria specified by the regulations, and

(b) for a Crown land manager who is required by the regulations to obtain the Minister's consent—the Minister's consent has been obtained.

(2) The purpose for which the Crown land is dedicated or reserved does not limit the granting of the secondary interest even if the interest is inconsistent with the purpose.

3.29 Validation by Minister

(1) The Minister may validate a secondary interest that has not been validly granted under section 3.28.

(2) The validation may be effected by making changes to—

(a) the purpose for which the secondary interest was purportedly granted, or

(b) the conditions to which the secondary interest is subject.

(3) A secondary interest validated under this section is taken to have been validly granted from the date the interest was purportedly granted.

(4) The use of Crown land before the date on which the secondary interest is validated is also taken to be valid if the use is in accordance with the secondary interest.

[28] Division 3.6

Omit the division.

Insert instead—

Division 3.6 Plans of management

3.32 Application of division

The regulations may provide that provisions of this division do not apply to specified categories of Crown land managers.

3.33 Meaning of "plan of management"

In this Act—

plan of management means a plan for the management of dedicated or reserved Crown land that is prepared and published under this division and includes amendments to the plan made in accordance with this division.

3.34 Effect of plans of management

If a plan of management applies to Crown land, the Crown land manager for the land must—

(a) carry out and give effect to the plan, and

(b) ensure no activity is undertaken in relation to the land, unless the activity is in accordance with the plan, and

(c) ensure a lease or licence granted over the land by the manager requires the lease or licence holder to comply with the plan.

3.35 Preparation of draft plans of management

(1) A Crown land manager for Crown land must, if directed by the Minister—

(a) prepare a draft plan of management for the land, and

(b) undertake community engagement on the draft plan if required by a relevant community engagement strategy, and

(c) give a copy of the draft plan to the Minister within the time directed by the Minister.

(2) A Crown land manager for Crown land may, on the manager's own initiative, prepare a draft plan of management for the land if—

(a) the Minister consents to the preparation of the draft plan, and

(b) the Crown land manager—

(i) undertakes community engagement on the draft plan if required by a community engagement strategy, and

(ii) gives a copy of the draft plan to the Minister.

(3) In preparing a draft plan of management, the Crown land manager must ensure the plan is consistent with the purposes for which the Crown land is dedicated or reserved.

(4) A draft plan of management must be prepared in accordance with the regulations.

3.36 Approval of draft plans of management

(1) A draft plan of management for Crown land does not become a plan of management for the land until the draft plan is approved by the Minister.

(2) The Minister may approve the draft plan of management.

(3) The Minister may alter the draft plan of management before approving the draft plan.

(4) Subsections (1)–(3) do not apply to a draft plan of management that the regulations exempt from the requirement for the Minister's approval unless the Minister gives written notice to the relevant Crown land manager specifying that the plan does require the Minister's approval.

(5) A draft plan of management that does not require the Minister's approval becomes a plan of management for land when the plan is published under section 3.38.

3.37 Amendment or revocation of plans of management

(1) The Minister may at any time—

(a) amend a plan of management for Crown land, or

(b) revoke a plan of management for Crown land.

(2) The Minister may direct the Crown land manager for the Crown land to prepare a draft amendment to the plan of management.

(3) This division applies to the draft amendment as if it were a draft plan of management referred to in section 3.35(1).

3.38 Publication of plans of management

(1) A plan of management for Crown land must be published—

(a) on a website of the Department, or

(b) on a website of the Crown land manager for the land, or

(c) as otherwise directed by the Secretary or the Minister.

(2) A failure to publish a plan of management does not affect the validity of the plan.

[29] Divisions 3.6A and 3.6B

Insert before Division 3.7—

Division 3.6A Indemnity for compensation payable by State

3.39 Definitions

In this division—

Crown land manager includes a former Crown land manager.

managed land, for a Crown land manager, means—

(a) Crown land managed by the manager, or

(b) former Crown land vested in the manager under Division 4.2 or 4.3.

3.40 Crown land manager indemnifies State

(1) A Crown land manager is taken to have indemnified the State against compensation payable by the State, including compensation payable by the State under the *Native Title Act 1993* of the Commonwealth, if—

(a) the conduct giving rise to the compensation is conduct of the manager in connection with the managed land, and

(b) the Crown land manager is of a category of Crown land manager prescribed by the regulations.

(2) Liability under subsection (1) remains with the manager whose conduct gave rise to the compensation and is not transferred under section 3.12A when the manager's appointment ends.

(3) The regulations may—

(a) provide for the nature and amount of the indemnity, and

(b) confer jurisdiction on a court or tribunal to resolve disputes about indemnity.

(4) An amount payable to the State because of an indemnity under this section is recoverable by the State as a debt in a court of competent jurisdiction.

Division 3.6B Native title

3.41 Advice required for certain dealings and activities

(1) This section applies to a relevant Crown land manager for Crown land who proposes to deal with, or carry out activities on, the land in a way prescribed by the regulations.

(2) The relevant Crown land manager must obtain written advice in accordance with this section about whether the dealing or carrying out of the activity will be an act affecting native title.

(3) Advice is not required for the sale or disposal of land.

(4) The regulations may prescribe the following—

(a) when the advice must be obtained,

(b) who may give the advice,

(c) what the advice must address or contain.

(5) The relevant Crown land manager must comply with the requirements of native title legislation in relation to the land.

(6) In this section—

act affecting native title has the same meaning as in the *Native Title Act 1993* of the Commonwealth.

relevant Crown land manager means a Crown land manager of a category prescribed by the regulations.

3.41A Relationship with Local Government Act 1993

This division applies despite anything in the *Local Government Act 1993*.

[30] Section 3.46(1), note and Division 4.2, note

Omit the notes.

[31] Section 3.47

Insert after section 3.46—

3.47 Plans other than plans of management

(1) This section applies to a plan of a Crown land manager other than a plan of management.

Examples— strategic, financial or business plans

(2) The Minister may require a Crown land manager for Crown land to—

(a) prepare a plan for the management of the land, or

(b) submit a draft plan to the Minister for approval before the plan is adopted by the Crown land manager, or

(c) give a copy of a plan to the Minister.

(3) A Crown land manager must not adopt a plan referred to in subsection (2)(b) unless the Minister's approval has been given.

(4) The Minister may require changes to the plan before giving approval.

(5) A Crown land manager must notify the Minister if the manager intends to exercise a function in a way that is inconsistent with a plan approved by the Minister and adopted by the Crown land manager.

(6) A failure to notify the Minister does not affect the validity of the exercise of the function.

[32] Section 4.7 Content of council vesting notices

Omit section 4.7(2)(b).

Insert instead—

(b) may include the following if the Minister considers the inclusion to be in the public interest—

(i) conditions,

(ii) reservations,

(iii) exceptions.

[33] Section 4.9 Effect of vesting

Omit section 4.9(2)(b).

Insert instead—

(b) any of the following in the council vesting notice for the land—

(i) conditions,

(ii) reservations,

(iii) exceptions.

[34] Section 4.9(3)–(5), (10) and (11)

Omit the subsections.

[35] Section 4.9(6)

Omit "subsections (3) and (4)".

Insert instead "section 4.9A".

[36] Section 4.9(9)

Insert "or section 4.9A" after "this section".

[37] Section 4.9A

Insert after section 4.9—

4.9A Native title

(1) This section applies to land that was dedicated or reserved for one or more purposes (***relevant purposes***) immediately before the land was vested in a local council under this division.

