

CROWN LAND MANAGEMENT ACT 2016

Transition guide for Crown land managers—corporations

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Transition guide for Crown land managers—corporations

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More information

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Introduction

Commencing 1 July 2018, the new *Crown Land Management Act 2016* (the CLM Act) provides a revised management structure for Crown Reserves that recognises the diversity and capability of Crown land managers. While many aspects of Crown land management remain the same, the new CLM Act provides improved transparency, enabling the community to have confidence that Crown reserves are managed appropriately for the benefit of the people of NSW, including through good governance.

On commencement of the new Act, all current reserve trust managers appointed under the *Crown Lands Act 1989* will automatically transition so they will continue to have the care, control and management responsibility for their Crown reserves.

Existing trust boards, administrators and non-council corporations appointed to manage reserve trusts will be known as non-council Crown land managers under the new CLM Act.

Local councils will also continue to manage Crown reserves. How local councils manage Crown reserves under the CLM Act is different from other Crown land managers, as they will principally manage their Crown reserves under the public land provisions of the *Local Government Act 1993*. Local councils should refer to the Office of Local Government website for information on their new requirements:

www.olg.nsw.gov.au/crownland.

Background

In 2012, the NSW Government began the first major review of Crown land in 25 years, prompting a comprehensive consultation process with community and other interested parties about the future management of Crown land.

This extensive review process culminated in the NSW Parliament passing the new CLM Act in November 2016 and the *Crown Land Legislation Amendment Act* in May 2017.

This new legislation will commence on 1 July 2018 and will ensure the Crown estate is managed efficiently and effectively and continues to support and generate social, environmental and cultural benefits for the people of NSW.

In NSW, Crown land is managed by the Department of Industry—Lands & Water (the department). Previous Crown land legislation was complex and included eight different pieces of legislation.

The new CLM Act will:

- reduce red tape and duplication in managing Crown land
- improve certainty and clarity about legal requirements
- support greater community involvement in local decisions made about Crown land
- formalise opportunities and processes for community involvement and engagement
- recognise and support Aboriginal involvement in the management of Crown land.

About this guide

The CLM Act changes the structures for reserve trusts. The purpose of this document is to help corporations currently appointed to manage reserve trusts understand the changes and how to transition to the new arrangements.

Included in this document are:

- **Understanding the changes:** an overview of the transition changes and requirements for managers
- **Transition checklist:** a step-by-step checklist with supporting templates to help managers implement the transition activities. The checklist is provided as a guidance tool only and is not compulsory.

A separate frequently asked questions document addresses common questions managers may have in relation to the changes, their role and transition requirements.

The CLM Act will impact reserve trusts differently depending on what type of manager is appointed. Managers should ensure they refer to the transition guide that is **applicable to their manager type** (refer to Figure 1):

- *Transition guide for Crown land managers - corporations* (this guide)
- *Transition guide for Crown land managers - boards and administrators*
- *Transition guide for Crown land managers - schools of arts and other institutions*

If you are uncertain of which manager type you are, please contact the department on 1300 886 235 or email reserves@crowmland.nsw.gov.au.

