



REPORT TO COUNCIL

Department:	Infrastructure & Development
Submitted by:	Des Andersen, Environmental Management Co-ordinator
Reference/Subject:	Report # (EA to insert))/ Proposed resignation of management from selected Council managed Crown Reserves.

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Goal:	2.4	Communities that are well serviced with essential infrastructure
Strategy:	2.4.1	Develop a strategically located network of quality, accessible and safe public amenities that are adequately maintained and renewed

SUMMARY:

This report is to inform Council of Crown Reserves under Council's management that have no strategic value to Council, and to recommend that Council resolve to make application to resign as manager of the identified reserves to avoid ongoing management costs and maintenance liabilities.

OFFICER'S RECOMMENDATION:

That Council make a written application to the Minister for Department of Industry - Crown Lands confirming Council's resignation request as Crown land manager of the following Crown land reserves;

- *Lot 322 DP 755811 Saumarez Ponds - (Barry Munday) Recreation Reserve;*
- *Lot 153 DP 755838 Kentucky South Reserve;*
- *Lot 153 DP 755838 Kentucky South Reserve;*
- *Lot 7010 DP 93183 Bundarra CBD Reserve;*
- *Lot 7002 DP 1072010 Rocky River Recreation Reserve, and*
- *Lot 7302 DP 1155531 Saumarez Reserve.*

BACKGROUND:

The *NSW Crown Land Management Act 2016* (the CLM Act) commenced on 1 July 2018, and local councils commenced direct management of Crown lands under the provisions of *NSW Local Government Act 1993* at this time.

With the commencement of the CLM Act, Councils must manage Crown lands as Community owned land in accordance with the *NSW Local Government Act 1993*, unless:

- Approval is given to reclassify them as Operational by the Minister for Department of Industry - Crown Lands (the Minister), or
- Consent to resign from management responsibility is provided by the Minister.

REPORT:

Under the provisions of Section 3.12 of the *Crown Land Management Act 2016*, a Crown land manager's appointment ceases if the manager applies to the Minister to relinquish management responsibilities, and the Minister then provides consent to the application.

Specifically Section 3.12 provides;

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, or

(b) ...

(c) ...

Further at 3.12 (2)

(2) A local council or statutory land manager cannot resign as a Crown land manager without the Minister's consent.

In October 2018, Council formed an internal working group (Environmental Management Coordinator, Manager Development and Planning, and Manager Works and Infrastructure) to assess which Crown Land parcels under Council management were worth retaining due to their strategic value, or ecological / cultural value.

That assessment led to the identification of a number of parcels of Crown land considered appropriate for Council to include in an application, to the Minister, requesting consent to resign as manager.

KEY ISSUES:

The following reserves are proposed for resignation by Council as Crown land manager:

Reserve	Lot/DP	Dedicated Purpose	Category	Justification
Saumarez Ponds (Barry Munday) Recreation Reserve	Lot 322 DP 755811 Parish Butler County Sandon	Public Recreation	Park	No discernable value to Council. Ongoing maintenance to conform with the category will present a cost burden relating to regulation, vegetation management, fencing, access and biosecurity
Kentucky South Reserve	Lot 153 DP 755838 Parish Sandon County Sandon	Public Recreation	Park	
Kentucky South Reserve (2)	Lot 31 DP 755838 Parish Sandon County Sandon	Public Recreation	Park	
Bundarra CBD Reserve	Lot 7010 DP 93183 Parish Bundarra County Hardinge	Public Recreation	Park	
Rocky River Recreation Reserve (R97253) Reserve	Lot 7002 DP 1072010 Parish Saltash County Sandon	Public Recreation	Park	
Saumarez Reserve At Primrose Hill	Lot 7302 DP 1155531 Parish Butler County Sandon	Public Recreation	General Community Use	

CONCLUSION:

It is considered appropriate for Council to apply to resign as manager of the identified Crown Land parcels due to their lack of strategic value, ecological / cultural attributes, and the ongoing maintenance liabilities.

COUNCIL IMPLICATIONS:

1. Community Engagement/ Communication (per engagement strategy)

N/A

2. Policy and Regulation

Crown Land Management Act 2016

Local Government Act 1993

3. Financial (LTFP)

Resignation as manager for non-viable Crown land reserves will impact positively on the LTFP.

4. Asset Management (AMS)

N/A

5. Workforce (WMS)

Nil

6. Legal and Risk Management

Resignation as manager for non-viable Crown land reserves reduces Council's risks associated with public liability and biosecurity.

7. Performance Measures

Nil

8. Project Management

Nil

Insert

Prepared by staff member:

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TRIM Reference Number:

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Approved/Reviewed by Manager:

Matt Clarkson, Manager Development and Planning, Terry Seymour, Director Infrastructure & Development

Department:

Infrastructure & Development

Attachments:

Attachment 1 - Map 1. Saumarez Ponds (Barry Munday) Recreation Reserve (25105)

Attachment 2 - Map 2. Kentucky South Reserve (55570)

Attachment 3 - Map 3. Kentucky South Reserve (73275)

Attachment 4 - Map 4. Bundarra CBD Reserve (83105)

Attachment 5 - Map 5. Rocky River Recreation Reserve (97253)

Attachment 6 - Map 6. Saumarez Reserve at Primrose Hill (85626)