(2) For land, other than excluded land, the land—

(a) continues to be dedicated or reserved for the relevant purposes, and

(b) cannot be sold or disposed of.

(3) For excluded land that is section 24FA protected land, the land continues to be dedicated or reserved for the relevant purposes until the land—

(a) becomes excluded land for another reason, or

(b) is sold or disposed of.

(4) For excluded land, other than section 24FA protected land, the dedication or reservation is revoked.

(5) This section does not prevent a local council from using the land in accordance with the *Local Government Act 1993*.

(6) A vesting of land under this division is taken to be an act to which the *Native Title (New South Wales) Act 1994*, section 104A applies.

(7) In this section—

approved determination of native title has the same meaning as in the *Native Title Act 1993* of the Commonwealth.

excluded land means the following—

(a) land subject to an approved determination of native title, which determined that—

(i) all native title rights and interests in relation to the land have been extinguished, or

(ii) there are no native title rights and interests in relation to the land,

(b) land where all native title rights and interests in relation to the land have been—

(i) surrendered under an indigenous land use agreement, or

(ii) compulsorily acquired,

(c) section 24FA protected land.

section 24FA protected land means an area of land subject to section 24FA protection under the *Native Title Act 1993* of the Commonwealth.

[38] Section 4.10 Registrar-General to record certain information about vested land

Omit "reservations or exceptions referred to in section 4.9 (2), (3), (4) or (6)" from section 4.10(a).

Insert instead "conditions, reservations or exceptions referred to in section 4.9(2) or (6) or 4.9A".

[39] Section 4.13 Content of government agency vesting notices

Omit section 4.13(2)(b).

Insert instead—

(b) may include the following if the Minister considers the inclusion to be in the public interest, including in relation to native title rights and interests—

(i) conditions,

(ii) reservations,

(iii) exceptions.

[40] Section 4.14 Effect of vesting

Omit section 4.14(2).

Insert instead—

(2) A vesting of land under this division takes effect subject to the following in the government agency vesting notice for the land—

(a) conditions,

(b) reservations,

(c) exceptions.

[41] Section 4.15 Registrar-General to record certain information about vested land

Omit "reservations or exceptions" from section 4.15(a).

Insert instead "conditions, reservations or exceptions".

[42] Divisions 4.4 and 4.5

Insert after Division 4.3—

Division 4.4 Vesting of Crown land in native title bodies

4.16 Definitions

In this division—

native title body means—

(a) a registered native title body corporate, or

(b) a prescribed body corporate.

native title body vesting notice—see section 4.17.

transferable Crown land has the same meaning as in Division 4.2.

4.17 Vesting of transferable Crown land in native title bodies

The Minister may, by notice published in the Gazette (a ***native title body vesting notice***), vest specified transferable Crown land in a native title body if—

(a) the native title body consents to the vesting, and

(b) for land for which a claim has been made under the *Aboriginal Land Rights Act 1983*—written consent for the vesting has been given by—

(i) the Local Aboriginal Land Council for the Local Aboriginal Land Council area, within the meaning of that Act, in which the land is located, and

(ii) if the claim is made by the New South Wales Aboriginal Land Council—the New South Wales Aboriginal Land Council, and

(c) the Minister is satisfied that criteria prescribed by the regulations are met.

4.18 Content of native title vesting notices

(1) A native title body vesting notice may limit the vesting of the transferable Crown land to—

(a) the surface of the land, or

(b) the surface of the land and a stated depth below the surface.

(2) A native title body vesting notice—

(a) must include a reservation to the Crown of all minerals in the transferable Crown land, and

(b) may include the following if the Minister considers the inclusion to be in the public interest, including in relation to native title rights and interests—

(i) conditions,

(ii) reservations,

(iii) exceptions.

4.19 Effect of vesting

(1) A native title body in which transferable Crown land is vested under this division obtains an estate in fee simple in the land, subject to this section.

(2) A vesting of land under this division takes effect subject to the following in the native title body vesting notice for the land—

(a) conditions,

(b) reservations,

(c) exceptions.

(3) On the vesting of land in a native title body under this division—

(a) the land ceases to be Crown land, and

(b) a dedication or reservation is revoked to the extent to which it affects the land, and

(c) a Crown land manager of the land ceases to be the manager of the land, and

(d) the native title body is released from the following except to the extent specified in the native title body vesting notice—

(i) a condition, trust or proviso contained in the Crown grant,

(ii) a condition, trust or proviso referred to in a folio of the Register created for the land, and

(e) a trustee of all or part of the land immediately before the land vested ceases to be a trustee of the land, and

(f) a lease or licence over the land in force immediately before the land vested—

(i) continues in force as if the lease or licence were granted by the native title body, and

(ii) has effect despite anything to the contrary in the lease or licence or another Act or law.

(4) The revocation of a dedication or reservation of land by this section does not operate to revoke a Crown grant issued, or a folio of the Register created, for the land.

4.20 Registrar-General to record certain information about vested land

The Registrar-General must, when requested by the Minister, record information in the Register to indicate that—

(a) land that has been vested in a native title body under this division is held subject to—

(i) native title rights and interests, or

(ii) other conditions, reservations or exceptions referred to in section 4.19(2) or (3), or

(b) a recording made following a previous request has ceased to have effect.

Division 4.5 Resumption of land

4.21 Definitions

In this division—

relevant land means land that vested under Divisions 4.2–4.4.

vesting notice means—

(a) a council vesting notice under Division 4.2, or

(b) a government agency vesting notice under Division 4.3, or

(c) a native title body vesting notice under Division 4.4.

4.22 Resumption of land

(1) The Minister may, by notice published in the Gazette (a ***resumption notice***) vest relevant land in the Crown.

(2) On the vesting, the land becomes Crown land.

(3) The Minister must not publish a resumption notice in the Gazette for relevant land unless reasonably satisfied that—

(a) the vesting notice for the land contained a condition, and

(b) the condition has been breached.

4.23 No compensation

No compensation is payable because of the operation of this division.

[43] Section 5.2 Terms and conditions of holdings generally prevail over Act and regulations

Insert before section 5.2(4)(a)—

(a1) section 9.20A (Response to emergencies),

[44] Section 5.2(4)(f)(iii)

Insert "or the regulations" after "a provision of Schedules 1–4".

[45] Section 5.3 Powers of Minister generally

Omit "involving Crown land." from section 5.3(3)(d).

Insert instead—

involving Crown land, and

(e) authorising activities to be carried out on Crown land in accordance with the Crown land management rules.

[46] Section 5.3(6)

Insert after section 5.3(5)—

(6) The exchange of land under this section is not an acquisition by agreement under the *Land Acquisition (Just Terms Compensation) Act 1991*.

[47] Section 5.3A

Insert after section 5.3—

5.3A Access and activities authorised under legislation or ordered by court

(1) A person who does the following under a relevant authorisation is also taken to be authorised by the Minister under this Act—

(a) enters Crown land,

(b) carries out an activity on the Crown land.

(2) In this section—

relevant authorisation means an authorisation—

(a) prescribed by the regulations, or

(b) given by the order of a court.

[48] Section 5.5 Minister to approve community engagement strategies

Insert after section 5.5(4)—

(4A) Despite subsection (4), the Minister is not required to exhibit an amendment to an approved community engagement strategy if the amendment relates to minor administrative changes.

[49] Section 5.9

Omit the section.