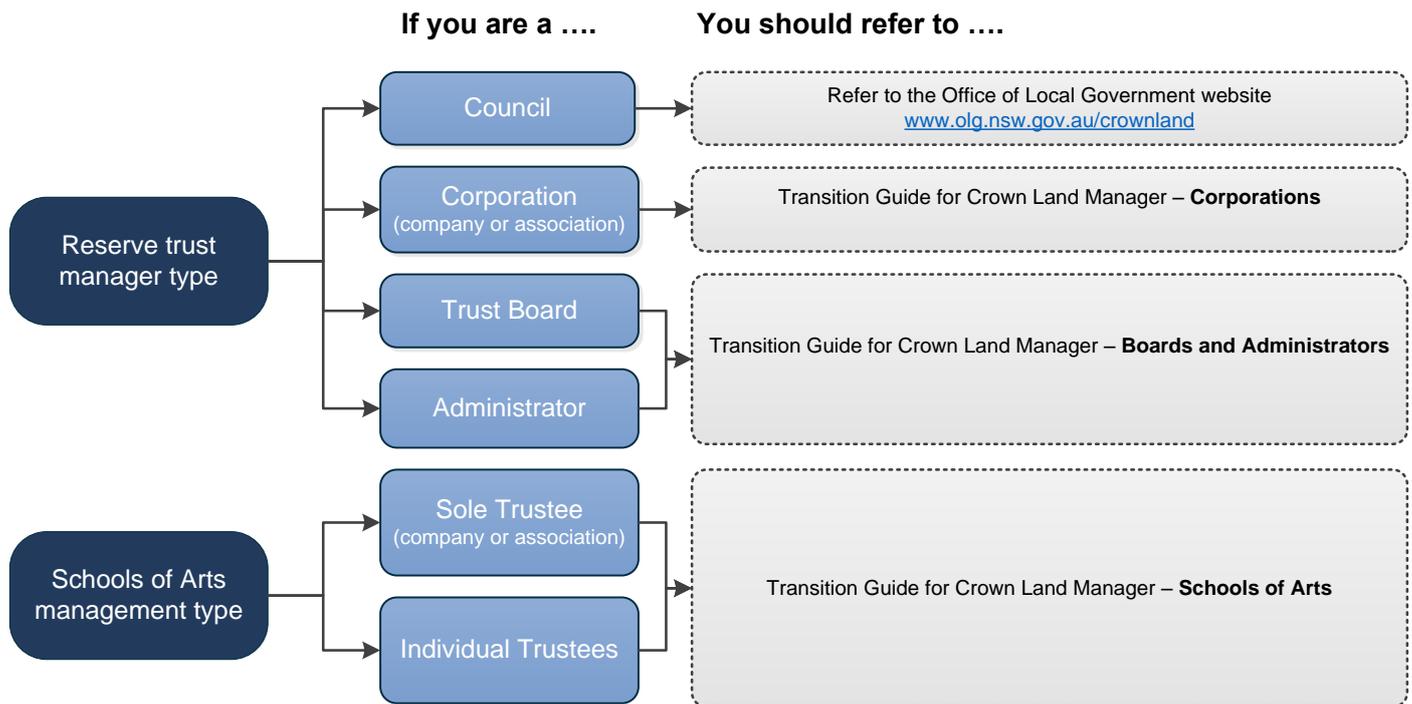


Figure 1. Reference guide: transition information for managers

New terminology

The CLM Act introduces new terminology that is referred to in this guide. To help you understand key terms, here is a summary:

- **Appointment instrument:** a document that sets out the term and conditions of a Crown land manager’s appointment.
- **Category 1 non-council Crown land manager** or **Category 1 manager:** a Crown land manager that is not a local council and has been assigned as a Category 1 manager, having demonstrated advanced governance and expertise in Crown land management.
- **Category 2 non-council Crown land manager** or **Category 2 manager:** a Crown land manager that is not a local council and is not assigned as a category 1 manager.
- **Community Engagement Strategy:** a document approved by the minister that sets out the minimum requirements for engaging with the community on certain proposed activities on Crown land such as sale, leasing and licensing.
- **Crown land manager** or **CLM:** the name given to a legal entity appointed to manage a Crown reserve.

- **Crown Reserves Improvement Fund:** the name of the funding program that replaces the Public Reserves Management Fund to provide financial support for the development, maintenance and improvement of Crown reserves and freehold showgrounds.
- **Native Title Manager:** a person who has undertaken approved training and is employed or engaged by either a local council or category 1 non-council Crown land manager to ensure dealings with their Crown reserves comply with native title legislation.
- **Statutory land manager:** a legal entity established by the *Crown Land Management Act 2016* so that individuals as members of a board and administrators can manage Crown reserves.

Understanding the changes

Managing Crown land

The ability to reserve and dedicate Crown land for the public benefit continues under the CLM Act.

Appointed managers are still required to manage their Crown reserves in line with the reserved or dedicated purpose/s. It is important that all activities and uses on the reserve are suitable to occur within the reserve purpose/s, including anything permitted through a lease or licence. If in doubt, the department can provide advice on the suitability of any proposed activity.

New management structure

Under current arrangements, all managers are appointed to manage a reserve trust entity which is established as a statutory entity under existing Crown Lands Act 1989. The reserve trust is responsible for the care, control and management of Crown reserves.

Under the new CLM Act, the reserve management structure will change depending on the type of Crown land manager appointed. The changes are designed to better reflect the diversity of organisations involved in the management of Crown reserves.

Appointed corporations

Under the CLM Act, any reserve trust entity currently being managed by a corporation:

- on the day the Act commences on 1 July 2018, will be appointed as the Crown land manager for the same land,
- will remain in place as a reserve trust for a period of 12 months only
- will then be abolished 12 months after commencement (on 30 June 2019), at which point the corporation will be directly appointed as Crown land manager for the same Crown reserves.
- will then manage the same Crown reserves as the Crown land manager

The additional 12 month period recognises the operational changes required to wind up the reserve trust entity and transfer operations such as employment, finances, insurances etc. to the appointed corporation's entity.

In addition, aligning the abolishment of the reserve trust with the end of the financial year reduces financial reporting requirements.

All other relevant provisions of the CLM Act relating to the management of Crown reserves by Crown land managers will apply from 1 July 2018 regardless of the 12 month period for entity related changes.

The 12 month delay does not apply to reserve trusts managed by boards or administrators.

Revenue generated by a Crown land manager on the Crown reserve will continue to only be available for expenditure on the Crown reserves under its management.