Insert instead—

5.9 Restrictions on sale or disposal of Crown land in Western Division

The Minister must not sell or dispose of Crown land in the Western Division unless the Minister is satisfied of the matters prescribed by the regulations.

[50] Sections 5.20A and 5.20B

Insert after section 5.20—

5.20A Leases granted before Crown land manager appointed

(1) This section applies to a lease of Crown land if the State is the lessor under the lease.

(2) If a Crown land manager is appointed for the Crown land, the Minister may decide the Crown land manager is the lessor for the Crown land.

(3) The Minister must—

(a) include details of the decision in the Crown land manager's appointment instrument, whether at the time of the appointment or by later amendment of the appointment instrument, and

(b) publish notice of the Minister's decision that the Crown land manager is the lessor for the Crown land in the Gazette, and

(c) require the Crown land manager to administer the lease in accordance with this Act.

(4) The decision of the Minister has effect on the day the Minister's notice is published in the Gazette.

(5) The Crown land manager is taken to be the lessor for the Crown land, for all purposes, from the day the Minister's notice is published in the Gazette.

(6) If the Minister notifies the Registrar-General, in writing, of the change in lessor for the Crown land, the Registrar-General may record details of the change in lessor on the title for the Crown land.

Division 5.5A Validation and variation of holdings

5.20B Definition

In this division—

holding includes—

(a) a purported holding, and

(b) a lease or licence issued under a holding (a ***subholding***), and

(c) a purported subholding.

5.20C Grounds for declaring holding to be valid

(1) The Minister may declare a holding over Crown land to be valid if—

(a) the Minister is reasonably satisfied that—

(i) making the declaration is in the public interest, and

(ii) there is a community benefit, including because—

(A) a community activity, asset or service is provided because of the holding, or

(B) the land is being used for a community purpose, and

(b) the Minister has considered—

(i) the scope of the community benefit, and

(ii) the impact making the declaration may have on—

(A) existing Aboriginal land claims, including cultural, social or economic impacts, and

(B) the holder of the holding, and

(iii) other matters prescribed by the regulations.

(2) If the Minister declares a holding over Crown land to be valid, the Minister must not do either of the following unless the amended or varied purpose provides a community benefit of a type referred to in subsection (1)(a)(ii)(A)—

(a) amend the purpose of the holding,

(b) give consent to vary the purpose of the holding.

5.20D Grounds for varying holding

(1) The Minister may vary a holding over Crown land if the Minister is reasonably satisfied the variation is necessary to correct a minor error in the holding.

(2) In this section—

correct, a minor error in a holding, means correcting an error in a way that will not significantly increase the area, duration or purpose of the holding.

5.20E How declaration or variation occurs

A declaration or variation in relation to a holding over Crown land—

(a) is made by notice published in the Gazette, and

(b) takes effect on the date specified in the notice, which may be before the date on which the notice is published in the Gazette, and

(c) is taken to validate or vary the holding from the date on which the declaration or variation takes effect.

5.20F Consultation

(1) Before making a declaration or variation in relation to a holding over Crown land, the Minister must consult with each relevant person.

(2) For the purposes of consultation under subsection (1), the Minister must—

(a) give each relevant person for the proposed declaration or variation written notice of the proposed declaration or variation, and

(b) include in or accompany the notice with relevant information for the proposed declaration or variation, other than confidential information relating to—

(i) the holder of a holding over Crown land, or

(ii) a holding over Crown land, and

(c) invite each relevant person to make submissions within the time specified in the notice, and

(d) consider submissions made by each relevant person in accordance with the notice.

(3) If the Crown land the subject of the holding is also subject to a claim under the *Aboriginal Land Rights Act 1983* that is yet to be determined, the time specified in the notice under subsection (2)(c) must be no less than 28 days.

(4) As soon as practicable after making a decision about whether or not to make the declaration or variation, the Minister must give each relevant person written notice that includes—

(a) details of the decision, and

(b) the reasons for the decision.

(5) The regulations may impose further requirements for this section, including by prescribing the following—

(a) the form and way in which a notice under this section must be given,

(b) additional requirements for consultation.

(6) In this section—

relevant information, for a declaration or variation in relation to a holding over Crown land, includes the following—

(a) the purpose of the holding,

(b) the purported community benefit of the holding,

(c) the term of the holding,

(d) the parties to the holding,

(e) the location of the holding,

(f) the area of the holding.

relevant person, for a declaration or variation in relation to a holding over Crown land, means the following—

(a) the holder of the holding,

(b) the Crown land manager for the Crown land, if any,

(c) for Crown land subject to an existing Aboriginal land claim—

(i) each Aboriginal Land Council that has made a claim, and

(ii) the Minister administering the *Aboriginal Land Rights Act 1983*,

(d) a person prescribed by the regulations.

5.20G Reporting

(1) The Minister must prepare a report for each reporting year that sets out information on each declaration or variation made during the reporting year in relation to land the subject of an Aboriginal land claim.

(2) The report must contain the information prescribed by the regulations.

(3) The report must be prepared as soon as practicable after the end of the reporting year.

(4) In this section—

reporting year means the year commencing on 1 July.

[51] Section 5.43 Cultivation of enclosed Crown roads

Omit section 5.43(3)(a).

Insert instead—

(a) notification of the proposed cultivation permission is published in accordance with a community engagement strategy that is published on a relevant government website, and

[52] Section 5.57, heading

Insert "**, including former Crown land**" after "**Crown land**".

[53] Section 5.57(2)

Omit the subsection.

Insert instead—

(2) The Minister is taken to have consented to the removal of a restriction or covenant on Crown land if—

(a) the restriction or covenant was originally imposed under the *Crown Lands Act 1989*, Part 4A, and

(b) the holder of the title for the land lodges a dealing on the title.

[54] Section 5.57(3)

Omit "cannot consent".

Insert instead "is taken not to have consented".

[55] Section 5.57(4)

Omit section 5.57(4)–(6).

Insert instead—

(4) The regulations may prescribe circumstances in which the consent of the Minister for the Environment is not required for land to which subsection (3) applies.

[56] Section 5.57(7)

Omit "(2), (3) and (4)".

Insert instead "(2) and (3)".

[57] Sections 5.65 and 5.66

Insert after section 5.64—

5.65 Standard conditions for holdings

The regulations may provide for standard conditions for holdings over Crown land.

5.66 Improvement notices and recovery of costs

(1) This section applies if the Minister reasonably believes the holder of a holding has breached the terms and conditions of the holding.

(2) The Minister may give written notice to the holder requiring the holder to give the Minister evidence—

(a) sufficient to show the holder—

(i) did not breach the terms and conditions, or

(ii) is not responsible for the breach, and

(b) by the date specified in the notice

(3) If sufficient evidence is not given, the Minister may—

(a) give the holder a written direction (an ***improvement notice***) requiring the holder to remedy the breach by the date specified in the improvement notice, or

(b) remedy the breach and recover the costs from the holder.

Example— drawing down on a bank guarantee or security deposit provided by the tenure holder

(4) If the holder fails to comply with an improvement notice, the Minister may remedy the breach and recover the costs from the holder.

[58] Section 7.1

Omit the section.

Insert instead—

7.1 Definitions

In this part—

altered includes modified and added to.

holding includes an enclosure permit.

[59] Part 8 Native title rights and interests

Omit the part.

Insert instead—

Part 8 Compensation responsibilities for native title rights and interests

8.1 Definition

In this part—

relevant conduct—see section 8.2.

8.2 Application of part

This part applies to the following conduct (***relevant conduct***)—

(a) the conduct of a local council in connection with—

(i) dedicated or reserved Crown land for which the local council is or was a Crown land manager, or

(ii) former Crown land that is or was vested in the local council under Division 4.2,

(b) the conduct of a Crown land manager that is of a category prescribed by the regulations in connection with Crown land the Crown land manager currently manages or previously managed.

Note— The State will remain liable for the State's own conduct.

8.3 Compensation payable by persons engaged in relevant conduct

(1) This section applies if—

(a) compensation is payable under the *Native Title Act 1993* of the Commonwealth, section 24JAA, 24KA, 24MD or 24NA in relation to an act that is relevant conduct, and

(b) the act is attributable to the State under that Act.

(2) Subject to the regulations, the person who engaged in the relevant conduct is declared, in accordance with the *Native Title Act 1993* of the Commonwealth, section 24JAA(9)(b)(i), 24KA(6)(b)(i), 24MD(4)(b)(i) or 24NA(7)(b)(i), to be liable to pay the compensation.

(3) Liability under subsection (2) remains with the person who engaged in the relevant conduct and is not transferred under section 3.12A when the manager's appointment ends.

(4) The regulations may limit the circumstances or persons to which the declaration made by subsection (2) applies.

[60] Section 9.4 Authorised officers may give directions to stop structure or land use

Omit section 9.4(2), penalty.

Insert instead—

Maximum penalty for subsection (2)—as determined under section 11.7.

[61] Sections 9.4A and 9.4B

Insert after section 9.4—

9.4A Neighbouring land causing contamination, pollution or damage to Crown land

(1) An authorised officer may direct an owner of land (***neighbouring land***) in the vicinity of Crown land to take specified steps to ensure that an activity, contamination, pollution or other thing on the neighbouring land does not—

(a) contaminate, pollute or damage the Crown land, or

(b) continue to contaminate, pollute or damage the Crown land.

(2) The owner of the neighbouring land must not contravene the direction.

Maximum penalty—as determined under section 11.7.

(3) If the owner of the neighbouring land fails to comply with the direction, the Minister may authorise persons to—

(a) enter the neighbouring land, and

(b) undertake works on the neighbouring land to prevent, mitigate or remediate the contamination, pollution or damage to the Crown land.

(4) The authorisation to enter land and undertake works must be—

(a) with the consent of the owner of the land, or

(b) in accordance with a warrant of entry under section 9.4C.

(5) The Minister may recover the cost of the works from the owner of the neighbouring land in a court of competent jurisdiction as a debt due to the Crown.

(6) This section does not authorise entry to a part of the neighbouring land used only for residential purposes.

9.4B Authorised officer's power of entry

(1) An authorised officer may—

(a) enter land other than Crown land if the authorised officer—

(i) is reasonably satisfied the land, or an activity carried out on the land, is a source of contamination, pollution or damage of Crown land, and

(ii) has given the occupier of the land reasonable notice that the authorised officer intends to enter the land, and

(b) undertake works on the land to prevent, mitigate or remediate the contamination, pollution or damage, and

(c) may use reasonable force to enter the land and undertake the works.

(2) However, the authorised officer must not enter the land and undertake the works unless the authorised officer does so—

(a) with the consent of the occupier of the land, or

(b) in accordance with a warrant of entry under section 9.4C.

(3) Reasonable notice is not required if the authorised officer—

(a) reasonably believes giving the notice would cause an unreasonable delay, and

(b) notifies the occupier of the entry and the reasons for the entry as soon as practicable after the entry occurs.

(4) The authorised officer must do as little damage as possible when exercising a function under this section.

(5) This section does not authorise entry to a part of the land used only for residential purposes.

Note— Sections 10.19, 10.20 and 10.22 apply to the exercise of functions under this section.

9.4C Warrants of entry

(1) An authorised officer may apply for a warrant of entry to land if the authorised officer considers it is necessary to—

(a) enter the land, and

(b) undertake works on the land to prevent, mitigate or remediate pollution or damage to Crown land.

(2) The application must be made to a warrants issuing officer.

(3) The warrants issuing officer may issue the warrant of entry if satisfied that there are reasonable grounds for issuing the warrant.

(4) The warrant of entry authorises an authorised officer to undertake the works on the land and to enter the land only for that purpose.

(5) The *Law Enforcement (Powers and Responsibilities) Act 2002*, Part 5, Division 4 applies to the warrant of entry in the same way as it applies to a search warrant issued under that Act.

(6) In this section—

warrants issuing officer means an authorised officer within the meaning of the *Law Enforcement (Powers and Responsibilities) Act 2002*.

[62] Section 9.5 Notices prohibiting structure or land use

Omit section 9.5(3), penalty.

Insert instead—

Maximum penalty for subsection (3)—as determined under section 11.7.

[63] Section 9.6A

Insert after section 9.6—

9.6A Recovery of costs for repairing damage to Crown land

(1) The Minister may recover from a person, the costs incurred for works on private land or Crown land, if—

(a) the person fails to comply with a direction or notice issued under this division, and

(b) the works are necessary to address contamination, pollution or damage of Crown land caused by an activity subject to the direction or notice, and

(c) the Minister arranges for the works to be undertaken, and

(d) written notice of the costs is given to the person.

(2) The costs may be recovered in a court of competent jurisdiction as a debt due to the Crown.

[64] Division 9.3

Omit the division.

Insert instead—

Division 9.3 Unauthorised matter on Crown land

9.7 Definitions

In this division—

person responsible, for unauthorised matter on Crown land, means—

(a) for a structure—a person who—

(i) erected the structure, or

(ii) engaged another person, whether or not under a contract or for payment or otherwise, to erect the structure, or

(b) for unauthorised matter other than a structure—a person who—

(i) brought the matter onto the land, or

(ii) engaged another person, whether or not under a contract or for payment or otherwise, to bring the matter onto the land, or

(c) if a claim notice for the unauthorised matter is published in accordance with section 9.10B—a person who—

(i) used the unauthorised matter after the notice was published, and

(ii) knew, or ought reasonably to have known, the notice was published.

relevant Act means an Act, including this Act, other than the following—

(a) the *Local Government Act 1919*, Part 11 or 12A,

(b) the *Local Government Act 1993*, Chapter 7, Part 1,

(c) the *Environmental Planning and Assessment Act 1979*.

unauthorised matter, on Crown land, means—

(a) a structure on the Crown land that, at the time of the structure's erection—

(i) was not authorised to be erected under a relevant Act, or

(ii) was authorised to be erected under a relevant Act, but was required to be removed within a specified time and was not removed, or

(b) material, other than a structure, on the Crown land without lawful authority, or

(c) the contents of a structure or material referred to in paragraph (a) or (b).

9.8 Direction to remove unauthorised matter

(1) The Minister may direct that unauthorised matter on Crown land must be removed by giving the direction to—

(a) a person responsible for the unauthorised matter, or

(b) if it is not possible to give a direction to a person responsible—a person who has a holding over the Crown land.

(2) A direction may specify a time within which the unauthorised matter must be removed.

(3) The person given the direction must comply with the direction.

Maximum penalty for subsection (3)—as determined under section 11.7.

9.9 Minister may remove unauthorised matter

(1) The Minister may arrange for unauthorised matter to be removed from Crown land if—

(a) a person fails to comply with a direction under section 9.8 to remove the unauthorised matter, or

(b) no written claim statement was given under section 9.10B for the unauthorised matter within 1 month after a claim notice for the unauthorised matter was published under that section.