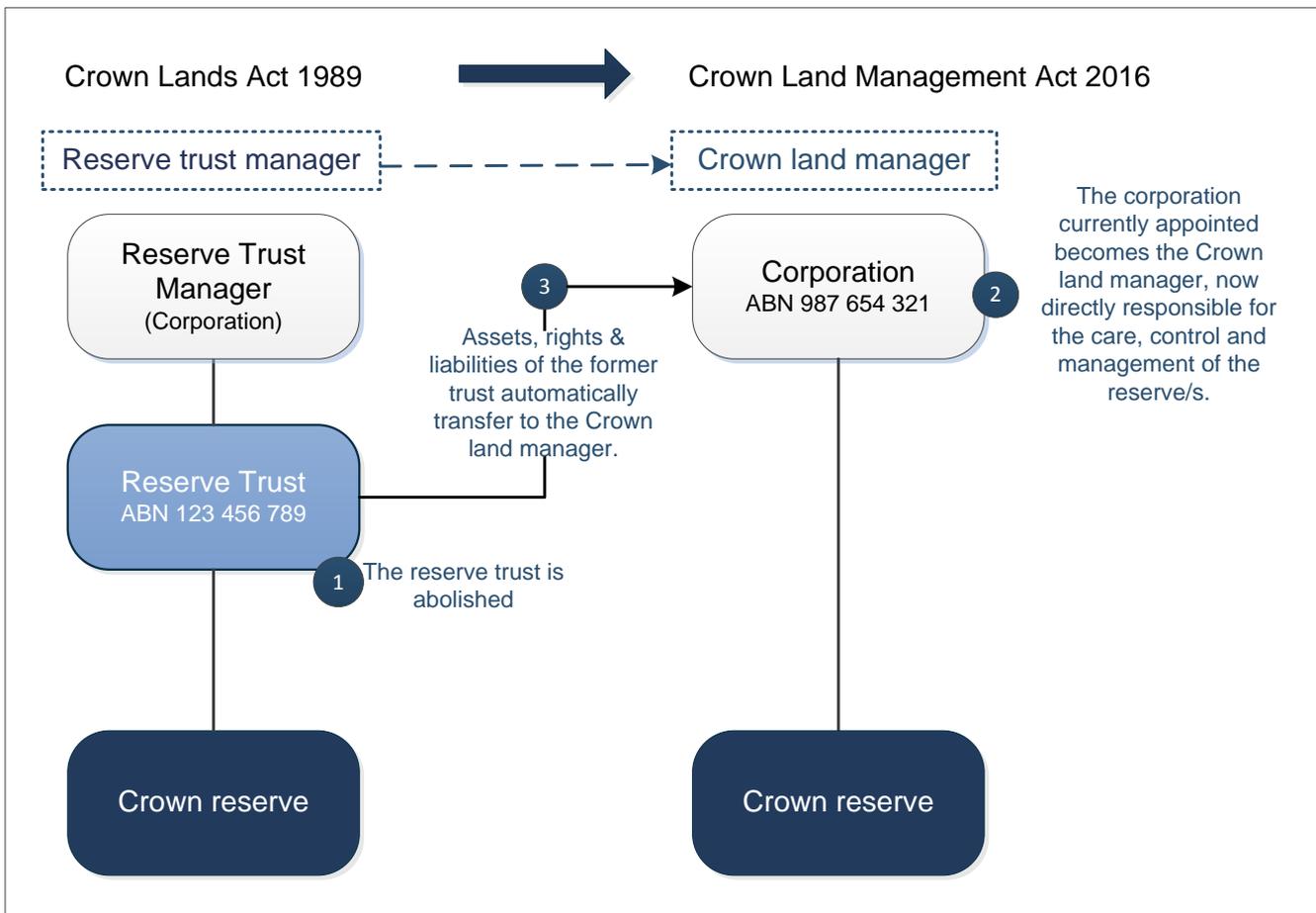


Figure 2. Transition to the CLM Act: Reserve trusts managed by corporations

Transition of assets, rights and liabilities when the reserve trust is abolished

The CLM Act makes provision so that all assets, liabilities, tenures and contracts of the existing reserve trust automatically transfer to the Crown land manager when the reserve trust is abolished (which will be 12 months after the CLM Act commences).

This means that any existing leases or licences issued by the trust will automatically continue under the CLM Act for their remaining term.

Categorisation for non-council Crown land managers

To recognise the diverse capacity and capability of current managers, non-council Crown land managers will be categorised as either:

- Category 1 managers
- Category 2 managers.

Category 1 managers are Crown land managers who have demonstrated advanced governance and expertise in Crown land management. Category 1 managers are authorised under the CLM Act to enter into leases and licences for terms of up to 10 years without the need to obtain ministerial consent.

The ability to enter into longer-term leases and licences without requiring consent, also means all category 1 managers are required to employ or engage a qualified Native Title Manager. This requirement is to ensure compliance with native title obligations.

Category 1 managers from commencement of the CLM Act are:

- NSW Crown Holiday Parks Land Manager

- Northern Metropolitan Cemeteries Land Manager
- Rookwood General Cemeteries Reserve Land Manager
- Catholic Metropolitan Cemeteries Trust
- Southern Metropolitan Cemeteries Land Manager
- Rookwood Necropolis Land Manager.

All other Crown land managers will be Category 2 managers at commencement of the CLM Act.

Category 2 managers will continue to need ministerial approval for all proposed leases, and all licences of more than one year in length (including any option to renew). As part of the consent process, the department will continue to provide oversight for native title obligations for development, leasing and licencing activities for Category 2 managers.

Aboriginal land rights and interests in Crown land

For the first time, Aboriginal land rights, native title rights and interests and Aboriginal people's involvement in the management of Crown land are explicitly recognised and supported in the CLM Act. Crown land has spiritual, social, cultural and economic importance and value to Aboriginal people. For many Crown reserves across the state, this traditional connection to the land remains largely intact.

Native title rights may exist over the Crown reserve you manage and you must still consider the effect an activity could have with respect to the *Native Title Act 1993*.

The introduction of the CLM Act does not change this requirement.

Aboriginal cultural heritage places or items could also be present on Crown reserves you manage. When undertaking management activities on your Crown reserve, you must consider if these activities or works could possibly impact on Aboriginal cultural heritage places or items. The introduction of the CLM Act does not change this requirement.

Grant and loan funding

The Public Reserves Management Fund will be known as the Crown Reserves Improvement Fund under the CLM Act. While the name is new, the ability to apply for grant funding and the existing process will remain the same.

All Crown land managers are still encouraged to apply for this annual grant funding. Applications can be made online when the annual funding round is open. www.industry.nsw.gov.au/lands/reserves/funding.