(2) The Minister may sell unauthorised matter on Crown land on condition that the purchaser must remove the unauthorised matter from the Crown land.

9.10 Authority to enter land to remove unauthorised matter

A person engaged or required to remove unauthorised matter from Crown land is authorised to enter the Crown land.

9.10A Minister's powers over removed unauthorised matter

(1) This section applies to unauthorised matter removed from Crown land under this division.

(2) The Minister may arrange for the unauthorised matter to be destroyed, sold or stored.

(3) If the Minister is satisfied a person is the owner of the unauthorised matter, the Minister may return the unauthorised matter to the person.

(4) The Minister may recover the expenses incurred in the removal, destruction, sale or storage of unauthorised matter.

(5) The debt may be recovered from—

(a) for unauthorised matter returned to a person—the person, or

(b) otherwise—

(i) a person responsible for the unauthorised matter on the Crown land, or

(ii) for unauthorised matter used in contravention of a direction given under section 9.4—the person given the direction, or

(iii) for a structure required to be removed as referred to in section 9.7, definition of ***unauthorised matter***, paragraph (a)(ii)—a person who was required to remove the structure.

(6) If a debt is recoverable under this section from more than one person, the debt is recoverable from each person jointly and severally.

9.10B Claims about unauthorised matter

(1) A person cannot make a claim against the Minister or another person about the removal of unauthorised matter from Crown land under this division if—

(a) a claim notice for the unauthorised matter has been published by the Minister in accordance with this section, and

(b) the person fails to give the Minister a written claim statement about the unauthorised matter in accordance with this section within 1 month after the publication.

(2) A claim notice is published if the notice is—

(a) displayed on or near the unauthorised matter, or

(b) published on a website of the Department, or

(c) published in another way the Minister reasonably believes may bring the notice to the attention of persons who may have an interest in the unauthorised matter.

(3) The claim notice must state that a written claim statement about the unauthorised matter may be given by a person with—

(a) authority to erect, maintain or use the unauthorised matter, or

(b) an interest in the unauthorised matter.

(4) A written claim statement must—

(a) be signed by the person who makes the statement, and

(b) specify the person's authority or interest, and

(c) state the basis for the authority or interest.

[65] Section 9.11

Omit the section.

Insert instead—

9.11 Removal of trespassers from Crown land

(1) An authorised officer may apply to the Local Court for an order (a ***trespass order***) declaring a person to be a trespasser on Crown land.

(2) The Local Court may make the trespass order if the Court is satisfied the person is unlawfully occupying or using the Crown land.

Example— a person occupying Crown land under a holding that has expired or been forfeited

(3) The trespass order must specify—

(a) the person who is declared to be the trespasser, and

(b) the Crown land to which the order applies, and

(c) the date on which the order takes effect, and

(d) that any authorised officer may exercise the powers specified in subsection (4) in relation to the Crown land and the trespasser.

(4) An authorised officer may—

(a) enter the Crown land, and

(b) remove from the land—

(i) the trespasser, and

(ii) structures or matter erected, or brought onto the land, by the trespasser, and

(c) take possession of the land on behalf of the Crown.

(5) Section 10.15(3) and (4) apply to the entry.

[66] Section 9.12 Removal by authorised persons

Omit "section." from section 9.12(1)(c).

Insert instead—

section,

(d) an authorised officer.

[67] Section 9.13 Authorised officer may give remediation notice

Insert “, including land in the vicinity of the Crown land,” after “Crown land” in section 9.13(1).

[68] Section 9.13(4A)

Insert after section 9.13(4)—

(4A) A person must not—

(a) contravene a remediation notice, or

(b) obstruct the carrying out of remediation works required by a remediation notice.

Maximum penalty—as determined under section 11.7.

[69] Section 9.14 Content of remediation notice

Omit “land” wherever occurring.

Insert instead “Crown land”.

[70] Section 9.18 Secretary may issue order to stop unsafe activities

Omit section 9.18(2), penalty.

Insert instead—

Maximum penalty for subsection (2)—as determined under section 11.7.

[71] Section 9.19 Secretary may issue order to stop unlawful activities

Omit section 9.19(2), penalty.

Insert instead—

Maximum penalty for subsection (2)—as determined under section 11.7.

[72] Section 9.20A

Insert before section 9.21—

9.20A Response to emergencies

(1) The Secretary may, by written notice given to a relevant person for Crown land, order the person to carry out a specified activity if the Secretary is satisfied—

(a) the activity is a necessary part of an emergency response in relation to the land, and

(b) there is—

(i) a risk to public health and safety, or

(ii) a danger to the land or structures on the land.

(2) An emergency response includes the establishment of the following during declared emergency situations—

(a) stock refuges,

(b) evacuation centres,

(c) temporary housing.

(3) Before making an order under this section, the Secretary must consider the costs and resource impacts incurred by the relevant person who will be subject to the order when carrying out the specified activity.

(4) The Secretary may authorise the temporary use of Crown land for the purposes of an emergency response even if the emergency is not on the Crown land.

(5) In this section—

relevant person, for Crown land, means the following—

(a) a user or occupant of the land,

(b) a holder of a holding on the land,

(c) the Crown manager for the land,

(d) the local council for the area in which the land is located.

[73] Section 10.3, heading

Omit "**Offence:**".

Insert instead "**Offence—**".

[74] Section 10.4, heading

Omit "**Offence:**".

Insert instead "**Offence—**".

[75] Section 10.5, heading

Omit "**Offences:**".

Insert instead "**Offences—**".

[76] Section 10.6 Authorised officers

Omit section 10.6(4) and (5).

Insert instead—

(4) The following may exercise a function of an authorised officer—

(a) the Minister,

(b) a police officer.

(5) Sections 10.7 and 10.8 do not apply to the exercise of functions by the Minister or a police officer.

[77] Section 11.2 Time for commencement of proceedings for offences

Omit "2 years" wherever occurring in section 11.2(1) and (2).

Insert instead "3 years".

[78] Section 11.7 Maximum penalties for certain significant offences

Omit section 11.7(4)(a) and (b).

Insert instead—

(a) for a corporation—

(i) $4,000,000, and

(ii) for a continuing offence—$240,000 for each day the offence continues, or

(b) for an individual—

(i) $1,000,000, and

(ii) for a continuing offence—$120,000 for each day the offence continues.

[79] Section 11.7(6)(a) and (b)

Omit the paragraphs.

Insert instead—

(a) for a corporation—

(i) 2,000 penalty units, and

(ii) for a continuing offence—200 penalty units for each day the offence continues, or

(b) for an individual—

(i) 1,000 penalty units, and

(ii) for a continuing offence—100 penalty units for each day the offence continues.

[80] Section 12.3 Delegation of functions by Minister, Ministerial Corporation, Secretary or Crown land commissioner

Insert after section 12.3(1)—

(1A) Despite subsection (1), the Minister's powers under Division 5.5A cannot be delegated.

[81] Section 12.8

Omit the section.

Insert instead—

12.8 Fees for services

Fees may be charged on a cost recovery basis for—

(a) services provided by the Department in connection with Crown land, and

(b) costs ancillary to the services provided by the Department, including the following—

(i) merchant fees,

(ii) costs for native title notifications,

(iii) engaging third parties for services including the preparation of technical reports.

[82] Sections 12.17–12.23, headings

Omit "**State strategic plan for Crown land**" wherever occurring.

Insert instead "**plan**".