Construction, repairs and maintenance on Crown land

All Crown land managers are required to undertake development on Crown reserves in accordance with relevant planning legislation. Under the CLM Act, a Crown land manager is not a statutory body representing the Crown. While not giving public authority status, appointment as a Crown land manager does provide certain development pathways to recognise your public land management responsibilities.

Crown land managers are now allowed to make a development application with their local council or planning authority for a range of low-impact development on Crown land, without the need to get prior landowners consent from the Minister for Lands and Forestry. This allows Crown land managers and holders of leases and licences to make development applications for activities such as repairs, maintenance and restoration of existing buildings and structures; and the erection and maintenance of fencing and signage. For all other activities requiring a development application to be lodged, landowner consent from the Minister is required.

When considering development activities on your reserve, it is important to discuss your proposal with the department as early as possible so that assistance can be provided to identify the most appropriate development pathway.

Leases and licences

All Category 2 managers can still issue short-term licences (formerly known as ‘temporary licences’) for up to 12 months without the minister’s consent, and can issue leases and longer term licences with the consent of the minister. Category 1 managers will now only need to get the minister’s consent for leases and licences longer than 10 years (including any option to renew).

All non-council Crown land managers are now required to set rent for any lease or licence on their Crown reserve at market value. Recognising community benefits, subsidised rent that is less than market value is still possible if it is justified with a business case to the minister as part of applying for consent to grant the lease or licence. Revised lease and licence templates and updated guidance for Crown land managers will be available on the department’s website.

The *Community Engagement Strategy* is a new statutory requirement under the CLM Act and it must be followed prior to issuing any lease, or a licence for a term greater than 12 months (see further below). Crown land managers are encouraged to contact their local Crown Lands Office to discuss any new lease or licence proposal for assistance in meeting these new requirements.

Improving reserve governance

Crown reserves code of conduct

There has always been a requirement for reserve trust managers to prepare and adopt a written code of conduct. The introduction of the *Crown reserve code of conduct* has been timed to coincide with the start of the CLM Act. The code of conduct is the foundation of expected standards of management for the Crown reserve system, now and into the future.

The ten standards detailed in the code of conduct outline the need to respect others; act with integrity and transparency; be responsive to our communities; and maintain an environment that has regard for the safety of volunteers, employees and reserve users. Importantly, the code of conduct will ensure that managers of Crown reserves can have the confidence to participate in an environment that is safe, respectful and enjoyable.

The code of conduct aligns with community expectations that Crown reserves will be managed with transparency, integrity and good governance—adopting consistent standards and behaviours will help to instil public trust and confidence in the integrity and professionalism of the Crown reserve system.

Appointment instruments for Crown land managers

Crown land manager appointments will be established and governed by appointment instruments that set out the terms and conditions of their management functions. The appointment instrument will generally set out the date of appointment, rules or guidelines to be complied with, adherence to the code of conduct and use of the land compatible with the reserve purpose. A standard suite of appointment instruments will be used by the minister when appointing Crown land managers and will be progressively issued to existing managers from commencement of the CLM Act.

Reporting requirements

Non-council Crown land managers will still be required to report to the minister annually via the online Crown Reserves Reporting System (CRRS)—this will continue to be done online via the CRRS portal. To support the transition to the new Act, a reporting exemption has been applied to all non-council Crown land managers for

the 2017–18 financial year. You will still need to prepare your normal financial reporting statements for your financial entity.

Community Engagement Strategy

As custodians of some of the most valuable land in NSW, the minister and Crown land managers have an obligation to current and future generations to optimise benefits from Crown reserves. Community needs and expectations change over time and engaging with the community ensures informed decision-making and better outcomes for the community that use and enjoy Crown reserves.

As a Crown land manager, you are already expected to engage with your community about the activities being undertaken on your Crown reserves.

The *Community Engagement Strategy* is a statutory requirement and the CLM Act applies to decisions made by the department and all non-council Crown land managers. It seeks to ensure that decisions about Crown land are made in an open and transparent way by setting out engagement requirements for certain activities such as leasing and licensing. The statutory requirement for community engagement corresponds with the expected level of impact on community use and enjoyment if the lease or licence was granted.

Non-council Crown land managers are encouraged to contact their local Crown Lands Office to discuss any development, leasing or licensing proposal early, so the department can assist you meet your obligations under the *Community Engagement Strategy*.

For a copy of the Strategy and more information about your requirements, refer to the department's website.

Crown cemetery operators

Crown land managers that are appointed to manage a Crown cemetery continue to have legislative requirements under the *Cemeteries and Crematoria Act 2013*. In situations where the same function is covered under both the CLM Act and the *Cemeteries and Crematoria Act 2013* you should rely on the provisions within the *Cemeteries and Crematoria Act 2013*.

Crown land managers of cemeteries should also refer to the *Impacts of the Crown Lands Management Act 2016 on Crown Cemetery Operators Fact Sheet* for further information.

Transition checklist and templates

Reserve trusts managed by corporations will be abolished 12 months after the CLM Act commences. This delay is to help stage the transition to the new framework for corporations currently managing reserve trusts (corporate managers).

Whilst the CLM Act provides for any assets, rights and liabilities of a reserve trust to automatically transfer to its corporate managers when the reserve trust is abolished, there are certain things Crown land managers will need to do to complete the transition.

This will be most evident where there are business activities or undertakings in the name of the reserve trust entity. For example, if staff are employed by the reserve trust entity or there are bank accounts and other trading accounts held by the reserve trust, the corporate manager will need to ensure these are transferred to the corporation.

Even if the reserve trust is not actively carrying on a business, managers will need to ensure that the reserve trust entity is wound down and any statutory obligations are met, including lodgement of final Business Activity Statements or other tax-related returns for the reserve trust if relevant.

A checklist and pro-forma templates are provided to assist corporate managers in their transition to the two tier management structure under the CLM Act.

An additional 12 month period from the commencement of the CLM Act has been provided to allow for the necessary operational transition requirements to take place.

As every reserve trust is different, corporate managers should consider their own circumstances and seek additional guidance from the department where necessary.

You are **not** required to complete the checklist or submit it to the department - it is provided as a guidance tool only.

Checklist for winding down the reserve trust

Is this checklist relevant for my reserve trust?

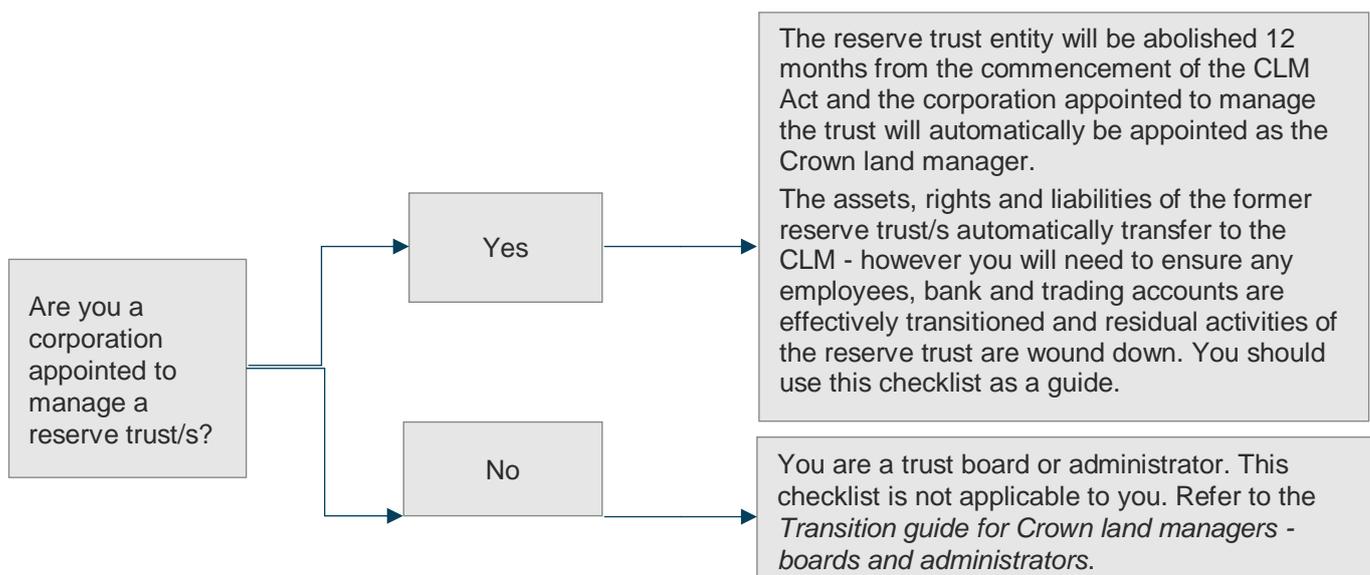


Figure 1. How to determine the relevance of the checklist

Understanding the transition requirements

The CLM Act provides for assets, rights and liabilities of the trust to automatically transfer to the Crown land manager 12 months after the Act commences - however there are certain activities required to complete the **business transfer** and the **winding down** of the reserve trust. Certain stakeholders may also need to be notified of the changes.

A simple way to identify the business transfer or wind down requirements is to ask:

- Are there any accounts, registrations, assets or other contractual arrangements (other than leases and licences) currently held in the name of the reserve trust?
 - If the answer is ‘yes’, you will need to take some form of action to complete the business transfer and wind down.
 - If ‘no’, and the activities or assets are instead in the name of the corporation, no action is likely to be required. You will still need to consider whether certain stakeholders need to be notified and ensure the reserve trust activities are effectively wound down.

Managers should be particularly careful to ensure any staff employed by the reserve trust are transferred lawfully to the Crown land manager, with transparency and with minimal disruption.