[83] Section 12.17(2)

Omit the subsection.

Insert instead—

(2) A State strategic plan for Crown land has effect for the period specified in the plan.

[84] Section 12.18(2)

Omit the subsection.

[85] Section 12.19, heading, as amended by item [81]

Omit "**draft**".

[86] Section 12.19

Omit "draft".

[87] Sections 12.24 and 12.25, headings

Omit "**State strategic plans for Crown land**" wherever occurring.

Insert instead "**plans**".

[88] Section 12.26 Definitions

Omit the definition of ***Crown reserve***.

Insert instead—

Crown reserve means the following—

(a) dedicated or reserved Crown land,

(b) land required or permitted to be managed under this Act as if it were dedicated or reserved Crown land,

(c) land held as a common under the *Commons Management Act 1989*.

[89] Section 12.34A

Insert after section 12.34—

12.34A Correcting minor errors in notices

(1) The Minister may, by notice published in the Gazette, correct a minor error in a previous notice.

(2) The publication of a notice under this section does not—

(a) affect the rights of a person existing before the publication in a way prejudicial to the person, or

(b) impose liabilities on a person for anything done or omitted to be done before the publication, or

(c) invalidate a dealing occurring before the publication.

(3) In this section—

minor error includes—

(a) minor typographical errors, including misspellings, and

(b) minor errors in property details, including incorrect or transposed numbers, misspelling of names and missing or incorrect lot or DP numbers.

person does not include the State or an authority of the State.

previous notice includes a notice published under—

(a) this Act, or

(b) a repealed Act within the meaning of Schedule 7, Part 2.

[90] Section 13.5 Regulations

Insert after section 13.5(2)(a)—

(a1) the obligations and liabilities of Crown land managers in relation to—

(i) native title rights and interests, including under native title legislation, and

(ii) rights and interests under the *Aboriginal Land Rights Act 1983*,

[91] Section 13.5A

Insert after section 13.5—

13.5A Crown land management rules

(1) The Minister may make rules (***Crown land management rules***), not inconsistent with this Act or the regulations, about matters arising under this Act.

(2) The rules—

(a) must be published in the Gazette, and

(b) commence—

(i) on the day on which the rules are published, or

(ii) if a later date for commencement is specified in the rules—on the later date.

(3) The rules may specify different commencement dates for different portions of the rules.

(4) The Minister must make the rules publicly available on a website of the Department.

(5) A failure to make the rules publicly available under subsection (4) does not affect the validity of the rules.

(6) The rules are taken to be a statutory rule for the purposes of the *Interpretation Act 1987*, sections 42 and 43.

[92] Schedule 1 Continued tenures

Omit the definitions of ***continued incomplete tenure purchase***, ***continued permissive occupancy***, ***continued perpetual lease***, ***continued special lease***, ***continued term lease*** and ***pending tenure purchase*** from clause 2.

Insert in alphabetical order—

continued incomplete tenure purchase means a continued tenure that—

(a) was, immediately before the repeal of the *Crown Lands (Continued Tenures) Act 1989*, an incomplete purchase under that Act, and

(b) is not a continued incomplete Western lands lease purchase within the meaning of Schedule 3.

continued permissive occupancy means a continued tenure that—

(a) was, immediately before the repeal of the *Crown Lands (Continued Tenures) Act 1989*, a permissive occupancy under that Act, and

(b) is a licence because of clause 3.

continued perpetual lease means a continued tenure that was, immediately before the repeal of the *Crown Lands (Continued Tenures) Act 1989*, a perpetual lease under that Act.

continued special lease means a continued tenure that was, immediately before the repeal of the *Crown Lands (Continued Tenures) Act 1989*, a special lease under that Act.

continued term lease means a continued tenure that was, immediately before the repeal of the *Crown Lands (Continued Tenures) Act 1989*, a term lease under that Act.

[93] Schedule 1, clause 2A

Insert after clause 2—

2A Regulations for continued tenures

The regulations may make provision for the administration of continued tenures.

[94] Schedule 1, clause 5

Omit the clause.

[95] Schedule 1, Part 2, Division 2

Omit Divisions 2–4.

Insert instead—

Division 2 Rent for continued tenures

6 Rent redeterminations

(1) The Secretary may redetermine the rent for a continued tenure.

(2) The redetermination occurs by the Secretary giving written notice of the rent redetermination to the holder of the continued tenure.

(3) The redetermination must be in accordance with this Act, Part 6, and for that purpose, the continued tenure is taken not to make provision for how rent must be redetermined.

(4) This clause applies despite other provisions of this schedule and the terms and conditions of the continued tenure.

[96] Schedule 1, clauses 19 and 19A

Omit clause 19.

Insert instead—

19 Dealings not requiring Ministerial consent

(1) An exempt dealing does not require the consent of the Minister unless the exempt dealing is a sublease or easement authorising the following—

(a) the construction and operation of facilities for the harnessing of energy from a source, including the sun or wind, and the conversion of the energy into electricity,

(b) the removal of gravel, sand or other material, whether or not a mineral within the meaning of the *Mining Act 1992*,

(c) the construction, operation or maintenance of telecommunications infrastructure.

(2) In this clause—

exempt dealing means the creation, transfer or extinguishment of—

(a) a sublease or mortgage, or

(b) an easement over land under a perpetual lease.

19A Subleases

The holder of a lease (the ***head lease***) over land who grants a sublease over the land—

(a) must ensure the sublease specifies the purpose for which the land may be used under the sublease, and

(b) must ensure the specified purpose is—

(i) consistent with the purpose for which the land may be used under the head lease, or

(ii) a purpose prescribed by the regulations, and

(c) must ensure the sublease terminates no later than when the head lease terminates, and

(d) must notify the Minister of the granting of the sublease within 28 days after the sublease is granted, and

(e) must take all reasonable steps to ensure the holder of the sublease complies with the requirements of this Act and the conditions of the head lease in relation to the land.

[97] Schedule 1, Part 4

Omit Parts 4–8.

Insert instead—

Part 4 Development on continued perpetual leases

22 Minister taken to have given consent to certain development applications

(1) The Minister is taken to have given consent to a lessee of land under a continued perpetual lease to make a development application for development prescribed by the regulations.

(2) The Minister's consent continues to be required for the making of a development application for other development.

(3) In this clause—

consent means written consent by the Minister on behalf of the Crown as the owner of Crown land.

[98] Schedule 2 Continued irrigation tenures

Omit the definitions of ***continued incomplete irrigation lease purchase*** and ***pending irrigation lease purchase*** from clause 2.

Insert in alphabetical order—

continued incomplete irrigation lease purchase means a purchase of land under a lease granted under a repealed irrigation Act if, immediately before the repeal of the Act—

(a) the lease was subject to that Act, and

(b) an agreement to purchase the land had been entered into, and

(c) the purchase was not complete.

pending irrigation lease purchase means a proposed purchase of land under a lease that became a continued irrigation lease on the commencement of this schedule if—

(a) the holder of the lease is the proposed purchaser, and

(b) for land under a mortgage—each mortgagee has given written consent to the purchase, and

(c) a contract of sale for the land has not yet been entered into, including because the purchase price has not been finalised.

[99] Schedule 2, clause 2A

Insert after clause 2—

2A Regulations for continued irrigation tenures

The regulations may make provision for the administration of continued irrigation tenures.

[100] Schedule 2, clause 5

Omit the clause.

[101] Schedule 2, Part 2, Division 2

Omit the division.