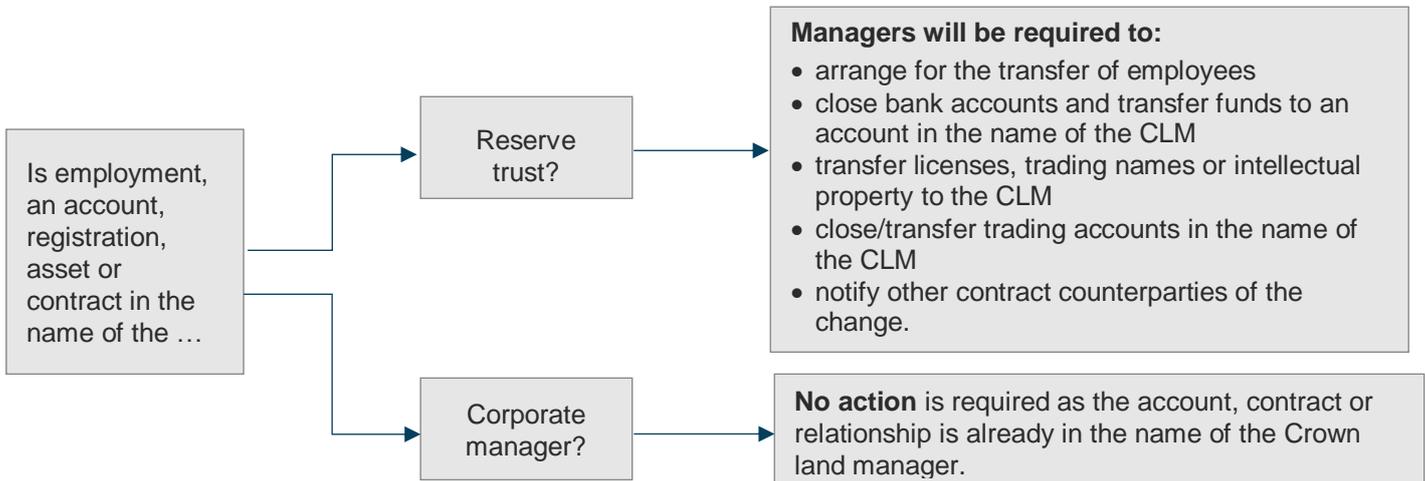


Figure 2. Transition requirements

Winding down the reserve trust	Actions	Timing	Action complete ?	Reference
A. Statutory authorities				
1. Does the reserve trust entity have an ABN?	<ul style="list-style-type: none"> • If ‘yes’, the ABN will need to be cancelled and the Australian Business Register notified. The department intends to complete this on your behalf. Further information will be provided at a later date. • If ‘no’, no action is required. 	Within 28 days of abolishment of the reserve trust i.e. 12 months from commencement		n/a
2. Is the reserve trust entity registered for	<ul style="list-style-type: none"> • If ‘yes’: 1. Notify Revenue NSW to cancel the payroll tax registration 	As soon as practicable		n/a

Winding down the reserve trust	Actions	Timing	Action complete ?	Reference
payroll tax?	2. Lodge a final return 3. Register for payroll tax in the name of the corporation (if not already registered). <ul style="list-style-type: none"> If 'no', no action required. 			
3. Does the reserve trust entity operate in a regulated industry or hold a special operating license?	<ul style="list-style-type: none"> If 'yes', notify the regulator or licencing body to transfer the operating licence or registration from name of the reserve trust to the name of the corporation. If 'no', no action required. 	As soon as practicable prior to abolishment of the reserve trust ie 12 months from commencement of the CLM Act		n/a
4. Does the Reserve Trust have any business or trading names?	<ul style="list-style-type: none"> If 'yes', notify ASIC to transfer the business or trading name/s from the reserve trust to the name of the corporation. If 'no', no action required. 	As soon as practicable after abolishment of the reserve trust ie 12 months from commencement of the CLM Act		n/a
5. Does the Reserve Trust have any other registrations, licenses or permits with Service NSW?	<ul style="list-style-type: none"> If 'yes', you will need to visit a Service NSW centre to re-issue the registration, licences or permits from the name of the reserve trust to the name of the corporation. If 'no', no action required. 	As soon as practicable after abolishment of the reserve trust ie 12 months from commencement of the CLM Act		n/a
6. Is the reserve trust listed on a land title?	<ul style="list-style-type: none"> If 'yes', there is no action required by you. NSW Department of Industry will notify Land Registry Services on your behalf. 	n/a		n/a
B. Insurance				
7. Does the reserve trust have insurance via the Treasury Managed Fund (TMF)?	<ul style="list-style-type: none"> If 'yes', there is no action required by you. NSW Department of Industry will notify the TMF on your behalf. If 'no', refer to question 8. 	n/a		n/a
8. Does the reserve trust have other insurance policies in place (not via the	<ul style="list-style-type: none"> If 'yes', notify your insurer or broker to transfer the insurance policy from the name of the reserve trust in to the name of the corporation and request an updated Certificate of Currency 	As soon as practicable after abolishment of the reserve trust ie 12 months from		Template B.2: Notification to insurers

Winding down the reserve trust	Actions	Timing	Action complete ?	Reference
TMF)?	<ul style="list-style-type: none"> If 'no', consider whether you should have insurance in place. 	commencement of the CLM Act		
C. Banking				
<p>9. Does the reserve trust operate a bank account, merchant facilities or credit cards?</p>	<p>If 'yes', notify your banking institution to:</p> <ul style="list-style-type: none"> open a new bank account in the name of the corporation transfer the funds and any attached merchant facilities or other products, from the reserve trust account to the Crown land manager account close the reserve trust bank account. <p>You may wish to request your bank leave the reserve trust account open for a reasonable period to allow time for direct deposits and payments to be redirected.</p> <p>You should also consider any payroll or supplier payments due on or around the transition date and tailor your instructions to the bank to ensure you have facilities in place to meet these commitments.</p> <p>You can also transfer reserve trust funds to an existing bank account in the name of the corporation. A separate bank for reserve activities will help you separate Crown reserve funds from the funds required for any other unrelated activities.</p> <ul style="list-style-type: none"> If 'no', no action required. 	As soon as practicable after abolishment of the reserve trust ie 12 months from commencement of the CLM Act		Template D: Bank accounts
D. Employees				
<p>9. Does the reserve trust employ staff?</p>	<ul style="list-style-type: none"> If 'yes', you will need to notify employees of their transfer to the Crown land manager on the same terms and conditions. Former reserve trust employees will continue to be covered by their existing industrial agreement/s. 	You should notify employees as soon as possible, prior to abolishment of the reserve trust		Template A: Notification to employees

Winding down the reserve trust	Actions	Timing	Action complete ?	Reference
	<ul style="list-style-type: none"> • You will need to ensure that employee records are transferred to the corporation's systems and that original start date, period of service, pay rates and other entitlements are recognised. • You will also need to: <ul style="list-style-type: none"> ○ issue PAYG payment summaries to employees on behalf of the reserve trust ○ lodge a final PAYG tax return in the name of the reserve trust. • If 'no', no action is required. 	ie 12 months from commencement of the CLM Act		
10. Does the reserve trust remit superannuation on behalf of employees?	<ul style="list-style-type: none"> • If 'yes', you should notify the fund/s of the change in the employing entity from the reserve trust to the corporation and which employees (and applicable membership numbers) are affected. • If 'no', then no action is required. 	As soon as practicable after abolishment of the reserve trust ie 12 months from commencement of the CLM Act		[PF 3]
E. Other stakeholders				
11. Does the reserve trust hold utility accounts in its name? <ul style="list-style-type: none"> ▪ utilities (water, gas, electricity) ▪ telephone / mobile phone 	<ul style="list-style-type: none"> • If 'yes', you should: <ul style="list-style-type: none"> • notify the utility provider to close the account in the name of the reserve trust and issue a final invoice for payment • transfer services to an existing account in the name of the corporation or open a new account in the name of the corporation. • If 'no', then no action is required. 	As soon as practicable after abolishment of the reserve trust ie 12 months from commencement of the CLM Act		Template B: Notification to suppliers
12. Does the reserve trust have other trading accounts in its name for example? <ul style="list-style-type: none"> • Suppliers • Customers • Professional advisors including accountants, lawyers, other. 	If 'yes', you should notify suppliers who provide goods and services to the reserve trust to: <ul style="list-style-type: none"> • close the account in the name of the reserve trust and issue a final invoice for payment (payable by the corporation) • open a new account in the name of the corporation under the same terms and conditions. You should notify customers of the reserve trust to:	As soon as practicable after abolishment of the reserve trust ie 12 months from commencement of the CLM Act		Templates B and B.1: Notification to suppliers and Notification to customers

Winding down the reserve trust	Actions	Timing	Action complete ?	Reference
	<ul style="list-style-type: none"> close the account in the name of the reserve trust and open a new account in the name of the corporation on the same terms and conditions redirect payments to the corporation's new bank account. <p>If 'no', then no action is required.</p>			
13. Are there other users of the reserve including lessees, tenants or community user groups?	<p>The CLM Act provides for the automatic transfer of assets, rights and liabilities to the corporation which includes contracts and leases.</p> <p>You are not required to re-issue leases or contracts in the name of the corporation. You may wish to notify lessees and other contract counter parties of the changes.</p>	As soon as practicable after abolishment of the reserve trust ie 12 months from commencement of the CLM Act		Template C: Notification to lessees and other land users
F. Systems, stationery and branding				
14. Does the reserve trust have: <ul style="list-style-type: none"> accounting, payroll, customer database or other operating IT systems? stationery or marketing collateral? a website or Facebook page? 	<p>Update systems and software to be in the name of the corporation or transfer licences where appropriate.</p> <p>Update collateral to be in the name of the corporation including:</p> <ul style="list-style-type: none"> invoices and receipts all stationery including letterhead and email signatures logos, signage and other marketing collateral your website, domain name or Facebook page communication tools including newsletters. 	As soon as practicable after abolishment of the reserve trust ie 12 months from commencement of the CLM Act		n/a

Table 1 Winding down the reserve trust

Template A: Notification to employees

[insert date]

[employee name]

[address line 1]

[address line 2]

Re: *Crown Land Management Act 2016* and transfer of your employment

I refer to your employment with [insert name of reserve trust].

As you may be aware, the *Crown Land Management Act 2016* (the Act) came into full effect on [insert commencement date of the CLM Act]. Under schedule 7 of the Act, the legal entity who is your current employer, [insert name of reserve trust] will be abolished on [insert date] and its assets, rights and liabilities will be transferred to [insert name of crown land manager].

As a result, from [insert commencement date], your new employer will be [insert name of crown land manager]. [insert name of crown land manager] will recognise your period of service and accrued entitlements and you can continue working on **the same terms and conditions** as your current employment. Your employment will continue to be covered by [insert applicable industrial agreement (if relevant)] and the *Fair Work Act 2009*.

You are deemed to accept employment with [insert name of crown land manager] unless you notify us otherwise by close of business on [insert date, not less than 7 days from the date of letter but before the commencement date of the CLM Act].

Please also find enclosed a copy of the Fair Work Statement relating to business transfer situations.

If you have any queries in relation to this letter or your employment, please contact [insert name] on [contact details].

Your sincerely

[name]

[position]

Note: The example letter is applicable to employees of reserve trusts managed by **corporations only**. You should:

- copy and paste the body of the letter onto the reserve trust letter head
- replace all [red text]
- modify other wording as applicable.

The key message to convey to employees is that there is no change to their employment terms and conditions.

Managers should be aware that under the *Fair Work Act 2009*, employers **must** provide employees a copy of the Fair Work Statement.

Template B: Notification to suppliers

- Suppliers
- Utilities
- Other trading partners
- Advisers

[insert date]

[addressee]

[address line 1]

[address line 2]

Dear Sir/Madam

Re: Change of account

Account [or policy / license] holder: [XYZ Trust]

ABN [if registered]

Account [or policy / license] number: [insert account number/s]

I refer to the [XYZ Trust], which holds the above named accounts with you.