[102] Schedule 2, clauses 13 and 13A

Omit clause 13.

Insert instead—

13 Dealings not requiring Ministerial consent

(1) An exempt dealing does not require the consent of the Minister unless the exempt dealing is a sublease or easement authorising the following—

(a) the construction and operation of facilities for the harnessing of energy from a source, including the sun or wind, and the conversion of the energy into electricity,

(b) the removal of gravel, sand or other material, whether or not a mineral within the meaning of the *Mining Act 1992*,

(c) the construction, operation or maintenance of telecommunications infrastructure.

(2) In this clause—

exempt dealing means the creation, transfer or extinguishment of—

(a) a sublease or mortgage, or

(b) an easement over land under a perpetual lease.

13A Subleases

The holder of a lease (the ***head lease***) over land who grants a sublease over the land—

(a) must ensure the sublease specifies the purpose for which the land may be used under the sublease, and

(b) must ensure the specified purpose is—

(i) consistent with the purpose for which the land may be used under the head lease, or

(ii) is a purpose prescribed by the regulations, and

(c) must ensure the sublease terminates no later than when the head lease terminates, and

(d) must notify the Minister of the granting of the sublease within 28 days after the sublease is granted, and

(e) must take all reasonable steps to ensure the holder of the sublease complies with the requirements of this Act and the conditions of the head lease in relation to the land.

[103] Schedule 2, Part 3, Division 2

Omit the division.

Insert instead—

Division 2 Rent for continued irrigation leases

15 Rent redeterminations

(1) The Secretary may redetermine the rent for a continued irrigation lease.

(2) The redetermination occurs by the Secretary giving written notice of the redetermination to the holder of the continued irrigation lease.

(3) A rent redetermination for a continued irrigation lease that does not provide for rent redeterminations must be carried out in accordance with the regulations.

(4) This clause applies despite other provisions of this schedule and the terms and conditions of the continued irrigation lease.

(5) This Act, Part 6 applies in relation to rent for a continued irrigation lease subject to this clause and the regulations.

[104] Schedule 2, Part 4

Omit the part.

[105] Schedule 3 Land in Western Division

Omit the definitions of ***continued incomplete Western lands lease purchase*** and ***pending Western lands lease purchase*** from clause 2.

Insert in alphabetical order—

continued incomplete Western lands lease purchase means a purchase of land under a lease granted under the *Western Lands Act 1901* if, immediately before the repeal of that Act—

(a) the lease was subject to that Act, and

(b) an agreement to purchase the land had been entered into, and

(c) the purchase was not complete.

pending Western lands lease purchase means a proposed purchase of land under a lease that became a continued irrigation lease on the commencement of this schedule if—

(a) the holder of the lease is the proposed purchaser, and

(b) for land under a mortgage—each mortgagee has given written consent to the purchase, and

(c) a contract of sale for the land has not yet been entered into, including because the purchase price has not been finalised.

[106] Schedule 3, clause 3A

Insert after clause 3—

3A Regulations for land in Western Division

The regulations may make provision for the administration of land in the Western Division.

[107] Schedule 3, clause 6

Omit the clause.

[108] Schedule 3, Part 2, Division 2

Omit the division.

[109] Schedule 3, clauses 14 and 14A

Omit clause 14.

Insert instead—

14 Dealings not requiring Ministerial consent

(1) An exempt dealing does not require the consent of the Minister unless the exempt dealing is a sublease or easement authorising the following—

(a) the construction and operation of facilities for the harnessing of energy from a source, including the sun or wind, and the conversion of the energy into electricity,

(b) the removal of gravel, sand or other material, whether or not a mineral within the meaning of the *Mining Act 1992*,

(c) the construction, operation or maintenance of telecommunications infrastructure.

(2) In this clause—

exempt dealing means the creation, transfer or extinguishment of—

(a) a sublease or mortgage, or

(b) an easement over land under a perpetual lease.

14A Subleases

The holder of a lease (the ***head lease***) over land who grants a sublease over the land—

(a) must ensure the sublease specifies the purpose for which the land may be used under the sublease, and

(b) must ensure the specified purpose is—

(i) consistent with the purpose for which the land may be used under the head lease, or

(ii) a purpose prescribed by the regulations, and

(c) must ensure the sublease terminates no later than when the head lease terminates, and

(d) must notify the Minister of the granting of the sublease within 28 days after the sublease is granted, and

(e) must take all reasonable steps to ensure the holder of the sublease complies with the requirements of this Act and the conditions of the head lease in relation to the land.

[110] Schedule 3, clause 18

Omit the clause.

[111] Schedule 3, Part 3, Divisions 3 and 5

Omit the divisions.

[112] Schedule 3, clause 36(2)

Omit the subclause.

[113] Schedule 3, clause 54

Omit the clause.

[114] Schedule 3, clause 59

Omit the clause.

Insert instead—

59 Continuation of certain special purpose leases despite sale of land

(1) This clause applies to existing and future special purpose leases for constructing and operating facilities for—

(a) the harnessing of energy from a source, including sun or wind, and

(b) the conversion of the energy into electricity.

(2) If a person who is a lessee under a special purpose lease purchases land that is the subject of the lease—

(a) the provisions of this Act relating to special purpose leases continue to apply to the lease as if the land were still Crown land, and

(b) the person continues to be bound by the special purpose lease as if the person had not purchased the land and instead continued to lease the land from the Crown.

(3) This clause ceases to apply in relation to a special purpose lease if—

(a) the lease is revoked under this Act, or

(b) the lease expires.

(4) A renewal of the lease is not a revocation or expiry of the lease.

[115] Schedule 4 Purchasable leases

Omit "leases." from clause 1(c).

Insert instead—

leases,

(d) special leases in perpetuity.

[116] Schedule 4, clause 2

Insert in alphabetical order—

special lease in perpetuity means a lease that—

(a) was a special lease granted under the *Crown Lands Consolidation Act 1913* with a perpetual term, and

(b) is in force under this Act.

[117] Schedule 4, clause 2A

Insert after clause 2—

2A Regulations for purchasable leases

The regulations may make provision for the administration of purchasable leases.

[118] Schedule 4, Parts 4 and 6

Omit the parts.

[119] Schedule 4, clause 23

Omit "clause 24 (4)".

Insert instead "the regulations".

[120] Schedule 4, Part 5, Division 3

Omit the division.

[121] Schedule 5 Statutory land managers

Insert after clause 2(3)—

(3A) A statutory land manager is a statutory corporation for the purposes of the *Interpretation Act 1987*, section 50, subject to the following—

(a) this Act and the regulations,

(b) subject to this Act and the regulations—the Crown land management rules.

[122] Schedule 5, clause 2A

Insert after clause 2—

2A Professional statutory land manager

(1) The Minister may declare a statutory land manager to be a professional statutory land manager if the Minister is satisfied—

(a) the manager is a large commercial corporation, and

(b) the manager satisfies the criteria prescribed by the regulations.

(2) A professional statutory land manager must—

(a) prepare a strategic plan in accordance with the regulations, and

(b) give a copy of the strategic plan to the Minister, and

(c) implement the strategic plan.

(3) The regulations may make provision about strategic plans, including by prescribing the content of plans.

(4) The Minister may publish a charter of expectations for professional statutory land managers in the Gazette that sets out standards of organisational behaviour and other matters relevant to the functions of professional statutory land managers.

(5) A professional statutory land manager must operate in accordance with the charter of expectations.