Please be advised that *Crown Land Management Act 2016* (the Act) came into full effect on [insert commencement date of the CLM Act]. Under schedule 7 of the Act, [XYZ Trust] is abolished effective [insert date] and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager].

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

Could you please:

1. Open a new account in the name of [insert name of crown land manager]
2. [For utility providers only] Transfer all services from the [XYZ Trust] account to the new account. **Please ensure you do not disconnect any services.**
3. Close the account in the name of [XYZ Trust].
4. Issue a final invoice for services rendered up to [insert date].

All other contact details, including authorised persons, remain the same [strike out or amend if not accurate].

Should you have any queries, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

[position]

The authorised contact person or account signatory for the reserve trust should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

Template B.1: Notification to customers

[insert date]

Circular to customers

Dear Sir/Madam

Re: Change of account details

[XYZ Trust]

ABN [if registered]

Please be advised that *Crown Land Management Act 2016* (the Act) came into full effect on [insert commencement date]. Under schedule 7 of the Act, [XYZ Trust] is abolished effective [insert date] and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager].

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

From [insert date], all activities associated with the [XYZ Reserve] will be in the name of [insert name of crown land manager]. Could you please update your systems and redirect all future payments to the following bank account:

Bank details

New bank details—from commencement	
Bank:	[insert bank]
BSB:	[insert BSB]
Account name:	[insert account name]
Account number:	[insert account number]

All other contact details remain the same [strike out or amend if not accurate].

Should you have any queries, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

[position]

The authorised contact person for the reserve trust should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

Template B.2: Notification to insurers

[insert date]

[addressee]

[address line 1]

[address line 2]

Dear Sir/Madam

Re: Change of policy details

Account holder: [XYZ Trust]

ABN [if registered]

Policy number/s: [insert policy description and number/s]

I refer to the [XYZ Trust] which holds the above named insurance policies with you.

Please be advised that *Crown Land Management Act 2016* (the Act) was implemented on [insert commencement date]. Under schedule 7 of the Act, [XYZ Trust] is abolished effective [insert commencement date] and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager].

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

Could you please update all existing policies to be in the name of [insert name of crown land manager and ABN].

All other contact details, including authorised persons, remain the same [strike out or amend if not accurate].

Should you have any queries or require further information, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

[position]

The authorised contact person for the reserve trust should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

Template C: Notification to lessees and other land users

- Lessees
- Community user groups
- License holders

[insert date]

[addressee]

[address line 1]

[address line 2]

Dear Sir/Madam

Re: *Crown Land Management Act 2016* and appointment of Crown land manager

Please be advised that the *Crown Land Management Act 2016* (the Act) came into full effect on [insert commencement date of the CLM Act]. Under schedule 7 of the Act, [XYZ Trust] is abolished effective [insert date] and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager].

The [contract / lease or license – be specific where possible] you hold with [XYZ Trust] therefore is transferred to [insert name of crown land manager]. There is otherwise no change to the terms and conditions of the agreement and all reserve contact details remain the same [strike out or amend if not accurate].

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

Should you have any queries, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

The authorised contact person for the reserve trust should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

Template D: Bank accounts

[insert date]

[addressee]

[address line 1]

[address line 2]

Dear Sir/Madam

Re: New bank account and transfer of funds

Account holder: [XYZ Trust]

ABN [if registered]

Account number: [insert account number/s]

I refer to the the above named accounts held with you of which I am a signatory.

Please be advised that *Crown Land Management Act 2016* (the Act) came into full effect on [insert commencement date]. Under schedule 7 of the Act, [XYZ Trust] is abolished effective [insert commencement date] and the assets, rights and liabilities are transferred to the appointed Crown land manager, which is [insert name of crown land manager]. Under schedule 7 of the Act, this includes funds in current bank accounts.

An authority letter confirming the same from the NSW Department of Industry is attached for your reference.

Could you please:

[Option 1] – Open new accounts

1. Open new bank account/s in the name of [insert name of crown land manager], effective [insert commencement date] (the new accounts)
2. Transfer funds from the reserve trust accounts to the new accounts
3. Allow online access to the new accounts
4. [If relevant] Transfer the merchant facilities to the new accounts
5. [If relevant] Cancel credit cards issued to [XYZ Trust] and reissue in the name of [XYZ Land Manager].
6. Transfer any direct debits from the reserve trust account/s to the new account/s
7. Please continue to allow deposits into the reserve trust accounts until further notice.

[Option 2] – Transfer to an existing CLM Account

1. Transfer funds from the reserve trust accounts to the following account:
[insert CLM account details]
2. [If relevant] Transfer the merchant facilities to the new accounts
3. [If relevant] Cancel credit cards issued to [XYZ Trust] and reissue in the name of [XYZ Land Manager].
4. Please continue to allow deposits into the reserve trust accounts until further notice.

All other contact details and signatories should remain the same [strike out if not accurate].

Should you have any queries, please contact [name] on [phone] or via email on [insert email].

Your sincerely

[name]

[position]

The authorised contact person and account signatory should sign off.

Note: This wording is provided as an example only. You should:

- copy and paste the body of wording into your own letter head or an email
- replace all [red text]
- delete, modify or add text as relevant.

You should also consider any payroll or supplier payments due on or around the transition date and tailor your instructions to the bank to ensure you have facilities in place to meet these commitments.