(6) The instrument appointing a statutory land manager as the Crown land manager for Crown land, may do the following—

(a) declare the statutory land manager to be a professional statutory land manager,

(b) specify functions, including additional functions, for the statutory land manager,

(c) include conditions related to the exercise of functions.

Note— Section 3.9 enables an instrument of appointment to be varied by a further instrument of appointment.

(7) The additional functions may include functions extending beyond the care, control and management of Crown land if the exercise of the functions by the statutory land manager—

(a) is in the public interest, or

(b) is consistent with the objects of this Act.

[123] Schedule 5, clause 4(3)

Omit the subclause.

Insert instead—

(3) The qualifications for appointment as a board member may be specified in—

(a) the regulations, or

(b) subject to this part and the regulations—the Crown land management rules.

[124] Schedule 5, clause 5

Omit the clause.

Insert instead—

5 Control and direction

(1) A decision relating to the functions of a statutory land manager must be made by, or under the authority of—

(a) if a board is appointed—the board, or

(b) otherwise—the Minister.

(2) The decision of the board or Minister is taken to be a decision of the statutory land manager.

(3) A statutory land manager may be subject to the control and direction of the Minister in the exercise of the manager's functions even if a board is appointed.

(4) If the Minister gives a direction relating to the exercise of a statutory land manager's functions, the Minister must—

(a) give reasonable notice before giving the direction, and

(b) give the direction in writing.

[125] Schedule 5, Part 4, Divisions 1 and 2, headings

Omit the headings.

[126] Schedule 5, clause 7(1)–(4)

Omit the subclauses.

Insert instead—

(1) The board—

(a) must have a Chairperson, and

(b) may have a Deputy Chairperson.

(2) The Chairperson and Deputy Chairperson must be board members.

(3) The Chairperson must be appointed in accordance with the requirements for the relevant category of Crown land manager specified by the regulations.

(4) The board may elect a Deputy Chairperson whenever there is a vacancy.

[127] Schedule 5, clause 7(5)

Omit "or Deputy Chairperson" wherever occurring.

[128] Schedule 5, clause 7(8)

Omit the subclause.

[129] Schedule 5, clause 8

Omit clauses 8–10.

Insert instead—

8 Other office holders

The board may appoint, employ or engage—

(a) a secretary, and

(b) a treasurer.

[130] Schedule 5, clause 12

Omit clauses 12 and 13.

Insert instead—

12 Removal of board member

The Minister may remove a board member from office at any time for any or no reason and without notice.

[131] Schedule 5, clauses 15–18

Omit clause 15.

Insert instead—

15 Code of conduct

(1) A board must issue a code of conduct for board members.

(2) The code of conduct must be consistent with—

(a) the code of conduct issued and maintained by the Secretary for Crown land managers, and

(b) requirements in the Crown land management rules about standards of conduct.

16 Reporting misconduct of board members

(1) The regulations may require board members to report misconduct by another board member, including the Chairperson, to the Secretary.

(2) The requirement applies to conduct irrespective of whether the conduct has been formally referred to another agency or authority with the appropriate jurisdiction to deal with the conduct.

17 Provisions do not affect civil proceedings

The following do not give rise to, nor can be taken into account in, civil proceedings—

(a) clause 15 or 16, or

(b) the regulations or Crown land management rules made under clause 18.

18 Procedure and conduct of boards

The Crown land management rules may make further provision in relation to boards, including in relation to the following—

(a) the procedure of boards,

(b) the conduct of boards,

(c) the terms of office holders,

(d) removal of office holders,

(e) vacation of office,

(f) remuneration.

[132] Schedule 5, Part 4, Divisions 3 and 4

Omit the divisions.

[133] Schedule 7 Savings, transitional and other provisions

Insert at the end of the schedule, with appropriate part numbering—

Part Provisions consequent on enactment of Crown Land Management Amendment (Statutory Review) Act 2026

1 Definition

In this part—

amending Act means the *Crown Land Management Amendment (Statutory Review) Act 2026*.

2 Land appropriated by Half Monthly Return

(1) The Minister may, by notice published in the Gazette, declare land to be dedicated or reserved Crown land under this Act if the land—

(a) was set aside permanently in the process known as appropriation by Half Monthly Return, and

(b) is vested in the Crown.

(2) The land becomes dedicated or reserved Crown land—

(a) on the date the notice is published in the Gazette, or

(b) if the notice specifies a later date—on the later date.

3 Validation of grant of holdings

(1) This clause applies if, before the substitution of section 1.15 by the amending Act, a grant of holding occurred under this Act, Part 2 that was invalid when the grant occurred because the tenure was in relation to Crown land managed under a relevant Act.

(2) The grant of holding is taken to be, and to have always been, valid.

(3) In this clause—

relevant Act means the following—

(a) the *Local Land Services Act 2013*,

(b) another Act prescribed by the regulations.

4 Annual reports by Crown land manager

For section 3.25, the first reporting year, for a Crown land manager appointed before the commencement of that section, ends 12 months after that commencement.

5 Plans of management

A plan of management for Crown land that is in force immediately before the commencement of Division 3.6 is taken to be made under that division.

6 Compensation responsibilities

Division 3.6A and Part 8, as inserted by the amending Act, extend to conduct occurring before the commencement of the division or part, if the conduct—

(a) occurred after the commencement of this Act, and

(b) caused or causes compensation to be paid by the State under the *Native Title Act 1993* of the Commonwealth.

7 Resumption of land

Division 4.5, as inserted by the amending Act, extends to land vested under Part 4 before the commencement of that division.

8 Improvement notices and recovery of costs

Section 5.66, as inserted by the amending Act, extends to a breach occurring before the commencement of that section.

9 Recovery of costs for repairing damage to Crown land

Section 9.6A, as inserted by the amending Act, extends to activities occurring before the commencement of that section.

10 Unauthorised matter on Crown land

The following that are in force under Division 9.3 immediately before the substitution of that division are, on the substitution of that division, taken to continue to be in force under that division—

(a) a direction,

(b) a claim notice,

(c) a claim statement.

11 Removal of trespassers from Crown land

(1) This clause applies to an order—

(a) made by the Local Court under section 9.11, and

(b) authorising the authorised officer to deal with a person as a trespasser on specified Crown land, and

(c) in force immediately before the substitution of that section by the amending Act.

(2) On the substitution of that section, the order is taken to be an order—

(a) made under the section as substituted, and

(b) declaring the person to be a trespasser on the Crown land.

12 Correction of land description for Orange Show Ground

Despite this schedule, Part 2, Orange Show Ground comprises Lots 1–6 and 13–17, Section 29, DP 5600.

Schedule 2 Amendment of Commons Management Act 1989 No 13

Sections 37 and 37A

Omit section 37.

Insert instead—

37 Annual reports

(1) A trust must give the Minister a report (an ***annual report***) about the activities of the trust for each financial year.

(2) The annual report must be prepared and given in accordance with the regulations.

37A Giving information to Minister

(1) The Minister may, by written notice, require a trust to give the Minister—

(a) specified information about the affairs of the trust, or

(b) specified records of the trust.

(2) The notice may specify a time within which the information or records must be given.

(3) The trust must comply with the notice.

Schedule 3 Amendment of Crown Land Management Regulation 2018

Clause 70C

Insert after clause 70B—

70C Application of Act to travelling stock reserves on Crown land

For the Act, section 1.15(3), the Act, Part 2 applies to Crown land managed under the *Local Land Services Act 2013*.